



Havering

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

PLANNING COMMITTEE AGENDA

7.30 pm	Thursday 16 December 2021	Havering Town Hall, Main Road, Romford
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Members 8: Quorum 4

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:
Christine Elsasser - 01708 433675
christine.elsasser@onesource.co.uk**

**To register to speak at the meeting please call 01708 433100
Before 5:00pm on Tuesday 14 December 2021**

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 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 - 2)

To approve as a correct record the minutes of the meeting of the Committee held on 21 October 2021 and to authorise the Chairman to sign them.

5 APPLICATIONS FOR DECISION (Pages 3 - 6)

See attached document

6 P1745.21 - 33 WAKEFIELD CLOSE, HORNCHURCH (Pages 7 - 12)

Report attached.

7 P1952.21 46 PENRITH ROAD, ROMFORD (Pages 13 - 16)

Report attached.

8 ITEMS FOR INFORMATION (Pages 17 - 18)

See Attached document.

9 QUARTERLY PLANNING PERFORMANCE UPDATE REPORT (Pages 19 - 26)

Report attached.

**Zena Smith
Democratic and Election Services
Manager**

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**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
Havering Town Hall, Main Road, Romford
21 October 2021 (7.30 - 9.30 pm)**

Present:

COUNCILLORS: 8

Conservative Group Robby Misir (in the Chair) Carol Smith (Vice-Chair),
Matt Sutton and +John Crowder

Residents' Group Stephanie Nunn

**Upminster & Cranham
Residents' Group** Linda Hawthorn

Labour Group Paul McGeary

Apologies were received for the absence of Councillors David Durant and Philippa Crowder.

Councillors Bob Perry, Nisha Patel and Roger Ramsey were also present for parts of the meeting.

There was also a member of the public present.

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

19 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

20 MINUTES

The minutes of the meeting held on 23 September 2021 were agreed as a correct record and signed by the Chairman.

21 P0762.21 - NEW CITY COLLEGE HAVERING, ARDLEIGH GREEN OFF GARLAND WAY

The Committee considered the report noting that the application had been called-in by Councillor Roger Ramsey and Councillor Bob Perry.

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 Councillor Roger Ramsey and Councillor Bob Perry addressed the committee.

Following consideration it was **RESOLVED** that **PLANNING PERMISSION BE GRANTED**.

The vote for the resolution to grant planning permission was granted by 4 votes to 2 with 1 abstention.

Councillors J Crowder, Misir, McGeary and Smith voted for the resolution.

Councillor Hawthorn and Sutton voted against the resolution.

Councillor Stephanie Nunn abstained from voting.

22 P0998.21 - 4 CARLTON ROAD, ROMFORD

The Committee considered the report noting that the application had been called-in by Councillor Joshua Chapman.

With its agreement Councillor Nisha Patel on behalf of Councillor Chapman addressed the committee.

The report recommended that planning permission be granted however, following a motion to refuse the granting of planning permission it was **RESOLVED** that **PLANNING PERMISSION BE REFUSED** on the grounds of noise, smell from extractor to the flat and impact on neighbouring properties.

The vote not to grant planning permission was carried by 6 votes to 1.

The vote for the motion to refuse planning permission was carried by 6 votes to 1.

Councillors J Crowder, Hawthorn, Misir, Nunn, Sutton and Smith voted for the motion.

Councillor Paul McGeary voted against the motion.

Chairman

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 Adopted March 2021
 - 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 16 December 2021
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Application Reference:	P1745.21
Location:	33 Wakerfield Close, Hornchurch
Ward:	Emerson Park
Description:	First floor side extension and conversion of existing garage to habitable use.
Case Officer:	Seyi Enirayetan

Reason for Report to Committee:

- A Councillor call-in has been received which accords with the Committee Consideration Criteria.

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

The application proposes the erection of a first floor side extension and the conversion of the existing integral side garage to a habitable room to serve a lounge. The proposal is not opposed in principle by any policies of the Local Plan and the design is not considered to result in severe harm to the street scene, neighbouring residential amenity or other matters that could not be reasonably overcome by way of conditions and would warrant refusal of the application. It is not considered that the Council could reasonably defend an appeal against a refusal of the scheme due to the limited harm that the proposal would have on local character or residential amenity, and therefore the proposed development is acceptable subject to the suggested conditions.

