



Havering

L O N D O N B O R O U G H

PLANNING COMMITTEE AGENDA

7.30 pm	Thursday 17 December 2020	VIRTUAL MEETING
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Members 8: Quorum 3

COUNCILLORS:

**Conservative Group
(4)**

Robby Misir (Chairman)
Carol Smith (Vice-Chair)
Philippa Crowder
Matt Sutton

**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:

**Taiwo Adeoye - 01708 433079
taiwo.adeoye@onesource.co.uk**

**To register to speak at the meeting please call 01708 433100
before Tuesday 15 December 2020**

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.

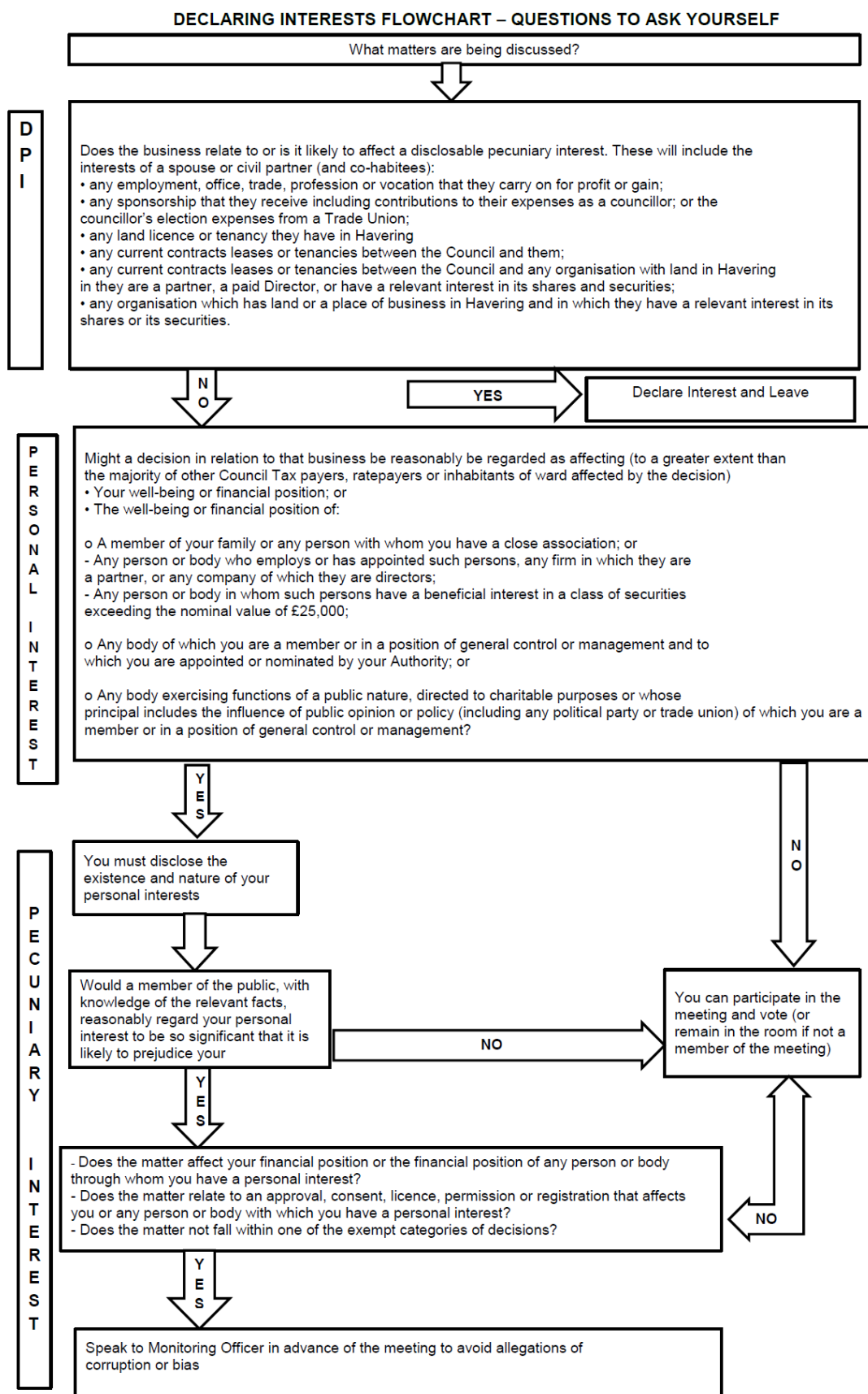
Reporting means:-

- 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.



AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

2 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.

3 MINUTES (Pages 1 - 2)

To approve as a correct record the minutes of the meeting of the Committee held on 19 November 2020 and to authorise the Chairman to sign at a later date.

4 PROTOCOL ON THE OPERATION OF PLANNING COMMITTEE MEETINGS DURING THE COVID-19 PANDEMIC RESTRICTIONS (Pages 3 - 6)

Protocol attached to be noted by the Committee

5 APPLICATIONS FOR DECISION (Pages 7 - 10)

See attached document

6 P1091.20 - HAREFIELD MANOR HOTEL, 33 MAIN ROAD, ROMFORD RM1 (Pages 11 - 18)

Report attached.

7 P1189.20 - 13 BURNTWOOD AVENUE, HORNCHURCH RM11 (Pages 19 - 36)

Report attached.

8 QUARTERLY PLANNING PERFORMANCE UPDATE REPORT (Pages 37 - 46)

Report attached.

Andrew Beesley
Head of Democratic Services

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**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
Havering Town Hall, Main Road, Romford
19 November 2020 (7.30 - 9.15 pm)**

Present:

COUNCILLORS: 8

Conservative Group	Robby Misir (in the Chair) Carol Smith (Vice-Chair), Philippa Crowder and +John Crowder
Residents' Group	Stephanie Nunn
Upminster & Cranham Residents' Group	John Tyler
Independent Residents Group	David Durant
Labour Group	Paul McGeary

An apology for absence was received from Councillor Matt Sutton .

+ Substitute members: Councillor John Crowder (for Matt Sutton).

Councillors Reg Whitney and Ray Morgon were also present for the meeting.

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

Through the Chairman, announcements were made regarding the protocol followed during the Covid-19 pandemic and the decision making process followed by the Committee.

22 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

23 MINUTES

The minutes of the meeting held on 22 October 2020 were agreed as a correct record and would be signed by the Chairman at a later date.

24 **P0708.20 - 168 STATION LANE, HORNCHURCH - DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF NEW RESIDENTIAL BUILDINGS (CLASS C3) IN PART 3 AND 4 STOREYS TO PROVIDE 27 NEW DWELLINGS WITH ASSOCIATED WORKS AND LANDSCAPING.**

The committee noted that the application had been called-in by Councillor Reg Whitney.

In accordance with the public speaking arrangements the committee was addressed by an objector with a response by the applicant's agent.

With its agreement Councillors Reg Whitney and Ray Morgon addressed the committee.

The committee considered the report and **RESOLVED** to **GRANT PLANNING PERMISSION** subject to the conditions as set out in the report and to the inclusion of an additional condition or the re-wording of an existing condition relating to the delineation of a crossing point for wheelchair users.

The vote for the resolution to grant planning permission was tied at 4 votes in favour and 4 votes against.

The Chairman exercised his casting vote and planning permission was granted.

Those voting in favour of the resolution were Councillors Misir, P Crowder, J Crowder and Smith.

Those voting against the resolution were Councillors Nunn, Tyler, Durant and McGeary.

Chairman



LONDON BOROUGH OF HAVERING

PROTOCOL ON THE OPERATION OF PLANNING COMMITTEE MEETINGS DURING THE COVID-19 PANDEMIC RESTRICTIONS

1. Introduction

In accordance with the Local Authority and Police Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings (England and Wales) Regulations 2020, all Planning Committee hearings held during the Covid-19 restrictions will take place using a 'virtual' format. This document aims to give details on how the meetings will take place and establish some rules of procedure to ensure that all parties find the meetings productive.

