



# Havering

L O N D O N   B O R O U G H

## PLANNING COMMITTEE AGENDA

<b>7.30 pm</b>	<b>Thursday 22 November 2018</b>	<b>Havering Town Hall, Main Road, Romford</b>
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Members 8: Quorum 4

### COUNCILLORS:

**Conservative Group  
(4)**

Robby Misir (Chairman)  
Carol Smith (Vice-Chair)  
Philippa Crowder  
Michael White

**Residents' Group  
(1)**

Stephanie Nunn

**Upminster & Cranham  
Residents' Group  
(1)**

John Tyler

**Independent Residents'  
Group  
(1)**

David Durant

**Labour Group  
(1)**

Paul McGeary

**For information about the meeting please contact:  
Richard Cursons 01708 432430  
[richard.cursons@onesource.co.uk](mailto:richard.cursons@onesource.co.uk)**

**To register to speak at the meeting please call 01708 433100  
Before 5.00pm Tuesday 20 November 2018**

## **Protocol for members of the public wishing to report on meetings of the London Borough of Havering**

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

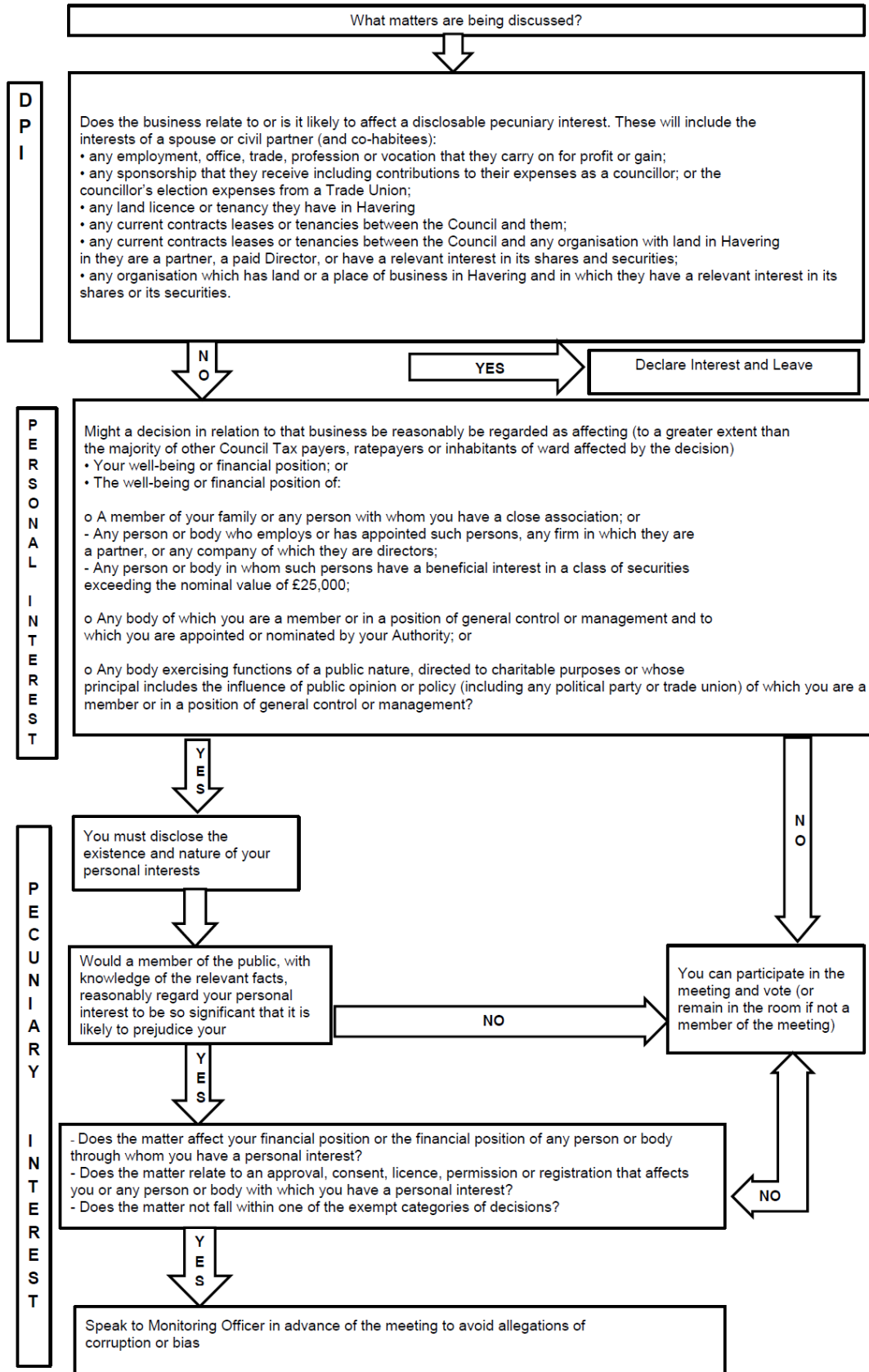
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



## **AGENDA ITEMS**

### **1 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

These are the arrangements in case of fire or other events that might require the meeting room or building's evacuation. (Double doors at the entrance to the Council Chamber and door on the right hand corner (marked as an exit).

Proceed down main staircase, out the main entrance, turn left along front of building to side car park, turn left and proceed to the "Fire Assembly Point" at the corner of the rear car park. Await further instructions.

I would like to remind members of the public that Councillors have to make decisions on planning applications strictly in accordance with planning principles.

I would also like to remind members of the public that the decisions may not always be popular, but they should respect the need for Councillors to take decisions that will stand up to external scrutiny or accountability.

Would members of the public also note that they are not allowed to communicate with or pass messages to Councillors during the meeting.

### **2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive.

### **3 DISCLOSURE OF INTERESTS**

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

*Members may still disclose any interest in an item at any time prior to the consideration of the matter.*

### **4 MINUTES (Pages 1 - 4)**

To approve as a correct record the minutes of the meeting of the Committee held on 25 October 2018 and to authorise the Chairman to sign them.

### **5 APPLICATIONS FOR DECISION (Pages 5 - 8)**

See attached document

- 6      P0329.18 - 58 HEATH DRIVE** (Pages 9 - 16)
- 7      P0721.18 - LAND BETWEEN 8 & 9 BRETONS COTTAGES, RAINHAM** (Pages 17 - 26)
- 8      P0862.18 - OCKENDON KENNELS, OCKENDON ROAD** (Pages 27 - 40)
- 9      STOPPING UP ORDER - LAND BOUNDED BY NEW ZEALAND WAY, QUEENSTOWN GARDENS AND GISBORNE GARDENS** (Pages 41 - 48)
- 10     QUARTERLY PLANNING PERFORMANCE UPDATE REPORT** (Pages 49 - 54)

**Andrew Beesley  
Head of Democratic Services**

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**MINUTES OF A MEETING OF THE  
PLANNING COMMITTEE  
Havering Town Hall, Main Road, Romford  
25 October 2018 (7.30 - 9.00 pm)**

**Present:**

**COUNCILLORS: 8**

**Conservative Group** Robby Misir (in the Chair) Carol Smith (Vice-Chair),  
Philippa Crowder and Michael White

**Residents' Group** Stephanie Nunn

**Upminster & Cranham  
Residents' Group** John Tyler

**Independent Residents  
Group** David Durant

**Labour Group** Paul McGeary

No apologies for absence were received..

Councillors Viddy Persaud, Tim Ryan, Melvin Wallace, Ray Morgon and Michael Deon Burton were also present for the meeting.

35 members of the public and a representative of the Press were present.

Unless otherwise indicated all decisions were agreed with no vote against.

Through the Chairman, announcements were made regarding emergency evacuation arrangements and the decision making process followed by the Committee.

**31 DISCLOSURE OF INTERESTS**

There were no disclosures of interests.

**32 MINUTES**

The minutes of the meeting held on 27 September were agreed as a correct record and signed by the Chairman.

33     **P0692.18 - WESTLANDS PLAYING FIELD PAVILION, LONDON ROAD, ROMFORD**

Councillor Viddy Persaud addressed the Committee.

The Committee considered the report and **RESOLVED** to **GRANT PLANNING PERMISSION** subject to the conditions as set out in the report.

34     **P1015.18 - 63 CRYSTAL AVENUE, HORNCHURCH**

In accordance with the public speaking arrangements the Committee was addressed by an objector with a response by the applicant..

The Committee was also addressed by Councillor Ray Morgon.

The Committee considered the report and following a motion **RESOLVED** on a vote of 5 to 2 with 1 abstention to **REFUSE PLANNING PERMISSION**.on the grounds of:

- 1) Impact on neighbours through intensification of use, noise, disturbance and overlooking.
- 2) Appear incongruous in rear garden environment due to size and design

If an appeal was received, to add to suggested conditions, a condition requiring details of boundary treatment.

Councillors Smith, Crowder, White, Nunn and Tyler voted for the resolution.

Councillors Misir and McGeary voted against the resolution.

Councillor Durant abstained from voting.

35     **P0073.18 - 48 WILLOW STREET, ROMFORD**

In accordance with the public speaking arrangements the Committee was addressed by an objector with a response by the applicant..

The Committee was also addressed by Councillor Viddy Persaud.

The Committee considered the report and following a motion **RESOLVED** to **REFUSE PLANNING PERMISSION**.on the grounds of:

- 1) Out of character in the street due to effectively filling whole width of site.
- 2) Adverse impact on neighbours through loss of outlook and privacy
- 3) Lack of S106 agreement to secure education contribution.