2 RECOMMENDATION

That the Committee resolve to GRANT planning permission

2.1. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informative to secure the following matters:

Conditions

1) The development to which this permission relates must be commenced not later than three years from the date of this permission.

2) 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.

3) 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).

4) 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 flank wall(s) of the extension (s) 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.

Informative

Statement Required by Article 35(2) of the Town and Country Planning (Development Management) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraph 38 of the National Planning Policy Framework July 2021.

3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1. The application is seeking planning permission for:

The erection of a first floor side extension over existing ground floor garage and conversion of the garage into a habitable room to be utilised as a lounge.

Site and Surroundings

The application site is a large two storey detached property with a pitched roof and finished in red brick. It benefits from off-street parking on hardstanding area to the front of the property and an integral garage to the side. It has benefited from a loft conversion which is in situ. Prior approval has recently been determined as not being required for a 5.5m deep rear extension. Wakerfield Close is a residential street of mainly 2 storey dwellings characterised by similar detached properties of varying design.

Planning History

D0176.19 – Certificate of lawfulness for a proposed loft conversion to include rear dormer and 4no. rooflights to the front – Planning Permission not required.

Y0357.21 – Single storey rear extension with an overall depth of 5.5m, a maximum height of 3m and an eaves height of 2.8m – Prior approval not required.

4 CONSULTATION RESPONSE

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

4.2. No consultation was necessary for this type of consultation.

5 LOCAL REPRESENTATION

5.1. A total of 6 properties were notified of 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:	After consultation, no representations were received.
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Petitions received:	No petition received.
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5.3. There were no local groups/societies made representations.

5.4. The following Councillor made representations:

- The proposal was called in by Councillor Bob Perry to be determined at a planning committee meeting on the following grounds:
 - The property has already been extended in the roof making it a 7 bedroom house. The garage conversion will make it into 8 bedrooms which does not sit with the current streetscene which would result in limited parking facilities and would be detrimental to immediate neighbours.

6 MATERIAL PLANNING CONSIDERATIONS

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

- Issue 1 – Design – Whether the proposal is of an acceptable scale/bulk mass or represents to be out of character with the surrounding properties.
- Issue 2 – Amenity – Impact on light, outlook and privacy.
- Issue 3 - Parking

Issue 1 - Design

- 6.2 Local Plan Policies 7 and 26 seeks to ensure that new development is of a high design quality that is inclusive and provides an attractive, safe and accessible living environment for new residents whilst ensuring that the amenity and quality of life of existing and future residents is not adversely impacted.

The Residential Extensions and Alterations SPD states that side extensions are highly visible from the street, so it is important that their design closely reflects the original house in terms of finishing materials, roof style and positioning and style of windows. For detached houses, the approach taken will depend on the architectural style of the house, its relationship to neighbouring dwellings and the character of the street. Guidance goes on to suggest that side extensions to detached houses may be constructed to the full height of the existing building, provided they appear as an integral part of the original house rather than an un-related addition.

The proposed first floor extension will sit above the existing garage with a pitched roof. It is contained within the existing building envelope and not projecting beyond the building line. The proposed side extension would also have a setback from the front building line and the roof height would be lower than the main ridge. When viewed from the streetscene, the proposal does not appear disproportionate or out of place and relates adequately to the original dwelling with matching fenestration.

The change of use of the garage to a habitable space would involve the removal of the garage door and the installation of a new window and brickwork to the front. Given that the materials used would match the existing dwelling it is not considered that there would be any adverse effect on the host property and surrounding environment.

The proposal is therefore considered to be policy compliant.

Issue 2 - Amenity

The detached neighbour to the east; no. 32 Wakefield Close. The proposed first floor side extension is sited a good distance from this neighbouring dwelling. It is noted that the proposal sits above the existing garage within the same footprint and remains approximately 2.5 metres away from the common boundary. Given the separation distance and the favourable orientation of the property, it is considered that this neighbour will be afforded a reasonable level of amenity.

In terms of the detached neighbour to the west; no. 34 Wakefield Close, is unlikely to be affected by the proposal as the first floor element is sited to the other side of the dwelling.