2. Prior to the Hearing

Once the date for a meeting has been set, an electronic appointment will be sent to all relevant parties. This will include a link to access the virtual meeting as well as guidance on the use of the technology involved.

3. Format

For the duration of the Covid-19 restrictions period, all Planning Committee meetings will be delivered through conference call, using Zoom software. This can be accessed using a PC, laptop or mobile/landline telephone etc. and the instructions sent with meeting appointments will cover how to do this.

4. Structure of the Meeting

Although held in a virtual format, Planning Committee Meetings will follow the standard procedure with the following principal stages. Committee Members may ask questions of any party at any time. Questions are however, usually taken after each person has spoken.

- The Planning Officer presents their report (no time limit).
- Objectors to the application make their representations. Parties who are speaking should not repeat the information, which they have already given in writing in their representation. However, they will be able to expand on the written information given, provided the information remains relevant (3 minutes per registered objector).
- The applicant responds to the representations made (3 minutes).
- The Councillor who has called in the application (3 minutes).
- Ward Councillors for the area affected by the application (3 minutes per Councillor).
- The Planning Officer will then present a summary of the material planning considerations (no time limit).
- The Planning Committee members will then debate the item.

- The Clerk will ask members of the Committee to indicate which way they wish to vote and the Clerk will announce the decision of the Committee.

5. Technology Issues

An agenda setting out the items for the meeting will be issued in advance, to all parties in accordance with statutory timetables. This will include details of the applications together with all representations on the matter. The agenda will also be published on the Council's website – www.havering.gov.uk in the normal way.

All parties should be aware that the sheer volume of virtual meetings now taking place across the country has placed considerable strain upon broadband network infrastructure. As a result, Zoom meetings may experience intermittent faults whereby participants lose contact for short periods of time before reconnecting to the call. The guidance below explains how the meeting is to be conducted, including advice on what to do if participants cannot hear the speaker and etiquette of participants during the call.

Members and the public will be encouraged to use any Zoom video conferencing facilities provided by the Council to attend a meeting remotely. If this is not possible, attendance may be through an audio link or by other electronic means.

Remote access for members of the public and Members who are not attending to participate in the meeting, together with access for the Press, will be provided via a webcast of the meeting at www.havering.gov.uk.

If the Chairman is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chair shall temporarily adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chairman. If he or she does not fix a date, the remaining business will be considered at the next scheduled ordinary meeting.

6. Management of Remote Meetings for Members

The Chairman will normally confirm at the outset and at any reconvening of a Planning Committee or Cabinet meeting that they can see and hear all participating members. Any Member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can see and hear the proceedings and the other participants.

The attendance of Members at the meeting will be recorded by the Democratic Services Officer. The normal quorum requirements for meetings as set out in the Council's Constitution will also apply to a remote meeting.

If a connection to a Member is lost during a meeting of the Planning Committee, the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed, but the Member who was disconnected will not be able to vote on the matter under discussion, as they would not have heard all the facts.

7. Remote Attendance of the Public

Any member of the public participating in a meeting remotely in exercise of their right to speak at a Planning Committee or other meeting must meet the same criteria as members of the Committee (outlined above) in terms of being able to access and, where permitted, speak at the meeting. The use of video conferencing technology for the meeting will facilitate this and guidance on how to access the meeting remotely will be supplied by the clerk.

8. Etiquette at the meeting

For some participants, this will be their first virtual meeting. In order to make the hearing productive for everyone, the following rules must be adhered to and etiquette observed:

- The meeting will be presided over by the Chairman who will invite participants to speak individually at appropriate points. All other participants will have their microphones muted by the Clerk until invited by the Chairman to speak;
- If invited to contribute, participants should make their statement, then wait until invited to speak again if required;
- If it is possible, participants should find a quiet location to participate in the Zoom meeting where they will not be disturbed as background noise can affect participants.
- The person speaking should not be spoken over or interrupted and other participants will normally be muted whilst someone is speaking. If there are intermittent technological faults during the meeting then the speaker will repeat from the point where the disruption started. Whilst intermittent disruption is frustrating, it is important that all participants remain professional and courteous.

9. Meeting Procedures

Democratic Services Officers will facilitate the meeting. Their role will be to control conferencing technology employed for remote access and attendance and to administer the public and Member interaction, engagement and connections on the instruction of the Chairman.

The Council has put in place a technological solution that will enable Members participating in meetings remotely to indicate their wish to speak via this solution.

The Chairman will follow the rules set out in the Council's Constitution when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.

The Chairman, at the beginning of the meeting, will explain the protocol for Member and public participation and the rules of debate. The Chairman's ruling during the debate will be final.

Members are asked to adhere to the following etiquette during remote attendance of the meeting:

- Committee Members are asked to join the meeting no later than fifteen minutes before the start to allow themselves and Democratic Services Officers the opportunity to test the equipment.
- Any camera (video-feed) should show a non-descript background or, where possible, a virtual background and members should be careful to not allow exempt or confidential papers to be seen in the video-feed.
- Rather than raising one's hand or rising to be recognised or to speak, Members should avail themselves of the remote process for requesting to be heard and use the 'raise hand' function in the chat box.
- Only speak when invited to by the Chair.
- Only one person may speak at any one time.
- When referring to a specific report, agenda page, or slide, participants should mention the report, page number, or slide so that all members have a clear understanding of what is being discussed at all times

The Chairman will explain, at the relevant point of the meeting, the procedure for participation by registered public objectors, which will reflect the procedures outlined above. Members of the public must adhere to this procedure otherwise; they may be excluded from the meeting.

For voting, the Democratic Services Officer will ask Members to indicate their vote – either FOR, AGAINST or ABSTAIN, once debate on an application has concluded.

The Democratic Services Officer will clearly announce the result of the vote and the Chairman will then move on to the next agenda item.

Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. The Democratic Services Officer or meeting facilitator, who will also invite the relevant Member by link, email or telephone to re-join the meeting at the appropriate time, using the original meeting invitation, will confirm the departure.

10. After the Hearing - Public Access to Meeting Documentation following the meeting

Members of the public may access minutes, decision and other relevant documents through the Council's website. www.havering.gov.uk

For any further information on the meeting, please contact richard.cursons@onesource.co.uk, tel: 01708 432430.

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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 Havering LONDON BOROUGH	Planning Committee 17 December 2020
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Application Reference:	P1091.20
Location:	Harefield Manor Hotel, 33 Main Road, Romford RM1 3DL
Ward:	Romford Town
Description:	<p>Variation of condition no.2 (Drawings) of Planning Permission P1866.18 dated 19/02/2019 to allow for amendments to dormers and windows on side elevations</p> <p>(The Proposal is for the addition of lift access and addition of roof accommodation to the annex along with extension to the rear of the annex (2-3 storeys). The Proposal is also for extensions on the first floor to the Main hotel building.)</p>
Case Officer:	Jessica Denison
Reason for Report to Committee:	<ul style="list-style-type: none">• A Councillor call-in has been received which accords with the Committee Consideration Criteria.

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1. The proposed amendments are minor, relating only to a single dormer window and roof profile. Although the approved plans showed dormers to every new bedroom on the floor plans, one was not shown on the elevations, so the purpose of this application (following enforcement investigation) was to rectify this and allow each bedroom to have good daylight provided by a dormer. The proposed 'additional' dormer is therefore not 'new' but an update to the proposals reflecting what was intended.
- 1.2. The proposed development would remain adequately designed, and provide a good quality of accommodation. The development would have an acceptable

impact on: the streetscene, the amenity of neighbouring properties, the highway, and the road network more generally.

