

LBBB Reference: 20/01694/HSE

Naveed Saber
A.S. Construction & Structural Engineering, 54 Plashet Grove, London, E6 1AE

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS
AMENDED)**

Dear Sir / Madam,

Application Number: 20/01694/HSE
Address: 41 Edgefield Avenue, Barking, Barking And Dagenham, IG11 9JL
Development Description: Conversion of the garage to provide habitable accommodation and construction of a side extension to line existing property

Thank you for your recent application at the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council.

Yours sincerely,

Graeme Cooke

Graeme Cooke
Director of Inclusive Growth
London Borough of Barking and Dagenham

PLANNING DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)

Agent: Naveed Saber
A.S. Construction & Structural Engineering,
54 Plashet Grove, London, E6 1AE

Applicant: Luisa Da Silva
41 EDGEFIELD AVENUE
BARKING

PART 1 - PARTICULARS OF THE APPLICATION

Application Number: 20/01694/HSE
Application Type: Householder Planning Permission
Development Description: Conversion of the garage to provide habitable accommodation and construction of a side extension to line existing property
Site Address: 41 Edgefield Avenue, Barking, Barking And Dagenham, IG11 9JL
Date Received: 21 August 2020
Date Validated: 27 August 2020

PART 2 - PARTICULARS OF THE DECISION

The London Borough of Barking and Dagenham, as Local Planning Authority, in pursuance of its powers under the above mentioned Act, Rules, Orders and Regulations made thereunder, hereby gives notice that PLANNING PERMISSION has been **GRANTED** for the carrying out of the development referred to in PART 1 hereof and as described and shown on the plan(s) and document(s) submitted with the application, subject to the conditions and reasons listed below.

Conditions:

1. The development hereby permitted shall be commenced before the expiration of 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. The development hereby approved shall only be carried out in accordance with the following approved plans and documents:

- DRAWING: SITE LOCATION PLAN AND BLOCK PLAN - 2311/LBP - REVISION P1 - DATED: 21/08/2020
- DRAWING: PROPOSED PLANS AND ELEVATIONS - 2311/P/02 - REVISION P3 - DATED: 07/10/2020

No other drawings or documents apply.

Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s), to ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to satisfactorily protect the residential amenities of nearby occupiers.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwellinghouse.

Reason: To ensure that the finished appearance of the development will respect the character and visual amenities of the local area.

Summary of Policies and Reasons:

In deciding to grant planning permission in this instance, Be First, working in partnership the London Borough of Barking and Dagenham, found the proposal to be acceptable following careful consideration of the relevant provisions of the National Planning Policy Framework, the Development Plan and all other relevant material considerations. Upon review, the London Borough of Barking and Dagenham is satisfied that any potential material harm resulting from the proposal's impact on the surrounding area would be reasonably mitigated through compliance with the conditions listed above.

The following policies are of particular relevance to this decision and for the imposition of the abovementioned conditions:

National Planning Policy Framework (NPPF) (MHCLG, February 2019)

The London Plan: Spatial Development Strategy for London (GLA, consolidated with alterations since 2011, published March 2016)

Policy 7.4 - Local Character

Policy 7.5 - Public Realm

Policy 7.6 - Architecture

Draft London Plan (Intend to Publish version, December 2019)

The Mayor of London's Draft London Plan (Intend to Publish version, December 2019) is under Examination. Having regard to NPPF paragraph 48, the emerging document is a material consideration and appropriate weight will be given to its policies and suggested changes in decision-making, unless other material considerations indicate that it would not be reasonable to do so.

Policy D1 - London's Form, Character and Capacity for Growth

Policy D4 - Delivering Good Design

Policy D8 - Public Realm

Local Development Framework (LDF) Core Strategy (July 2010)

Policy CR2 - Preserving and Enhancing the Natural Environment

Policy CP3 - High Quality Built Environment

Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)

Policy BP8 - Protecting Residential Amenities

Policy BP11 - Urban Design

The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020)

The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is under Examination. Having regard to NPPF paragraph 48, the emerging document is a material consideration and appropriate weight will be given to its policies and suggested changes in decision-making, unless other material considerations indicate that it would not be reasonable to do so.

Strategic Policy SP2 - Delivering a well-designed, high quality and resilient built environment

Policy DMD1 - Securing High Quality Design

Policy DMD6 - Householder Extensions and Alterations

Policy DMNE3 - Nature Conservation and Biodiversity

Supplementary Planning Documents

Residential Extensions and Alterations (SPD) (February 2012)

The above policies can be viewed on the Council's website: www.lbbd.gov.uk/planning.

Working with the applicant:

In dealing with this application, Be First, working in partnership with the London Borough of Barking and Dagenham, has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) to work with the Applicant in a positive and proactive manner. As with all applicants, Be First has made available detailed advice in the form of statutory policies and all other relevant guidance, as well as offering a full pre-application advice service, so as to ensure the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

This development is potentially liable for payment of both the Mayor of London and London Borough of Barking and Dagenham's Community Infrastructure Levies (CIL). Further information about CIL, including the process that must be followed and forms that will be required, can be found on the Council's website: <https://www.lbbd.gov.uk/developer-contributions-cil-and-s106>. CIL forms can be submitted to: S106CIL@befirst.london

DATE OF DECISION: 13/10/2020

Yours sincerely,

Graeme Cooke

Graeme Cooke

Director of Inclusive Growth

London Borough of Barking and Dagenham

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
Applicant's Rights following the Grant or Refusal of permission

1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six (6) months:** Full application (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time and prior approval applications.
- **Twelve (12) weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **Eight (8) weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from www.planning-inspectorate.gov.uk or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are exceptional/special circumstances.

The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

2. Subsequent Application Fees

No planning fee would be payable should a revised planning application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.

3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council.

This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.