Issue 3 – Parking

There would be a loss of parking space as a result of the garage conversion into a lounge. The site has been identified to have a Public Transport Accessibility Level (PTAL) level of 0, which is very poor and requires up to 2 parking spaces per dwelling in accordance with the Local Plan Policy 24 and the London Plan policy. There is ample parking space within the front garden that can accommodate 3 vehicles, there is on-street parking availability and it is therefore not envisaged that the proposal would create any highway or parking issues.

Financial and Other Mitigation

- 6.3 The proposal would not attract the Community Infrastructure Levy contributions as the new floorspace created would be less than 100 square metres.

Conclusions

- 6.4 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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 Havering L O N D O N B O R O U G H	Planning Committee 16th December 2021
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Application Reference:	P1952.21
Location:	46 Penrith Road, Romford
Ward	Gooshays GS
Description:	Two-storey side extension
Case Officer:	Ms Angelle Dimech
Reason for Report to Committee:	<ul style="list-style-type: none">• The applicant is an officer of the Local Planning Authority.

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

The application proposes a two-storey side extension. The proposed scale, mass, bulk and design of the development is not considered to result in adverse harm to the appearance and character of the host property, the garden scene and the street scene or neighbouring residential amenities. The proposal is considered to be in accordance with the relevant planning policies and guidelines.

2 RECOMMENDATION

That the Committee resolves to GRANT planning permission subject planning conditions:

- 1)The development to which this permission relates must be commenced not later than three years from the date of this permission.
- 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) The proposed development hereby approved shall be constructed in accordance with the materials detailed under Section 10 of the application form unless otherwise agreed in writing by the Local Planning Authority.

4) 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 flank wall(s) of the building(s) 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.

3 PROPOSAL

The application is seeking planning permission for a two-storey side extension with a hipped end roof.

Site and Surroundings

The application site is an irregular-shaped corner site located at the end of Penrith Road. The application site is occupied by a two-storey end-of-terrace dwelling house with a hipped end roof. It also accommodates a detached garage built on the shared boundary with non-attached neighbour No 5 Retford Path.

The street scene in the surrounding area is characterised by two-storey dwelling houses of similar style and design.

Planning History

None relevant to this application.

4 CONSULTATION RESPONSE

No internal or external consultees were deemed necessary given the nature of the proposed development.

5 LOCAL REPRESENTATION

A total of 4 neighbouring properties were notified about the application and invited to comment. The application has been publicised by way of direct notifications.

One representation received from neighbours in response to the notification was as follows:

“Objection to the proposal “.

Officers Comment: The neighbour's objection does not specify their actual objection to the proposals, without which the objection is not considered to be a material planning consideration.

6 MATERIAL PLANNING CONSIDERATIONS

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
- Car Parking and Highways

6.1 Built Form, Design and Street Scene Implications

The proposal seeks to construct a two-storey side extension with a hipped end roof which would be in keeping with the character of the roof design of the host property. The proposed fenestration would be of a similar design and position to the existing fenestration on the host property. The two-storey side extension would reflect the front and rear building lines of the host property as well as the eaves and ridge height and roof form in accordance with the guidance in the Residential Extension and Alterations SPD.

The proposal responds to the local built form and patterns of development and respects the visual integrity and established scale, massing, the rhythm of the terrace within which the property is located. The proposal would not have an adverse impact on the appearance and character of the property, the street scene or the garden environment in accordance with the aims of Policy 26 of the Local Plan.

6.2 Impact on Neighbouring Amenity

The proposed two-storey side extension would be on the western side of the application site. The proposal would be on the opposite side of the application site from the attached neighbour at No 48, therefore the proposal is not considered to have an adverse impact on this neighbour's amenity.

The unattached neighbour No 5 Retford Path is orientated at 90 degrees to the south-west of the application site, with a boundary fence which runs at an angle between the two properties from the north-west to south-east. It is noted No 5 Retford Path has benefitted from a single storey side extension with a dual pitched roof and a glass conservatory at the rear. The plot shape of this neighbour is the mirror image of the host site. Given the proposals orientation and sitting in relation to No 5 Retford Path, it is considered the proposal would not result in an unacceptable level of overshadowing. Any impact would be within that acceptable by the guidelines.