2 RECOMMENDATION

- 2.1. That the Committee resolve to GRANT planning permission subject to the suggested planning conditions.

Conditions

- 1) No part of the roof accommodation shall be occupied until the current dormers are reduced in size in accordance with the approved plans (as set out on page one of this decision notice)
- 2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice)
- 3) All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.
- 4) Prior to occupation a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 -10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.
- 5) All proposed hard and soft landscaping shall be carried out as shown on previously approved plan 2881_PL118 as part of condition discharge application Q0310.19. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.
- 6) The vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall continue to be provided on site in accordance with previously approved plans 2881_PL115A and 2881_PL117 as part of condition discharge application Q0310.19. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.
- 7) The development hereby permitted shall continue to be carried out in accordance with the previously approved Construction Method Statement prepared by Dovetail Architects Ltd, dated July 2019 as part of condition discharge application Q0310.19.

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the submitted and approved plan) shall be formed in the northern or eastern flank walls of the main building hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.
- 9) All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Informatives

- 1) Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1. The application is seeking planning permission for a variation of condition no.2 (Drawings) of Planning Permission P1866.18 dated 19/02/2019 to allow for amendments to dormers and windows on side elevations.
- 3.2. The submitted plans under assessment seek to amend the elevation drawings to show:
 - Additional dormer window (total of 5 instead of 4 previously shown)
 - Additional height to the lower crown roof (300-400mm) to better align with the existing roof
 - Revised location of chimneys

Site and Surroundings

- 3.3. 'Harefield Manor Hotel' is split across two buildings at No. 33 Main Road and No. 48 Main Road.
- 3.4. The main building, which is the subject of this application, is located at No.33 Main Road, on the corner of Pettits Lane. The 3-storey building is finished in face brick with a pitched roof and has been extended on numerous occasions over the years.
- 3.5. The annexe building at No. 48 Main Road, is located diagonally opposite on the junction with Erroll Road and will not be affected as part of this proposal.

Planning History

- 3.6. P1866.18 was granted approval on 19 February 2018. The description states 'The Proposal is for the addition of lift access and addition of roof accommodation to the annex along with extension to the rear of the annex (2-3 storeys). The Proposal is also for extensions on the first floor to the Main hotel building'.
- 3.7. Enforcement case ENF/458/20 was created in July 2020 noting that the roof and dormers of the development were not being built in accordance with plans.
- 3.8. Revised plans have been submitted in response as part of planning application P1091.20 to address the issues raised.
- 3.9. It is noted that a section 73 application, if consented, would result in a new permission, therefore regard must be given to the extant consent in regard to conditions.
- 3.10. Planning Permission P1866.18 imposed nine (9) conditions, five (5) of which have been brought forward as set out in proposed condition No.'s 2, 3, 4, 5 and 6 in Section 2 (Recommendation) above.
- 3.11. Three (3) conditions (relating to Landscaping, Wheel Washing and Construction Methodology) were discharged as part of application Q03110.19, with the remaining one (1) condition relating to construction starting within 3 years, which it has.

4 CONSULTATION RESPONSE

- 4.1. The views of the Planning Service are expressed in section 6 of this report, under the heading "MATERIAL PLANNING CONSIDERATIONS".
- 4.2. The following were consulted regarding the application:

LB Havering Street Management (Highways)

LB Havering Waste and Recycling

Romford Civic Society

Heritage Consultants (Place Services)

Thames Water

- 4.3. All had previously been consulted as part of the application P1866.18 and provided no further comments as part of this amendment application.

5 LOCAL REPRESENTATION

- 5.1. A total of 105 neighbouring properties were notified about the application and invited to comment. The first consultation period included 33 neighbours, with responses required by 1st September 2020. Re-consultation was required as some neighbours were missed given the odd arrangement of the site(s), and

a second consultation including 72 neighbours was carried out, with responses required by 5th November 2020.

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

5.3. No of individual responses: 14, of which: 13 objected, and 1 was a Councillor comment.

5.4. The following Councillor made representations:

- Councillor Joshua Chapman objected on the following grounds:
 - That the revision is overbearing to neighbours and the surrounding properties.
 - There is also a query surrounding the height of the windows, which may create overlooking and would like the chance to explore this more fully at committee.

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

5.6. It must be noted that officers can only take into account comments that concern relevant material planning considerations and not those based on personal dislikes, grievances, land disputes, values of properties, covenants and non-planning issues associated with nuisance claims and legal disputes, etc.

5.7. As such, the comments on the application can be summarised below:

- Point 1 - Cramped overdevelopment of site
- Point 2 - Detrimental impact upon the character and appearance of the area
- Point 3 - Increased noise disturbance and light pollution
- Point 4 - Overlooking and loss of privacy
- Point 5 - Loss of amenity and light afforded to neighbouring residents
- Point 6 - Lack of adequate parking provision
- Point 7 - Misleading and unclear submitted information

6 MATERIAL PLANNING CONSIDERATIONS

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

- Built Form, Design and Street Scene Implications
- Impact on Neighbouring Amenity
- Transport
- Other Planning Issues

Built Form, Design and Street Scene Implications (Points 1 and 2)

- 6.2. The proposed 'additional' dormer would face into the rear garden and parking area of the subject site, and would not be readily visible from any street. The dormer would be set well within the roof and appear subordinate to the main building.
- 6.3. The 'new' dormer will align with the four other (previously approved) dormers in terms of size and style, and so would fit well within the previously approved design.
- 6.4. The main front (west) elevation to Petits Lane would see the height of the lower crown roof increase from 6.80 to 7.40 metres, the dormer windows height from the ground increase from 6.15 to 6.40 metres and the chimney height above the roof reduced from 2.70 to 2.10 metres. No other changes are proposed to this elevation.
- 6.5. The secondary street (south) side elevation to Main Road would see an introduction of a 0.90 metre gap between the two roof forms. No other changes are proposed to this elevation.
- 6.6. The rear (north) elevation to the garden scene would see the height of the lower crown roof increase from 6.80 to 7.40 metres, the dormer windows height from the ground increase from 6.15 to 6.40 metres and the corrected relocation of the chimney further east, extending 2.10 metres above the roof.
- 6.7. Overall, these changes to both street and garden scenes are considered minimal in the context of the development and would not have a detrimental impact.

Impact on Neighbouring Amenity (Points 3, 4 and 5)

- 6.8. Abutting the site to the east is No.16 Sydenham Close. The proposed 'additional' dormer would face the front garden and driveway area of the neighbour, and be positioned over 10 metres away from the shared boundary. The minor changes to the roof levels and chimney location are similarly setback from the neighbouring property.
- 6.9. It is considered that any potential impact would be directed towards the front garden and driveway area of the neighbouring property, rather than towards any sensitive windows or rear garden private amenity spaces.
- 6.10. After considering the siting of the neighbouring buildings, the orientation of the properties and the extent of the works proposed as part of this amendment application to the main hotel building, officers do not envisage the scheme resulting in an adverse impact upon the level of amenity available in this direction.

- 6.11. Overall, the scale of the proposed works would be relatively minor, and would not warrant specific consideration in relation to neighbouring amenity.

Transport (Point 6)

- 6.12. Traffic and parking were considered in the original approval under P1866.18. The access and parking arrangements are not proposed to change as part of this amendment application. The proposed site plan has not changed.
- 6.13. It is considered that the hardstanding around both the main hotel and the annexe is able to continue to satisfy the requirements of the site.
- 6.14. Furthermore, the Highways consultee has not objected to the scheme on highways grounds, and therefore the development complied with HCS policies DC32 and DC33.

