



Appeal Decisions

Hearing held on 24 January 2023

Site visits made on 23 and 24 January 2023

by D Boffin BSc (Hons), DipTP, MRTPI, Dip Bldg Cons (RICS), IHBC

an Inspector appointed by the Secretary of State

Decision date: 18th April 2023

Appeal A Ref: APP/B5480/C/22/3290229

Appeal B Ref: APP/B5480/C/22/3290230

94 Shepherds Hill, Romford, RM3 0NJ

- The appeals are made under section 174 of the Town and Country Planning Act 1990 as amended (the 1990 Act). The appeals are made by Mr S Humphrey (Appeal A) and Mrs Claire Humphrey (Appeal B) against an enforcement notice issued by London Borough of Havering.
- The notice was issued on 3 December 2021.
- The breach of planning control as alleged in the notice is:
 1. Without planning permission, the material change of use of the land to a dog walking business; and
 2. Without planning permission, the installation of CCTV cameras.
- The requirements of the notice are:
 - (i). Cease the use of the land outlined in BLACK on the attached plan for a dog walking business;
AND
 - (ii). Remove from the site all 10 of the CCTV cameras in the approximate areas indicated on the attached plan, marked by a red X;
AND
 - (iii). Remove all materials, rubble and debris from the site as a result of taking steps (i) AND (ii) above.
- The period for compliance with the requirements is: 1 month.
- Appeal A is proceeding on the grounds set out in section 174(2)(a), (c) and (g) of the 1990 Act. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the 1990 Act. Appeal B is proceeding on the grounds set out in section 174(2) (c) and (g) of the 1990 Act.

Summary Decision: Appeal A is allowed, the enforcement notice is quashed, and planning permission is granted in the terms set out below in the Formal Decision.

The Notice

1. On an appeal any defect, error, or misdescription in an enforcement notice may be corrected using the powers available in section 176(1)(a) of the 1990 Act, or the terms may be varied, where the correction or variation will not cause injustice to the appellant or local planning authority. In this case the one part of the breach of planning control relates to the *material change of use of the land to a dog walking business*. The land shown edged black on the plan attached to the enforcement notice includes a dwelling and outbuildings, a garden area, access drive and the areas utilised for the dog walking business. The oral evidence at the Hearing and my observations at the site visit indicate

that the land edged black on that plan is one planning unit, owned and occupied by the appellants in a mixed use of residential and dog walking business. The description of the alleged breach of planning control is therefore incorrect. There is no dispute that the description can be corrected by insertion of the wording '*mixed use of residential and*' between the words 'a' and 'dog' within point 1 without injustice to either main party. I therefore intend to make that correction.

2. The appellant has removed 3 of the CCTV cameras, those on the eastern and southern boundaries of the site. Therefore, I intend to delete the wording '10' from requirement (ii) and delete the wording 'attached' and substitute it with 'amended' also within that requirement. The plan attached to the notice would be replaced with the amended plan appended to this decision. There would be no injustice caused to either main party as these works have already been completed.

The ground (c) appeals

3. This ground of appeal is that those matters (if they occurred) do not constitute a breach of planning control. In an appeal on this ground the onus is on the appellants to show, on the balance of probability that the matters alleged, to have occurred, in the notice do not constitute a breach of planning control. The appellants' case within this ground of appeal is limited to the erection of the installation of CCTV cameras cited at point 2 of section 3 of the notice. Accordingly, there is no basis on which the notice could be quashed under ground (c), but there is scope for argument as to whether the notice can require removal of those CCTV cameras. The planning merits of this part of the development are not relevant within this ground of appeal as my decision rests on the facts of the case, on relevant planning law and judicial authority.
4. The Council conceded at the Hearing that the enforcement notice does not affect the timber posts, that the CCTV cameras have been fixed to, as the posts cannot be reasonably treated as forming part of the cameras. I have no reason to disagree with that finding. Class F (Class F) of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) relates to the installation, alteration or replacement on a building of a closed-circuit television camera to be used for security purposes. Therefore, to be permitted under that class of the GPDO the CCTV cameras must be installed on a building. At the hearing there was consensus that the timber posts cannot be treated as a building for the purposes of this class of the GPDO. The CCTV cameras installed on the timber posts and on trees are consequently not permitted by Class F.
5. At the site visit it was found that 2 of the CCTV cameras have been installed on the dwelling and that there was less than 10 metres between those cameras. As such, the CCTV cameras installed on that building do not meet the limitations of paragraph F.1 (f) of Class F and they are consequently not permitted by that class.
6. It follows that the installation of the CCTV cameras subject to the enforcement notice has not been shown to constitute permitted development under Article 3, Schedule 2, Part 2, Class F of the GPDO. I have no evidence before me to indicate that planning permission is not required or is granted for the installation of the CCTV cameras. Accordingly, the appeals on ground (c) fail.

