



Appeal Decision

Hearing held on 27 January 2026

Site visit made on 26 January 2026 (unaccompanied) and 28 January 2026 (accompanied)

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2026

Appeal Ref: 6001099

Havering Park Stables, Bower Farm Road, Havering-Atte-Bower, Romford RM4 1QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Adam Smyth and Richard Harris against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1698.24.
 - The development proposed is Conversion of existing building to form two residential dwellings (Class C3) and alterations to enlarge the retained residential dwelling (Class C3). Demolition of the remaining buildings and structures on the site and construction of 6 residential dwellings (Class C3) together with associated car parking, landscaping, highways and infrastructure works.
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Decision

1. The appeal is allowed and planning permission is granted for Conversion of existing building to form two residential dwellings (Class C3) and alterations to enlarge the retained residential dwelling (Class C3). Demolition of the remaining buildings and structures on the site and construction of 6 residential dwellings (Class C3) together with associated car parking, landscaping, highways and infrastructure works at Havering Park Stables, Bower Farm Road, Havering-atte-Bower, Romford RM4 1QR in accordance with the application, Ref P1698.24 and subject to conditions set out in the schedule below.

Application for costs

2. An application for costs was made by Adam Smyth and Richard Harris against the Council of the London Borough of Havering. This application is the subject of a separate Decision.

Preliminary Matters

3. The Council refused planning permission for 8 reasons. Since the appeal was lodged and following the submission of further information by the appellants the Council has confirmed that it is no longer seeking to defend reasons 4 (highway safety), 5 (impact on trees), 6 (impact on protected species) and 8 (compliance with statutory duties in respect of biodiversity), subject to conditions. It is also no longer seeking to defend reason for refusal 7 in respect of affordable housing on the grounds that a unilateral undertaking (UU) under section 106 of the Town and Country Planning Act 1990 (as amended) has made provision for contributions to affordable housing in lieu of on-site provision. I have proceeded accordingly.

Main Issues

4. The main issues are:

- the effect of the proposed development on the character and appearance of the area, including its effect on the significance of the Havering-Atte-Bower Conservation Area;
- whether the existing use on the site is a recreational use and if so, whether its loss has been justified; and
- whether the proposed development would be inappropriate development in the Green Belt, having regard to national policy.

Reasons

Character and appearance

5. The appeal site occupies a large and roughly triangular area of land between Bower Farm Road to the east and north and Wellingtonia Avenue to the south with open land to the west. The developed eastern part of the site is in an elevated position on the edge of the village of Havering-atte-Bower, close to the village green and the historic centre of the settlement. The western side of the site is undeveloped, sloping down towards the north-west and Bower Farm Road and provides open grazing land for horses.
6. At the corner of the site, at the junction of Wellingtonia Avenue and Bower Farm Road, opposite the Grade II listed Church of St John the Evangelist and to the northwest of The Green, there is an historic stable block. This is a substantial U-shaped building enclosing a gated and cobbled courtyard. It is one of the remaining buildings belonging to the historic Havering Park estate which previously occupied this area and incorporated land now forming the Havering Country Park. The building is locally listed and a non-designated heritage asset. Within this building there is a residential unit, stabling and storage. The proposal would convert the building to create two additional residential units.
7. Elsewhere on the eastern side of the site there are 14 buildings and structures of various sizes comprising a large storage barn, stables, indoor manège, tack room and office as well as two outdoor manèges, enclosed by fencing. As an equestrian facility with open land and rural buildings for the keeping of horses, the site has a distinctly rural character that sits comfortably on the edge of the village.
8. The site lies within the Havering-atte-Bower Conservation Area (the CA). The CA is characterised by its historic buildings and its closeness to the open countryside with some fine views to the south, west and north, defined within the Havering-atte-Bower Conservation Area Character Appraisal and Management Proposals (the CAMP). It retains its medieval origin with core elements including a church, vicarage, gentry houses, farms, school and public houses and village green, around which several of these buildings are positioned. The significance of the CA is derived from its historic interest as a modest, rural village with several quality historic buildings and its rural setting.
9. The historic stable building is visible from The Green and makes an important contribution to the area's historic interest. Aside from this structure, the remaining buildings on the site are of limited architectural merit; however, their simple form

and design reinforce the rural character of the locality. The modern barn, positioned to the rear of the stable block and visible at the end of Elmer Avenue, does detract to some extent from the site's appearance. Nevertheless, as a typical rural building, it reflects the equestrian use of the land and therefore forms part of the rural character of the area. In this respect, the current use of the site makes a positive contribution to the character and appearance of the CA and its significance. Furthermore, the nature of the existing development is sympathetic to the historic stable building and enhances its setting, thereby strengthening the way this non-designated heritage asset contributes to the CA.