Other Planning Issues (Point 7)

- 6.15. Objectors had questions about the proposal description, as it included the description of P1866.18 within it and so caused confusion.
- 6.16. Planning permission is only sought for variation to drawings regarding the Main Building to allow for amendments to dormers and windows on side elevations, and does not involve any other changes.
- 6.17. Comments were also received regarding 'additional' features to the building. It is noted that the 'conservatory' as shown on the approved plans under P1866.18 has not changed as part of this application. Servicing fittings and fixtures such as air conditioning units and vents are being dealt with by the enforcement team.

Conclusions

- 6.18. All other relevant policies and considerations have been taken into account. It is recommended that planning permission be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION section of this report (section 2).

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 Havering LONDON BOROUGH	Planning Committee 17 December 2020
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Application Reference:	P1189.20
Location:	13 Burntwood Avenue, Hornchurch
Ward:	Emerson Park
Description:	The demolition of the existing care home and the erection of 4 detached houses.
Case Officer:	Habib Neshat
Reason for Report to Committee:	A Councillor call-in has been received.

1. BACKGROUND

- 1.1 The application has been called in by Councillor Roger Ramsey, on the grounds that the site has an extensive planning history, the proposed revised sizes of the three rear dwellings would seriously impact upon the privacy and amenities of the adjoining occupiers.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The proposed development is considered to be acceptable in principle. It is considered that the proposal would not result in material harm to the character and appearance of the area, 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 conditions.

3 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission subject to conditions to secure the following matters:

Conditions

1. Time Limit 3 years - Development must be commenced no later than three years from the date of this permission.

2. Remove permitted development rights for extensions, alterations and outbuildings
3. No works shall take place in relation to any of the development hereby approved until a scheme for the protection of preserved trees on the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented before development commences and kept in place until the approved development is completed.
4. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved.
5. Refuse and recycling to be provided prior to the occupation.
6. Details of wheel washing facilities during the construction work to be provided and approved prior to commencement of work.
7. No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.
8. The proposals should provide a 2.1 by 2.1 metre pedestrian 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.
9. 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.
10. An internal survey of the building(s) including the roof areas for bats must be undertaken by a licensed bat worker prior to any demolition works and between May and September.
11. Prior to above ground works, a drawing showing the proposed site levels of the application site and the finished floor levels of the proposed dwellings shall be submitted to and approved
12. Ultra-Low NOx boilers to be provided prior to the first occupation of the development.

13. No above ground works shall take place in relation to any of the development hereby approved until the details of all materials to be used in the external construction of the building are submitted to and approved.
14. 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.
15. Before the buildings hereby permitted is first occupied, details of all proposed walls, fences and boundary treatment to be provided.
16. Before the buildings hereby permitted is first occupied, a scheme for a bat sensitive lighting scheme shall be submitted to and approved in writing by the Local Planning
17. No above ground works shall take place in relation to any of the development hereby approved until details of surfacing materials for the access road are submitted to and approved.
18. For the protection of birding nests, the demolition and/or removal of trees, hedgerows, shrubs or tall herbaceous vegetation shall be undertaken between October and February inclusive.
19. The proposed development shall be implemented in accordance with the Extended Phase 1 Habitat Survey (Preliminary Ecological Assessment).
20. As depicted on the submitted drawings, in addition to the proposed garages the proposed dwellings should each be provided with two parking spaces prior to the first occupation of the development hereby approved. The parking spaces shall then be retained as such thereafter
21. All dwellings hereby approved shall be constructed to comply with Part M4 (2) of the Building Regulations - Accessible and Adaptable Dwellings.
22. All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.
23. Within two months from the commencement of the development hereby approved, the details of privacy screen for the proposed terrace with respect to the plot 4, be submitted and approved in writing by the council. The approved privacy screen shall be constructed prior to the first occupation of the site and shall remain as such thereafter.
24. There shall be no opening on the flank elevations of the dwellings or any openings to the rear and east side of the detached garage at the far end

of the development here by approved, unless it is first submitted and approved in writing by the local planning authority.

25. The windows to the front and rear of the approved annex to plot 4 shall be obscured (level 4 of the obscurity scale) and fixed to the height of 1.7m from the finished floor level.

Informative

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with paragraph 38 of the National Planning Policy Framework 2018, improvements required to make the proposal acceptable were negotiated with the agent via email.

CIL

2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). The Mayoral CIL levy rate for Havering is £25/m² and is chargeable for each additional square metre of residential gross internal [floor] (GIA). Based upon the information supplied with the application, £67,325 would be payable due to result in a new residential property with net addition of 2,693m² of GIA, however this may be adjusted subject to indexation. The proposal is also liable for Havering Council's CIL. Havering's CIL charging rate for residential is £125/m² (Zone A) for each additional square metre of GIA. Based upon the information supplied with the application, £336,625 would be payable, subject to indexation.

These charges are levied under s.206 of the Planning Act 2008. CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website. You are also advised to visit the planning portal website where you can download the appropriate document templates at <http://www.planningportal.gov.uk/planning/applications/howtoapply/whatto-submit/cil>

Surface water management

- 3 With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is

proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

Highways

4. Changes to the public highway (including permanent or temporary access);
 - The developer is notified that they must enter into a Section 278 (s278) Highways agreement prior to commencing civil work on the Highways.
 - Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant or highway authority assets and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

Highway legislation

5. The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

Temporary use of the public highway

6. The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a licence from the Council. If the developer required scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Street Management should be contacted to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

4 Proposed Development

- 4.1.1 The application is for the demolition of the existing care home and the erection of four dwellings and an access road. The development consists of one large detached dwelling house fronting onto Burntwood Road, and 3 dwellings located on a north to south axis in the northern part of the site. The access road would be located adjacent to the eastern boundary of the site.
- 4.1.2 Two car parking spaces would be provided for each house plus a private garage.
- 4.1.3 Each house would incorporate waste storage space; however, an area to the front of the access road would be allocated for waste collection on the date of the refuse removal.

4.2 Site and Surroundings

- 4.2.1 The application site comprises a substantial building known as St. Mary's Convent, which was formerly a care home. It has wide frontage of approximately 50 metres with the site area of approximately 6,862 square metre.
- 4.2.2 This building is not listed nor does it have any features of architectural or historical merit. There is a substantial outbuilding to the rear with a driveway to it along the eastern side of the site. The rear of the site is relatively flat and open with a number of trees and shrubs around the perimeter and within the site, a number of which to the front are subject to a Tree Preservation Order (TPO).
- 4.2.3 The application site lies within sector 6 of Emerson Park which is one of the borough's most mature residential areas characterised by detached dwellings set in spacious and well landscaped grounds. There is no other designation applicable to the site.

4.3 Planning History

- 4.3 The application site has been subject to a number of schemes since 2013. Two planning permissions have been granted for a 4 dwelling units, and one for a 5 dwelling units on appeal. The council has also granted planning permission for a 5 dwelling scheme.

The following planning decisions are relevant to the application:

- i. Full planning permission (Ref;P0226.19) for the demolition of the existing building and the erection of, 5-detached dwellings, with associated parking and amenity space, was submitted on 13-02-19, a number of revised schemes followed however, which was not considered acceptable by the officer. This scheme was finally withdrawn on 24th August 2020.