The nearest corner of the proposed extension would be approximately 2.4m from the shared boundary with neighbour No 5, and 5.2m from the conservatory and 7.7m from the rear wall of original house No5. Whilst it is accepted that the proposed extension would be relatively close in distance to the rearmost conservatory at no.5, it is considered that the orientation overcomes this proximity where the direct views from the rear of no.5 do not look towards the extension, due to it being at an acute angle away from the rear of no.5. Given this orientation the proposal is considered not to result in an overbearing effect or contribute to an increased sense of enclosure or loss of outlook detrimental to the amenity of the occupiers of no.5. In addition, the proposal would not result in overlooking as there are no windows in the flank elevation of the extension and the first floor rear facing window will be of obscure glazing serving an (ensuite) bathroom.

Any impact upon the adjacent neighbours, would be modest and within that envisaged as acceptable within guidelines, and in accordance with Policy 7 of the Local Plan.

6.3 Car Parking and Highways

No highway or parking issues would arise as the existing parking arrangement would remain unchanged.

7 **CONCLUSION**

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 in line with relevant planning policy, as outlined throughout the report.

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).

AGENDA ITEM 7

Items for Information

Introduction

1. This part of the agenda is for the committee to receive reports and other items for information purposes only.
2. The items on this part of the agenda will not normally be debated and any questions of clarification need to be agreed with the chair.
3. The following information and advice only applies to reports in this part of the agenda.

Public speaking

4. The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Applications for Decision" parts of the agenda. Therefore, reports on this part of the agenda do not attract public speaking rights.

Late information

5. 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

6. The Committee is not required to make any decisions with respect to the reports on this part of the agenda. The reports are presented for information only.

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 Havering LONDON BOROUGH	Planning Committee 16 December 2021
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Subject: Quarterly Planning Performance Update Report.

Report Author: Simon Thelwell, Head of Strategic Development

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 2021.
- 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 In December 2020, MHCLG announced that there would be two periods of assessment for the purposes of designation:

- decisions between 1 April 2018 and 31 March 2020, with subsequent appeal decisions to December 2020 (as previously reported, the Council is not at risk of designation for this period).

- decisions between 1 April 2019 and 31 March 2021, with subsequent appeal decisions to December 2021

- 3.3 The current figures for April 2019 to March 2021 are:

Total number of planning decisions over period: 56

Number of appeals allowed: 2

% of appeals allowed: 3.6%

Appeals still to be determined: 2

Refusals which could still be appealed: 2

County Matter Applications:

Total number of planning decisions over period: 4

Number of appeals allowed: 0

% of appeals allowed: 0%

Appeals still to be determined: 0

Refusals which could still be appealed: 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 as there are no more planning decisions or appeals to be submitted, even if the two outstanding appeals were allowed, the % of appeals allowed would not exceed 10% and therefore the Council is not at risk of designation for this period.

- 3.5 Although, no announcements regarding further periods for assessment have been made, it is considered that monitoring of the next rolling two year assessment period should take place – this would be decisions between 1 April 2020 and 31 March 2022 with subsequent appeal decisions to December 2022.

- 3.6 The current figures for April 2020 to March 2022 are:

Total number of planning decisions over period: 47

Number of appeals allowed: 1
 % of appeals allowed: 2.1%
 Appeals still to be determined: 2
 Refusals which could still be appealed: 1

County Matter Applications:

Total number of planning decisions over period: 1
 Number of appeals allowed: 0
 % of appeals allowed: 0%
 Appeals still to be determined: 0
 Refusals which could still be appealed: 0

3.7 Based on the above, it is considered that at this time there is a risk of designation. The figure will continue to be carefully monitored.

3.8 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 Strategic Planning Committee/Planning Committee resolved to refuse planning permission contrary to officer recommendation. This is provided in the tables below.

Appeal Decisions Jul-Sep 2021

Total Number of Appeal Decisions -	28
Appeals Allowed -	16
Appeals Dismissed -	12
% Appeals Allowed -	57%

Officer Comment – The appeals allowed % for this and the previous quarter has increased significantly when compared to previous years/quarters where the average figure is usually between 22-30% of appeals allowed. The figures for these two quarters are based on a relatively low number of appeals meaning each appeal decision affects the overall percentage so it is not necessarily a sign of a trend going forward. However, the appeals decisions have been analysed for any obvious reasons for the performance. At this stage, given the low number of appeals, it is difficult to draw any firm conclusions, although it does appear that inspectors are more inclined than previously to allow small infill/back garden schemes for new dwellings and residential extensions refused solely on grounds of being out of character rather than residential amenity impacts. Appeal decisions will be monitored with updates to planning officers as necessary.