10. At the western end of Wellingtonia Avenue lies the entrance to Havering Country Park, which historically formed part of the wider estate and was functionally linked to the stables. Since the estate was broken up the character of the road has evidently altered significantly. Its northern side is now lined with 20th-century residential development, while the single-storey Bower Hall occupies the southern side, enclosed on three sides by the appeal site. It is common ground that Bower Hall is a detracting feature within the landscape.
11. All the buildings on the site would be demolished except for the historic stable building. These would be replaced with four detached dwellings (units 4-7) and a pair of semi-detached dwellings (units 8 and 9). Unit 4 would front Wellingtonia Avenue, positioned between the retained stables and Bower Hall. Units 5, 6 and 7 would be sited on the western side of a new access road into the site from Wellingtonia Avenue with units 8 and 9 at the far end, close to Bower Farm Road.
12. The proposal would change the character of the site because the use of the site would change and with this the design, scale and layout of buildings. Residential development in itself would not be uncharacteristic within the CA, particularly given the presence of housing development to both Wellingtonia Avenue and the eastern stretch of Bower Farm Road.
13. The original stable building is prominent in views looking east along Wellingtonia Avenue, although it is partially obscured by trees within the site. Parked vehicles outside Bower Hall also interrupt this view. Whilst this is not a key view as defined in the CAMP, it nevertheless adds to the quality of the area. The proposed Unit 4, positioned further forward than the existing structures, would intrude into this vista. This would reduce the visibility of the rear elevation, including its gated entrance and the symmetry of the building although the clock tower would remain visible. This would only be from certain points along Wellingtonia Avenue and experienced momentarily, as users of the road typically walk from Havering Country Park towards the village rather than pausing to take in the view. In addition, the existing trees that already filter this view are to be retained. Even so, it would weaken the visual and historic link between the stables and the surviving elements of the former estate within the country park. Some harm to the rural and historic character along this stretch of the road would arise from this.
14. The development would be laid out around an internal access road. The layout has a degree of informality with unit 7 being wider and set back from Unit 6 but the pattern of development is nevertheless fairly linear from Unit 4 to Unit 7. In this respect, it would not fully achieve the farmstead character asserted by the appellant. However, it would also not be unduly suburban due to the design of the dwellings, which adopts features associated with agricultural buildings, and the lack of formality. I appreciate that it would significantly change the character looking into

- the site from Wellingtonia Avenue because it would be residential rather than equestrian development, and more open. However, through the use of appropriate materials, sympathetic to the character and appearance of the CA as proposed by the appellant, and secured by condition, the harm to the CA would be limited.
15. The proposal would not impact upon the key view as defined in the CAMP, as this lies to the west of Bower Hall and looks to the north. Nevertheless, Unit 4, while positioned to open up views from Wellingtonia Avenue to the northwest, would draw the eye as an uncharacteristic domestic feature overlooking a rural landscape. In this respect, it would detract from the rural setting of the village.
 16. Elsewhere within the development, gaps between buildings would provide views towards the open countryside that currently do not exist, although these would be experienced from a residential setting. Views towards the listed church would also be opened up from within the development. These are nevertheless positive aspects arising from the layout of the proposal.
 17. Viewed from Bower Farm Road to the north, the site is characterised by undulating open land used for grazing horses with the equestrian buildings visible in views filtered through boundary vegetation, at the top of the hill. The modern barn dominates in this view and, whilst not an uncharacteristic type of building to be found in rural areas, it is utilitarian in appearance and does not add to the quality of the landscape or setting of the village. Other buildings are visible in this view, including Bower Hall and 20th century housing development on the south side of Wellingtonia Avenue.
 18. The proposed dwellings would be set largely further back and would be of a similar height to the existing development when viewed from the northern stretch of Bower Farm Road, although part of Unit 7 would extend beyond the current built footprint. Their design incorporates barn-like characteristics, including dark timber cladding, low eaves and pitched roofs, which would assist in integrating them into the rural context. These measures would be reasonably effective, although the extensive glazing on the west-facing elevations and the introduction of domestic gardens would nonetheless signal their residential nature. Views from the road would be filtered by existing boundary vegetation, and new hedgerow planting at the end of the gardens would help separate them from the remainder of the site, which would remain undeveloped and enhanced for biodiversity. Even so, views towards the site from the lower part of Bower Farm Road are experienced while travelling along the route, and the proposed houses would inevitably alter the character of these views. Moderate harm to the character and appearance of the area would arise.
 19. Further eastwards along Bower Farm Road, Units 8 and 9 would come into view. Due to their height and bulk, they would be more prominent than the existing structures on the site. However, at this point in the road, other residential development on the opposite side of the road comes into view. In this context, the proposed dwellings would not appear out of character. Additional planting proposed as part of the approach to landscaping would provide screening and softening of the development. Consequently, there would be limited harm to the character and appearance of the area nor the significance of the CA when viewed from this part of Bower Farm Road.
 20. Change experienced from The Green would be minimal, with a possible glimpse of unit 4 beyond the churchyard but confined to very limited places as people pass

through The Green and when trees are not in leaf. Harm arising from this to both character and appearance of the area and the significance of the CA would be negligible.

21. The conversion of the historic stable building would result in some harm to the non-designated heritage asset due to physical alterations and the change of use of the building. The cobble setts within the courtyard and other external features including the gates which contribute to the historic significance of the building would be retained. However, in accordance with paragraph 216 of the Framework, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset. The works of conversion are necessary to secure the long term viability of the building, physical changes have been minimised and consequently the Council found this aspect of the scheme to be acceptable. I have no reason to disagree.
22. Drawing all these factors together, my finding is that the scheme would fail to preserve or enhance the character or appearance of the CA which I am required to pay special attention to in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The harm the proposal would cause to the significance of the CA would be less than substantial but at the lower end of the scale. This is the same conclusion reached by the Council's heritage consultant. Paragraph 212 of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Consequently, I give this harm considerable importance and weight.
23. The proposal would cause moderate harm to the character and appearance of the area, including the significance of the CA. It would therefore conflict with Policies 26 and 28 of the Havering Local Plan 2021 (the HLP) and Policy HC1 of the London Plan 2021 (the LP). Together these seek high quality developments and designs that complements the distinctive qualities, identity and character of the site and local area and preserve or enhance heritage assets.