- ii. Outline planning permission (Ref; P0463.18) was granted for the demolition of the existing care home and the erection of 4 dwellings in a layout that sees the provision of two dwellings fronting on to Burntwood Avenue with a driveway providing access to two further plots to the rear (13.09.2019).
- iii. Outline planning permission (RefP1673.16) for the demolition of existing care home and the erection of 5 dwellings and an access road was refused by the council on 06-10-2017 but was approved by the planning inspectorate on 17-08-18
- iv. Outline planning permission (Ref; P0809.14) was refused for the “demolition of the existing care home and the erection of 4 dwellings and an access road refused by the council on 22-08-2014 but was approved by the inspector on 19-08-15
- v. P1330.13 –Outline planning permission for the demolition of the existing care home and the erection of 4 dwellings and an access road (outline application), was refused by the council on 05-03-2014

5 LOCAL REPRESENTATION

- 5.1 A total of twenty-two neighbouring properties were notified about the application and invited to comment.
- 5.2 Four representations have been received from neighbours, in response to notifications and publicity of the application, citing the following concerns;
 - This site has had numerous planning applications. This time the scheme is more harmonious to the surroundings.
 - There is a concern with respect to the height and sizes of dwelling. Previous schemes were two stories only.
 - The proposed scheme would appear cramped and obtrusive
 - The communal bin idea is maybe good in theory but it does not work practically in this situation. Plots 2, 3 &4 are situated a long distance away from the bins.
 - Residents of 4 large detached properties will produce significant refuse. If there is a build-up of domestic refuse it will attract rodents, pests etc. in vicinity of bins.
 - The refuse vehicle having to reverse down the narrow access road to carry out the rubbish.

- The same narrow track/road has to allow emergency services access also to the properties at the rear.
- The third floor accommodation/first floor balconies would have line of sight into adjoining gardens, resulting in loss of privacy and undue harm to day to day Amenity.
- The design and access statement falsely claims there are significant trees along the boundaries between the buildings to prevent overlooking. This is not the case and the proposal would lead to loss of privacy
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- Access is now positioned along the eastern boundary
- There would Noise and nuisance issues

5.3 Furthermore, Councillor Roger Ramsey has expressed concern with respect to the schemes. The following concerns were as follows:

The main concern is the revised sizes of the three rear dwellings which would seriously impact on the privacy and amenities of adjoining houses.

5.4 OFFICER COMMENT: These issues are addressed within the body of the assessment as set out in section 6 below ('Material Planning Considerations'). The relevant section to the points above are indicated in the report, and precedes the relevant heading or paragraph.

LB Havering Street Management (Highways)

The highways department raised concerns about potential risks associated with the driveways in relation to the school and footway, however is supportive of the proposal subject to the applicant entering into a section 278 agreement to undertake the required modifications to the highway/public domain to improve safety. The modifications include a speed table and reducing the radius of the kerb as well as introducing a pedestrian crossing. Other modifications to public infrastructure include relocating the existing bin and modifying the existing gully. All costs associated with are the responsibility of the developer.

LB Havering Waste and Recycling

No objections were raised to the scheme.

"Waste storage to be provided. Waste and recycling sacks will need to be presented by 7am on the boundary of the property facing Marlborough Gardens on the scheduled collection day."

LB Havering Environmental Protection

No objections subject to conditions relating to a Construction Environmental Management Plan, Non-Road Mobile Machinery and Low Emission Boilers.
No objections relating to land contamination or noise.

London Fire Brigade

Fire Safety - no objections subject to full compliance with Approved Document B, B5. Hydrants - no additional hydrants are required and no further action is required.

Highways

The Highways Authority has no objection to the proposals. Request conditions regarding a pedestrian visibility splay, vehicle cleansing and informatives.

Street Care Department – requires the waste to be presented to the allocated located on collection day at 7am.

Historic England

The proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

6 MATERIAL PLANNING CONSIDERATIONS

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

- Principle of development
- The impact upon the character and appearance of the area
- The impact on amenity arising from the proposed development.
- Implications for highways, pedestrian access and parking
- Ecology and Trees
- Financial and other mitigation

6.2 Principle of Development/Green Belt considerations

6.2.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is therefore suitable for residential development according to DC61 of the DPD. Residential development in the form of one new dwelling would therefore not be unacceptable in land use terms.

6.2.2 When reviewing the merits of this application, consideration was given to the housing provision of the proposal against the Council's Housing Position Statement and housing supply, including the presumption in favour of

sustainable development in accordance with the National Planning Policy Framework.

- 6.2.3 The 2019 Housing Delivery Test results indicate that the delivery of housing within the borough has been substantially below the housing requirement over the past three years. As a result, 'The presumption in favour of sustainable development' at paragraph 11 d) of the NPPF is relevant.
- 6.2.4 The NPPF does offer support for new housing in sustainable locations that represents an efficient use of land. Paragraphs 124-131 of the NPPF is also relevant, which among other things seek to achieve well-designed places that are sympathetic to local character and provide adequate amenity for neighbours and future occupants. Consequently, any proposed development would need to meet these objectives of the NPPF and other relevant planning policies in order to benefit from the presumption in favour of sustainable development.
- 6.2.5 The provision of additional housing is consistent with the NPPF and CP1 of the Havering Core Strategy as the application site is within a sustainable location in an established urban area with no significant constraints to the site and therefore the proposal is considered acceptable in principle in land use terms. Notwithstanding, the acceptability of the proposal is subject to a detailed assessment of the impacts of the proposal.

6.3 Impact upon character appearance

- 6.3.1 The application relates to a significant building known as St. Mary's Convent. While the building appears to be in a structurally sound condition, it is not of any particular architectural or historic merit and therefore, there is no principle objection to its demolition.
- 6.3.2 The site is located in Sector 6 of the Emerson Park Policy Area. The Council's document entitled 'Emerson Park Policy Area Supplementary Planning Document' (SPD) describes the area generally as having a distinctive character of varied and well maintained single family detached dwellings in spacious and well landscaped grounds.
- 6.3.3 In relation to Sector 6, the SPD states that infill development will be permitted in this sector provided it does not give a cramped appearance to the street scene, and its massing and architectural style is in keeping with surrounding properties. It goes on to state that backland development generally results in increased density and reduced rear garden lengths, both of which are harmful to the special character of Sector 6, and such proposals will not normally be permitted.

- 6.3.4 However, in this case, as previously considered by the appeal's inspector the application site is notably larger than the surrounding plots in the immediate area.
- 6.3.5 The current application provides one large dwelling to the front facing onto Burntwood Avenue. This would better reflect the frontage widths and the relationship to the road that is characteristic of the neighbouring dwellings, in comparison with the previously approved schemes which allowed two houses.
- 6.3.6 The proposed three new plots to the rear would be smaller than the front plot. However, it is considered these would be broadly commensurate with the plot sizes of nearby properties on, for example, Porchester Close and Tall Trees Close, as may be seen from the submitted site location plan. With respect to the previous scheme, the principle of smaller plots to the rear have been considered acceptable.
- 6.3.7 The proposed dwellings to the rear would maintain the separation distance requirement in accordance to the policies. Therefore, the spaciousness that is a feature of the area would be maintained.
- 6.3.8 It has been considered by the previous inspector that whilst the new driveway would suggest the presence of the rear dwellings, they would not be visually intrusive within the wider area, and thus the scheme would not result in a cramped appearance to the street scene.
- 6.3.9 With respect to the previous schemes, there were some concern to the formation of backland development. However, this issue was dismissed by the appeal inspector who explained, the council's planning policies and the National Planning Policy Framework do not forbid backland development but do require any development retain the character and appearance of the area. The inspector concluded that the proposal would satisfy the criteria set out in the EPSPD and considered, the provision of the houses to the rear would not represents an unacceptable form of backland development. The inspectors have held that reasonable gardens lengths would be provided in respect of the proposed development and so the scheme would be assimilated into the area without undue detriment.
- 6.3.10 The appeal inspector, in consideration of the more generous plot for the site, also concluded that in this case the characteristics of the site are unlikely to be replicated elsewhere and dismissed the idea that the proposal could set a precedent.
- 6.3.11 The current application unlike the previous outline schemes have been submitted in full. The proposed plots appear to be sufficiently large and would allow opportunity for landscaping in keeping with the character of the area.

6.3.12 The design, approach is traditional to reflect the design of the local vernacular. The applicant has been in particular, cooperative in avoiding the formation of any crown roof for the proposed buildings, offering fine ridge line to the generally hipped roofs for all dwellings.