The ground (a) appeal and deemed planning application (Appeal A)

Main Issues

7. Based on the evidence before me I consider that the main issues in this case are:
- Whether the alleged breaches of planning control constitute inappropriate development in the Green Belt, having regard to the effect on the openness and purposes of the Green Belt, the development plan and the National Planning Policy Framework (the Framework);
 - The effect of the development on the living conditions of nearby occupiers with regard to noise and disturbance;
 - If the alleged breaches of planning control constitute inappropriate development in the Green Belt whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, whether this amounts to the very special circumstances required to justify the development.

Reasons

8. The appeal site comprises a dwelling, its gardens, parking areas/access drive and fenced off areas of undeveloped land. The access drive is between 2 dwellings that front onto Shepherds Hill. The appeal site and another dwelling, 94a Shepherds Hill (No 94a) are served by the access drive. The undeveloped land has numerous trees within it and worn paths are visible on the ground. To the north of the undeveloped land the site is bounded in part by the garden of No 94a. To the east, south and west the undeveloped land is bounded by land associated with Pages Farm, a grade II listed building. Also to the west is land associated with Harold Wood Park.
9. The fencing around the undeveloped land is around 1.8m to 2m tall and is metal mesh in places and timber in others. The fencing does not form part of the alleged breaches affected by the enforcement notice. The dog walking business is open from 8:00 to 16:00 and in British Summer Time this extends to 17:00. Bookings must be made to use the site and these are for 50 minutes or 1 hour 50 minutes. This is to ensure that there is 10 minutes for one set of clients and dogs to leave the site before another set arrives. Only one family with a maximum of 4 dogs and 2 cars are allowed on the site at any one time.

Whether the alleged breaches of planning control constitute inappropriate development

10. The site lies within the Green Belt and Policy G2 of the London Plan (LP) states, amongst other things, that development proposals that would harm the Green Belt should be refused except where very special circumstances exist. Paragraph 137 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 149 of the Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt and it goes on to list exceptions that are not inappropriate. Paragraph 150 of the Framework states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land

within it. This includes material changes in the use of land such as changes of use for outdoor recreation.

11. The timber posts do not form part of the development affected by the enforcement notice and the installation of the CCTV cameras cannot reasonably constitute the construction of a new building. Therefore, I do not consider that paragraph 149 of the Framework is relevant in this case. The cameras have been installed to ensure that additional security provisions are associated with the mixed use of the site for residential and the dog walking business. Therefore, I have treated them as forming part of the material change of use. There is no dispute that the dog walking business is an outdoor recreational use.
12. The dog walking business has resulted in no new buildings within that part of the site and it still has the appearance of a paddock or open piece of land. The CCTV cameras themselves are small and three have been removed since the notice was issued. Two of them are located on the dwelling and the remaining 5 are located around the dog walking area. The visual and spatial impact of the cameras is minimal given their size and locations around the site. Any other equipment associated with the dog walking use, such as drinking water containers, chairs and bins are small in size and not visually prominent.
13. It is noted that the change of use appears to have resulted in an intensification in the use of the site, with more comings and goings by vehicles and more people and dogs visiting the site during the hours of operation. However, the vehicle parking area on the appeal site is limited and no greater in size than would be typically associated with a dwelling. Moreover, the vehicle trips being evenly spread throughout the hours of operation ensures that the intensification with regard to vehicle movements has not had a perceptible visual impact when viewed from Shepherds Hill. This is borne out by the number of third-party responses from occupiers of properties on Shepherds Hill who did not realise the business was operating from the appeal site. People and dogs on the site are visible from parts of the adjacent Pages Farm site. However, overall the visual impact of the use itself is limited when viewed from the public realm.
14. Consequently, in my judgement the material change of use preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Therefore, it is not inappropriate development in the Green Belt as it falls under the exception listed in paragraph 150 (e) of the Framework. The assessment of whether very special circumstances exist does not therefore fall to be considered.