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 Jul-Sep 2021 Decision by Committee Contrary to Officer Recommendation				
Date of Committee	Application Details	Summary Reason for Refusal	Appeal Decision	Summary of Inspectors Findings

30/07/20	<p>1 Ambleside Avenue, Hornchurch</p> <p>Change of use from Dwelling (C3) to Nursery (D1).</p>	<p>1) Noise and disturbance to neighbours</p> <p>2) Inadequate provision for drop off leading to highway safety and traffic concerns</p>	<p>Appeal Allowed</p> <p>Costs awarded against Council</p>	<p>1) A detailed noise impact assessment and associated set of mitigation measures was submitted as part of the application and would ensure satisfactory conditions in relation to indoor noise and outdoor play. Although there would be comings and goings unlikely to be significant disturbance given this is a fairly busy location close to Elm Park.</p> <p>2) Given the existing parking restrictions and proximity to public transport, it would not be unreasonable to expect a variety of means of transport to be used, including walking. Only short periods of parking nearby would be necessary and this would not represent parking stress.</p> <p>Costs Award In regard to Reason 2, there was a previous determination which was not on the grounds of highway</p>
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				<p>safety. A planning decision is one of a matter of judgment and the Council Members are entitled not to accept the professional advice of their officers so long as a case can be made for a contrary view. It is not evident however why the second reason for refusal was applied, when it was deemed not unacceptable in the previous determination. The Council has therefore not determined cases in a consistent manner and this amounts to unreasonable behaviour.</p> <p>Officer Comment: The committee were specifically advised by officers that the second reason being put forward by them was weak/not previously raised and the committee were cautioned against using this reason which was likely to be challenged. After debate, the committee resolved to include reason 2.</p>
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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 In December 2020 MHCLG announced that there would be two periods assessed for the purposes of designation:

- Decisions made between October 2018 and September 2020 (as previously reported, the Council is not at risk of designation for this period)
- Decisions made between October 2019 and September 2021

- 4.3 Performance to date on these is as follows:

October 2019 to September 2021 (to date)

Major Development (45 out of 51) – 88% in time

County Matter (2 out of 3) – 66% in time

Non-Major Decisions – (2982 out of 3303) 90% in time

- 4.4 The Council is currently not at risk of designation due to speed of decisions. 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:

Jul – Sep 2021	
Number of Enforcement Complaints Received: 176	
Number of Enforcement Complaints Closed: 130	
Number of Enforcement Notices Issued: 20	
Enforcement Notices Issued in Quarter	
Address	Subject of Notice
253 Elm Park Avenue, Hornchurch	Unauthorised HMO

2 Stanley Close, Romford	Unauthorised raised platform
101 Birch Crescent, Hornchurch	Unauthorised roof extension
98 Ardleigh Green Road, Hornchurch	1) Unauthorised rear extension 2) Use of land to rear for vehicle repairs and storage
28 Castle Avenue, Rainham	Unauthorised rear extension
14 Mendora Road, Romford	Unauthorised HMO
14 Poplar Street, Romford	Unauthorised HMO
White Bungalow, Southend Arterial Road, Hornchurch	Breach of Conditions – pre-commencement conditions
Land to North of Southend Arterial Road, Hornchurch	Unauthorised hard surface
11 Vicarage Road, Hornchurch	Unauthorised climbing frame/raised platforms
197 Ardleigh Green Road, Hornchurch	Unauthorised enclosure/decking/seating area
39 Wolseley Road, Romford	Unauthorised flat conversion
290 Upminster Road North, Rainham	Unauthorised building in rear garden
24 Maybank Avenue, Hornchurch	Unauthorised shutter to boundary
1 & 1A Writtle Walk, Rainham	Unauthorised dwelling
The Lodge Care Home, Lodge Lane, Romford	Breach of Condition – car parking
42 Aldwych Close, Hornchurch	Unauthorised HMO/flat
29 Percy Road, Romford	Unauthorised rear extension
319A & 319B Rush Green Road, Romford	Unauthorised vehicle storage/repairs
County Service Station, Essex Gardens, Hornchurch	Breach of Conditions – operating hours and restricted use