6.3.13 Whilst the officers encouraged the applicant to consider a modern design, the proposal development would display a traditional Neo Georgian style development. The proposed design would nonetheless be in keeping with the character of the area and would have an acceptable impact upon the street scene and the visual amenity.

6.3.14 It is therefore concluded that the proposal in terms of its impact upon visual amenities will accord with Policy DC61 of the London Borough of Havering Core Strategy which –inter alias- requires development to respond to distinctive local building forms and patterns of development, and respect the scale, massing and height of the surrounding physical context, and DPD Policy DC69, insofar as it requires development to maintain, or enhance, the special character of the Emerson Park Policy Area.

6.4 Impacts on amenity

6.4.1 The main impact of the development would be upon the 6 neighbouring buildings directly adjoining the application site; 11 and 15 Burntwood Avenue, 4 and 6 Porchester Close and 1 and 3 Tall Tree Close. The previous inspectors have considered that the impact upon these neighbouring buildings in terms of the loss of privacy, visual intrusion and the noise associated from cars access-way to be considered acceptable. However, the proposed scheme in terms of its layout, sizes of the buildings and the position of the access-way differs from the previously allowed schemes. In particular the proposed access-way is now shifted from the western boundary to the eastern site and the front and rear gardens have swapped places. Hence, the impact upon these neighbouring buildings require the appropriate reassessment.

Loss of daylight and sunlight

6.4.2 All the proposed dwellings would be two stories with accommodation within the roof space. The proposed building to the front would not extend beyond the rear building line of the adjoining houses. Therefore, the proposed front dwelling will not result in loss of daylight or sunlight to the adjoining neighbouring buildings.

6.4.3 The proposed buildings to the rear would be set well away from the boundaries of neighbouring buildings, given their orientation and layout, there would be no significant loss of daylight to the neighbouring buildings.

6.4.4 The proposal would include a single storey pitched roof garage at the far end of the application site, close to the boundary with number 4 and 6 Porchester

Close. However, due to its height, it would not cause any significant loss of daylight to these adjoining neighbours.

- 6.4.3 Therefore by reason of their distance to the boundary and their height, scale and bulk, layout and their orientation the proposed buildings would not result in significant loss of daylight and sunlight to the neighbouring buildings.

Loss of privacy

- 6.4.3 The major issue here is the loss of privacy to the adjoining buildings, which are considered below.

15 Burntwood Avenue

- 6.4.4 This neighbour is set on the east side of the application site. Given the orientation of this dwelling in relation to the proposed development (plots 2 and 3) there would not be any direct overlooking onto any habitable rooms in this building. But, there would be opportunities from the front rooms of the proposed houses (plots 2 and 3) onto the garden of this neighbouring building. However, No. 15 benefits from a 19m deep wing to its rear adjacent to the application site with other ancillary buildings on its western boundary, which to some extent would mitigate against direct overlooking, onto its garden. In any event the proposed buildings would be about 14m away from the garden boundary of this house, which is considered to be an appropriate distance to avoid any significant loss of privacy to this neighbour.

6 Porchester Close

- 6.4.5 This neighbour is set to the east of the application site and its western flank would face the proposed houses (plot 3 and 4) at the far end of the site. Given the orientation of this house, there would be no direct overlooking onto the habitable windows of this house. But there would be opportunity for overlooking onto the side and rear garden of this house, which also benefit from a swimming pool in close proximity to the boundary of the application site. The distance from the first floor front room of the proposed houses to the boundary of the garden of this neighbouring building would be about 18m, which together with the proposed boundary fence and a degree of tree screening is considered to be an acceptable separation distance to prevent significant overlooking onto this neighbouring buildings.

4 Porchester Close

- 6.4.6 This neighbour is located to towards the south east of the application site. The proposed plot 4 dwelling would be located at an angle to this house. The separation distance from the front room of the proposed dwelling to the rear habitable window of this house would be about 23m, which together with

consideration of the orientation, it is considered the loss of privacy to the habitable rooms would not be significant.

- 6.4.7 The distance to the boundary of the site from the rear habitable room would be over 11m, which together with the proposed boundary fence and the acute angle of vision there would not be a significant loss of privacy. A condition is recommended to ensure the proposed bathroom window within the roofspace of the single storey annex to the north of plot 4 is fixed and obscured to a height of 1.7m from ground level to prevent any direct overlooking to the gardens of this neighbour.

22 Woodland Avenue

- 6.4.8 This neighbour is located to the rear of the application site (to the north), with the main building being well away from the boundary of the site and there would be no overlooking onto the habitable room of the application building. However, this neighbour benefits from a swimming pool and recreational amenity space at the far end of its garden adjacent to the application building. Currently the recreational amenity space is well protected from any undue overlooking allowing a significant degree of privacy. The proposed plot 4 dwelling incorporates a terrace at its rear which together with the associated patio door, at first floor level, at a distance of about 9m to the boundary wall of this neighbour, would cause a degree of overlooking and loss of privacy to this secluded area. In order to reduce the overlooking from the terrace and the patio door it is recommended to provide privacy screen on the southern side of the proposed terrace. This would be secure through imposition of a condition.
- 6.4.9 A condition is also recommended so that the windows to the WCs at the annex to the side of the application site to be fixed and obscured to prevent overlooking onto the garden amenity space of the neighbouring building. It is considered that subject to these conditions the proposal would not adversely result in loss of privacy to warrant a refusal of the scheme.

1 and 3 Tall Tree Close

- 6.4.10 These neighbours benefit from relatively deep gardens and are set well away from the proposed buildings (approximately 20m to the garden boundary and 40m to the windows serving habitable rooms). Given the separation distance, the mitigating boundary fence and a degree of tree screening, it is not considered that the proposed dwellings would result in a significant loss of privacy to these buildings.

11 Burntwood Avenue

- 6.4.11 This neighbour is set towards the western side of the application site. There are a number of outbuildings adjacent to the boundary of the application site comprising; a storage building (housing guard dogs) and two granny annexes.

These buildings would shield the gardens of number 11 from overlooking by the proposed buildings to the rear. Further, there would be no loss of privacy to the existing granny annexes, because there are no openings facing the application site.

Noise and disturbance

6.4.12 In general terms, it is noted that the development would create activity along the proposed access road and also increased activity at the site with the creation of new dwellings. This activity is however for a low density residential development and the level of activity would not be out of keeping or at odds with those expected within this residential area.

6.4.13 The proposed driveway is now along the eastern boundary of the site. Much of the impact of the proposed driveway would be upon number 15 Burntwood Avenue. This adjoining neighbour benefits from a deep wing to its rear adjacent to the proposed driveway housing a swimming pool. Beyond the swimming pool along the boundary with the application site, this building benefits from ancillary outbuildings. These structures to a degree would shield the impact of the proposed driveway upon the patio area of the neighbouring building as well as the main habitable part of the dwelling. Furthermore, the proposal would incorporate a green edge along the eastern boundary which provide a buffer to further mitigate the impact of noise and light to the adjoining building.

6.4.14 The previous appeal inspectors have considered that whilst the new dwellings on the rear of the appeal site would create some vehicular movements they would nevertheless be limited in numbers. It is considered that the associated disturbance from the vehicular movement would not result in an unacceptable level of noise or disturbance to the occupants adjoining buildings. During the course of the process of the application, the applicants were requested to provide details of surface materials. The proposed materials for the proposed driveway are considered to significantly reduce the noise from contact of tyres to the road. Furthermore, conditions are recommended with respect to the boundary treatment to ensure that vehicle lights and movements are not visible to the occupants of the adjoining occupiers.

6.4.15 It is not considered this activity would be unreasonable or harmful in this suburban residential context.

HIGHWAY/PARKING

6.6.1 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. In particular it offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. The NPPF also outlines that developments which generate significant vehicle

movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development will not give rise to the creation conflicts between vehicular traffic and pedestrians.