Living Conditions

15. The nearest residential properties to the areas used by the dog walkers are Pages Farm on Pages Lane, No 94a and other properties on Shepherds Hill. The dwelling itself at Pages Farm is approximately 60 metres from the appeal site with its paddocks bounding the dog walking area. I noted on my site visit that due to the largely rural surroundings, the area is relatively quiet with low levels of ambient noise. However, some intermittent noise is generated from cars passing by on Shepherds Hill, which is a relatively busy thoroughfare. I also noted that aeroplanes regularly flew overhead during the site visit generating some background noise.

16. A noise impact assessment was undertaken on behalf of the appellants, surveying noise levels in one location on the site for seven days. It concluded that noise emissions from the dog walking paddock should not have an adverse impact of amenity on the nearest residential properties. However, there was consensus at the Hearing that due to numerous issues raised with the survey methodology and how it was carried out, including it being unattended, the noise impact assessment should be given little weight. I have no reason to disagree with that finding.
17. Due to its nature the use of the undeveloped land for the dog walking business potentially could generate noise and cause disturbance to nearby occupiers, from barking dogs and vehicle movements. The nearby occupiers of Pages Farm highlighted, at the Hearing, how the barking of dogs and the interaction of the dog owners with their dogs has impacted on their family's life. In addition, they have submitted a diary of the impacts that they consider the business has had on them from items found in the paddocks to dogs barking. Numerous items from balls to glass and dog faeces are noted as being found within the paddocks. However, given that Harold Wood Park with public footpaths is also adjacent to the paddocks there is little evidence to indicate where those items originated from. Moreover, the diary shows that even though there are instances of disturbances from dogs barking and people talking/shouting they are generally once in a day or within one session and there are many sessions/days when no disturbances are noted.
18. In addition, the occupier of No 94a stated at the Hearing that she has not been disturbed by the operation of the dog walking business and as stated previously many occupiers of dwellings on Shepherds Hill were unaware the business was in operation. Moreover, at the Hearing I was told that the business was fully booked on the afternoon of the 23 January when I was undertaking an unaccompanied site visit that including walking in areas adjacent to the site and Pages Lane, within Harold Wood Park and on the nearby Public Right of Way (PROW). I acknowledge that my visit is only a snap shot in time but I did not hear any dogs barking from within the appeal site during that visit. Moreover, the dwelling itself at Pages Farm is an appreciable distance from the appeal site and there is intervening land in line with the rear elevation of the dwelling that is not part of the appeal site or Pages Farm.
19. Nonetheless, it is clear that the dog walking business has had an impact on the occupiers of Pages Farm through noise and disturbance. In my judgement this is because they are outdoors tending to and exercising their animals a large proportion of the time and I noted that the paddock/open area adjoins the south-eastern corner of the appeal site and is at an appreciably higher ground level than that part of the appeal site. Therefore, the dog walkers/dogs would be readily apparent to the neighbouring occupiers when they are within that paddock. However, the dog walkers would have very limited if any views into the paddock/garden/dwelling associated with Pages Farm.
20. The evidence from the noise experts at the Hearing highlighted that the perception of noise can be reduced by removing or screening the noise source visually. Furthermore, additional landscape screening adjacent to the boundaries of the site with the paddocks would ensure that the dogs and walkers would be further away from the boundaries and minimise any instances where the dogs would be surprised by movement or noise within the paddocks. Therefore, additional landscaping would in my judgement minimise

the perception of noise and disturbance from the dog walking business for the neighbouring occupiers and it would minimise any instances of dogs barking. A planning condition could be imposed to require the provision of that landscaping if I was minded to allow the appeal. The landscaping would take some time to mature but the nature of the planting and the size of specimens initially planted would be controlled by the Council. As such, that planning condition would mitigate and reduce to a minimum adverse impacts resulting from noise in relation to the occupiers of Pages Farm.