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**Chairman**

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## Agenda Item 5

### Applications for Decision

#### Introduction

1. In this part of the agenda are reports on planning applications for determination by the committee.
2. Although the reports are set out in order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a specific application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

#### Advice to Members

##### Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations.
5. The development plan for Havering comprises the following documents:
  - London Plan March 2016
  - Core Strategy and Development Control Policies (2008)
  - Site Allocations (2008)
  - Romford Area Action Plan (2008)
  - Joint Waste Development Plan (2012)
6. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
7. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
8. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development

which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

9. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
10. In accordance with Article 35 of the Development Management Procedure Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made based on the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

#### Non-material considerations

11. Members are reminded that other areas of legislation cover many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
  - Building Regulations deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
  - Works within the highway are controlled by Highways Legislation.
  - Environmental Health covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
  - Works on or close to the boundary are covered by the Party Wall Act.
  - Covenants and private rights over land are enforced separately from planning and should not be considered.

#### Local financial considerations

12. In accordance with Policy 6.5 of the London Plan (2015) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund CrossRail.
13. Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through a section106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

#### **Public speaking and running order**

14. The Council's Constitution allows for public speaking on these items in accordance with the Constitution and the Chair's discretion.
15. The items on this part of the agenda will run as follows where there are registered public speakers:

- a. Officer introduction of the development
  - b. Registered Objector(s) speaking slot (3 minutes)
  - c. Responding Applicant speaking slot (3 minutes)
  - d. Ward Councillor(s) speaking slots (3 minutes)
  - e. Officer presentation of the material planning considerations
  - f. Committee questions and debate
  - g. Committee decision
16. The items on this part of the agenda will run as follows where there are no public speakers:
- a. Where requested by the Chairman, officer presentation of the main issues
  - b. Committee questions and debate
  - c. Committee decision


**Late information**

17. Any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Update Report.

**Recommendation**

18. The Committee to take any decisions recommended in the attached report(s).

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 <b>Havering</b> LONDON BOROUGH	<b>Planning Committee</b> <b>22 November 2018</b>
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<b>Application Reference:</b>	<b>P0329.18</b>
<b>Location:</b>	<b>58 Heath Drive</b>
<b>Ward:</b>	<b>Romford Town</b>
<b>Description:</b>	<b>Part single, part two storey rear extension</b>
<b>Case Officer:</b>	<b>Cole Hodder</b>
<b>Reason for Report to Committee:</b>	<b>Reasons of probity. Submission has been made by a Member of the Council.</b>

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## **1 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 1.1 Whilst the proposed development would comprise of a built form that is not prevalent within the Conservation Area, whether the current proposals would materially harm the character of the subject dwelling is a matter of judgement. The additions sought following revisions would read as subservient features distinguishable from the form of the main dwelling. The absence of any material harm to neighbouring amenity weighs in favour of the proposals and as a matter of judgement staff consider the proposals to be within the margins of acceptability in planning terms. It is therefore the view of staff that there would not be sufficient grounds to substantiate a refusal.

## **2 RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission subject to conditions to secure the following matters:
- 2.2 That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

## **Conditions**

Time Limit 3 years  
Accordance with plans  
Material samples/details  
Flank window condition  
Balcony condition

## **Informatives**

Approval following revision  
Approval and CIL

### **3 PROPOSAL AND LOCATION DETAILS**

#### **3.1 Proposal**

- This application seeks permission for the construction of a part single, part two storey rear extension.

#### **3.2 Site and Surroundings**

- The site lies to the western side of Heath Drive and forms part of the Gidea Park Conservation Area. The site comprise a two storey detached property.
- There is hard standing to the front of the property with a garden to the rear of the property screened by a close boarded fence, mature shrubs/trees and a hedge along the southern boundary.
- The subject premises is not an exhibition house however is flanked by 57 Heath Drive (1911) and 60 Heath Drive (1934) which are both examples of exhibition properties.

- **Planning History**

#### **3.3 The following planning decisions are relevant to the application:**

P2041.04 - Part single, part two storey rear extension. Rear dormer window  
- Refused – Dismissed at appeal.

Whilst some of the issues raised by the appeal inspector are material in the consideration of the current proposals, staff are mindful that the decision of the inspector was made using what would now be considered outdated planning policy, prior to the implementation of LB Havering's LDF, SPDs and the National Planning Policy Framework (NPPF).



P0639.90 - Conservatory to rear – Approved

P0572.15 – Proposed single storey outbuilding – Approved

#### **4 CONSULTATION RESPONSE**

4.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

4.2 The following were consulted regarding the application:

4.3 Highways – No Objection  
Gidea Park and District Civic Society - Objection

#### **5 LOCAL REPRESENTATION**

5.1 A total of twenty neighbouring properties were notified about the application and invited to comment.

5.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: Four of which four objected.

##### **Representations**

5.5 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

##### **Objections**

- Impact on amenity (loss of light/overbearing impact)
- Harmful to GPCA
- Harmful to character
- Flood risk
- Harmful precedent

The amenity impacts associated with the proposals will be fully considered in the relevant section of this report, as will matters of character, appearance and impact upon the Conservation Area setting.

Whilst flood-risk is a valid consideration, the impacts associated with a domestic extension such as that proposed are not considered to weigh adversely against the proposals.

### **Non-material representations**

5.6 The following issues were raised in representations, but are not material to the determination of the application:

- No measurements on plans
- Noise and disruption during works

## **6 MATERIAL PLANNING CONSIDERATIONS**

6.1 The main planning issues raised by the application that the committee must consider are:

- The impact of the development on the character and appearance of the host building and the wider Conservation Area.
- The impact of the development on neighbouring occupiers in terms of residential amenity.

### **6.2 The impact of the development on the character and appearance of the host building and the wider Conservation Area**

- The application site is located in the Gidea Park Conservation Area and as such, the general consideration would be whether the new development would preserve or enhance its character and appearance. The property has been the subject of an earlier application, prior to current planning policy and guidance. The application was refused and the decision to refuse planning permission was subsequently upheld at appeal with the impact of the development on the character of the subject building and Conservation Area setting and amenity impacts the primary considerations
- The current proposals are materially different to the earlier submission. Furthermore the appeal decision was made using policies which have since been superseded. Therefore, whilst some of the views expressed by the planning inspector remain relevant, the historic appeal decision does not preclude against further additions to the subject dwelling in the opinion of staff.
- The statutory duty applied to planning authorities in the exercise of their planning functions in conservation areas is set out in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". This aim is reflected in Policy DC68. The Conservation Area comprises a number of houses which were constructed as part of the 1911 House and Cottage Exhibition and a further exhibition of Modern Homes in 1934. Over the years the Council has sought to preserve the character of the area firstly through the

designation as a Conservation Area in 1970 and later through the adoption of an Article 4 Direction to remove permitted development rights.

- When considering the merits of this application, consideration was given to the fact that there have been other examples of the installation of bi-fold doors on the rear elevation of residential properties in the Gidea Park Conservation Area. Staff consider that the bi-fold doors on the rear elevation of the single storey element of the proposals would be acceptable in this case. Single storey extensions of comparable depth and of a contemporary appearance have been permitted elsewhere within the Conservation Area in the period that has elapsed between the appeal decision and current application. The Residential Extensions and Alterations Supplementary Planning Document (SPD) (2011) states that as a general rule, houses can be extended from the rear wall of the original dwelling by up to 3 metres in depth for a terrace house and up to 4 metres in depth for a semi-detached or detached dwelling. This is to ensure the extension is subordinate to the original dwelling.
- The proportions of the addition and roof form have been revised since submission to reduce scale, bulk and mass. Whilst the form of a crown roof is not prevalent within the Conservation Area, the subject dwelling is not unfamiliar with this roof form as it benefits from an historic side extension with crown roof feature. Seen in the context of the historic development the current development proposals would not appear entirely alien.
- The additions would be highly visible and capable of being viewed from the adjacent roadside, the rear elevations of those properties fronting Heath Drive highly prominent. The earlier appeal decision asserted that whilst the rear garden area of the subject dwelling did not abut any public areas that it, along with the rear garden of adjacent properties contributed to the open and sylvan character of the area. Whilst the revisions provided by the applicant would lessen the perception of bulk, the proposed addition would nevertheless move away from the predominant rear building line which could be viewed negatively.
- The appeal inspector in resolving to dismiss the earlier appeal attributed weight to the setting and appearance of 57 Heath Drive and the scale bulk and mass of the addition partially obscuring views of the property to the north, no. 60 Heath Drive. This in part appeared to be the driving factor in dismissing the appeal. In view of the reduced form of the addition and increased separation from the northern boundary and more central siting of the first floor addition, those issues would appear to be addressed. The appeal inspector concluded that the absence of two storey additions had a positive effect on the area and rightly considered that if the appeal proposal were to be found acceptable at that time, that it would make any “further extensions more difficult to refuse and lead to an unacceptable cumulative change to the character and appearance of the Conservation Area”. The rationale behind the inspector’s preclusion against two storey additions is acknowledged, however in the time that has elapsed since the

appeal decision in 2006 it is increasingly becoming more difficult to justify a decision to refuse planning permission on this basis, particularly when in that interim period other examples of comparable development now exist.

- Staff consider that the scheme is within the margins of acceptability and that any resultant harm to the character of the subject premises and wider Conservation Area setting would be less than substantial. The proposals would therefore broadly align with the requirements of Policy DC68 of the LDF. In view of the revisions provided, it would appear difficult to substantiate a decision to refuse planning permission.