- 6.6.2 London Plan Policy 6.3 and Policies T1 - T6 of the Draft London Plan seek to ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Development should not adversely affect safety on the transport network. This is also echoed by DC33 of Havering Councils Core Strategy and Development Control Policy DPD which indicates proposals will not be supported where they would have an unacceptable adverse impact on the capacity or environment of the highway network. The London plan seeks to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use.
- 6.6.3 The site has a PTAL rating of 2 and the density matrix set out in the Parking Addendum to Chapter 6 of the London Plan indicates that up to 2 spaces per unit could be provided. The proposal would provide two parking spaces per dwelling. Each house will also benefit from a garage (two integral and one detached). Given the level of car parking provision it is considered there would be no over spill onto adjacent road. The level of car parking spaces for the proposed dwelling of this scale is deemed to be acceptable.
- 6.6.4 There are currently two access way to the site which would be retained (one being widened). These would serve the larger house to the front. A new access-way would be created for the proposed houses to the rear. The proposed access-way would be 4.5m wide and will incorporate a layby which would allow two cars to safely pass each other.
- 6.6.5 The proposed layout indicate turning head at the northern end, which is suitable to allow refuse and emergency vehicles to enter and egress in forward gear. The layout also indicates the provision of turning space at the northern end within the site, ensuring private as well as refuse and emergency vehicle could enter and leave the site in forward gear. It is also demonstrated that there would be sufficient visibility splay allowing safe access to Haynes Road.
- 6.6.6 The volume of the car trips generated from the proposed use of the site would not be significant. It is considered that the use of the access track to serve the proposed dwellings would be unlikely to result in material harm to highway safety of Haynes Road. The Highways officers have been consulted and cannot substantiate any reason for refusal and have not raised any objection.
- 6.6.7 The proposal also includes the details of cycle storage, which could be secured by condition if minded to grant planning permission. There has not been any objection from The London Fire Brigade.

- 6.6.8 The Council's refuse service has requested that the refuse is delivered to the front of the site. The application has indicated that refuse storage areas are located within a satisfactory distance for refuse to be collected. Therefore, there would be no need for the refuse vehicle to enter the site and collection can safely take place on the street. A condition is recommended in respect of storage of refuse and recycling awaiting collection if minded to grant planning permission.
- 6.6.9 Taking the above factors into account, officers consider that the proposal would be acceptable in terms of parking provision and would not create any undue highway, parking, access or pedestrian safety issues.

Ecology

- 6.7.1 Policy DC58 states that biodiversity and geodiversity will be protected and enhanced throughout the borough by not granting planning permissions which would adversely affect priority species/habitats identified either in the London or Havering Biodiversity Action Plans unless the economic or social benefits of the proposals clearly outweigh the nature conservation importance of the site and only then if adequate mitigation measures to secure the protection of the species/habitat can be provided and no alternative site is available
- 6.7.2 Ecological and tree surveys have been submitted. It is concluded that bats are not considered to be currently roosting within any of the buildings on site. However, conditions are recommended to ensure the wildlife on site would be protected during construction work. As such a condition is recommended to carry out an internal survey of the building for bats before any work takes place and another regarding the timing of demolition/vegetation clearance in respect of breeding birds.

Trees

- 6.8.1 There are a large number of trees on the site, many of which are the subject of tree preservation order 8/71. The most important trees are the 5 large trees at front of the site, (2 Horse Chestnuts, a beech an oak and a scots pine). These are protected by the above order and are shown as retained on the proposed scheme. Some trees are in poor condition and in need of remedial tree surgery. The application has submitted an arboricultural report which indicates a significant number of trees would remain. It is considered even though trees to the rear of the site have no public amenity value, as many trees as possible (both TPO and non-TPO) should be retained throughout the site to help screen any new development to benefit local amenity and wildlife. It is suggested that existing trees are enhanced by new plantings so as to benefit long term tree cover. This should be capable of being addressed through imposition of

conditions and also a condition is recommended regarding the protection of the preserved trees.

7 Financial and Other Mitigation

- 7.1 The proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development. The net addition would be 2,693sqm. According the application would be liable for £67,325 Mayoral CIL towards Crossrail and £336,625 Havering CIL.

8 Conclusion

- 8.1 The proposed development is deemed to be acceptable with respect to impacts on the street scene, neighbouring amenity, the amenity of future occupiers and highway and parking considerations, and broadly in line with relevant planning policy, as outlined throughout the report.
- 8.2 In their advice, the Planning Inspectorate indicates that when refusing an application, the Local Planning Authority must also consider the implications of whether or not the application would succeed at appeal (paragraph 1.2.2 of the “Procedural Guide Planning appeals – England [July 2020]”). Officers consider the application acceptable on its own merits. However, if the Planning Committee intend to refuse the application then consideration would need to be given to the implication of this.
- 8.3 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.

 Havering L O N D O N B O R O U G H	Planning Committee 17 December 2020
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Subject: **Quarterly Planning Performance Update Report**

Report Author: **Simon Thelwell, Head of Strategic Development**

1 BACKGROUND

- 1.1 The quarterly reporting of performance to the planning committees has been delayed due to the changes to the committee format. Reporting has resumed and this report produces a summary of performance on planning applications/appeals and planning enforcement for the previous unreported quarters, January to March 2020; April to June 2020 and July to September 2020.
- 1.2 Details of any planning appeal decisions in the quarters 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 stated 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 have not been any recent MHCLG announcements regarding periods of assessment for the purposes of designation. In the past designation has been based on decisions over a 2 year period from April to March two years after, with subsequent appeal decisions to December that year. It is considered reasonable to assume that the designation criteria will continue for the current two year rolling period which would cover all decisions for the period April 2018 to March 2020 as well as the next period which would be April 2019 to March 2021.

The current figures for April 2018 to March 2020 are:

Total number of planning decisions over period: 66
Number of appeals allowed: 2
% of appeals allowed: 3.0%
Appeals still to be determined: 2
Refusals which could still be appealed: 0

County Matter Applications:

Total number of planning decisions over period: 9
Number of appeals allowed: 0
% of appeals allowed: 0%
Appeals still to be determined: 1

The current figures for April 2019 to March 2021 are:

Total number of planning decisions over period (to date): 47
Number of appeals allowed: 0
% of appeals allowed: 0%
Appeals still to be determined: 4
Refusals which could still be appealed: 3

County Matter Applications:

Total number of planning decisions over period (to date): 4
Number of appeals allowed: 0
% of appeals allowed: 0%
Appeals still to be determined: 1

- 3.3 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. Consequently, it is considered that at this time there is a risk of designation. The figure will continue to be carefully monitored.
- 3.4 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. This is provided in the table below.

