



# Havering

L O N D O N   B O R O U G H

## PLANNING COMMITTEE AGENDA

<b>7.30 pm</b>	<b>Thursday 7 July 2022</b>	<b>Havering Town Hall, Main Road, Romford</b>
----------------	---------------------------------	---

Members 7: Quorum 4

### COUNCILLORS:

**Residents' Group  
(3)**

Bryan Vincent (Chairman)  
Reg Whitney (Vice-Chair)  
Gerry O'Sullivan

**Conservative Group  
(3)**

TBC

**Labour Group  
(1)**

Matt Stanton

**For information about the meeting please contact:  
Christine Elsasser 01708 433675  
[christine.elsasser@onesource.co.uk](mailto:christine.elsasser@onesource.co.uk)**

**To register to speak at the meeting please call 01708 433100  
Before 5pm on Tuesday 5 July 2022**

## **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 7 April 2022 and to authorise the Chairman to sign them.

### **5 APPLICATIONS FOR DECISION (Pages 3 - 6)**

See attached document

**6 P0324.22 73 & 75 THE GROVE, UPMINSTER** (Pages 7 - 14)

Report attached.

**7 P0109.22 THE BUNGALOW, 15 BERWICK POND CLOSE** (Pages 15 - 30)

Report attached.

**8 P0291.22 37 CORBETS AVENUE, UPMINSTER** (Pages 31 - 36)

Report attached.

**9 ITEMS FOR INFORMATION** (Pages 37 - 38)

See Attached document.

**10 QUARTERLY PLANNING PERFORMANCE UPDATE REPORT** (Pages 39 - 46)

Report attached.

**11 OTHER PLANNING MATTERS** (Pages 47 - 50)

See Attached document

**Zena Smith  
Democratic and Election Services  
Manager**

This page is intentionally left blank

**MINUTES OF A MEETING OF THE  
PLANNING COMMITTEE  
Havering Town Hall, Main Road, Romford  
7 April 2022 (7.30 - 7.45 pm)**

**Present:**

**COUNCILLORS**

**Conservative Group** Robby Misir (Chairman), Carol Smith (Vice-Chair),  
+Christine Smith and +Michael White

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

**Labour Group** Paul McGeary

**UKIP Group  
Independent Residents  
Group** +Graham Williamson

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

Substitute Members: Councillor Michael White substituted for Councillor Philippa Crowder, Councillor Christine Smith for Councillor Sutton and Councillor Graham Williamson for Councillor Durant.

All decisions were agreed with no vote against.

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

**12 DISCLOSURE OF INTERESTS**

There were no disclosures of interest.

**13 MINUTES**

The minutes of the meeting held on 10 February 2022 were agreed as a correct record and signed by the Chairman.

14     **P1403.21 58 HEATH DRIVE, ROMFORD**

The Committee considered the report noting that the application had been submitted by a Member of the Council.

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

---

**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
  - Havering Local Plan 2016 – 2031(2021)
  - Site Specific Allocations (2008)
  - Site Specific Allocations in the 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).

This page is intentionally left blank

 <b>Havering</b> L O N D O N   B O R O U G H	<b>Planning Committee</b>  <b>7<sup>th</sup> July 2022</b>
--	--

<b>Application Reference:</b>	<b>P0324.22</b>
<b>Location:</b>	<b>73 &amp; 75 The Grove, Upminster</b>
<b>Ward</b>	<b>Upminster</b>
<b>Description:</b>	<b>Erection of part two storey, part single storey side/rear extension to 73 and 75 The Grove. Single storey front porch extension to 73 The Grove and alterations to fenestration/openings.</b>
<b>Case Officer:</b>	<b>Aidan Hughes</b>
<b>Reason for Report to Committee:</b>	<b>A Councillor call-in has been received which accords with the Committee Consideration Criteria.</b>

---

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

- 1.1 The proposal would be acceptable and relate acceptably to the existing dwellings and not have an unacceptable impact on the rear garden environment.
- 1.2 It is considered that the proposal would not result in material harm to neighbouring amenity. No material amenity issues or parking and highway issues are considered to result.

## **2 RECOMMENDATION**

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

### **Conditions**

1. SC04 – Time limit
2. SC10 – Matching materials
3. SC32 – Accordance with plans.
4. SC46 – Standard Flank Window Condition.
5. SC48 – Balcony condition

### **Informatives**

1. Party Wall Act.
2. INF28 – No negotiation required.

## **3 PROPOSAL AND LOCATION DETAILS**

### **Site and Surroundings**

- 3.1 The application site is located on The Grove. The site contains a pair of two storey semi-detached dwellings. There is parking on the drive to the front of the property. It is noted that both dwellings have benefited from hip to gable roof alterations and rear dormer windows under permitted development.
- 3.2 The surrounding area is characterised by single and two storey dwellings of various styles and designs.