### **6.3 The impact of the development on neighbouring occupiers in terms of residential amenity.**


- Policy DC61 states that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.
- The impacts of the development have been fully considered by staff and found to comply with the guidance contained within the Residential Extensions and Alterations SPD. It is considered that the development proposed would not result in a significant loss of amenity to neighbouring properties. The main consideration in terms of residential amenity relates to the impact on daylight and outlook of the occupants to the north and south of the proposals.
- The depth of the single storey element would align with the guidance contained within the Residential Extensions and Alterations SPD. Revisions provided by the applicant set the flank wall of the addition in from the shared boundary with the neighbour to the north which is noted to further improve the acceptability of this relationship.
- Due to the position of the subject property due north of the neighbour to the south, it stands to reason that any loss of light/potential overshadowing would be negligible. The primary concern would relate to a perceived loss of outlook/overbearing impact. On the basis that the single storey element would be of a depth that would not conflict with the guidance contained within the Residential Extensions and Alterations SPD it is difficult to envisage the Council resisting the relationship shown.
- Turning to the first floor element of the extension, visual amenity aside which at its core can be viewed subjectively, the addition would be adequately separated from the northern and southern shared boundaries so as to mitigate any potential harm arising from loss of outlook. In view of the depth of the addition at first floor level complying with the guidance set out within the Residential Extensions and Alterations SPD staff do not consider that there are grounds to refuse permission as no quantifiable harm has been demonstrated.

- The appeal inspector concluded previously that there would be no meaningful loss of light/overshadowing however concluded that the addition would unacceptably detract from the living conditions of the occupiers of 57 Heath Drive. The current proposals show an addition of greater depth than that previously considered at single storey level however having regard to current guidance, staff consider that any loss of light/outlook from this neighbour could not be demonstrated to be materially harmful. Fenestration immediately adjacent to the shared boundary with the site does not serve a primary room. With regards to the first floor element the rear projection would be located centrally, well separated from either flank of the main dwelling and thus, visual impacts aside, the amenity considerations associated are not outside of acceptable parameters.
- No.57 is noted to benefit from a grant of planning permission for a single storey extension (P0057.18) which would mitigate further the impacts of the development. However at the time of site inspection it did not appear that the permission had been implemented. Nevertheless, the absence of neighbouring development does not hinder the current proposals which would be acceptable and in the opinion of staff comply with the Residential Extensions and Alterations SPD.
- It is not considered that the proposed extension would unduly impact on the residential amenity of the neighbouring properties in accordance with policy DC61.

## **Conclusions**

- 6.7 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

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 <b>Havering</b> LONDON BOROUGH	<b>Planning Committee</b> <b>22 November 2018</b>
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<b>Application Reference:</b>	<b>P0721.18</b>
<b>Location:</b>	<b>Land between 8 &amp; 9 Bretons Cottages, Rainham Road</b>
<b>Ward:</b>	<b>Elm Park</b>
<b>Description:</b>	<b>Construction of four residential houses with off-street parking and private amenity space.</b>
<b>Case Officer:</b>	<b>Adèle Hughes</b>
<b>Reason for Report to Committee:</b>	<b>The application is by or on behalf of the Council and is a significant development.</b>

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## **1 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 1.1 The construction of four residential houses with off-street parking and private amenity space is acceptable in principle. It is considered that the proposal would not result in material harm to the open and spacious character of the Metropolitan Green Belt. Staff consider that the proposal would integrate satisfactorily in the streetscene, would not be harmful to neighbouring amenity or create any highway or parking issues. This application is recommended for approval subject to the completion of a legal agreement to secure a financial contribution towards education.

## **2 RECOMMENDATION**

- 2.1 That the Committee resolve to grant planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

- A financial contribution of £24,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of

completion of the Section 106 agreement to the date of receipt by the Council.

- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

2.2 That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

2.3 That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### **Conditions**

1. Time limit – The development must be commenced no later than three years from the date of this permission.
2. Details of materials – Written specification of external walls and roof materials to be used in the construction of the building(s).
3. Accordance with plans – The development should not be carried out otherwise than in complete accordance with the approved plans.
4. Parking provision - The area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.
5. Landscaping - No above ground works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping.
6. Boundary treatment – Details of all proposed walls, fences and boundary treatment.
7. Removal of permitted development rights - No development shall take place under Class A, B, C, D and E, 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.
8. Refuse - Details of refuse and recycling facilities
9. Cycle storage - Details of cycle storage.
10. Standard flank window condition – No window or other opening (other than those shown on the submitted and approved plan) shall be formed in the flank wall (s) of the building(s) unless specific permission has first been sought and obtained from the Local Planning Authority.
11. Wheel washing - Vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.
12. Vehicle access - No part of the development hereby approved shall be occupied until the redundant access to the highway has been removed in



- accordance with the details that have been previously submitted to and approved in writing by the Local Planning Authority.
13. Construction methodology - No works shall take place in relation to any of the development hereby approved until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers is submitted to and approved in writing by the Local Planning Authority.
  14. Hours of construction
  15. Installation of Ultra-Low NOx boilers
  16. Gas protection measures
  17. Archaeology – Written scheme of investigation to be submitted.
  18. Water efficiency – The dwelling shall comply with Part G2 of the Building Regulations - Water efficiency.
  19. Minor Space Standards - All dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.
  20. Stopping up order - Prior to commencement of the proposed dwellings hereby permitted an application to stop up that part of the application site which comprises adopted highway shall be submitted to the Council as Highway Authority and that application shall be confirmed by the Council as highway authority or the Secretary of State (on appeal) as appropriate.

#### **Informatives**

1. Approval following revision
  2. Approval and CIL
  3. Planning Obligations
  4. Fee informative
  5. Highway informatives
  6. Street naming and Numbering
  7. Archaeology informative
- 2.4 That, if by 22 March 2019 the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

### **3 PROPOSAL AND LOCATION DETAILS**

#### **3.1 Proposal**

- The proposal is for the construction of four residential houses with off-street parking and private amenity space.
- One pair of semi-detached dwellings comprising units A & B would have a combined width of approximately 10.1 metres, a depth of approximately 9.8 metres and a height of 8 metres to the ridge.
- One pair of semi-detached dwellings comprising units C & D would have a combined width of approximately 9.2 metres, a depth of approximately 10.4 metres and a height of 8 metres to the ridge.
- Unit A would be located approximately 3 metres from the south western boundary of the site. Unit D would be located between approximately 0.5 and

0.9 metres from the north eastern boundary of the site. There would be pedestrian access to the land to the rear of the site in between units B and C.

- The proposed materials for the dwellings are part painted render and part brick, clay roof tiles and white UPVC windows.

### **3.2 Site and Surroundings**

- The application site is part of the Bretons Outdoor Centre and comprises of a parcel of land, which is located between No.'s 8 Bretons Cottages to the south and No. 9 Bretons Cottages to the north in Rainham. The site is mostly unmade with some wood chippings and some grassed areas. There is a car park and Bretons Outdoor Recreation Centre buildings are located to the north west of the site. The surrounding area is characterised by two storey detached, semi-detached and terraced dwellings. The site is located in Metropolitan Green Belt.
- Officer's note: The supporting information for this application states that part of the proceeds of the proposed dwellings would be used to enhance Bretons Outdoor Centre. Staff consider that this proposal is acceptable on its individual planning merits and the financial contribution towards Breton's Outdoor Centre has not formed part of the material considerations for this application or the recommendation for approval.

### **3.3 Planning History**

- No planning history.

## **4 CONSULTATION RESPONSE**

- 4.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

## **5 LOCAL REPRESENTATION**

- 5.1 A total of 30 neighbouring properties were notified about the application and invited to comment.

- 5.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 0

- 5.3 The following Councillors made representations:

Councillor Miller and Councillor Mugglestone object to the application on the grounds of building on the Green Belt, which is against the Local Havering Plan and the NPPF.

- 5.4 Highways: No objection to the proposal in principle, but there are two issues which need to be addressed. No cycle parking is provided. 2 spaces per

dwelling is required in accordance with the London Plan. The highway extends into the site roughly 3.5m adjacent to No.8 and 1.5m adjacent to No.9. The development parking requires this land to be incorporated within the development and therefore in the event planning consent is granted, this area of highway will need to be stopped up under Section 247 of the Town and Country Planning Act. Recommends conditions regarding cycle storage, vehicle access, vehicle cleansing and informatives if minded to grant planning permission.

- 5.5 Fire Brigade – No objection. No additional fire hydrants are required.
- 5.6 StreetCare Department – Waste and recycling sacks need to be presented by 7am on the boundary of each property on Rainham Road on the scheduled collection day.
- 5.7 Environmental Health – The site lies within 250 metres of a former landfill site. Recommend conditions regarding gas protection measures, sound insulation, construction hours and the installation of Ultra-Low NOx boilers if minded to grant planning permission.
- 5.8 Historic England – The site lies between the historic route of Rainham Road and the mediaeval and later Bretons Hall moated complex. Archaeological evidence of activity related to Bretons may be present at the site. Cropmarks in the surrounding fields also show ring ditches suggesting prehistoric activity along the banks of the Beam. From the submitted details it is not clear as the impact created by the former hardstanding at the site however a brief survey of superseded OS mapping indicated that there has been no other development there in the modern era. Recommend a condition regarding archaeological evaluation if minded to grant planning permission.