21. Also, although it is unlikely that the behaviour of dogs and the noise they make can be fully controlled when they are using the site, the appellants have stated that a noise management plan could be submitted through the imposition of a planning condition. This would cover how many dogs can be on the site within each session, the number of sessions each day, how the use is to be monitored, a register of sessions and the procedure for dealing with complaints. Whilst these measures would not prevent the noise generated from the dog walking business, they would ensure that the appellants are mindful of the noise which the use could generate and help them to reduce it where possible. Moreover, the use of the site for dog walking sessions operates between 08:00 and 16:00/17:00 according to the time of year and the appellants have stated that it now does not open on Bank/Public holidays. These hours of operation could be secured by condition to ensure that the dog walking business is not operating at times when the noise may be more perceptible to the occupiers of neighbouring dwellings.
22. The Council have stated that noise and disturbance from vehicles using the access drive would harm the living conditions of the nearby occupiers on Shepherds Hill. However, there is no evidence that vehicles using the access drive have resulted in noise and disturbance to the occupiers of the nearest dwellings. In addition, I noted on site that garages occupy the ground floor parts, nearest to the access drive, of the dwellings either side of the access drive. Furthermore, even though the vehicles arrive/exit throughout the day the activity is concentrated at the start and end of the sessions when the use is operating. Therefore, there are noticeable periods of time when no vehicles would be arriving/exiting.
23. Reference has also been made to disturbance from dog walking clients driving down Pages Lane in search of the appeal site, turning vehicles within the lane/driveways and knocking on doors asking for directions. I acknowledge that the appeal site is hidden from views on Shepherds Hill and that due to the unmade nature of the access drive it could be easily overlooked. However, Pages Lane is signposted as a private drive and it appears that most of the dog walking clients have utilised the facilities numerous times therefore they would know where it is. Moreover, the appellants have stated that they have provided a map and postcode on their social media to minimise any clients getting lost.
24. In conclusion, I consider that the mitigation provided through the imposition of planning conditions would reduce to a minimum adverse impacts resulting from noise in relation to nearby occupiers. As such, I consider that with those imposed conditions that the material change of use would not result in unacceptable levels of noise and disturbance and would not harm the living conditions of the occupiers of nearby dwellings. Consequently, it would not conflict with LP Policy D14. This policy states, amongst other things, that in

order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development. It would also not conflict with Policy 7 of the Havering Local Plan which states, amongst other things, that to protect the amenity of existing residents the Council will support developments that do not result in unacceptable levels of noise and disturbance. It would also comply with paragraphs 130 and 185 of the Framework which state, amongst other things, that planning decisions should ensure that new development creates places with a high standard of amenity for existing users and is appropriate for its location taking into account the likely effects of pollution on living conditions.

Other Matters

25. Third parties have cited a number of other matters including the impact of the development on; the special interest/significance on nearby listed buildings, hedgerows, traffic on Pages Lane, the risk of disease spreading, smell emanating from the site and a reduction in privacy for nearby occupiers. The location of other dog walking sites, whether those sites have planning permission and whether any dog walking sites in the Green Belt close to dwellings have been granted planning permission has also been raised.
26. I was informed at the Hearing that Pages Farm and a range of barns and outbuildings on Pages Lane are grade II listed and I was provided with a copy of the list descriptions for them. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the LBCA Act) 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.
27. The list description for Pages Farm states that there is a date of 1663 on the building and that a wing and extension appear to date from the 18th and 19th Centuries respectively. The list description for the range of barns and outbuildings states that the buildings appear to date from the 18th/19th Centuries. Based on my observations and the evidence before me I consider that the significance of these listed buildings appears to be mainly derived from their age, historic fabric, form and architectural features.
28. Their special interest/significance is experienced mainly within the immediate contexts of their gardens and from Pages Lane. That experience and views of them within their immediate contexts and the ability of the viewer to understand and appreciate their significance would be largely unaffected by the development, with the imposition of planning conditions, that is before me. As such, I consider that the development would have a neutral impact on the special interest and significance of the listed buildings and the expectations of the LBCA Act would be met.
29. It is alleged that works to remove a hedgerow have been undertaken and that an offence to nesting birds occurred whilst those works were undertaken. However, those works and any associated offences are covered by legislation that is not within my jurisdiction.