### **Proposal**

- 3.3 Planning permission is sought for the construction of a part two storey, part single storey side/rear extension to 73 and a first floor rear extension at No.75 The Grove. In addition, a single storey front porch extension is proposed to 73 The Grove and alterations to fenestration/openings.
- 3.4 It is noted that No.75 The Grove has commenced works on their first floor rear extension which forms part of this application. Any works undertaken without the relevant consent is done so, at the risk of the applicant of No.75 The Grove and may be liable to enforcement action depending on the outcome of this application.

### **Planning History**

- 3.4 The following planning decisions are relevant to the application:

#### **No.73 The Grove, Upminster**

D0014.22 - Certificate of Lawfulness for loft conversion with rear dormer – Planning Permission not required.

#### **No.75 The Grove, Upminster**

Y0404.21 - Single Storey rear extension with an overall depth of 6m, a maximum height of 3m, and an eaves height of 2.70m – Prior Approval Given.

P1895.21 - Two-storey side extension, single storey rear extension and conversion of existing bin store and utility area to habitable space – Approved with Conditions.

#### **4 CONSULTATION RESPONSE**

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

4.2 Consultation of Statutory Consultees were not required.

#### **5 LOCAL REPRESENTATION**

5.1 A total of 7 neighbouring properties were notified about the application and invited to comment.

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

No of individual responses: 1 received, objecting to the proposal.

5.3 The following Councillors made representations:

Councillor Wilkes and ex-Councillor Ower have called in the application on the grounds that:

By requesting to go full width of the plot on all boundaries with no gap between number 73 and number 75, this would severely impact the view of the semi-detached houses in this part of the street (and will make the house at number 77 appear as part of a set of terraced houses). The double storey side extension and roof would attach at all floors (between number 73 & 75) and has no separation or roof design difference.

##### **Representations**

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

##### **Objections**

- Enclosing the gap between the properties.
- Terracing effect with no gap or roof design difference.
- Proposal will create a terraced group of properties, no terraces in street.
- Proposal would unbalance the appearance of the semi-detached pair.
- Loss of garden space due to the extensions.
- Loss of privacy due to over-looking.
- Proposal will be over-development and be dominant & visually intrusive.
- Proposal will be out of character with the street and rear garden.
- The proposal goes well beyond the current building lines of the street.

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

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

- Loss of view by enclosing the gap between the properties.

OFFICER COMMENT: A loss of view is not a material planning consideration.

## **6 MATERIAL PLANNING CONSIDERATIONS**

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

- The visual impact arising from the design and appearance of the building on the area.
- The impact of the development on neighbouring amenity.
- Highways and parking issues.

### **6.2 Visual impact arising from the design/appearance on the area.**

- No objections are raised to the porch extension from a visual point of view. The depth of the front extension at No.73 would be less than the 1m normally permissible.
- The application dwellings have benefited from a-hip to gable roof alterations and rear dormer window under permitted development. As previously mentioned, the Council do not have any control over this form of development as long as the proposal meets the relevant criteria.
- As such due to the works under permitted development, the pair of semi-detached properties have been unbalanced already as the attached neighbours have hipped roofs over their individual dwellings.
- The proposed first floor side extension would be set back 1m to comply with Council guidelines. The proposal has been designed with a gabled roof to mirror the new gabled roof constructed under permitted development, so they mirror the same roof design.
- It is considered that it would be difficult to substantiate a refusal on appeal due to the unbalancing effect, mindful that the pair of semi-detached properties have already been unbalanced by the works completed under permitted development.
- The 1m set back from the front wall of the dwelling would create a break in the roof-line between the dwelling with its newly constructed gabled roof and the proposed first floor rear extension. This set back and lower roof line would prevent the properties being viewed as having a terracing effect.
- A flat plateau would be behind the pitched roof of the extended garage when viewed from the front. The proposed gabled roof two storey side extension at No.73 would relate acceptably to the existing dwelling and no objections are raised from a visual point of view.
- It should be noted that No.75 The Grove has completed the works for their two storey side extension which was approved as part of planning consent P1895.21.



- The development would also be visible from the rear garden. The extensions in the form of the ground and first floor rear extension would relate acceptably to the existing property and it is considered the proposal would not unduly impact on the rear garden environment, as the proposal would be of an acceptable design and will relate well with the existing dwelling in terms of bulk, scale and massing.
- No objections are raised to the Juliette balconies from a visual point of view as they would only be visible from the rear garden environment.
- As a result, it is considered that the proposed development would not unacceptably impact on the street scene or the rear garden environment and no objections are raised from a visual point of view.