## **6 MATERIAL PLANNING CONSIDERATIONS**

- 6.1 The main planning issues raised by the application that the committee must consider are:
  - Principle of development
  - Impact on the Metropolitan Green Belt
  - Density/site layout
  - The visual impact and impact on amenity arising from the proposed development.
  - Highways and parking issues.
  - Financial and other mitigation
- 6.2 **Principle of development**
  - The application site falls within the Metropolitan Green Belt. National and local policies refer to a presumption against inappropriate development in Green Belt areas. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to

any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- Paragraph 145 of the National Planning Policy Framework (NPPF - Revised 2018) states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include limited infilling in villages. The proposed dwellings would infill a parcel of land adjacent to No.'s 8 and 9 Bretons Cottages. Staff consider that the provision of four dwellings would sit within the confines of existing residential development and therefore it represents limited infilling within a village and would be acceptable in principle.

### **6.3 Impact on the Metropolitan Green Belt**

- It is considered that the proposed dwellings would not result in material harm to the Green Belt, as it would infill a vacant and underused parcel of land, which abuts two storey neighbouring properties either side at No.'s 8 and 9 Bretons Cottages. There is a large car park at the back of the site as well as houses on both sides, so the site is currently not used for any recreational purpose. There would be a minimum flank to flank separation distance of approximately 6 metres between the proposed dwellings and No.'s 8 & 9 Bretons Cottages, which would maintain some spaciousness within the site. In addition, there would be a flank to flank separation distance of 7 metres between Units B and C to provide pedestrian access to the remaining parcel of land to the rear of the site, which would contribute to the openness within the site and help to minimise the impact of the proposal on the Green Belt. Taking the above factors into account, it is considered that the separation distances between the proposed dwellings and No.'s 8 and 9 Bretons Cottages would help to mitigate the impact of the proposal on the Green Belt and contribute to its open and spacious character. Overall, Staff consider that infilling this parcel of land would not result in material harm to the Metropolitan Green Belt.

### **6.4 Density/site layout**

- The site area is 0.0895 hectares and it has a PTAL rating of 1b (poor). Policy 3.4 Table 3.2 of the London Plan indicates that for 2.7-3.0 habitable rooms/unit, a density range of 50-75 units per hectare would be appropriate. The proposed density of development is 44 units per hectare. It is considered however that the relatively low density of development on this site is acceptable in principle owing to the constraints presented by the form of the site, which would prevent the site from being successfully developed at a higher density.
- Units A and B each have a gross internal floor area of 84 square metres, which meets the minimum gross internal floor area for a two storey, three bedroom, 4 person dwelling of 84 square metres contained in the Technical Housing standards. Units C and D each have a gross internal floor area of 80 square metres, which meets the minimum gross internal floor area for a two storey, two bedroom, 4 person dwelling of 79 square

metres contained in the Technical Housing standards. The proposal meets all the remaining criteria of the DCLG Technical Housing Standards.

- The Council's Design for Living SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.
- It is considered that the amenity space for the new dwellings would not be unacceptably overlooked by neighbouring properties. In addition, boundary treatment and landscaping conditions will be placed if minded to grant planning permission. Staff are therefore of the opinion that the amenity spaces would be private, screened from general public view and access, and are in a conveniently usable form. As a result, it is considered that the proposed amenity area of the new dwellings complies with the requirements of the Design for Living SPD and is acceptable in this instance.

## **6.5 Visual impact**

- Policy DC61 seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout, which is compatible with the character of the surrounding area and does not prejudice the environment of the occupiers or adjacent properties.
- The immediate surroundings are characterised by two storey detached, semi-detached and terraced properties. Staff consider that the introduction of four proposed dwellings would respect the existing predominant form and character of the dwellings set facing Rainham Road. The proposed dwellings and the layout of the site would reflect the character of neighbouring properties in the streetscene. The eaves and ridge heights of the proposed dwellings would be in general alignment with No.'s 8 and 9 Bretons Cottages. Staff consider that the proposed dwellings would integrate satisfactorily with the character and appearance of the streetscene. The design, fenestration and form of the dwellings are deemed to be acceptable and would not be out of keeping or harmful to the character or appearance of the surrounding area. The proposed materials for the dwellings are part painted render and part brick, clay roof tiles and white UPVC windows. Details of materials will be secured by condition if minded to grant planning permission.

## **6.6 Impact on residential amenity**

- To the rear of No. 8 Bretons Cottages, there is a side porch with an obscure glazed door and there are two first floor flank windows, the first

one is obscure glazed and serves a bathroom and the second window serves a landing/corridor, neither of which are habitable rooms.

- It is considered that the proposed dwellings would not result in a significant loss of amenity to No. 8 Bretons Cottages, as it doesn't have any flank windows that are primary light sources to habitable rooms. In addition, there is favourable orientation, as the application site is located to the north east of No. 8 Bretons Cottages. There would be a flank to flank separation distance of between approximately 6 to 8 metres between No. 8 Bretons Cottages and Unit A (the nearest proposed dwelling), which would help to mitigate its impact. The front façade of units A and B are in general alignment with the front façade of No. 8 Bretons Cottages. Units A and B do not have any flank windows.
- The two storey rear projection of No. 9 Bretons Cottages has a half glazed, half solid door on its south western flank together with one ground floor flank window that serves a kitchen and is a secondary light source, as there is a window on its rear façade. The two storey rear projection of No. 9 Bretons Cottages has one first floor flank window that serves a bedroom and is a primary light source. It is considered that the proposed dwellings would not result in material harm to No. 9 Bretons Cottages, as Unit D does not impede a 45 degree notional line taken from the first floor flank bedroom window of No. 9 Bretons Cottages. There would be a minimum and maximum flank to flank separation distance of approximately 7 to 9 metres between No. 9 Bretons Cottages and Unit D (the nearest proposed dwelling), which would help to mitigate its impact. Unit D features two ground floor flank windows that serve an open plan living/kitchen and dining room. Details of boundary fencing and landscaping will be secured by condition to prevent any undue overlooking or loss of privacy at ground floor level. It is considered that the proposed dwellings would not create any overlooking or loss of privacy over and above existing conditions.
- The proposed dwellings would be well separated from the Bretons Outdoor Recreation Centre buildings to the rear of the site and neighbouring dwellings on the opposite side of Rainham Road.

#### **6.7 Parking and Highway Implications**

- The site has a PTAL rating of 1b (poor). The London Plan has a maximum residential parking standard of up to 2 spaces per unit. Two parking spaces would be provided for each proposed dwelling and this level of provision is considered to be acceptable. The Highway Authority has advised that the highway extends into the site roughly 3.5m adjacent to No.8 and 1.5m adjacent to No.9 Bretons Cottages and the development parking requires this land to be incorporated within the development and therefore in the event planning consent is granted, this area of highway will need to be stopped up under Section 247 of the Town and Country Planning Act. This section of highway has been included as part of the application site and revised plans have been submitted accordingly. Details of a stopping up order, vehicle access, vehicle cleansing, refuse and recycling provision and cycle storage will be secured by condition if minded to grant planning permission.

#### **6.8 Trees**

- There are no Tree Preservation Orders on the site. The proposal involves removing the trees along the front boundary of the site and the landscaping scheme includes planting replacement trees in the back gardens of the proposed dwellings.

#### **6.9 Financial and Other Mitigation**

- The proposal would attract the following section 106 contributions to mitigate the impact of the development:
- Up to £24,000 towards education.

#### **6.10 The proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development:**


- £7,044 Mayoral CIL towards Crossrail

### **7 Conclusions**

- All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

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 <b>Havering</b> LONDON BOROUGH	<b>Planning Committee</b> <b>22 November 2018</b>
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<b>Application Reference:</b>	<b>P0862.18</b>
<b>Location:</b>	<b>Ockendon Kennels, Ockendon Road</b>
<b>Ward:</b>	<b>Upminster</b>
<b>Description:</b>	<b>Part demolition, extensions and alterations to the existing kennels and outbuildings to form 14 no. dwellings with associated parking, private amenity space and boundary treatment.</b>
<b>Case Officer:</b>	<b>Adèle Hughes</b>
<b>Reason for Report to Committee:</b>	<b>A Councillor call-in has been received</b>

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## **1. BACKGROUND**

- 1.1 The application has been called in by Councillor Ron Ower on the grounds that the site has an extensive history of previous applications being refused as the site is in the Green Belt and it is in the local conservation area. It is felt that the proposed dwellings are out of keeping with nearby homes.

## **2 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 2.1 The part demolition, extensions and alterations to the existing kennels and outbuildings to form 14 no. dwellings with associated parking, private amenity space and boundary treatment is acceptable in principle. It is considered that the proposal would not result in material harm to the Metropolitan Green Belt, would integrate satisfactorily with the streetscene, would not adversely affect neighbouring amenity or create any highway or parking issues. This application is recommended for approval subject to the completion of a legal agreement to secure a financial contribution.