30. The majority of clients/vehicles utilising and visiting the dog walking business use and would use Shepherds Hill and the unmade drive to access the appeal site. As stated above, the amount of clients getting lost and travelling down Pages Lane would, on the balance of probability, be minimal. Moreover, the Council's Officer Report associated with the planning application for the development states that the dog walking business does not create any highway or parking issues. I have no reason to dispute that finding.
31. The issue of the influenza virus (H3N8) being spread by the close proximity of grazing horses to dog faeces has been raised within the evidence before me. However, there is little substantive evidence to indicate that the disease is spread by proximity to faeces. Moreover, there are fences between the paddocks where the horses graze and the undeveloped land where the dogs are walked. Furthermore, the additional landscaping cited above would ensure that any dogs would be deterred from being in close proximity to the fences. As such, there is little to indicate that the development would potentially increase the risk of this disease spreading.
32. With regards to smells emanating from the site refuse containers are available within the site for the disposal of bags of dog faeces. There are signs requesting that dog walkers put their dog's faeces in bags. Additionally, most dog owners would be familiar with having to bag up and remove their animal's faeces when they walk their dogs. The appellants have stated that they also undertake regular walks over the field to remove any faeces that have been missed. Also, the additional landscaping cited above would ensure that any dogs would be deterred from being in close proximity to and urinating up the fences. As a result, I consider that the use would not result in smells emanating from it that would materially harm the living conditions of nearby occupiers.
33. With regards to privacy the differences in ground levels, the existing boundary treatments and the introduction of additional planting would ensure that the development would not materially reduce the level of privacy of neighbouring occupiers. Moreover, the Council's Officer Report states that there is a lack of sufficient evidence to demonstrate that the CCTV cameras result in material harm to residential amenity, including privacy. I have no reason to dispute that finding.
34. There is another dog walking business near to the settlement of Upminster. I noted that this business appears to consist of 2 separate open fields at a farm adjacent to a busy thoroughfare, Hall Lane and that other than the farm itself there are very few dwellings adjacent to those fields. The Council indicated at the Hearing that there are no enforcement proceedings and no planning permissions in place for this business. In any case, the material considerations of whether it is expedient to take enforcement action in relation to that use would be made by the Council. Even though, the distance between that business and the one before me is not great there appears to be sufficient demand for both. Besides, I have found that the development before me would not result in unacceptable levels of noise and disturbance and would not harm the living conditions of the occupiers of nearby dwellings. Any other proposal for a similar business in the Green Belt where there are nearby occupiers of dwellings would be determined on its individual merits.

35. While I understand that my decision will be disappointing for some local residents, the information before me does not lead me to conclude that these other matters, either individually or cumulatively, would be an over-riding issue warranting dismissal of the appeal.

Conditions

36. A list of suggested planning conditions was drawn up by the Council and these and other suggested conditions were discussed at the Hearing. My consideration has taken account of paragraph 56 of the Framework and advice in the Planning Practice Guidance (PPG). In particular I have had regard to the Government's intention that planning conditions should be kept to a minimum. I have changed the detailed wording in some cases to ensure that the conditions are precise, focused and enforceable.
37. The Council's suggested condition 1 relates to hours of operation and this is necessary to ensure that the development does not harm the living conditions of nearby occupiers with regard to noise and disturbance. The hours of operation would be different in British Summer Time to that of all other times. The condition specifies what all other times does not include Bank or Public Holidays and British Summer Time.
38. The Council's suggested conditions 2 and 3 have been incorporated into the imposed condition 2 relating to the submission, approval and implementation of a noise management plan. That condition is necessary to ensure that the development does not harm the living conditions of nearby occupiers with regard to noise and disturbance. The Council withdrew its suggested conditions 4 and 5 at the Hearing as they were not deemed to be necessary.
39. Conditions 2 and 3 are imposed to ensure that the required details are submitted, approved and implemented so as to make the development acceptable in planning terms. There is a strict timetable for compliance because permission is being granted retrospectively, and so it is not possible to use negatively worded conditions to secure the approval and implementation of the outstanding matters before the development takes place. The conditions would ensure that the development can be enforced against if the required details are not submitted for approval within the period given by the condition, or if the details are not approved by the local planning authority or the Secretary of State on appeal, or if the details are approved but not implemented in accordance with an approved timetable. I have not amended the wording of the condition regarding deemed discharge of the conditions and the requirement to appeal. This is because if deemed discharge occurs before the relevant timescales set out within the condition have expired that condition will cease to have effect because it will have been legally discharged as a result of the deemed discharge.
40. At the hearing conditions relating to landscaping on the boundaries, restricting the dog walking business to parts of the appeal site and the installation of an acoustic barrier were discussed. The imposed Condition 3 relates to the submission, approval and implementation of a scheme of landscaping for the boundaries with the paddocks of Pages Farm. The landscaping is necessary to ensure that the development does not harm the living conditions of nearby occupiers with regard to noise and disturbance.

