

**LONDON BOROUGH OF HAVERING**

**TOWN AND COUNTRY PLANNING ACT 1990**

**To:** Mr GARY CUMBERLAND  
85 CRAIGDALE ROAD  
ROMFORD  
ESSEX  
ENGLAND  
RM11 1AF

Mr Watts  
10 Blacksmiths Lane  
Rainham  
Essex  
RM13 7AD

APPLICATION No: **P1412.09**

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 No.12 Blacksmiths Lane with replacement 1 No. 3 bedroom dwelling and construction of 2 No. 2 bedroom single storey dwellings within the curtilage on No.10 Blacksmiths Lane.

Revised plans received 4-12-2009

**Location:** 10-12 Blacksmiths Lane  
Rainham

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

894/01

894/02

894/03

894/04

subject to compliance with the following condition(s):

- 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 the building(s) hereby permitted is first occupied, provision shall be made within Plot 1 for 2 No. car parking spaces and within the turning area towards the front of Plots 2 & 3 for 3 No. parking spaces and 1 No. disabled parking space and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority. Car parking shall not be provided outside of these designated spaces.

Reason:-

To ensure that adequate car parking provision is made off street in the interests of highway safety.

- 3** Before any of the development hereby permitted is commenced, samples of all materials to be used in the external 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:-

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area, and that the Development Control Policies Development Plan Document Policy DC61.

- 4** Before any of the buildings hereby permitted is first occupied, screen fencing of a type to be submitted to and approved in writing by the Local Planning Authority, 1.8 metres (5ft. 9ins.) high shall be erected to the boundaries of Plots 1, 2 and 3 in accordance with Drawing No. 894/01 and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:-

To protect the visual amenities of the development and prevent undue overlooking of adjoining property, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

- 5** The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

- 6** No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason:-

In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the Development Control Policies Development Plan Document Policy DC61

- 7** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted 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, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

- 8** No construction works or deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

- 9** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B and C no extensions, roof extensions or roof alterations shall take place unless 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 the interests of amenity and to enable the Local Planning Authority to retain control over future development, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

- 10** The proposed windows to the dwelling on Plot 1 on first floor level towards the northern elevation serving the bathroom and towards the southern elevation serving the landing area shall be permanently glazed with obscure glass and thereafter be maintained and permanently fixed shut to the satisfaction of the Local Planning Authority.

Reason:-

In the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

- 11** The proposed windows to the southern elevation of the bungalow on Plot 2 serving the bathroom and to the northern elevation of the bungalow on Plot 3 serving the bathroom shall be permanently glazed with obscure glass to the satisfaction of the Local Planning Authority.

Reason:-

In the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

- 12** Prior to the commencement of the development hereby permitted, a full and detailed application for the Secured by Design scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the aforementioned scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Havering Crime Prevention Design Advisor, the development shall be carried out in accordance with the agreed details.

Reason:-

In the interest of residential amenity and creating safer, sustainable communities, reflecting guidance set out in PPS1, and policies CP17 ('Design' LBH Cores Strategy DPD) and DC63 'Delivering Safer Places' LBH Development Control Policies DPD, and 4B.6 'Safety, Security and Fire Prevention and Protection' of the London Plan (Published February 2008).

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a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A – Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B – Following completion of the remediation works a – Validation Report – must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA ; and

e) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, – Land Contamination and the Planning Process –.

Reason: To protect those engaged in construction and occupation of the development from potential contamination.

- 14** The proposed alterations to the Public Highway shall be submitted in detail for approval prior to the commencement of the development.

Reason:-

In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

- 15** The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development.

Reasons:-

To ensure the interests of the travelling public and are maintained and comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61. A commercial standard access will be required for demolition and construction activities.

- 16** Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. 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 management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) 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.

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

Reason:-

To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

- 17** Before the building(s) hereby permitted are first occupied, the private access drive shall be constructed and completed and thereafter this access road shall be made permanently available for use and permanently maintained, unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To ensure that adequate car parking provision is made off street in the interests of highway safety.

- 18** Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason:-

In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

- 19** Prior to the first occupation of the development hereby permitted, a domestic sprinkler system shall be installed and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of safety.

- 20** Before the dwellings hereby permitted are first occupied, a lighting scheme shall be provided for the access road between Plot 1 and No. 10 Blacksmiths Lane which leads towards Plots 2 and 3, in accordance with details previously submitted to and agreed in writing by the Local Planning Authority. The scheme shall be installed in strict accordance with the details agreed and thereafter such provision shall be permanently retained.

Reason:-

In the interest of safety and security.

#### INFORMATIVE:

##### 1) Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC33 and DC61 of the LDF Core Strategy and Development Control

Policies Development Plan Document.

2) The applicant is advised that 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. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 432574 to commence the Submission/ Licence Approval process.

3) The applicant is advised that the refuse stores required by condition 18 should be of covered design. Open refuse / recycling storage would be unacceptable.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the 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 £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

**Dated: 8th February 2010**



Patrick Keyes  
Head of Development and Building Control  
London Borough of Havering  
Mercury House, Mercury Gardens  
Romford RM1 3SL

**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. (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](http://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, 7th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL. 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.

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