### **6.3 The impact of the development on neighbouring amenity**

- Consideration has been given to the impact on neighbouring dwellings in terms of loss of light and loss of privacy.
- The proposed front extension would be well removed from the boundary with No.71 not to have an impact on their amenity and it would be screened by the neighbouring extensions at No.75 The Grove so as not to impact on their amenity.
- The two storey side extension would be located on the south-east side of the dwelling. It is not envisaged that this part of the proposal would have any impact on the amenity of the attached neighbour at No.71 The Grove as they are located to the north-west and the first floor side extension would be located on the opposite side of the dwelling, well away from this neighbour.
- It is noted that No.75 The Grove has obtained approval for their two storey side and single storey 6m deep rear extension as part of planning application P1895.21.
- No.71 has a single storey rear extension which would mitigate the proposed 6m rear extension at No.73. The neighbouring rear extension at No.71 is 85cm deeper than the conservatory at No.73 which is going to be demolished. As such, the rear extension at No.71 has a depth of approximately 2.9m. An overall projection beyond No.71's single storey rear extension of approximately 3.1m is not unusual and is envisaged within guidelines as acceptable when considering the impact of a 4m deep extension on the boundary with a neighbour that has not previously extended.
- The proposed roof light on top of the ground floor rear extension of No.73 The Grove would be sufficiently removed from the sides of the extension, not to unacceptably impact on the adjacent neighbours.

- As such, it is considered that the neighbouring single storey rear extensions at No's.71 and 75 would mitigate the depth of the proposed ground floor rear extension at No.73 The Grove.
- The 3m deep first floor rear extension complies with Council guidelines. It would be set off the common boundary with No.71 by approximately 3.45m. It is noted the proposed first floor rear extension would not infringe upon a notional line taken from common boundary with No.71 The Grove at first floor level created by a 2m separation distance and the 3m depth of the extension, this is due to the separation distance between the boundary and the extension.
- The first floor rear extension at No.75 which is also being proposed as part of this application would mitigate the proposed first floor rear extension at No.73.
- It is considered that the proposal would not result in any undue overlooking or loss of privacy above existing conditions, particularly as the first floor windows of neighbouring properties already overlook the rear garden areas of surrounding residential properties.
- Given these circumstances and mindful of the general presumption in favour of development, it is considered any impact upon the adjacent neighbours to be modest and within that envisaged as acceptable within guidelines.
- The installation of flank windows on or close to the boundary are discouraged, as these windows claim light from exclusively outside of the site over land which a resident has no control. In such circumstances, the Local Planning Authority cannot undertake to safeguard the entry of light to the flank windows on the adjacent extension. To safeguard the privacy of the adjoining neighbours, two conditions have been imposed to ensure that no openings will be added to the side of the proposed extensions or that the flat roof of the rear extension would not be used as a balcony, roof garden or similar amenity area, unless specific permission is obtained in writing from the Local Planning Authority.

#### 6.4 **Parking and Highway Implications**

The application site is within a PTAL area of 1a. As per The London Plan 2021 Policy T6.1 that for a site within Outer London PTAL 0 - 1 that has 3 plus bedrooms, the site only needs to provide a maximum parking provision of up to 1.5 spaces per dwelling, which is what the application sites are able to provide.

No highway or parking issues would arise as sufficient parking would be provided in line with guidance.

#### **Environmental and Climate Change Implications**

- 6.5 Given the limited scale of the proposals, no specific measures to address climate change are required to be secured in this case.]

### **Financial and Other Mitigation**

- 6.6 The proposal would not attract Community Infrastructure Levy contributions to mitigate the impact of the development as the development would be less than 100 square metres.

### **Equalities**

- 6.7 The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:


- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 6.8 The application, in this case, raises no particular equality issues.

### **Conclusions**

- 6.9 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.

This page is intentionally left blank

 <b>Havering</b> LONDON BOROUGH	<b>Planning Committee</b> <b>7th July 2022</b>
---	---

<b>Application Reference:</b>	<b>P0109.22</b>
<b>Location:</b>	<b>The Bungalow, 15 Berwick Pond Close</b>
<b>Ward</b>	<b>Rainham and Wennington</b>
<b>Description:</b>	<b>Demolition of the existing bungalow and erection of 2 x 2 storey, 3B4P, semi-detached dwellings with associated parking and amenity space.</b>
<b>Case Officer:</b>	<b>Mark Heaney</b>
<b>Reason for Report to Committee:</b>	<ul style="list-style-type: none"><li><b>A Councillor call-in has been received which accords with the Committee Consideration Criteria</b></li></ul>

---

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

- 1.1 The application proposes the demolition of existing bungalow and the erection of 2 x 3B4P dwellings with 4 parking spaces, rear garden amenity space and provision of refuse and recycling storage.
- 1.2 The proposal is not opposed in principle by any policies of the development plan, and the design is not considered to result in severe harm to the street scene or the character and appearance of the surrounding area, neighbouring residential amenity or other matters that could not be reasonably overcome by way of conditions and would warrant refusal of the application.
- 1.3 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**

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

- 2.2 That the Assistant Director Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### **Conditions**