41. I have not imposed conditions in relation to restricting the dog walking business to parts of the appeal site or an acoustic barrier. This is because they are not necessary to mitigate the impacts of the development. The mitigation provided by the three imposed conditions in my judgement would be sufficient to mitigate and minimise adverse impacts resulting from noise in relation to nearby occupiers.

Conclusion – Appeal A

42. For the reasons given above, I conclude that Appeal A succeeds on ground (a). I shall grant planning permission for the material change of use of the land to a mixed use of residential and dog walking business and the installation of CCTV cameras as described in the notice (as corrected).

43. The appeals on ground (g) do not fall to be considered.

Formal Decision

44. It is directed that the enforcement notice is corrected by:

- insertion of the wording '*mixed use of residential and*' between the words 'a' and 'dog' within point 1.
- deleting the wording '10' from requirement (ii) and deleting the wording 'attached' and substitute it with 'amended' also within that requirement.
- deleting the plan attached to the notice and replacing it with the amended plan appended to this decision.

45. Subject to these corrections, Appeal A is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act for the development already carried out, namely the material change of use of the land to a mixed use of residential and dog walking business and the installation of CCTV cameras at 94 Shepherds Hill, Romford, RM3 0NJ as shown on the amended plan appended to this decision and subject to the following conditions:

1. The dog walking use hereby allowed shall only be carried out between the following hours:
08:00 and 17:00 Monday to Sunday during British Summer Time;
08:00 and 16:00 Monday to Sunday at all other times other than British Summer Time and Bank or Public Holidays:
Not at any time on Bank or Public Holidays.
2. The use of the site for the dog walking business hereby permitted shall cease within 14 days of the date of failure to meet any one of the requirements set out in i) to iv) below:
 - i) Within 1 month of the date of this decision a noise management plan for the dog walking business shall have been submitted for the written approval of the local planning authority and the management plan shall include a timetable for its implementation.
 - ii) If within 3 months of the date of this decision the local planning authority refuse to approve the management plan or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted management plan shall have been approved by the Secretary of State.

iv) The approved management plan shall have been carried out and completed in accordance with the approved timetable. Upon implementation of the approved management plan specified in this condition, that management plan shall thereafter be in use.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

3. The use of the site for the dog walking business hereby permitted shall cease within 14 days of the date of failure to meet any one of the requirements set out in i) to iv) below:

i) Within 2 months of the date of this decision a scheme for landscaping, adjoining the boundaries shown on plan no: Landscape Plan 002 annexed to this decision, shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation and maintenance.

ii) If within 4 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable. Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be maintained.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

D Boffin

INSPECTOR

APPEARANCES

FOR THE APPELLANTS:

Ms Liz Fitzgerald Barker Parry Town Planning Ltd

Mr Nick Treby Spectrum Acoustic Consultants Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Mr Christopher Stathers Principal Planning Officer

INTERESTED PARTIES:

Mr Rob Peers

Mrs Clara Peers

Mr Ben Dixon Create Consulting Engineers Ltd

Mrs Fiona Morpurgo

Miss Tina Chadwick

Miss Sally Jones

Ms Martine Squires

Mr Peter Stallard

Mrs Sheila Rankin

Mrs Joan Goodfellow

Mrs Debbie Plowman

Mrs Jennifer Edwards

DOCUMENTS

List descriptions – Pages Farm



Amended Plan

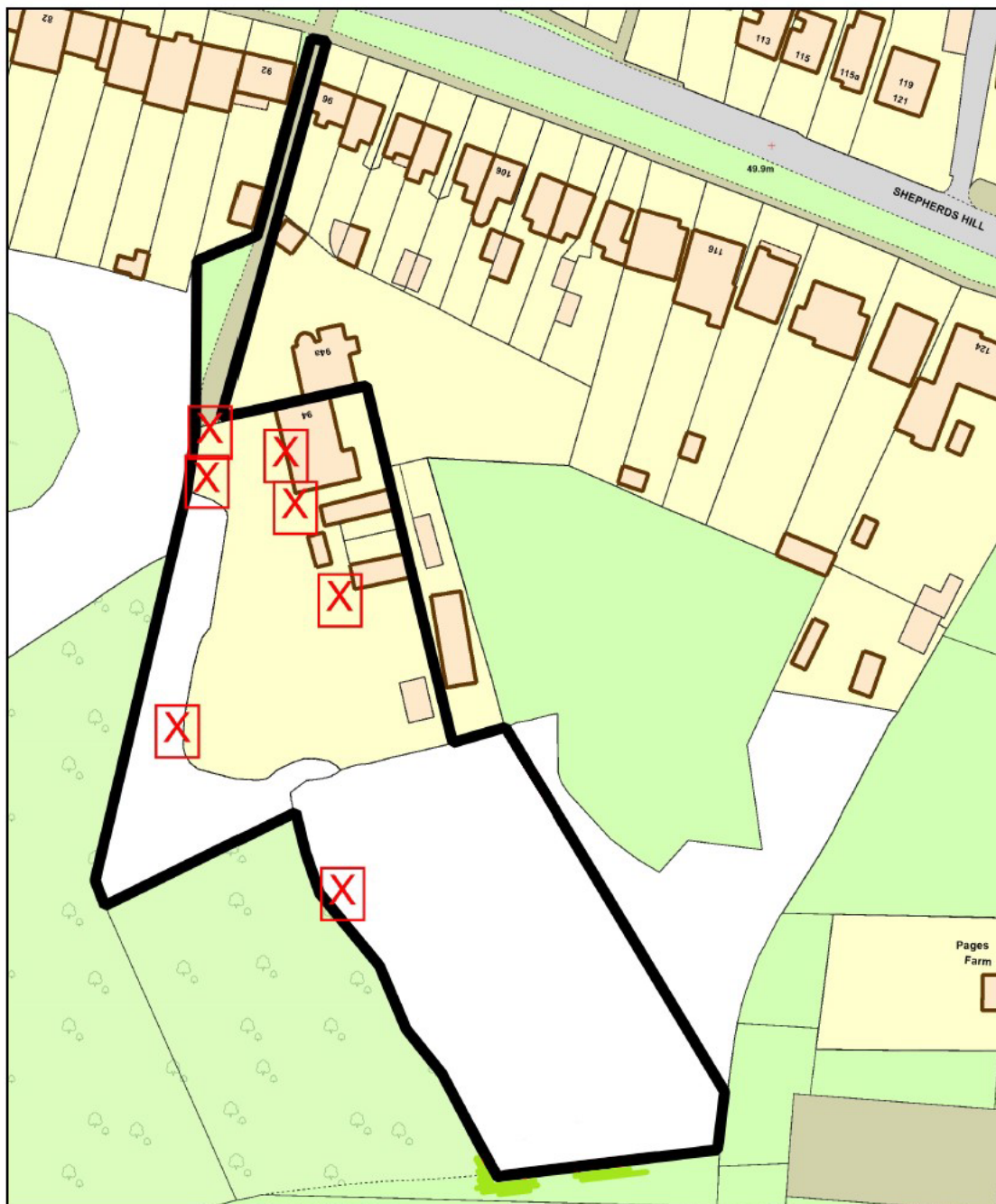
This is the plan referred to in my decision dated:

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

Land at: 94 Shepherds Hill, Romford, RM3 0NJ

Reference: APP/B5480/C/22/3290229 & APP/B5480/C/22/3290230

Scale: Not to Scale





Landscape Plan 002

This is the plan referred to in my decision dated:

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

Land at: 94 Shepherds Hill, Romford, RM3 0NJ

Reference: APP/B5480/C/22/3290229 & APP/B5480/C/22/3290230

Scale: Not to Scale