Appeal Decisions Jan-Mar 2020				
Total Number of Appeal Decisions - 32				
Appeals Allowed - 12				
Appeals Dismissed - 20				
% Appeals Allowed - 37.5%				
Appeal Decisions where Committee Decision Contrary to Officer Recommendation				
Total Number of Appeal Decisions - 1				
Appeals Allowed - 1				
Appeals Dismissed - 0				
% Appeals Allowed - 100%				
Appeal Decisions Jan-Mar 2020				
Decision by Committee Contrary to Officer Recommendation				
Date of Committee	Application Details	Summary Reason for Refusal	Appeal Decision	Summary of Inspectors Findings

Planning Committee 11 April 2019	P1939.18 – Land to rear of 9-11 Elm Road, Romford Redevelopment of site to provide 7 houses	1) Unsafe pedestrian access leading to conflict. 2) Poor design and site layout resulting in inadequate living conditions for future residents and neighbours	Appeal Allowed	1) The access is relatively short and given the quiet nature of the road, reversing out if necessary would not be dangerous. Lack of visibility splay is a concern, but the current use would have similar traffic levels so not more dangerous than existing. 2) Reasonable outlook and distances between buildings mean that the proposal is of adequate quality
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Appeal Decisions Apr-Jun 2020

Total Number of Appeal Decisions - 14
Appeals Allowed - 4
Appeals Dismissed - 10
% Appeals Allowed - 28.6%

Appeal Decisions where Committee Decision Contrary to Officer Recommendation

Total Number of Appeal Decisions - 2
Appeals Allowed - 0
Appeals Dismissed - 2
% Appeals Allowed - 0%

Appeal Decisions Apr-Jun 2020 Decision by Committee Contrary to Officer Recommendation				
Date of Committee	Application Details	Summary Reason for Refusal	Appeal Decision	Summary of Inspectors Findings

Planning Committee 26 September 2019	P0729.19 – 148A Chase Cross Road, Romford Vary condition to extend hours of operation (place of worship)	Proposal would result in greater intensity and frequency of use resulting in unacceptable levels of noise, disturbance and light pollution	Appeal Dismissed	Proposal would lead to nearby residents being exposed to noise and disturbance early in the morning and late at night from comings and goings including use of vehicles by those attending.
Planning Committee 26 September 2019	P0967.19 – 4 Carlton Road, Romford Change of use to restaurant (A3)	Increase in comings and goings and lack of nearby parking harmful to residential amenity through noise and disturbance	Appeal Dismissed	The parade and area generally has limited activity in the evening. Particularly due to the evening and late night hours sought, the proposal would result in noise and disturbance from customers congregating and arriving/departing in vehicles.

Appeal Decisions Jul-Sep 2020

Total Number of Appeal Decisions - 19
Appeals Allowed - 4
Appeals Dismissed - 15
% Appeals Allowed - 21.1%

Appeal Decisions where Committee Decision Contrary to Officer Recommendation

Total Number of Appeal Decisions - 1
Appeals Allowed - 0
Appeals Dismissed - 1
% Appeals Allowed - 0%

Appeal Decisions Jul-Sep 2020 Decision by Committee Contrary to Officer Recommendation				
Date of Committee	Application Details	Summary Reason for Refusal	Appeal Decision	Summary of Inspectors Findings

Planning Committee 13 February 2020	P1548.19 – 14 Haynes Road, Hornchurch Redevelopment of site to provide 6 houses	Proposed scale, massing and proximity to boundaries would be out of keeping in area predominantly typified by bungalows, harmful to the character of the area.	Appeal Dismissed	The combined number and scale of dwellings proposed would be out of character of the site and its setting. The development would appear over dominant in relation to the surrounding pattern of spacious bungalow scale in the locality.
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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 On 29 November 2018 MHCLG announced that there would be two periods assessed for the purposes of designation:

- Decisions made between October 2016 and September 2018
- Decisions made between October 2017 and September 2019

- 4.3 Although no announcement has been made, it would be reasonable to assume that a further period for assessment would be for decisions made between October 2018 and September 2020 and October 2019 to September 2021. Performance to date on these is as follows:

October 2018 to September 2020

Major Development – 82% in time

County Matter – 71% in time

Non-Major Decisions - 89% in time

October 2019 to September 2021 (to date)

Major Development – 81% in time

County Matter – 50% in time

Non-Major Decisions - 86% in time

- 4.4 Based on the above performance, the Council is not at risk of designation for the 2 year period that ended in September 2020. The Council is currently at risk of designation due to speed of decision in relation to County Matters in the current period – however this is based on only two decisions with a further year of decisions to be made. The figure for future periods will continue to be monitored.

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 relevant quarter. This information is provided below:

Jan – Mar 2020	
Number of Enforcement Complaints Received: 195	
Number of Enforcement Complaints Closed: 249	
Number of Enforcement Notices Issued: 26	
Enforcement Notices Issued in Quarter	
Address	Subject of Notice
15-17 Hainault Road, Romford	Change of use from commercial to residential
1 Writtle Walk, Rainham	Breach of Conditions – Accordance with plans and obscure glazing
479 Rush Green Road, Romford	Change of use to HMO
25 Ramsay Gardens, Romford	Change of use to hostel
84 Highfield Road, Romford	Unauthorised side extension
Cynthia, Orange Tree Hill, Havering-atte-Bower	Unauthorised hard surface to front
2a Bower Close, Romford	Conversion to 2 flats
9 Queens Gardens, Rainham	Change of use to HMO
176 Mawney Road, Romford	Unauthorised mechanical flues to flank elevation
85a Shepherds Hill, Romford	Unauthorised outbuilding
14a Lower Mardyke Avenue, Rainham	Change of use to HMO
26 Melton Gardens, Romford	Conversion to 2 flats
60-64 Upminster Road South, Rainham	Breach of Conditions – Provision of parking and cycle spaces.
24 Bell Avenue, Romford	Unauthorised outbuilding

107a Chestnut Avenue, Hornchurch	Unauthorised first floor rear extension
15 Knighton Road, Romford	Conversion to 2 flats
30 The Broadway, Hornchurch	Conversion of basement to 2 flats
220 Elm Park Avenue, Hornchurch	Unauthorised car repairs and storage; boundary treatment and subdivision of garden
Land on northwest side of Willoughby Drive, Rainham	Change of use to motor vehicle storage and repairs and storage of containers; unauthorised shed building.
Land on south side of Willoughby Drive, Rainham	Change of use to scaffolding yard; unauthorised shed building
Land on southeast side of Willoughby Drive, Rainham	Change of use to storage of containers and motor vehicle parts.
Maricotts Equestrian Centre, Benskins Lane, Romford (Plot B)	Change of use to parking of vehicles, storage of car parts and storage of portable buildings; unauthorised hardstanding and containers
Maricotts Equestrian Centre, Benskins Lane, Romford (Plot C)	Change of use to parking of vehicles, storage of car parts and storage of portable buildings; unauthorised hardstanding and containers
Maricotts Equestrian Centre, Benskins Lane, Romford (Plot D)	Change of use to storage of HGVs, storage of machinery, storage of car parts and storage of portable buildings; unauthorised hardstanding and containers
Maricotts Equestrian Centre, Benskins Lane, Romford (Plot E)	Change of use to storage of HGVs and storage of machinery; unauthorised hardstanding and containers
117 Stanley Road, Hornchurch	Unauthorised front dormer windows

Apr – Jun 2020	
Number of Enforcement Complaints Received: 193	
Number of Enforcement Complaints Closed: 160	
Number of Enforcement Notices Issued: 4	
Enforcement Notices Issued in Quarter	
Address	Subject of Notice
Romford Halal Meat Co, Folkes Lane, Upminster	Change of use to residential through siting 8 x mobile homes on land

2 Hamlet Road, Romford	Breach of Conditions – Accordance with plans; removal of permitted development
8 and 10 North Street, Romford	Conversion to 5 flats
G3 Fisheries, Aveley Road, Upminster	Change of use to fishing and residential use; unauthorised hard surfaces, pond, buildings

Jul – Sep 2020	
Number of Enforcement Complaints Received: 185	
Number of Enforcement Complaints Closed: 132	
Number of Enforcement Notices Issued: 5	
Enforcement Notices Issued in Quarter	
Address	Subject of Notice
290 North Street, Romford	Unauthorised extract ventilation and heat pumps
106 Belgrave Avenue, Romford	Unauthorised front boundary fence
33/33a Elm Road, Romford	Breach of Conditions – Refuse facilities; Cycle storage; Obscure glazing; Landscaping; Boundary treatment; Highway access; Visibility splay
6 Beverley Gardens, Hornchurch	Unauthorised raised deck around pool
11 Burntwood Avenue, Hornchurch	Change of use of 2 outbuildings to dwellings

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