## **3 RECOMMENDATION**

- 3.1 That the Committee resolve to grant planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

- 35% affordable housing
  - A financial contribution of £84,000 to be used for educational purposes.
  - All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
  - The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
  - Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.
- 3.2 That, if by 22 March 2019 the legal agreement has not been completed, the Assistant Director of Development is delegated authority to refuse planning permission.
- 3.3 That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### **Conditions**

1. Time limit – The development must be commenced no later than three years from the date of this permission.
2. Samples of materials – Notwithstanding the details shown on Drawing No. 48 Revision A, no works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.
3. Accordance with plans – The development should not be carried out otherwise than in complete accordance with the approved plans.
4. Landscaping - No above ground works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping.
5. Car parking – Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.
6. Boundary treatment – Notwithstanding the details shown on Drawing No. 49, details of all proposed walls, fences and boundary treatment shall be submitted to and approved by the Local Planning Authority.
7. Removal of permitted development rights - No development shall take place under Class A, B, C, D and E, 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.
8. Refuse - Details of refuse and recycling facilities.
  9. Cycle storage - Details of cycle storage.
  10. Standard flank window condition – No window or other opening (other than those shown on the submitted and approved plan) shall be formed in the flank wall (s) of the building(s) unless specific permission has first been sought and obtained from the Local Planning Authority.
  11. Wheel washing - Vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.
  12. Vehicle access – No part of the development hereby approved shall be occupied until access to the highway has been completed in accordance with the details that have been previously submitted to and approved in writing by the Local Planning Authority.
  13. Vehicle visibility splay - The proposals should provide a 4.5 by 80 metre traffic visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.
  14. Construction methodology - No works shall take place in relation to any of the development hereby approved until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers is submitted to and approved in writing by the Local Planning Authority.
  15. Hours of construction
  16. Secured by design – No works shall take place in relation to any of the development hereby approved until a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority.
  17. Contamination – Prior to the commencement of any works pursuant to this permission, the developer shall submit for written approval of the Local Planning Authority: a Phase 1, Phase II and Phase III reports.
  18. Contamination - If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.
  19. Ecological survey - Notwithstanding the Extended Phase 1 Habitat Survey dated July 2013, a current ecological survey and report including any recommendations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the proposed development hereby permitted. The proposed development shall be implemented in accordance with the approved ecological report, including any recommendations. If at any time during the works, presence of bats is suspected or identified, works in that area shall cease immediately and an ecologist contacted to enable further appropriate action to be implemented.
  20. External lighting - Prior to the first occupation of the proposed dwellings hereby permitted, until external lighting is provided in accordance with details

previously submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

21. Finished floor levels - Prior to the commencement of any works pursuant to this permission and notwithstanding the details shown on the plans, the finished floor levels of the proposed dwellings hereby permitted shall be set at 150mm above existing ground levels in accordance with standard building practice and with details previously submitted to and approved in writing by the Local Planning Authority. The finished floor levels of the proposed dwellings shall be provided in strict accordance with the approved details.

#### **Informatives**

1. Approval following negotiation
2. Planning Obligations
3. Fee informative
4. Highway informatives
5. Street naming and Numbering
6. Secured by design informative

## **4 PROPOSAL AND LOCATION DETAILS**

### **4.1 Proposal**

- The proposal is for the part demolition, extensions and alterations to the existing kennels and outbuildings to form 14 no. dwellings with associated parking, private amenity space and boundary treatment.
- The proposed materials for the dwellings are brick, weatherboarding, clay tiles and timber joinery.

### **4.2 Site and Surroundings**

- The site, which is approximately 2 hectares in area, forms a broadly rectangular area of land, running in an east-west direction. The site's western and northern boundaries adjoin open land in agricultural use; the southern boundary adjoins Ockenden Road; whilst the eastern boundary adjoins a field, which is also in the ownership of the applicant, but separate from the application site.
- The site involves a range of buildings and more temporary structures associated with its historic use as kennels and for the training of greyhounds. The western end of the site is dominated by a, now redundant greyhound track, whilst the remainder of the site comprises a range of single storey buildings and temporary structures. The site includes three outbuildings; four buildings of unknown use; six buildings in canine-related uses; and a vacant building. An area of hardstanding provides vehicle parking and manoeuvring areas, and links the various building plots with the site's access onto Ockenden Road. The site is considered to be in a generally dilapidated condition. The existing use of the site as Greyhound training and boarding facility has now reduced to such a point that 95% of the buildings are unused. There are still a few dogs being kept on site.

- The site is located in the Green Belt and in close proximity to the North Ockenden Conservation Area, which is located immediately to the south and to the east. The nearest neighbouring properties are located in excess of 100m to the south west and to the east.

### **Planning History**

- 4.3 P1915.17 - Conversion of existing kennels and associated outbuildings into 17 dwellings with associated parking and private amenity space - Refused.

P1668.15 - Redevelopment of the existing grey hound track and kennels with the construction of 22No. new dwellings – Refused. Dismissed on appeal.

P0653.15 - Redevelopment of the existing greyhound track and kennels with the construction of 22No. new dwellings – Withdrawn.

P1550.14 - Redevelopment of the existing grey hound track and kennels with the construction of 22No. new dwellings - Withdrawn.

P0742.13 - Replacement of the existing kennels and dog track with 30 new houses and associated amenities / facilities. The remainder of the site to be developed by the Ockendon Wildlife Trust to provide a natural habitat for biodiversity – Refused. Dismissed on appeal.

P2037.08 - Continued use of part kennel block as veterinary surgery (Greyhounds) – Approved with conditions.

P1760.08 - Continued use of part kennel block as veterinary surgery (greyhounds) plus new front extension to form reception office – Refused.

## **5 CONSULTATION RESPONSE**

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

## **6 LOCAL REPRESENTATION**

- 6.1 A total of 164 neighbouring properties were notified about the application and invited to comment.

- 6.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 18, which all objected

- 6.3 The following Councillor made representations:

Councillor Ron Ower objects to the application and called it in for committee consideration if it is not refused under delegated powers on the grounds that the site has an extensive history of previous applications being refused as the

site is in the Green Belt and it is in the local conservation area. It is felt that the proposed dwellings are out of keeping with nearby homes.

### **Representations**

- 6.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

#### **Objections**

- The application could be followed by further development proposals in the Green Belt and set a precedent for further development in the area.
- The proposal would cause additional traffic problems, congestion and disturbance in the area;
- There is no need for this type of housing.
- The proposal would harm the outlook from neighbouring properties;
- The proposal would be detrimental to highway safety;
- The proposal would be harmful to the Green Belt;
- It's not a brownfield site.
- There is no benefit to the local community.
- The site is designated as Green Belt farmland.
- Concerns that the existing buildings on the site do not have adequate foundations and are not capable of conversion without significant groundwork.
- It is alleged that the plans show that the buildings do not occupy the footprint of the existing buildings.
- The proposal would result in an overdevelopment of the site;
- No affordable housing or local infrastructure provision.
- There are not enough school places in the area for additional children.
- Pedestrian safety.
- No CIL form was submitted with the application.
- Impact on the countryside and wildlife.
- The site is surrounded by farmland.
- It is alleged that there are discrepancies in the Heritage Statement, as it doesn't refer to any previous planning applications on the site, it refers to 16 proposed dwellings, not 14 and doesn't apply to this particular application.
- Inappropriate use of the land.
- Overdevelopment and harmful to local character.
- Removal of green space.
- Impact on residential amenity.
- Impact on the character and appearance of the surrounding area.
- Impact on Ockendon village, the conservation area and listed buildings.
- Visual impact.
- The application proposes replacing eight low level kennel buildings with 13 2-3 bedroom buildings and one detached building at an increased height of 5 metres.
- Concerns regarding the layout of the development, including limited frontages for the dwellings and the provision of tandem parking, which would appear inadequate, impractical, contrived and unduly cramped. Would result in a poor

quality living environment for future residents through loss of privacy, undue overlooking, poor pedestrian and highway accessibility and failure to adhere to designing out crime principles.

- Access.
- Reference was made to previous planning applications P0742.13, P1550.14, P0653.15, P1668.15 and P1915.17 and the respective appeal decisions. This proposal does not overcome the previous refusal.
- There are no very special circumstances in this case.
- A structural survey has not been submitted with this application to show the Local Authority that the buildings are capable of conversion.
- The proposal would appear dominant, overbearing and out of character.
- Increased pressure on bus services.
- The village has no facilities including shops or a school.
- There is no evidence of vandalism at the site.

#### **Non-material representations**

- 6.5 The following issues were raised in representations, but they are not material to the determination of the application:
- Would put a strain on drainage, water supply, gas and the associated servicing impacts. (Officer comment: These are not material planning considerations).
  - There are no pavements for children to walk along to get buses. (Officer comment: This is not a material planning consideration).
- 6.6 Highways: No objection to the proposal and recommends conditions regarding cycle storage, vehicle visibility splay, vehicle access, vehicle cleansing, informatives
- 6.7 Street Management – Insufficient drainage detail. A drainage layout is required for the development.
- 6.8 Thames Water – No objection. Recommends informatives.
- 6.9 Designing Out Crime Officer – Recommends a condition and an informative if minded to grant planning permission.
- 6.10 ChildCare Services – There is a projected deficit of primary school places from 2020, in the area where this proposed development is located. As such, the developer should make a financial contribution towards the cost of creating the additional school places required in order to accommodate the children produced by this development.
- 6.11 Fire Brigade – The proposals are acceptable subject to compliance with the following: The access roads to be a minimum of 3.7m in width measured between kerbs and capable of supporting a vehicle with a minimum carrying capacity of 14 tonnes. Access gates to have a minimum clear width of 3.1m and be provided with an emergency override facility. Turning points to be of

sufficient size to reverse a pump appliance and drive out of the site. Requested two private fire hydrants to be installed to cover the new houses.

6.12 Natural England – No comment.

6.13 Essex & Suffolk Water – There is no apparatus located in the proposed development.

6.14 Environmental health – Recommend two conditions regarding contamination if minded to grant planning permission. No objections in terms of air quality.

