

LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (MODIFICATION AND DISCHARGE OF PLANNING
OBLIGATIONS) REGULATIONS 1992

AGENT

Mr Sebastian Charles
1 Parsons Close
Ecton
NN6 0QJ

APPLICANT

Mr Kuldeep Singh
38 The Drive
Ickenham

APPLICATION NO: P1688.24

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to REFUSE the proposed modifications, and THE PLANNING OBLIGATIONS SHALL CONTINUE TO HAVE EFFECT WITHOUT MODIFICATION.

for the following reason(s):

1. The proposed modification of the S106 Agreement Dated 01/11/18 in relation to planning permission reference P0251.17, which was subsequently varied through a Deed of Variation dated 06/12/21 in relation to permission reference P1727.20, and a Deed of Variation dated 29/07/22 in relation to permission reference P1949.21, are considered unacceptable, because the obligations proposed to be removed still serve a useful purpose, and these obligations would not serve their useful purposes equally well if the proposed modifications were approved. As such, the planning obligations shall continue to have full effect without modification.

Proposal: Application to modify planning obligations within the Section 106 agreement dated 01/11/18 for planning permission reference P0251.17, amended by deeds of variation dated 06/12/21 and 29/07/22, to remove the affordable housing and other financial contributions, and remove the affordable housing late-stage review mechanism.

Location: 89-101 New Road, Rainham, RM13 8XP

Date: 22/04/26

H Oakerbee

Helen Oakerbee
Director of Planning
London Borough of Havering
Town Hall, Main Road
Romford RM1 3BB

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 Secretary of State at the Ministry of Housing, Communities and Local Government in accordance with Section 106B 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.
2. In accordance with Regulation 7 of The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992, an appeal under section 106B of the 1990 Act shall be made with 6 months of–
 - (a) the date of the notice of the decision giving rise to the appeal; or
 - (b) in the case of an appeal under section 106B(1)(a) (non-determination), the expiry of the period specified in regulation 6(2), or within such longer period as the Secretary of State may, at any time, allow.

An appeal under section 106B shall–

- (a) be made on a form obtained from the Secretary of State;
- (b) include the information specified in the form; and
- (c) be accompanied by a copy of–
 - (i) the application made to the local planning authority which has occasioned the appeal;
 - (ii) the certificate which accompanied the application in accordance with regulation 4(5);
 - (iii) the instrument by which the planning obligation which is the subject of the application was entered into;
 - (iv) any correspondence with the authority relating to the application; and
 - (v) the notice of decision, if any.

An appellant shall send a copy of the completed notice of appeal form to the local planning authority at the same time as the appeal is made to the Secretary of State.

3. An appeal must be made on a form which can be obtained from the Planning Inspectorate. The Planning Inspectorate's address is The Planning Inspectorate, 3rd Floor, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.