Recreational use

24. The site currently operates as a horse livery where horses are kept and cared for. It provides stabling for 36 horses, a large barn for storage of hay, two outdoor manèges, an indoor manège, offices and various other outbuildings. It was previously operating as a riding school which I am told closed in 2019. Since 2018, regulations have been brought in that include a requirement for a license to operate as a riding school. Compliance with certain standards need to be met to be licensed, including the provision of individual stalls to a minimum size. The stables on site do not meet that requirement. Its licence to operate as a riding school has not been renewed. This has not been disputed by the Council.
25. The livery is an everyday livery, that is not catering for equestrian professionals, and my reading of this is that it is used by people who are keeping horses for recreation. The keeping of horses at the livery provides a base from which owners may go horse-riding or take the horses to participate in events. Moreover, the manèges provide space for horse training, exercise and potentially recreational practice, such as show jumping although recognising that these facilities are not particularly large. Whilst these may be left over from the riding school being operational, there was nothing to suggest that they are no longer used.

26. Without facilities like the appeal site being available, it would not be possible for people to keep horses for recreational purposes. For this reason and taking into account the availability of the manèges on the site which go beyond basic stabling, I am satisfied that the appeal site falls within a recreational use.
27. It was put to me that a garage used to store motor vehicles for recreational purposes would not be classified as a recreational use and therefore keeping horses for recreational activities off site should likewise not be classified as such. Horses require specific accommodation, daily care, space for grazing and exercise and, in this case, there are the additional facilities in the form of the manèges. A car used for recreational purposes could be kept in a much wider variety of places. I do not find these comparable.
28. Policy 18 of the HLP seeks to protect existing sports and recreation facilities. The supporting text explains what sports and recreation facilities encompass. It makes no reference to a horse livery or any equine activities. Pre-application advice¹ set out that the loss of the functional equestrian use would require justification it also stated that the facility was not protected by policy. I do not have the information that was before the Council in respect of the use of the site when this advice was given. The Council, in determining the application, subsequently found conflict with Policy 18.
29. The policy sets out that recreation facilities will be protected from development unless it can be demonstrated that a. replacement provision of equivalent or better quantity and quality will be made in a suitable location; or b. the development is for alternative sports and recreational provision and the need for this clearly outweighs the loss. These criteria accord with the approach set out in national policy, namely paragraph 104 (b) and (c) of the Framework. However, it seems to me that neither of these criteria are met by the appeal as it is not proposing either any replacement or alternative provision.
30. However, paragraph 104 (a) the Framework allows for the loss of recreational buildings and land where an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements. Thus, whilst there is no requirement to justify the loss under Policy 18 it is required under the Framework.
31. The appellant has provided a written statement which he expanded on at the Hearing. In summary, this explains the decline of the long-standing family business at the site, the economic difficulties the business has faced and the availability of more competitively priced alternative facilities within the local area. However, whilst this provides a reasonable explanation, it is not supported by a robust assessment that demonstrates the facility is surplus to requirements, such as occupancy rates over a period, available capacity at other liveries and whether these provide equivalent facilities such as manèges. I have also only been provided with anecdotal information about capacity at other facilities, not specifically whether they have capacity.
32. That said, I was told that current occupancy levels are low with around 6 horses being kept at the site and that broadly accords with what I observed at the time of my site visit, although I recognise that is just a snapshot in time. However, I have

¹ Council Ref: W0165.23, dated 14/09/23

no substantive evidence to support the allegation that the business has been intentionally allowed to decline.

33. I have determined that the existing use on the site is a recreational use. However, based on the evidence before me, I cannot be satisfied that it has been adequately demonstrated that these recreational buildings and land are surplus to requirements. I therefore find that the loss of the use has not been justified. The scheme would not accord with Policy 18 of the HLP insofar as it would fail to protect the borough's existing recreation facilities. It would also not accord with paragraph 104(a) of the Framework as I have explained above.

Whether inappropriate development in the Green Belt

34. The site is located in the Green Belt. No local plan policies have been cited in respect of this main issue, however, Policy G2 of the LP seeks to protect the Green Belt from inappropriate development and aligns with national policy.
35. The Framework provides that development in the Green Belt is inappropriate unless one of the specified exceptions set out in paragraph 154 apply. Relevant to this appeal is (g) which relates to development on previously-developed land (PDL) and (h) (iv) which relates to the re-use of existing buildings.
36. The locally listed stable building would be converted to form two additional residential units. It is agreed that this aspect of the proposal would be not inappropriate development under paragraph 154 (h) (iv).
37. The exception under (g) allows for the partial redevelopment of PDL (including a material change of use to residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
38. It is common ground that the eastern part of the site is PDL. It would be partially redeveloped, the historic stable building being retained, including a material change of use to residential. The buildings to be demolished are permanent structures. Therefore under (g) the remaining test is whether the redevelopment of this PDL would cause substantial harm to the openness of the Green Belt. An assessment of openness can have both spatial and visual aspects.
39. The proposed development has been calculated to reduce the overall volume of development on site by 12%, equivalent to 1,000 cubic metres as well as reducing the building footprint by 41% and areas of hardstanding by 3.5%. Two of the proposed dwellings, units 4 and 9, would occupy space where there are no buildings or at least, not of significant size. These parts of the site would experience a loss of spatial openness. However, my overall finding is that with a fairly significant net reduction in the volume of development on site, the effect on the spatial openness of the site would be limited.
40. The proposal would be experienced differently in visual terms, depending from where it is viewed. From both Wellingtonia Avenue and Elmer Avenue, the unit 4 dwelling would be closer to the road and more visually prominent. However, it would not be higher than the existing barn positioned behind it further into the site. It would also result in a wider gap between Bower Hall and development on the site than currently exists. This would expand views looking north-west across the open land within the site. Furthermore, this dwelling would be positioned between Bower

Hall and the stable building, and it seems to me that this would also amount to limited infilling which is also an acceptable form of development in terms of its impact on openness. Consequently, I find that there would be a limited effect on the visual openness of the Green Belt from here.