## **7 MATERIAL PLANNING CONSIDERATIONS**

7.1 The main planning issues raised by the application that the committee must consider are:

- Principle of development
- Impact on the Metropolitan Green Belt
- Density/site layout
- The visual impact and impact on amenity arising from the proposed development.
- Highways and parking issues
- Ecology
- Flood risk
- Financial and other mitigation
- Affordable housing

### **7.2 Background**

- It should be noted that a previous application under P1915.17 for the conversion of the existing kennels and associated outbuildings into 17 dwellings with associated parking and private amenity space was refused permission for the reasons listed below:
  - 1) The proposed layout of the development, including limited frontages for the dwellings in plots 1, 3, 5, 7, 9, 11, 14, 15 and the provision of tandem parking, would be inadequate, impractical, contrived and unduly cramped and would result in a poor quality living environment for future residents through loss of privacy, undue overlooking, poor pedestrian and highway accessibility and failure to adhere to designing out crime principles. As a result, the development represents an overdevelopment of the site and would be a harmful development to local character and occupier amenity.
  - 2) In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development.
  - 3) In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development.



4) In the absence of sufficient information to demonstrate that the proposal adequately responds to policies relating to affordable housing provision, it is considered that the proposal is contrary to the provisions of Policies 3.11 and 3.13 of the London Plan, as well as the Mayor's Home for Londoner's Affordable Housing and Viability Supplementary Planning Guidance 2017, as well as the provisions of Policy 6.2 of the draft Local Plan.

- The current application proposes the part demolition, extensions and alterations to the existing kennels and outbuildings to form 14 no. dwellings with associated parking, private amenity space and boundary treatment. The acceptability of the current proposal would be evaluated later in this report.

### **7.3 Principle of development**

- The site is located in the Metropolitan Green Belt. The NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- The proposal involves the part demolition, extensions and alterations to the existing kennels and outbuildings to form 14 no. dwellings with associated parking, private amenity space and boundary treatment. The D&A statement states that the main bulk of the buildings are of a permanent construction. The buildings have solid concrete floors, brick walls, concrete frames and steel trusses. They are suitable to be converted with the addition of external insulation and cladding. The asbestos roofs will be removed and replaced with clay tiles. With the exception of plot 10, the proposed extensions to the remaining plots are single storey and relatively modest in size and as such, it is considered that they would not result in disproportionate additions over and above the size of the existing buildings. The proposal involves replacing the flat roof of building 'L' with a thatched hipped roof with a ridge height of 7m (in plot 10) and Staff consider that this would not result in a disproportionate addition, as the roof is hipped, which minimises its bulk.

### **7.4 Impact on the Metropolitan Green Belt**

- As the proposal involves the part demolition, extensions and alterations to the existing kennels and outbuildings to form 14 no. dwellings, it is considered that the proposal would not be harmful to the visual amenities of the Green Belt and the surrounding area. The D&A statement states that the buildings will remain the same scale and height as existing, with the exception of some small extensions to the northern buildings, although these are of a very modest scale. The main bulk of the buildings have an existing ridge height of 4.2m and this height will stay the same. The only exception to this is building 'L', as the proposal involves replacing the flat roof with a thatched hipped roof with a ridge height of 7m (and would form Plot 10). It is considered that the single storey front extension and the thatched roof to building L (in Plot 10) would not be harmful to the open and spacious character of the Green Belt, given its modest proportions and its hipped roof minimises its bulk.

- The buildings on the site have a cumulative existing gross internal floorspace of 1,909 square metres. The total gross internal floorspace for this proposal is 1,687 square metres, which would result in a reduction of 222 square metres of floor space. Further temporary structures will be removed as a result of this development. With the exception of plot 10, the proposed extensions to the remaining plots are single storey and relatively modest in size and as such, it is considered that they would not result in material harm to the Green Belt.
- Taking the above factors into account, it is considered that the proposal would preserve the openness of the Green Belt and would not result in material harm to the character and appearance of the Metropolitan Green Belt.

## 7.5 Density/site layout

- The site has an area of approximately 2 hectares and has a PTAL rating of 1b. In a suburban area of 2.7-3.0 hr/unit in a PTAL of 0 to 1, the density range is 50-75 units per hectare. This equates to a density of approximately 6.8 units per hectare, which is below the range. It is considered however that the relatively low density of development on this site is acceptable in principle owing to the nature of the proposal and the constraints presented by the form of the site, which would prevent the site from being successfully developed at a higher density.
- Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 requires that new residential development conform to minimum internal space standards set out in the plan. In this instance the proposed dwellings would meet all the criteria of the DCLG Technical Housing Standard. In terms of the site layout, all of the proposed dwellings would have adequate access to sunlight and daylight.
- The Council's Design for Living SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.
- It is considered that the amenity space for the proposed dwellings would not be unacceptably overlooked by neighbouring properties. In addition, boundary treatment and landscaping conditions will be placed if minded to grant planning permission. Staff are therefore of the opinion that the amenity spaces would be private, screened from general public view and access, and are in a conveniently usable form. As a result, it is considered that the proposed amenity area of the new dwellings complies with the requirements of the Design for Living SPD and is acceptable in this instance.

## 7.6 Visual impact

- Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. The SPD contains guidance in relation to the design of residential development. Neighbouring occupiers have objected to the proposal on the grounds that it would be harmful to the visual amenities of the area and the Green Belt.
- Policy DC68 of the LDF mainly imposes controls on development within conservation areas, but does state that the character of conservation areas should be preserved or enhanced. Given the siting of the proposal in relation to the North Ockenden Conservation Area, with the presence of an open field immediately to the east of the site, and the proposed rear gardens and public highway at the southern end of the site affording a degree of separation, it is considered that the proposal would not significantly harm the setting of the afore mentioned conservation area.
- The site currently has a ramshackle appearance with significant areas of hardstanding and a range of buildings covering much of the site area. The proposal involves the part demolition, extensions and alterations to the existing kennels and outbuildings to form 14 no. dwellings.
- Staff consider that the proposal would not be harmful to the character and appearance of the streetscene or the conservation area, as with the exception of building 'L' in plot 10, the buildings will remain the same height as existing, with the exception of some small extensions to the buildings that are relatively modest in size and are deemed to be acceptable. Notwithstanding this, the proposal would result in the reduction of 222 square metres of floor space on the site. The submitted details indicate that the proposed materials consist of brick, weather boarding and clay tiles reflecting a rural, Essex vernacular and samples of materials can be secured by condition if minded to grant planning permission.

#### **7.7 Impact on residential amenity**

- Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity. The Residential Design SPD provides guidance in relation to the provision of adequate levels of amenity space for the future occupiers of new dwellings. Neighbouring occupiers have objected to the proposal on the grounds that it would diminish their outlook.
- Notwithstanding the details shown on Drawing No. 49 and in the event of an approval, it is recommended that a condition be imposed requiring the submission of details relating to the proposed boundary treatment to ensure an adequate amount of privacy would be provided both within the site, and between the site and the surrounding area. A further condition should remove permitted development rights to prevent the insertion of flank windows and the addition of extensions, alterations and outbuilding, which may be harmful to neighbouring amenities and have further harmful urbanising effect.

- In relation to the impact the proposal would have on existing, neighbouring occupiers, the proposed dwellings would be in excess of 100m from the nearest neighbouring properties. Given the siting of the proposed units, along with their design and the modest proportions of the proposed extensions, it is considered that there would be no significant adverse impacts on the amenities of existing occupiers in the surrounding area.
- Officers consider that in terms of the amenity of existing neighbouring occupiers, that the proposal is acceptable and would be in accordance with Policy DC61 of the LDF and guidance contained in the Residential Design SPD.

## **7.8 Parking and Highway Implications**

- The application proposes the retention of the site's existing access onto Ockendon Road. Neighbouring occupiers have objected to the proposal stating that it would diminish highway safety.
- The Council's Highway Authority has raised no objections to the proposal, subject to conditions regarding a vehicle visibility splay, vehicle access, vehicle cleansing and informatives, which can be imposed should planning permission be granted.
- The level of on-site parking is considered to be acceptable. With the exception of unit 12 that has two tandem car parking spaces, all of the remaining units have two car parking spaces in a conventional side by side layout. Cycle parking could be secured via condition.
- It is considered that the proposal would have an acceptable highway impact, and be in accordance with Policy DC32 of the LDF.

## **7.9 Other issues**

### **7.9.1 Ecology**

- Policy DC58 of the LDF states that the biodiversity of sites will be protected and enhanced throughout the borough. Based on the Extended Phase 1 Habitat Survey dated July 2013, it is considered that the proposal would not result in any significant harm to nature conservation interests. The general ecology survey submitted identifies no protected species on site, but does make recommendations to avoid harm to nature conservation interests. The buildings and hardstanding areas, and areas associated with greyhound kennels are considered to be of negligible potential to support protected species and are considered to be of negligible ecological value. A condition is recommended in the event of an approval to ensure that further ecological survey is undertaken prior to the commencement of the proposed development in the event that planning permission is granted.

### **7.10 Flood risk**

- The site is located in Flood Zone 1 but occupies an area in excess of 1 hectare. In order to comply with Policy DC48 of the LDF and the guidance

contained in the NPPF, it is necessary for the applicant to submit a Flood Risk Assessment (FRA) demonstrating that the proposal would not increase surface water run off and flood risk outside the site. An FRA was submitted. The FRA concluded that the site is not at risk from groundwater flooding and the risk of surface water flooding is classified as 'very low risk', the lowest classification. Finished floor levels should be set at 150mm above existing ground levels in accordance with standard building practice. Surface water disposal from the new development will be via a combination of soakaways to the new units and permeable paving for driveways and access roads. The existing foul drainage connection will be upgraded and reused for the new development. No residual flood risks have been identified.

#### **7.11 Financial and Other Mitigation**

- The proposal would attract the following section 106 contributions to mitigate the impact of the development:
- Up to £84,000 towards education.