- 1) Time Limit: The development to which this permission relates must be commenced not later than three years from the date of this permission.
- 2) Accordance with plans: 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) Materials: The proposed development hereby approved shall be constructed in accordance with the materials detailed under Section 14 of the application form unless otherwise agreed in writing by the Local Planning Authority.
- 4) Drainage: No above ground works shall take place in relation to any of the development hereby approved until details of surface water drainage works are submitted to and approved in writing by the Local Planning Authority. Surface water drainage shall be provided in accordance with the approved details.
- 5) Fencing: No building shall be occupied or use commenced until screen fencing between the dwellings rear gardens is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The fencing shall be permanently retained and maintained thereafter.
- 6) Car parking: Before the building hereby permitted is first occupied, the area set aside for 4 car parking spaces shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.
- 7) Landscaping: No 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, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. 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.
- 8) Boundary treatment: Prior to the commencement of the development hereby approved, details of all proposed walls, fences and boundary treatment and hardstanding shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

9) PD rights restriction: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any other development order repealing or amending the said Order) other than porches erected in accordance with the Order, no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse hereby permitted, or any detached building erected, without the express permission in writing of the Local Planning Authority.

10) Obscure glazing: The proposed side windows of the dwellings hereby approved shall be permanently glazed with obscure glass not less than 4 on the standard scale of obscurity and shall thereafter be maintained.

11) Flank windows: 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 walls of the 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.

12) Construction Method Statement: 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. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.



13) Emissions: Prior to the first occupation of the development, details shall be submitted to and agreed in writing by the Local Planning Authority for the installation of Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/kWh. Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable Nox abatement equipment or technology as determined by a specialist to ensure comparable emissions. The installation of the boilers shall be carried out in strict accordance with the agreed details and shall thereafter be permanently retained. Following installation emissions certificates will need to be provided to the Local Planning Authority to verify boiler emissions.

14) Refuse and Recycling: No building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority and no refuse or recycling storage shall be left out on Berwick Pond Close except on designated collection days. The refuse and recycling facilities shall be permanently retained thereafter.

15) Noise: (purpose built houses) The building(s) shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise to the satisfaction of the Local Planning Authority.

16) Cycle Storage: 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.

17) Hours of construction: 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.

18) Accessibility: All dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.

19) Water Efficiency: All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.

### **Informative's**

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 2021, improvements required to make the proposal acceptable were negotiated with the agent via email in February 2022. The revisions involved reducing the height of the dwellings and changing the roof to a hipped roof and changing the

the dwellings to be semi-detached. The amendments were subsequently submitted by email on the 18/02/2022.

2) The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). The Mayoral CIL levy rate for Havering is £25/m<sup>2</sup> and is chargeable for each additional square metre of new residential gross internal [floor] (GIA). Based upon the information supplied with the application, £1,400 would be payable due to result in two residential properties with 56m<sup>2</sup> of net additional 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 £125m<sup>2</sup> (Zone A) for each additional square metre of new GIA. Based upon the information supplied with the application, £7,000. 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>

3) 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.

4) Highway legislation

- 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.

5) Temporary use of the public highway

- 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.

6) Surface water management

- 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.

7) Before occupation of the residential dwellings hereby approved, it is a requirement to have the property officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.havering.gov.uk/Pages/Services/Street-names-andnumbering.aspx>

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

#### **Site and Surroundings**

- 3.1 The application site is comprised of a single storey detached dwelling with off street parking available on a hardstanding area located to the front of the property. There is a detached garage building located on the east side of the site of which has planning permission (P1390.21) has been granted to demolish it and erect a single storey pitched roof 2 bed dwelling in its place.
- 3.2 The surrounding area is characterised by a mixture of two-storey semi-detached and terraced dwellings and single storey detached dwellings. The dwelling has a brick and render finish with timber detailing and a tiled hipped roof.
- 3.3 The application site is not located within a conservation area or located within the curtilage of a listed building.

### **Proposal**

- 3.4 The application is seeking planning permission for:

*“Demolition of existing bungalow and the erection of 2 x 3B4P dwellings with 4 parking spaces, rear garden amenity space and provision of refuse and recycling storage.”*

### **Planning History**

- 3.5 The following planning decisions are relevant to the application:

**P1390.21** - Single storey, 2-bed, detached dwelling with associated parking and amenity space, following demolition of existing garage.

Approved 04-11-21 but development not yet implemented.

**P2194.21** - 3 x Three storey, 3-bed, terraced dwellings with associated parking and amenity space, involving demolition of existing bungalow.

Refused on the following grounds:

1) The proposed development would, by reason of its excessive scale, bulk, height, design and cramped layout appear as an unacceptably dominant, oppressive and visually intrusive feature when viewed from nearby gardens and dwellings and be detrimental to visual amenity and to the character and appearance of the surrounding area contrary to Local Plan Policy 26.

2) The proposed layout and design of the development together with the position of the front forecourt parking and the proposed location of the refuse store would create an obstructive and cramped layout and would fail to provide safe, inclusive, accessible and fit for purpose access to the development for future residents contrary to policies 10, 23, 26, 27 and 35 of the Local Plan, policies D4, D5, D6, D11, T2 and T4 of the London Plan (2021).