41. The replacement of various structures and buildings with the carport which would sit behind a fence would have a very limited or negligible effect on visual openness along the eastern stretch of Bower Farm Road. From the northern section of this road which has more open views of the site, there would be a change in character, but the development would be largely located where existing development is. The proposed semi-detached dwellings would be more visually prominent adjacent to the road because they would replace smaller buildings. However, they would also be viewed in the context of other residential development along Bower Farm Road. They would also be screened by trees and vegetation. As such, there would be a moderate loss of visual openness here.
42. The gardens to the dwellings would be enclosed by low post and rail timber fences and these would extend into the more open part of the site including a small area of land that is not developed at the moment. However, the extension of the development into that part of the site is compensated for by the removal of the manège and the reinstatement of the sloping topography to the site. I acknowledge that as domestic gardens they may include garden furniture, trampolines and other domestic paraphernalia. However, these are of a relatively temporary nature, not fixed and therefore the impact of these upon the openness of the Green Belt in visual terms would again be moderate.
43. My overall finding is therefore that there is a limited impact on openness in spatial terms and cumulatively the impact on visual openness is moderate. This would be less than the substantial harm that needs to be demonstrated for redevelopment of PDL to be found to be inappropriate development. As such I conclude that the scheme would amount to not inappropriate development within the Green Belt.
44. The proposal would comply with Policy G2 of the LP and paragraph 154 of the Framework which seek to protect the Green Belt from inappropriate development. As the proposal complies with these policies, I do not need to go on and consider whether very special circumstances exist to justify the development in the Green Belt.

Other Matters

Living conditions

45. Although not a reason for refusal, concerns have been raised about the living conditions of future occupants of the development in respect of privacy within their rear gardens. The gardens would be enclosed by post and rail fencing to minimise their impact on the character and appearance of the area and the Green Belt. Open fencing such as this would not provide effective screening. However, due to the sloping topography the gardens would be set at different levels and the layout would help to reduce opportunities for overlooking. In addition, hedgerow planting enclosing an area of private space to Unit 6 is indicated on landscaping plans. Any residual overlooking could be mitigated by additional planting.

46. The proposed dwellings would be some distance from existing housing and this would prevent them leading to overlooking or overbearing impacts on existing occupiers.
47. Views from properties facing the site would change, however, the private view from a window or property is not of itself regarded as a planning matter. Nearby dwellings will still benefit from satisfactory outlook.
48. There is no evidence that the proposal would give rise to unacceptable noise or air quality impacts that would harm nearby occupants. A construction management plan would be put in place to control noise and emissions during construction.

Infrastructure and services

49. A concern has been raised that the proposed development may be above a mains water pipeline serving other properties. However, the presence of such is not confirmed by the asset location sewer map provided by Thames Water which indicates that there are currently no assets within the site boundaries.
50. I have no substantive evidence that electricity supply, water pressure and drainage would be adversely impacted by this scheme. Likewise, there is no evidence that the proposal would give rise to unacceptable pressure on local services and facilities including schools.

Listed building

51. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
52. The site lies within the setting of the Grade II listed Church of St John the Evangelist. The historic stable building would appear little changed when viewed from the Church. Some of the more modern structures, notably the utilitarian barn would be removed from within that setting and replaced by housing, which is a characteristic feature of existing development within the setting of the Church. With intervening boundary vegetation and the opening up of views along the proposed access road towards the Church, the changes within the setting of the Church would not harm its significance and would preserve its special architectural and historic interest.

Highway matters

53. The highways authority has requested improvements to the junction of Wellingtonia Avenue and Bower Farm Road, these include give-way markings and visibility measures. I observed that there is poor visibility at this junction due to the position of the historic stable building. There is no footpath, the carriageway therefore operates as a shared space. It is agreed that the proposal would not generate more traffic than the existing use of the site when fully operational. It is also anticipated that the types of vehicles attending the site will be smaller than those serving the existing use which would include vehicles towing horse boxes and trailers. Thus, whilst I recognise that providing junction improvements would be beneficial, they are not necessary to make the development acceptable. The proposed condition requiring these works would therefore fail to meet the tests set out in the

Framework and the Planning Practice Guidance and it would not be appropriate to impose this.

54. The scheme does not propose an access onto Bower Farm Road although existing parking on this road would be retained. A construction management plan would help to mitigate the impacts on the highway during the construction phase through controls over vehicle parking associated with the proposals. This could be controlled by a planning condition.
55. It has been suggested by interested parties that the new access road should be opposite Elmer Avenue rather than offset as proposed. However, that is not the proposal before me. The position of the access road has not been identified as giving rise to highway safety concerns.
56. The scheme provides enough parking on the site to meet policy requirements for this type of development. There is no evidence that additional parking pressures would arise, particularly as the residential use is not expected to generate more traffic than the existing use. For the same reasons, the development is not expected to give rise to greater damage to the local roads than existing development.