#### **7.12 Affordable Housing**

- In terms of affordable housing, the proposal should be assessed against the Mayor's Homes for Londoners Affordable Housing and Viability Supplementary Planning Guidance. Additionally, Policy 6.2 of the Draft Local Plan states that all residential dwellings of 10 or more dwellings or residential developments with a site area of more than 1,000 square metres to provide at least 35% affordable housing contribution (based on habitable rooms). Applications which do not meet the 35% policy requirement or require public subsidy to do so, will be required to submit detailed viability information which will be scrutinised by the Council and treated transparently. In addition, a review mechanism will be applied to schemes that do not meet this threshold in order to ensure that maximum affordable housing contributions are increased and secured if viability improves over time. Developments will be required to deliver a tenure mix of affordable housing of 70% social/affordable rent.
- The agent has confirmed via email that 35% of the proposed dwellings will constitute affordable housing. The tenure is rental. The units to be affordable are 4, 11, 12, 13 and 14. This level of affordable housing contribution is deemed to be acceptable and complies with policy.

### **8 Conclusions**

- All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

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 <b>Havering</b> LONDON BOROUGH	<b>Planning Committee</b> <b>22 November, 2018</b>
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<b>Application Reference:</b>	<b>Stopping Up Order</b>
<b>Location:</b>	<b>Land bounded by New Zealand Way Queenstown Gardens and Gisborne Gardens, Rainham, RM13 8JT</b>
<b>Ward:</b>	<b>South Hornchurch</b>
<b>Description:</b>	<b>Stopping up of Highway</b>
<b>Case Officer:</b>	<b>Mark Philpotts</b>
<b>Reason for Report to Committee:</b>	<b>The Head of Planning considers committee consideration to be necessary.</b>

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## **1 Background**

- 1.1 On 16 August 2018 the Council approved planning permission under application reference P1004.18 for the development of 30 new units of affordable housing comprising 2 bedroom and 3 bedroom houses with associated landscaping and car parking. The decision notice was issued on 17 September 2018. In order to facilitate the development, stopping up of the adopted public highway is required as the approved scheme will encroach onto the existing public highway.
- 1.2 A resolution is therefore sought to stop up the adopted public highway shown hatched black on the plan reference ‘ Stopping Up Plan (Plan 1)’ at Appendix A (“the Plan ”) to enable the development to be carried out in accordance with the planning permission granted under application reference number P1004.18.
- 1.3 The Council’s highway officers have considered the application and consider that the stopping up is acceptable in all material respects to enable development pursuant to planning permission.

## **2 Recommendation**

That the Committee resolve;

(a) to authorise the stopping up of the highway land in the vicinity of New Zealand Way shown zebra hatched on the Plan , in accordance with the procedure set out in section 252 of the Town and Country Planning Act 1990,

subject to:

- the lawful implementation of planning permission application reference P1004.18;
- payment, by the applicant, of all costs associated with the stopping up;
- any direction by the Mayor of London

on the following basis:

if no objections are received (or any received are withdrawn), or the Mayor of London decides a local inquiry is unnecessary, then the stopping up order will be confirmed by officers;

if objections are received from a local authority, statutory undertaker or gas transporter (and are not withdrawn), or other objections are received (and not withdrawn) and the Mayor of London decides that an inquiry is necessary, the Council shall cause a local inquiry to be held.

(b) to delegate authority to the Assistant Director of Environment to do anything necessary and incidental to facilitate the process of stopping up the highway pursuant to section 247 of the Town and Country Planning Act 1990.

### **3 Proposal and Location details**

- 3.1 Section 247(2A) of the Town and Country Planning Act 1990 (“the Act”) provides that the Council of a London borough may by order authorise the stopping up or diversion of any highway within the borough if it is satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of the Act.
- 3.2 In *K C Holdings Ltd v Secretary of State for Wales [1990] JPL 353* the Deputy Judge held that “may” implies a discretion to consider the demerits and merits of the particular closure in relation to the particular facts of the case. In *Vasiliou v Secretary of State for Transport [1991] 2 All ER 77*, the Court of Appeal held that when exercising his discretion, the Secretary of State was not only entitled, but required to take into account any directly adverse effect the order would have on all those entitled to the rights which would be extinguished by it, especially as the section contains no provision for compensating those so affected.
- 3.3 The layout of the development has already been considered and approved under application ref P1004.18 following a full statutory public consultation exercise. The approved layout plans would require the stopping up of the area



of land that is the subject of this report. The stopping up now proposed would give effect to the development on the land to be stopped up.

- 3.4 The area of land to which the application to stop up relates is an area of highway verge bounded by New Zealand Way, Queenstown Gardens and Gisborne Gardens, Rainham measuring approximately 92.5 metres in width and approximately 345.93 metres in length and sited between OS grid reference points 551723(E), 182828(N); 551858(E), 182857(N); 551852(E), 182758(N) and 551795(E), 182746(N).  
The land is classified as Highway verge on the register of highways maintainable at the public expense.
- 3.5 The development approved pursuant to the planning permission incorporates a redesign of the existing road layout within the confines of the development.
- 3.6 It is considered that the most effective way to accommodate the approved road layout is by stopping up parts of the existing highway. When the stopping up process is complete, the Council's intention is to adopt a strip of 1.8 metre width footway around the perimeter of the site which forms part of the new approved layout using powers available to the Council under section 228 of the Highways Act 1980). Officers therefore consider that there would be no significant disadvantages suffered by the public or by those with properties near or adjoining the existing highway. In contrast, there are advantages of stopping up the highway rights as doing so will enable the development to be carried out.

## **4 Planning History**

The following planning decisions are relevant to the application:

P1004.18 – Land bounded by New Zealand Way, Queenstown Gardens and Gisborne Rainham, RM13 8JT– development of 30 new units of affordable housing comprising 2 bedroom and 3 bedroom houses with associated landscaping and car parking. -outline application - Approved

The stopping up is necessary in order that development pursuant to planning permission can be carried out.

## **5 Consultation**

- 5.1 The Council's highway officer has no objection to the proposed stopping up order.
- 5.2 No public or external consultation has been carried out by the Council in respect of the current stopping up application; however, should the Committee approve the stopping up before making the order, the Council would carry out consultation as required by Section 252 of the Act. This would involve consulting statutory undertakers, posting site notices and publishing the

proposed orders in a local newspaper and the London Gazette. A 28-day consultation period would allow interested parties to respond.

- 5.3 Under Section 252(4)(b) of the Act if an objection is received from any local authority, undertaker or gas transporter on whom a notice is required to be served, or from any other person appearing to the council to be affected by the order and that objection is not withdrawn (through negotiation between the objector and the applicant) the Council must:

(i) notify the Mayor; and

(ii) cause a local inquiry to be held.

- 5.4 If however, none of the objections received were made by a local authority or undertaker or transporter then, under Section 252(5A) of the Act, the Mayor shall decide whether, in the “special circumstances of the case” the holding of such an inquiry is unnecessary, and if he decides that it is unnecessary he shall so notify the Council which may dispense with the inquiry.

- 5.5 If there are no objections, or all the objections are withdrawn, then the Council may confirm the stopping up order without an inquiry.

## **6 Conclusion**

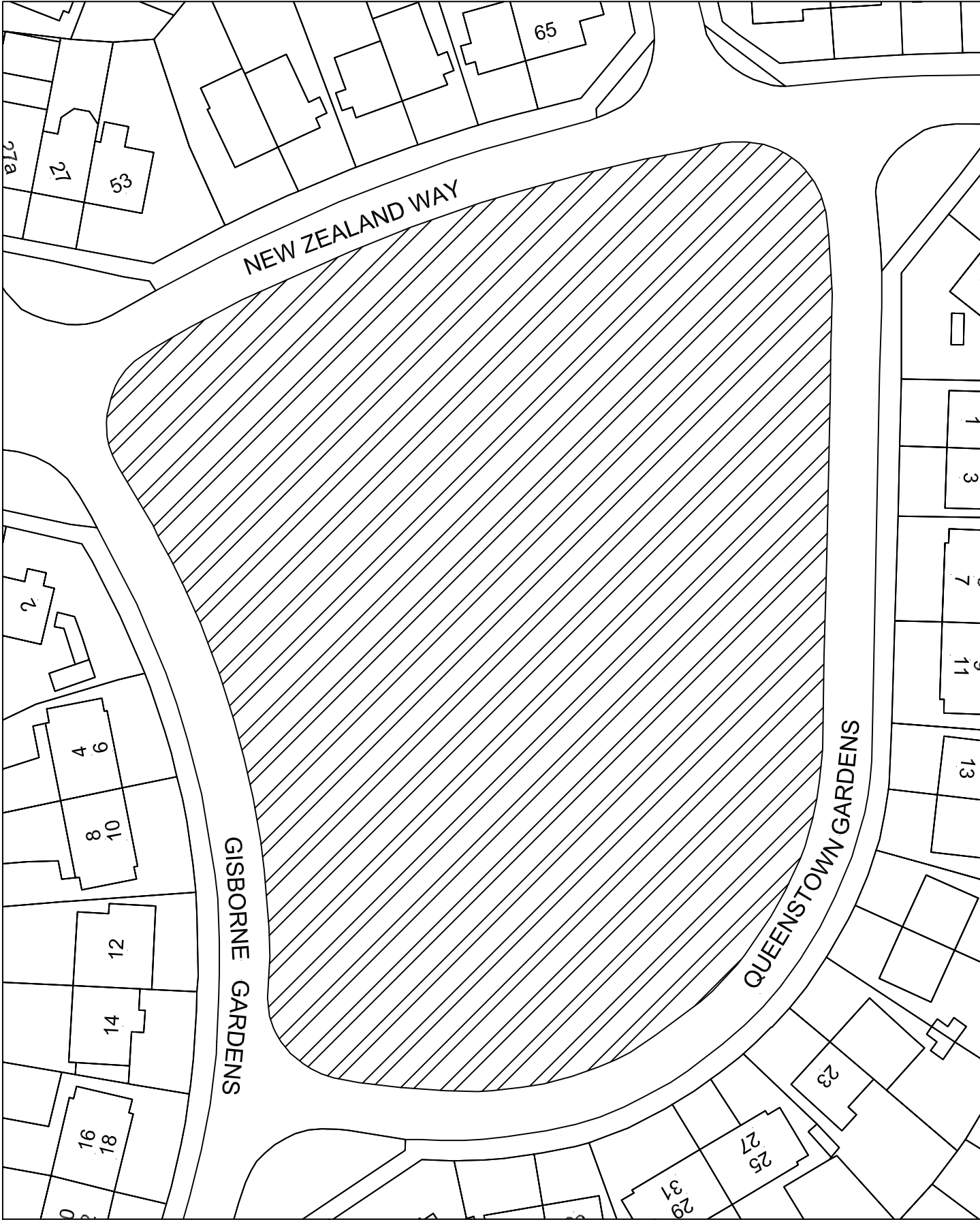
It is considered that the proposed stopping up of the area of land is necessary to enable development to proceed in accordance with planning permission and is acceptable in highway terms. It is noted, however, that there remain obligations relating to consultation and a local inquiry may be held, should the stopping up be approved by the Committee.