3) The proposed development would have an unacceptable impact on the daylight received to No. 13 Berwick Pond Close and would result in the loss of outlook and overshadow the rear gardens of No's 12, 14 and 16 Abbey Wood Lane and result in unacceptable overlooking of No. 10 and 12 Abbey Wood Lane to the detriment of the residential amenity of neighbouring occupiers contrary to Local Plan Policy 7.

4) The applicant has failed to demonstrate to the satisfaction of the Local Planning Authority that adequate refuse and recycling provision and cycle storage could feasibly be accommodated on-site. The proposed development is therefore contrary to Local Plan policy 23 and 35 and London Plan (2021) policy T5.

5) In the absence of sufficient information it has not been demonstrated that the proposed dwellings would achieve a minimum floor to ceiling height of 2.5m for at least 75 per cent of their Gross Internal Area and would fail to provide a good standard of accommodation for future occupiers contrary to Local Plan Policy 7 and London Plan policy D6.

#### **4 CONSULTATION RESPONSE**

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

4.2 A re-consultation was undertaken on the 18/03/2022 due to revised plans being received which have reduced the height of the dwellings and changed them to being semi-detached dwellings with part hipped roofs.

4.3 The following were consulted regarding the application:

4.4 London Fire Brigade

- No objection - No additional hydrants are required.

4.5 LB Havering Street Naming and Numbering:

- No objection

#### **5 LOCAL REPRESENTATION**

5.1 A total of 12 neighbouring properties were notified about the application and invited to comment.

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

No of individual responses: 15 of which objected.

5.3 The following former Councillor David Durant made representations:

- Overdevelopment adversely impacting on parking.
- Requirement of conditions to ensure a superior design and materials.
- Implications for existing boundary wall.
- How this back-garden building will be connected to utilities.

5.4 The following former Councillor Jeffrey Tucker made representations:

- Overdevelopment and out of character
- Impact on daylight and sunlight and overshadow
- Inadequate parking provision

##### **Representations**

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

Objections

- Impact on privacy and overlooking;

- Impact on daylight and sunlight and overshadow adjoining gardens;
- Overdevelopment;
- Impact on on-street parking and access to garages;
- Noise, dust, parking impacts during construction period;

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

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

- Water and sewage infrastructure at full capacity (These matters are controlled under building regulations)
- There is a private pathway between No. 15 and the garage block (private rights of access are a civil matter)
- Problems arising from the construction period of any works, e.g. noise, dust, construction vehicles, hours of working (covered by Control of Pollution Acts).

## **6 MATERIAL PLANNING CONSIDERATIONS**

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

- Principle of Development
- Site layout
- Built Form, Design and Street Scene Implications
- Impact on Neighbouring Amenity
- Highways and Car Parking

#### **Principle of Development**

6.2. The National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development and planning policies and decisions should promote an effective use of land in meeting the need for homes. The London Plan notes the pressing need for housing and the general requirement to improve housing choice, affordability and quality of accommodation and requires all development to make the best use of land by following a design-led approach that optimises the capacity of sites. The provision of additional accommodation is consistent with the NPPF, the London Plan and Local Plan Policy 3 as the application site is within a sustainable location.

6.3. Local Plan policy 10 supports residential development on garden land and backland sites subject to the development meeting parts i-v of this policy which is assessed below.

6.4. (i.) The proposals would ensure good access from Berwick Pond Close and would retain existing through routes to the side of each dwelling; (ii.) the proposals would retain and provide adequate amenity space for the new dwellings; (iii.) the proposals would not have a significant adverse impact on the amenity of new occupants and would not be harmful to the amenity of neighbouring occupiers; (iv.) the development would not prejudice the future

development of neighbouring sites; (v) It would not result in significant adverse impacts on green infrastructure and biodiversity that could not be mitigated against by condition; (vi.) the site is not within the Hall Lane and Emerson Park Character Areas.

- 6.5. In summary the principle of the redevelopment of the site is considered acceptable subject to other policy considerations discussed below.

### **Site Layout**

- 6.6. The London Plan 2021 sets out at Table 3.2 Qualitative design aspects to be addressed in housing developments including 'Layout, orientation and form', 'Outside space' and 'Usability and ongoing maintenance'.
- 6.7. Havering's Local Plan policy 7 seeks to ensure that residential development should be 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.
- 6.8. The proposed 3B4P dwellings would each have a (42qm Ground Floor + 42sqm 1st Floor) GIA of 84sqm. The proposals would meet the LP minimum internal space standards of 84sqm for this type of dwelling. It is considered that the proposed layout and bedroom sizes of the new dwelling would be in accordance with the London Plan policy D6 and the house would provide an acceptable amount of space for day to day living.
- 6.9. The new dwellings would each have a rear gardens of approx. 76sqm (Plot A) and 73sqm (Plot B). The layout is considered to be of sufficient size to provide adequately for the size of the new family sized dwellings proposed. The proposed accommodation would be dual aspect, have good outlook, levels of privacy and receive acceptable daylight within and section plans demonstrate that the internal floor to ceiling heights would comply with LP Policy D6(8).
- 6.10. Overall it is considered that the site layout is well positioned and the level of density is appropriate to ensure adequate internal space for future occupiers as well as useable amenity space to both the donor and proposed new dwelling.