Wildlife, ecology and trees

57. I have had regard to concerns arising in relation to wildlife and impacts on biodiversity. Ecological assessments and surveys have demonstrated that development of the site can appropriately mitigate any effects upon ecology and provide biodiversity enhancements subject to conditions to secure this.
58. The proposal would not affect trees within the Country Park, notably Redwood trees which have been identified as an important feature of the park.

Recycling, refuse and cycle storage

59. Concerns have been raised that accommodating these storage facilities within the historic building would be inappropriate. However, the final details in respect of these matters would be secured through planning conditions.

Planning Obligations

60. Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) (the CIL Regulations) states a planning obligation may only constitute a reason for granting planning permission if the obligation passes three requirements. This is reiterated in paragraph 58 of the Framework. These requirements are that the Obligation is necessary to make the development acceptable in planning terms, that it is directly related to the development and fairly and reasonably related in scale and kind to the development.
61. The submitted UU secures a contribution to affordable housing of £50,000 in lieu of provision on site. This figure has been agreed by the Council following an assessment of viability. It is supported by an adopted development plan policy and I am satisfied that the provision would be reasonable and necessary to make the development acceptable in planning terms.
62. Local authorities can charge a monitoring fee as part of a section 106 agreement to cover the cost of monitoring and reporting on the implementation of the section 106

agreement. The CIL Regulations make provision for this but the sum paid must fairly and reasonably relate in scale and kind to the development and not exceed the authority's estimate of the cost of monitoring the development over the lifetime of the planning obligations which relate to that development.

63. The Council has published its planning obligation monitoring fees online. The Council has stated that the fees are calculated based on the anticipated costs associated with monitoring different types of obligations. It applies a fixed monitoring fee of 5% for financial obligations.
64. The UU makes provision for monitoring costs although the appellant disputes this. The monitoring fee would be based on the total value of the affordable housing contribution amounting to £2,500 in this case. This would be payable prior to commencement as a one-off payment.
65. The payment of a one-off financial contribution is a straightforward transaction relating to a single obligation. Whilst I appreciate that there would be some cost associated with monitoring how that contribution is used and reporting on this, there is nothing before me to suggest that this obligation is complex or likely to generate significant work in terms of monitoring once the obligation has been paid. For this reason, the proposed monitoring contribution does not meet the provisions of the CIL Regulations as it would not be reasonably related in scale and kind to the development.
66. The UU includes a 'blue pencil' clause which provides a mechanism whereby if I find an obligation or an element of an obligation does not meet the legal tests set out in Regulation 122 of the CIL Regulations, then that obligation or element of an obligation shall not take effect. Given my findings in respect of the monitoring fees, this element of the obligation shall not be required.

Heritage Balance

67. I have found that the proposal would cause less than substantial harm to the significance of the CA. That harm falls towards the lower end of that scale. In accordance with paragraph 215 of the Framework, this harm should be weighed against the public benefits of the proposal.
68. The Council cannot demonstrate a five year supply of deliverable housing land, advising that it has a supply of 2.9 years. This represents a significant shortfall in supply. The scheme would provide eight additional dwellings, with a high proportion of family housing for which it is agreed there is a need. It would make a financial contribution to affordable housing provision in lieu of on-site provision of £50,000. These benefits attract substantial weight.
69. The proposal would make use of PDL. The Framework sets out that substantial weight should be given to the value of using suitable brownfield land within settlements for homes such as would be the case here. The scheme would enable the sensitive restoration of the locally listed building, therefore securing its long-term preservation. It would provide modest economic benefits both during construction and once occupied would deliver public sector revenue, employment and local community spending. It would deliver environmental benefits through a biodiversity net gain of 21.03% habitat units and 222.27% in hedgerow units. Cumulatively, these benefits carry moderate weight in the balance.

70. Taken together, all these public benefits are sufficient to outweigh the less than substantial harm to the CA that I have identified, notwithstanding the considerable importance and weight I give to that harm.

Planning Balance

71. Since the Council does not have a five year supply of deliverable housing sites, the Council's policies for the delivery of housing are deemed to be out of date and the provisions of paragraph 11 d) of the Framework are applicable. I have determined that the application of Framework policies relating to designated heritage assets does not provide a strong reason for refusing the development proposed under paragraph 11 d) i). The proposal is therefore considered under the provisions of paragraph 11 d) ii).
72. I have outlined the benefits of the scheme in my heritage balance above. Cumulatively, these attract significant weight in the overall planning balance.
73. Weighed against this, the scheme would cause moderate harm to the character and appearance of the area and, notwithstanding my finding that the public benefits outweigh the harm, there would nevertheless be a harmful impact on the CA. The loss of the recreational use has not been fully justified and there would be some harm arising from this.
74. I have found that the proposal would be not inappropriate development in the Green Belt, this is a neutral factor.
75. However, in this case, my finding is that the adverse impacts of approving the proposed development would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Consequently, the presumption in favour of sustainable development applies.