## **Appendix A**

Plan reference: New Zealand Way Stopping Up Plan




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 <b>Havering</b> LONDON BOROUGH		PURPOSE		INFORMATION		
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JOB TITLE NEW ZEALAND WAY STOPPING UP		 HIGHWAY TO BE STOPPED UP				
DRAWING TITLE STOPPING UP PLAN (PLAN 1)						
SCALE (AT A4) NTS		DATE 8/10/18	<input checked="" type="checkbox"/> DRAFT <input checked="" type="checkbox"/> ISSUE	DRAWN BY MLP	CHECKED BY MLP	APPROVED BY MLP
DRAWING No QR045/101				REV A	REVISION AMENDMENT DATE	

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 <b>Havering</b> LONDON BOROUGH	<b>Planning Committee</b> <b>22 November 2018</b>
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**Subject:** Quarterly Planning Performance Update Report.

**Report Author:** Simon Thelwell, Planning Manager, Projects and Regulation

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## **1 BACKGROUND**

- 1.1 This quarterly report produces a summary of performance on planning applications/appeals and planning enforcement for the previous quarter, July to September 2018.
- 1.2 Details of any planning appeal decisions in the quarter where committee resolved to refuse planning permission contrary to officer recommendation are also given.
- 1.3 The Government has set performance targets for Local Planning Authorities, both in terms of speed of decision and quality of decision. Failure to meet the targets set could result in the Council being designated with applicants for planning permission being able to choose not to use the Council for determining the application

## **2 RECOMMENDATION**

That the report be noted.

## **3 QUALITY OF PLANNING DECISIONS**

- 3.1 In accordance with the published government standards, quality performance with regard to Major (10 or more residential units proposed or 1000+ sq m new floorspace or site area greater than 0.5 hectares), County Matter (proposals involving minerals extraction or waste development) and Non-Major applications are assessed separately. If more than 10% of the total decisions in each category over the period were allowed on appeal, the threshold for designation would be exceeded. Due to the fact that 10% of the number of non-major decisions made exceeds the total number of appeals,

there is no chance of designation so the performance against the non-major target will not be published in this report, although it will still be monitored by officers.

- 3.2 There has been no announcement on what period would be assessed for future designation rounds. Working on the basis that designation would be announced every year, the next period would be decisions between 1 April 2016 and 31 March 2018, with subsequent appeal decisions to December 2018. The current figures are:

Major Applications:

Total number of planning decisions over period: 53

Number of appeals allowed: 3 (of which 3 were committee decisions to refuse contrary to officer recommendation)

% of appeals allowed: 5.7%

Appeals still to be determined: 1

Refusals which could still be appealed: 0

County Matter Applications:

Total number of planning decisions over period: 16

Number of appeals allowed: 0

% of appeals allowed: 0%

Appeals still to be determined: 0

- 3.3 As there has been no announcement on designation period, it is considered that monitoring of a designation period of decisions between 1 April 2017 and 31 March 2019, with subsequent appeal decisions to December 2019, should also be monitored and reported. The current figures are:

Major Applications:

Total number of planning decisions over period (to date): 39

Number of appeals allowed: 1 (of which 1 was a committee decision to refuse contrary to officer recommendation)

% of appeals allowed: 2.6%

Appeals still to be determined: 1

Refusals which could still be appealed: 1

County Matter Applications:

Total number of planning decisions over period (to date): 8

Number of appeals allowed: 0

% of appeals allowed: 0%

Appeals still to be determined: 0



- 3.4 Due to the low number of decisions that we take that are majors or county matters, any adverse appeal decision can have a significant effect on the figure. However, for the April 2016-March 2018 monitoring period, the majors category is not considered at risk in respect of the designation threshold of 10% as only a maximum of one more appeal result is expected. For the April 2017-March 2019 monitoring period, this will have to continue to be monitored carefully as further appeals allowed could bring the figure closer to 10%.
- 3.5 As part of the quarterly monitoring, it is considered useful to provide details of the performance of appeals generally and summarise any appeal decisions received where either the Regulatory Services Committee/Strategic Planning Committee/Planning Committee resolved to refuse planning permission contrary to officer recommendation.

#### **Appeal Decisions Jul-Sep 2018**

**Total Number of Appeal Decisions - 31**  
**Appeals Allowed - 12**  
**Appeals Dismissed - 19**  
**% Appeals Allowed - 39%**

#### **Appeal Decisions where Committee Decision Contrary to Officer Recommendation**

**Total Number of Appeal Decisions - 2 (details below)**  
**Appeals Allowed - 2**  
**Appeals Dismissed - 0**  
**% Appeals Allowed - 100%**

Appeal Decisions Jul-Sep 2018				
Decision by Committee Contrary to Officer Recommendation				
Date of Committee	Application Details	Summary Reason for Refusal	Appeal Decision	Summary of Inspectors Findings
24/08/17 (Reg Services)	P1673.16  13 Burntwood Avenue, Hornchurch  Demolition of existing care home and the erection of 5 dwellings and an access road (Outline Application)	Design out of keeping with spacious character of Emerson Park	Appeal Allowed	The site is notably larger than others in the area and resultant plot sizes would be similar to those nearby. The spacious character of the area would be retained.

22/02/18 (Reg Services)	P1620.17 15 Deri Avenue, Rainham  Variation of Condition 3 of P1093.16 to allow use of the "annexe" at the rear of the premises as sleeping accommodation (two bedroom) ancillary to the main C2 use.	Due to isolation from main house, increased unsupervised use of outbuilding leading to unacceptable levels of noise and disturbance.	Appeal Allowed	Small number of occupiers unlikely to generate levels of activity and noise which would exceed a large family house.
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#### **4 SPEED OF PLANNING DECISIONS**

- 4.1 In accordance with the published government standards, speed of decision applies to all major and non-major development applications, with the threshold for designation set as follows:

Speed of Major Development (and County Matters) – 60% of decisions within timescale (13 or 16 weeks or such longer time agreed with the applicant)

Speed of Non-Major Development - 70% of decisions within timescale (8 weeks or such longer time agreed with the applicant)

- 4.2 As for the quality performance measure, there has been no announcement on future designation round for speed of decision, so it is considered that a two year figure (beginning April 2017) is monitored for the purposes of this report. For the period April 2017 to end September 2018, the following performance has been achieved:

Major Development – 92% in time

County Matter – 100% in time

Non-Major Decisions - 89% in time

#### **5 PLANNING ENFORCEMENT**

- 5.1 There are no designation criteria for planning enforcement. For the purposes of this report, it is considered useful to summarise the enforcement activity in the preceding quarter. This information is provided below:

Jul – Sep 2018	
Number of Enforcement Complaints Received: 213	
Number of Enforcement Complaints Closed: 221	
Number of Enforcement Notices Issued: 25	
Enforcement Notices Issued in Quarter	
Address	Subject of Notice
9 Billet Lane, Hornchurch	Wooden enclosure to front elevation
41 Fairholme Avenue, Romford	Unauthorised front boundary wall
73 Wingletye Lane, Hornchurch	Change of use to beauty salon
58 Courtenay Gardens, Upminster	Unauthorised front boundary wall
179 New Road, Rainham	i) Breaking and storage of motor vehicles and motor vehicle parts ii) Place of worship
177 St Mary's Lane, Upminster	Rear extension
19 Cross Road, Romford	Enlargement to front dormer window
8 Oxford Road, Hornchurch	Rear building used for residential accommodation
The Chase/St Mary's Lane, Upminster (4 properties)	i) Breach of conditioner landscaping ii) Change of use of land to residential
35 Clifton Road, Hornchurch	Unauthorised front boundary wall
49-51 Gaynes Park Road, Upminster	Metal storage containers
79A Collier Row Road, Romford	Use of garage as dwelling
134 Belgrave Avenue, Romford	Unauthorised front boundary wall/gates
76-78 North Street, Romford	Storage container
15 High Street, Romford	Fencing, gates and hoardings to rear
33 Cranston Park Avenue, Upminster	Burning of waste in contravention of planning condition
139 Park Lane, Hornchurch	Commercial vehicle storage and unauthorised fencing

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