### **Design and Street Scene Implications**

- 6.11. The proposed development would be acceptable on design grounds and when assessed against Havering Local Plan Policy 26, which requires new developments that are informed by, respect and complement the distinctive qualities, identity, character and geographical features of the site and local area and respond to distinctive local building forms and patterns of development and respect the visual integrity and established scale, massing, rhythm of the building, frontages, group of buildings or the building line and height of the surrounding physical context.
- 6.12. Design, Scale, Bulk, Massing: The proposed scale, bulk and massing and design of the dwellings has been significantly reduced since the previous refused scheme. The previous (P2194.21) had a width of 13m, depth of 11m

and a height of 8.6m. The current scheme has reduced this to having a width of 11.7m, a depth of 8.6m and a height of 6.8m. The proposed semi-detached dwellings would now be of a scale, bulk and design that would be in-keeping with surrounding dwellings and would not appear out of proportion when viewed from nearby gardens and dwellings.

- 6.13. The reduced height and scaled and hipped roofs would allow the buildings to appear visually attractive and in-keeping with the character and appearance of the area. Furthermore, a condition would ensure that there would be soft landscaping to both the front and rear of the site in order for the development to complement the character of the area.
- 6.14. Given the limited size of the plot, proximity to neighbouring properties and the size of the dwellings proposed. It is considered that a condition would restrict permitted development rights to ensure that no extensions could be built without applying for planning permission. This would ensure that the dwellings would remain subordinate within their setting and in-keeping with the character of the area.
- 6.15 Visual Amenity: There has been a significant reduction in scale, bulk, height and massing and alterations to the design of the dwellings when compared to the previous refused scheme. As such it is considered that the proposed scheme would not be harmful to the visual amenity of the area.
- 6.16 Overall, it is considered that subject to conditions the current proposals would respect and complement the distinctive qualities, identity, character and geographical features of the surrounding area.
- 6.17 Materials: The supporting information states that the external walls would be finished in brick and the roof would be finished in concrete tiles. The proposed materials would reflect the materials used within the surrounding context and no objection is raised to the proposed materials.
- 6.18. In summary, the proposal is considered to be compliant with the objectives of policy 26 of the Local Plan and is not considered to represent an overdevelopment of the site and reasonably integrates with local character.

#### **Impact on Neighbouring Amenity**

- 6.19. Local Plan Policy 7 seeks to protect the amenity of existing and future residents the Council will support developments that do not result in i) Unacceptable overlooking or loss of privacy or outlook; ii) Unacceptable loss of daylight and sunlight; and iii) Unacceptable levels of noise, vibration and disturbance.
- 6.20. Privacy and outlook: The scheme has now reduced the width and height of the proposed dwellings since the previous refused application. The current scheme now has a setback distance of 12m between the flank wall of the dwelling on plot 2 and the rear elevation wall of No. 14 Abbey Wood Lane; and a setback of 13.6m from the main rear elevation wall of No. 12 Abbey Wood Lane. There would also be a separation distance of 12m between the rear wall of the



dwellings and the rear boundary fence of No. 2 Charlotte Mews to the south-west.

- 6.21. The reduction in scale and massing has improved the situation between the proposed dwellings and outlook from the rear gardens of No. 10 Abbey Wood Lane and No. 2 Charlotte Mews. There would be a separation distance of approx. 9.6m between the rear wall of the dwellings and the side boundary fence with No. 10. Although there would be some impact on the outlook from the rear garden of No. 10. However, it is considered that this property would still receive acceptable outlook and it could not be justified to refuse the application on this aspect alone.
- 6.22. Given the orientation of the rear windows of the dwelling towards the rear boundary fence of the application site, it is not considered that there would be any unacceptable overlooking within the rear garden of No. 13.
- 6.23. Noting the separation distances and relationships outlined above, it is considered that the proposed first floor rear windows would not result in unacceptable overlooking of surrounding gardens that would warrant a refusal of the application.
- 6.24. The nearest residential windows are located on No. 13 to the south of the site and the front windows of the approved bungalow located opposite which was approved under application ref. P1390.21. The main windows on No. 13 are located on the front and rear of that building and therefore due to the siting and orientation of the dwellings it is not considered that they would have an unacceptable impact on the privacy or outlook from the main habitable windows of this property.
- 6.25. The proposed dwellings would have a maximum height of 6.8m a reduction in height of approx. 1.8m from the previous refused scheme. The separation distance from the approved bungalow (to the east) has been increased slightly to 13.4m from 12.7m as previously proposed (P2194.21). The current scheme has also reduced the number of dwellings proposed to 2 and has altered the placement and orientation of the windows which has improved the relationship with that of the approved bungalow opposite (P1390.21). The revisions to the scheme are now considered to have reduced the impact on the outlook from the approved bungalow opposite and also to that of No 13 to the south.
- 6.26. In addition the number of parking spaces to the front of the dwellings have been reduced to 4. As such it is considered that the current proposals would not have an unacceptable impact on the outlook and privacy to approved bungalow opposite (P1390.21).
- 6.27. Daylight and Sunlight: There is an upper floor side window on the flank wall of No. 13 which serves a landing and there is a ground floor rear kitchen extension which is served by a rear window and rooflight above. The current scheme has increased the separation distance from 1.75m (P2194.21) to 2.4m between the flank wall of house on plot A and the flank wall of No. 13. Given the side window serves a landing and is not habitable room and that the rear building line of the