Conditions

76. A number of conditions have been suggested should the appeal be allowed. I have considered these and imposed them where they meet the tests set out in Paragraph 57 of the Framework, amending where necessary for the sake of simplicity, clarity and precision.
77. In addition to the standard condition relating to commencement of the development, in the interests of clarity, I have imposed a plans condition (2).
78. A condition relating to potential land contamination (3) is necessary in the interests of health and safety at the site for construction workers and future occupants. Conditions requiring the protection of trees during construction (4) and details of existing site and proposed floor levels (9) are necessary in the interests of the character and appearance of the area. To protect the amenity of the area, mitigate the impact of construction on the highway network and to reduce emissions from construction and demolition activities, I have imposed a condition requiring a construction method statement (5). In order to protect the ecology of the site, a condition requiring a construction environmental management plan (6) is both reasonable and necessary. A condition requiring details of sustainable drainage (7) is necessary to manage water on site and minimise flood risk. I have imposed a

condition securing archaeological investigations (8) in order to safeguard the archaeological interest of the site. These conditions are all required prior to commencement of development as they relate to matters that must be determined before works begin on site. The appellants have agreed to these pre-commencement conditions.

79. A condition requiring evidence that works which will impact bats can go ahead (10) is necessary in the interests of the protection of bats. I have imposed a condition requiring details of alterations to the stable building (11) in the interests of protecting the architectural and historic significance of the heritage asset.
80. Conditions requiring samples of materials (12) and details of boundary treatments (13) are necessary to ensure a satisfactory appearance. Boundary treatments are also required to protect the living conditions of neighbouring occupiers. To ensure the development provides a safe place to live and complies with Policy 26 of the HLP, I have imposed a condition requiring details and implementation of a Secured by Design Scheme (14). A condition requiring a Biodiversity Enhancement Strategy (15) is necessary in the interests of conserving and enhancing biodiversity. A condition securing energy efficiency measures (16) is necessary in order to comply with Policy 36 of the HLP which seeks to optimise energy efficiency and low carbon developments.
81. Conditions are necessary requiring details of refuse and recycling facilities to be submitted and approved to ensure these are satisfactorily managed on site (17); and details of cycle storage to ensure these facilities are provided to encourage travel by sustainable means (18). In the interests of highway safety, a condition securing car parking on site is necessary (19). A condition securing electric vehicle charging (20) is reasonable to comply with Policy T6.1 of the LP. Conditions requiring compliance with Building Regulations requirements for accessibility and adaptability (21) and water consumption (22) are necessary to comply with Policies D7 and SI5 of the LP respectively.
82. Detailed landscape proposals are included in the list of approved drawings, a condition requiring further details to be submitted is not therefore necessary but a condition (23) requiring implementation in compliance with those details and replanting, if needed, and maintenance is both necessary and reasonable in the interests of the character and appearance of the area.
83. To secure the conservation of protected and priority species, a condition (24) requiring compliance with measures set out in the Preliminary Ecological Appraisal is necessary. I have imposed a condition controlling the hours of construction (25) to protect residential amenity.
84. A condition requiring the approval of any lighting scheme prior to installation (26) is necessary and reasonable in the interests of both the character and appearance of the area and the conservation of protected species.
85. A condition controlling how the properties are heated (27) is reasonable to comply with Policy 33 of the HLP and to reduce the effect of emissions on local air quality and possible noise on the living conditions of occupiers.
86. A condition restricting permitted development rights (28) is reasonable and necessary given the location of the development within the Green Belt and the CA

and the need to prevent encroachment into the countryside and to protect the significance of the heritage asset.

87. I have not imposed conditions requiring a separate construction logistics plan which is intended to control impacts on the highway network because the scheme is not in a heavily built up or congested area and the amount of development is not significant, such a requirement would not be reasonable or necessary. I have also not imposed a condition requiring registration of non-road mobile machinery as the purpose of this is to control dust, emissions and noise, which are matters that would be adequately covered for a scheme of this size in the construction method statement. A condition requiring details of hard landscaping is unnecessary as those details are adequately covered by conditions requiring samples of materials and details of boundary treatments.

Conclusion

88. The proposed development would conflict with the development plan but material considerations indicate that a decision should be made other than in accordance with it. For this reason, the appeal should be allowed.

Rachael Pipkin

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: 001 Rev P02 - Location Plan, 002 Rev P02 – Existing Block Plan, 003 Rev P01 – Topographical Survey, 200 Rev P08 - Proposed Site Plan, 200.1 Rev P04 – Contextual Ground Floor Site Plan, 200.2 Rev P04 – Proposed Site Plan with Demolition, 200.3 Rev P01- Assessment of privacy/overlooking issues, 201 Rev P06 – Proposed Floor Plans Building 01, 202 Rev P03 – Proposed Elevations Building 01, 203 Rev P03 – Proposed Sections Building 01, 204 Rev P04 – Proposed Floor Plans and Sections Unit 01, 205 Rev P04 – Proposed Elevations Unit 04, 206 Rev P05 – Proposed Floor Plans Elevations Sections Unit 05, 207 Rev P05 – Proposed Floor Plans Elevations Sections Unit 06, 208 Rev P05 – Proposed Floor Plans Elevations Sections Unit 07, 209 Rev P05 – Proposed Floor Plans Elevations Sections Unit 08-09, 210 Rev P03 – Existing and Proposed Sections 204 Unit 04, 211 Rev P03 - Existing and Proposed Sections 205 Unit 05, 212 Rev P03 - Existing and Proposed Sections 207 Unit 06, 213 Rev P03 - Existing and Proposed Sections 208 Unit 07, 214 Rev P04 – Existing and Proposed Sections 209 (unit 08-09), 215 Rev P04 – Existing and Proposed Site Sections AA, 216 Rev P04 – Existing and Proposed Site Sections BB, 217 Rev P04 – Existing and Proposed Site Sections CC dated July 2025 prepared by Front Architects; 218 Rev P03 - Existing and Proposed Site Sections 218 EE_A1, 219 Rev P04 – Existing and Proposed Site Sections DD, 220 Rev P03 - Existing and Proposed Site Sections EE, 221 Rev P01 – Section Cut Key Plan, 222 Rev P01 – Car Port Floor and Roof Plan, 223 Rev P01 – Car Port Elevations, 224 Rev P03 – Boundary Treatment Plan, 601 Rev P05 – Accommodation Schedule, ZX-T041 No. 3 – Site Access Visibility Splay dated July 2025; CLPD 184 P01 Rev A - Detailed Landscape Proposals, CLPD 184 P02 Rev A - Landscape Proposals.
- 3) No development shall take place until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency, Land Contamination Risk Management (LCRM) (or equivalent British Standard and Model Procedures if replaced), has been submitted to and approved in writing by the local planning authority. If any contamination is found, no development shall take place until:
 - i) a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority;
 - ii) the site has been remediated in accordance with the approved measures and timescale; and
 - iii) a verification report has been submitted to and approved in writing by the local planning authority.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended until:

