

LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990

AGENT

Mr Mark Mirams
Studio Charrette
50 Grosvenor Hill
London
W1K 3QT

APPLICATION NO: P0738.22

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: Change of Use use of one room at the front of the residential property from Use Class C3 to hair dressers (Retrospective)

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

Planning Statement

Elevations, dated 03/05/2022

Block Plan, dated 03/05/2022

Existing Plans [1st Floor/2nd Floor], dated 03/05/2022

Site Location Plan, dated 03/05/2022

Existing/Proposed Plans, dated 03/05/2022 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** This permission shall be for a limited period only, expiring 1 year after the planning decision date for this approval, on or before which date the use hereby permitted shall be discontinued, all materials and equipment brought into the premises in connection with the use shall be removed and the site/outbuilding reinstated to its former condition to the satisfaction of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control and to allow time for an alternative permanent premises to be found.

- 2** The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

Reason:-

For the avoidance of doubt and in the interests of proper planning.

- 3** The use hereby permitted shall not operate outside of the following times.

9.30am to 6pm on Monday to Saturday. The business should not operate on Sundays and Bank holidays

Reason:-

To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise including from people entering or leaving the site, as there is insufficient information within the submitted application, and for the avoidance of doubt as to the scope of this permission; and that the development accords with Policy 7 of the Local Plan 2021.

- 4** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the site (32 Berkeley Drive) shall be used solely as a dwelling (Class C3) or as a mixed use for purposes within Classes C3 Dwelling house (host property) and as a hairdressers salon (front room only).

Reason:-

The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same classes, having regard to the circumstances of the case.

- 5** The number of clients at the premises shall not exceed 3 per day and there shall be no more than one client on the premises at any one time including those waiting for the services on site.

Reason:-

To safeguard the amenities of neighbouring and nearby residential occupiers and to accord with Policy 7 of the Local Plan 2021.

- 6** The development hereby approved shall be personal to the applicant, Mr, Paul Ginger, only, who shall be the sole trader/employee present on the site at any time.

Reason:-

To safeguard the amenities of neighbouring and nearby residential occupiers and to accord with Policy 7 of the Local Plan 2021.

- 7** The applicant shall submit to the Council's Planning Enforcement Team via planning_enforcement@haverling.gov.uk, on a monthly basis, a log of the days, times of clients, and the numbers of clients at the premises.

Reason:-

In the interest of maintaining residential amenity and to accord with Policy 7 of the Local Plan 2021.

- 8** The hairdressing use hereby approved shall not be carried out anywhere on the site except within the front room as indicated as being a "Salon" (dimensions 2.3m x 3.75m) on the approved plans.

Reason:-

To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance and for the avoidance of doubt as to the scope of this permission.

- 9** No advertising signs for the use and business hereby permitted shall be displayed at the front of the property (32 Berkeley Drive).

Reason:

To maintain a minimum number of car parking spaces onsite in the interests of highway safety and amenity

- 10** The two off-street car parking spaces on the frontage to 32 Berkeley Drive shall be kept available between 9.30am to 6pm on Monday to Saturday for the parking of motor vehicles by the occupants of the dwelling and their visitors/customers, and for no other purpose.

Reason:

In the interest of visual amenity and to control the number of customers.

INFORMATIVE(S)

- 1 The business should have a suitable waste collection/contract to meet the requirements of the business, in accordance with the document "Waste Management Practice Planning Guidance For Architects and Developers". For further information, please contact wasteteam@havering.gov.uk
- 2 Statement Required by Article 35(2) of the Town and Country Planning (Development Management) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraph 38 of the National Planning Policy Framework.

Dated: 16th August 2022

H Oakerbee

Helen Oakerbee
Assistant Director 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, 5th 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.

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.