dwelling would not protrude beyond the primary fenestration of the rear kitchen of No. 13. It is not considered that there would be an unacceptable impact on the daylight received within the nearest habitable rooms of No. 13.

- 6.28. As stated above, as the current scheme has now reduced the width and height, included hipped roofs and increased the separation distance from the side boundaries of the site. It has therefore reduced the impact of overshadowing to the rear gardens of No's 12, 14 and 16 Abbey Wood Lane to the north. It is considered that these rear gardens would still receive adequate sunlight and would not result in unacceptable overshadowing to neighbouring gardens.
- 6.29. Noise: In terms of noise impact, it is not considered that the dwellings (Use Class C3) would have an unacceptable impact on adjoining residential properties as the site would be retained within a residential use within a predominately residential area.
- 6.30. Having regard to all of the above the proposal would not be contrary to Local Plan policy 7, in terms of amenity impact.

#### **Highways and Car Parking**

- 6.31 The application site is located in an area with a PTAL of 1b with a poor level of access to public transport and consequently Local Plan policy 24 sets a minimum parking standard for this location of 1.5 spaces per dwelling. Therefore the proposals would be required to provide 3 parking spaces.
- 6.32. The proposals included 2 off street parking spaces per dwelling within the front curtilage of the site. Noting the objections above which raise concerns about parking stress within the area it is considered that 4 parking spaces are acceptable to serve the development and would not have an unacceptable impact on the surrounding highway network. In addition, the previous refused scheme proposed 6 off-street parking spaces and the current scheme has reduced this number to 4. This reduction has overcome officer's previous concerns regarding pedestrian and vehicular access and manoeuvring of vehicles in and out of the site. It has also improved the relationship with the vehicle parking of the approved bungalow opposite.
- 6.33. As such it is considered that the proposals would provide an adequate quantum of on-site parking in accordance with Local Plan policy 24 and London Plan policy T6.1.
- 6.34. Access: The main pedestrian access to the site is from Berwick Close and the site plan shows that there would be adequate space located to the front of the dwellings for pedestrian and inclusive access to each dwelling in compliance with London Plan policy D5. As such the proposed layout and access is considered to be acceptable and the current scheme now overcomes Officer's previous concerns.
- 6.35. Cycle Parking: The supporting plans show that there would be side access to the side of each dwelling which would allow a cycle store to be provided within each rear garden. Further details of the elevations and design of the cycle

stores would be secured by condition to ensure compliance with the London Cycling Design Standards and London Plan policy T5 (Table 10.2) and to ensure it is accessible, secure and fit for purpose.

- 6.36. Refuse and Recycling: The supporting information indicate refuse bins would be located within the rear gardens of each dwelling. However it is considered that further details are required to ensure that it could accommodate the required capacity of 45 litres recycling and 180 litres general refuse for each dwelling as set out in the Councils Refuse and Recycling SPD. In addition, a condition would ensure that refuse is only stored on Berwick Pond Close on designated collection days.
- 6.37. Construction Management: It is considered that a condition would be imposed to restrict noisy construction work to be within specific times within that which the Council Noise team recommends.

### **Environmental and Climate Change Implications**

- 6.38 Given the limited scale of the proposals, no specific measures to address climate change are required to be secured in this case.
- 6.39 The proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development:
- £7,000. LB Havering CIL
  - £1,300. Mayoral CIL towards Crossrail

### **Equalities**

- 6.40 The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 6.41 The application, in this case, raises no particular equality issues.

### **Other Planning Issues**

- 6.42 It is advised that the drainage and sewage matters and private rights of access raised within the objections above are building control matters and are not material planning considerations.

### **Conclusions**

- 6.42 The proposed development is deemed to be acceptable with respect to impacts on the street scene and character of the area, neighbouring amenity, the amenity of future occupiers and highway and parking considerations.

- 6.43 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.
- 6.43 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.