- i) additional measures for the remediation of the site have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; and
 - ii) a verification report for all the remediation works has been submitted to and approved in writing by the local planning authority.
- 4) Before the development hereby permitted commences, a scheme in accordance with the requirements of British Standard BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction' (or an equivalent British Standard if replaced) for all the trees located at Havering Park Stables, Bower Farm Road, Romford shall be submitted to and approved in writing by the local planning authority. The protection measures as approved shall be undertaken at the site before any work in connection with the development hereby permitted commences at the site. The measures shall be retained for the duration of any work at the site in connection with the development hereby permitted. Within the fence or other means of enclosure surrounding the trees, no activities associated with building operations shall take place.
- 5) No works shall take place in relation to any of the development hereby approved until a Construction Method Statement is submitted and approved by the local planning authority. The Construction Method statement shall include details of:
 - a) parking of vehicles of site personnel and visitors;
 - b) storage of plant and materials;
 - c) dust and emissions management controls;
 - d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
 - e) siting and design of temporary buildings;
 - f) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
 - g) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

The development shall be carried out in accordance with the approved scheme and statement.

- 6) No works shall take place in relation to any of the development hereby approved until a construction environmental management plan (CEMP: Biodiversity) as recommended in the Preliminary Ecological Appraisal (Middlemarch, December 2024), shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements i.e. for mobile species including Great Crested Newts, reptiles and Badgers).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.

- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

- 7) No development (other than works of demolition) shall commence until a detailed Sustainable Drainage System (SuDS) Strategy has been submitted to and approved in writing by the local planning authority. The details shall include:
- i) Plans and maps of the existing drainage network and watercourses
 - ii) Detailed plans and drawings of the proposed SuDS Strategy including levels, sizing, cross sections and specifications for all drainage features, including plans to alleviate flooding.
 - iii) Overland flow routes for exceedance events, including detailed information on flood storage compensation
 - iv) Management Plan for future maintenance.

The approved details shall thereafter be implemented in full prior to the occupation of the dwellings hereby approved and maintained for the lifetime of the development.

- 8) No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted and approved in writing by the local planning authority. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved in writing by the local planning authority. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- a) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- b) Where appropriate, details of a programme for delivering related positive public benefits
- c) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these

elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

- 9) Prior to the commencement of development, details of existing site levels and proposed finished floor levels, together with any changes to ground levels across the site, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out strictly in accordance with the approved details.
- 10) In accordance with the recommendations of the Dusk Emergency Bat Survey (December 2024), any works which will impact the breeding / resting place of bats, shall not in any circumstances commence unless the local planning authority has been provided with either:
 - i) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
 - ii) evidence of site registration supplied by an individual registered to use a Bat Mitigation or Earned Recognition Class Licence; or
 - iii) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.
- 11) Prior to the commencement of any works to the heritage building (stable block), full details of the proposed alterations shall be submitted to and approved in writing by the local planning authority. These details shall include:
 - a) Annotated drawings and specifications showing all proposed changes to the fabric of the building, including materials, finishes, and methods of construction.
 - b) Schedule of works identifying any repairs, replacements, or new interventions.
 - c) Justification statement explaining how the alterations preserve or enhance the significance of the heritage asset.

The works shall be carried out strictly in accordance with the approved details.

- 12) Prior to above ground works (other than demolition, site clearance and ground works), samples/details of all the external finishing materials shall be submitted to and approved in writing by the local planning authority and thereafter the development shall be constructed with the approved materials.
- 13) Prior to above ground works (other than demolition, site clearance and ground works), 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 prior to first occupation of the dwellings hereby approved and retained permanently thereafter to the satisfaction of the local planning authority.
- 14) Prior to above ground works (other than demolition, site clearance and ground works), a full and detailed application for the Secured by Design award scheme shall be submitted to the local planning authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the local planning authority in

consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

- 15) Prior to above ground works (other than demolition, site clearance and ground works), a Biodiversity Enhancement Strategy for protected, priority and threatened species prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs or product descriptions to achieve stated objectives;
 - c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
 - d) persons responsible for implementing the enhancement measures; and
 - e) details of initial aftercare and long-term monitoring and maintenance (where relevant).

The biodiversity enhancement measures shall be implemented prior to occupation in accordance with the approved details and all features shall be retained and managed for biodiversity thereafter.

- 16) Prior to above ground works (other than demolition, site clearance and ground works), full details demonstrating how the development will deliver the energy-efficiency measures and fabric performance set out in the submitted Sustainability & Energy Statement (Bluesky Unlimited, 19 December 2024) shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details, and the fabric energy-efficiency measures shall be installed prior to first occupation and retained thereafter.
- 17) No building shall be occupied until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted and approved in writing by the local planning authority. The refuse and recycling facilities shall be permanently retained thereafter.
- 18) No building shall be occupied until cycle storage is provided in accordance with details previously submitted and approved in writing by the local planning authority. The cycle storage shall be permanently retained thereafter.
- 19) Before the dwellings hereby permitted are first occupied, provision shall be made within the site for car parking spaces to be used in accordance with the drawings hereby approved and thereafter this provision shall be made permanently available in association with the approved scheme.
- 20) All dwellings hereby approved shall have active charging facilities for electric or Ultra-Low Emission vehicles. Such provision is to be made prior to the first occupation of the dwellings hereby permitted and retained thereafter.
- 21) The development hereby permitted shall not be occupied until the Building Regulations requirements for accessibility and adaptability have been complied with.

- 22) The development hereby permitted shall not be occupied until the Building Regulations optional requirement of a water consumption rate of no more than 110 litres per person per day has been complied with.
- 23) The soft landscaping scheme shall be provided in accordance with drawings no. CLPD 184 P01 Rev A – Detailed Landscape Proposal and CLPD 184 P02 Rev A – Landscape Proposals.

The new planting shall be carried out in accordance with British Standard BS 8545 (2014) 'Trees: from nursery to independence in the landscape' (or equivalent British Standard if replaced) in the first planting and/or seeding season following the first occupation of the residential buildings hereby permitted or the substantial completion of the development, whichever is the sooner and shall comply with the requirements specified in British Standard BS 3936 (1992) 'Specification of Nursery Stock Part 1 Trees and Shrubs' and in British Standard BS 4428 (1989) 'Recommendations for General Landscape' (or equivalent British Standards if replaced),.

None of the new trees, plants or shrubs planted shall be lopped or topped within a period of five years from the completion of the development. Any trees, plants or shrubs, which, within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, in accordance with the approved scheme. The landscaping scheme shall be maintained thereafter.

- 24) All mitigation measures and/or works shall be carried out in accordance with the recommendations contained in the Preliminary Ecological Appraisal (Middlemarch, December 2024), Great Crested Newt Habitat Suitability Index Assessment and eDNA Survey (Middlemarch, Sept 2025), Reptile survey report (Middlemarch, October 2025) and Badger Survey report (Middlemarch, September 2025), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
- 25) 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.
- 26) Prior to the installation of any external lighting, full details of the proposed lighting scheme shall be submitted to and approved in writing by the local planning authority. The details shall include: location, type, and design of all luminaires; lux levels and light spill diagrams; wildlife sensitive lighting design details and measures; hours of operation; and control measures. The lighting shall be installed and operated in accordance with the approved details.
- 27) Any boilers installed in the dwelling(s) hereby approved shall be 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. If the heating strategy is to be provided by an Air Source Heat Pump, or similar, they shall be designed to comply with the provisions of the Microgeneration Installation Standard: MCS 020 "MCS Planning Standards for Permitted Development Installations of Wind Turbines and Air Source Heat Pumps on Domestic Premises". The air source heat pumps shall be provided on site prior to first occupation of the dwellings. Any installation not meeting this standard will require a separate application for planning permission.

- 28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, other than porches erected in accordance with the Order, no extension or enlargement (including additions to roofs), walls and fences shall be made to the dwellinghouses hereby permitted, or any detached building erected, without the express permission in writing of the local planning authority.

End of schedule

APPEARANCES

FOR THE APPELLANTS:

Ms Leanne Buckley-Thomson	No5 Chambers - Counsel
Mr Keiran Wheeler	Savills - Planning Consultant
Mrs Laura Fletcher-Gray	Savills - Planning Consultant
Ms Liz Bryant	Bryant Landscape Planning - Landscape Consultant
Mr Thomas Copp	TCMS – Heritage Consultant
Mr Ryan Broom	Iceni Transport – Transport Consultant
Mr Adam McLatchie	FRONT Architecture – Design Consultant
Mr Adam Smyth	Owner / Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Mrs Victoria Collins	Senior Planning Officer
Ms Sophie El Nimr	Urban Design Officer
Ms Jill Warren	Deputy Team Leader, Policy
Mr Azizul Karim	Built Heritage Consultant

INTERESTED PARTIES:

Mrs Jenny Gwinn	Chair, Havering-Atte-Bower Conservation Society
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DOCUMENTS

Hearing Document

HD1 Copy of Pre-application advice dated 22/08/24

HD2 Inspector's site visit – suggested route

Post-Hearing Documents

PHD1 Council's written response to the Appellants' costs application

PHD2 Appellants' written agreement to pre-commencement conditions

PHD3 Revised list of planning conditions following discussions at the Hearing, received 29 January 2026

PHD4 Executed UU dated 30 January 2026

PHD5 Email correspondence from the appellant regarding UU monitoring fees

PHD6 Email correspondence from the Council confirming review of the UU and response on monitoring fees

PHD7 Appellants' final costs response

PHD8 Email correspondence dated 10 February 2026 relating to conditions

PHD9 Appellants' response to Regulation 2(4) Notice of The Town and Country Planning (Pre-commencement Conditions) Regulations 2018