 <b>Havering</b> L O N D O N   B O R O U G H	<b>Planning Committee</b>  <b>7<sup>th</sup> July 2022</b>
--	--

<b>Application Reference:</b>	<b>P0291.22</b>
<b>Location:</b>	<b>37 Corbets Avenue, Upminster</b>
<b>Ward</b>	<b>Upminster</b>
<b>Description:</b>	<b>Two storey side extension, part two storey, part single storey rear extension</b>
<b>Case Officer:</b>	<b>Aidan Hughes</b>
<b>Reason for Report to Committee:</b>	<b>A Councillor call-in has been received which accords with the Committee Consideration Criteria</b>

---

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

It is considered that the proposed extensions would not unacceptably impact on the character of the immediate vicinity. The proposal is acceptably designed, would integrate well with the existing dwelling and will not unduly impact upon the street scene or the immediate garden scene. It is viewed that the proposed extensions would not unacceptably impact on the amenity of the adjacent residents in terms of overshadowing, loss of light and loss of privacy. There is no impact on highway safety and off road parking guidelines are met.

## **2 RECOMMENDATION**

- 2.1 That the Committee resolve to grant planning permission subject to suggested planning conditions:
- 2.2 That the Assistant Director Planning is delegated authority to issue the planning permission and impose conditions and an informative to secure the following matters:

### **Conditions**

1. SC04 – Time limit
2. SC10 – Matching materials
3. SC32 – Accordance with plans.
4. SC46 - Standard Flank Window Condition.
5. SC48 – Balcony condition

### **Informatives**

1. Land Ownership
2. Party Wall Act.
3. INF28 - Approval following revision

## **3 PROPOSAL AND LOCATION DETAILS**

### **Site and Surroundings**

- 3.1 The application site houses a detached residential two storey dwelling house with a single storey extension to the rear and a single storey side/rear garage. The front garden is block paved to provide off-street car parking. The property is not listed, nor is it within a conservation area. No trees will be affected as a result of this proposal. The surrounding area is residential in nature, containing mainly semi-detached and detached properties. There are various extensions in close proximity.

### **Proposal**

- 3.2 The applicant is seeking planning consent for a two storey side, part single/ part two storey rear extension.

### **Planning History**

L/HAV 495/71 – Porch – Approved.  
L/HAV 6577/72 – Ground floor rear extension - Approved  
L/HAV 875/74 – Carport – Approved.

## **4 CONSULTATION RESPONSE**

- 4.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 4.2 Consultation of Statutory Consultees were not required.

## **5 LOCAL REPRESENTATION**

- 5.1 A total of 5 neighbouring properties were notified about the application and invited to comment.
- 5.2 The number of representations received from neighbours in response to notification and publicity of the application were as follows:

No of individual responses:                      3 of which, 1 objected and 2 supported

## **Representations**

- 5.3 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:

- Concerns that the proposal would lead to overdevelopment.
- Creation of a terracing effect and a spoilt visual aspect of the street scene.
- The extension built up to the neighbouring property would be inappropriate.

Supporting comments: Two emails in support of the proposal.

## **6 MATERIAL PLANNING CONSIDERATIONS**

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

- Design and the impact on the street / garden scene
- Impact on the amenity of the residents of the neighbouring properties
- Impact on the highway and parking
- Environmental and Climate Change Implications

### **6.2 Visual impact arising from the design/appearance on the area.**

- The Residential Extensions and Alterations Supplementary Planning Document and Havering Local Plan Policies 7, 24 and 26 have been used to assess this application.
- The proposed hip roofed two storey side extension would be up to the boundary with No.35 Corbets Avenue which sufficient spacing being provided to allow for a gutter detail down the side between the extended dwelling and this neighbour.
- No.35 Corbets Avenue will project forward of the application dwelling at ground floor level but the proposed development would not project forward of the neighbouring dwelling at No.35 at first floor level.
- Council guidelines outline for detached houses that the approach taken will depend on the architectural style of the house, its relationship to neighbouring dwellings and the character of the street. 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 unrelated addition.
- The application site has access to rear of the property on either side of the application dwelling.

- It is noted that the proposal would enclose the gap which currently exists between Nos.37 and 35. However, the proposed hipped roof design over the first floor side extension and the flat roof over No.35's first floor extension will help to alleviate this. This side extension would not leave any spacing at first floor level to the side boundary, however, there are other similar extensions nearby (for example at 35 Corbets Avenue) and there are staggered building lines. It is considered that there are insufficient grounds to refuse this application on this basis.
- The development would also be visible from the rear garden. The extensions in the form of the ground and first floor rear extensions would relate acceptably to the existing property.
- The cumulative depth of the proposed rear extension and the existing rear extension would be 8.8 metres from the rear wall of the original dwelling, exceeding the recommended 4 metres in the guidance outlined within the Residential Extensions and Alterations SPD. It is acknowledged that a depth of 8.8 metres is large, however, part of the extension would replace an existing single storey side/rear garage (that will be demolished as part of this application) and the proposal would not extend any further than the existing garage.
- The depth of the first floor rear extension would comply with Council guidelines with the roof design being sympathetic to the existing dwelling, so it would not appear unduly bulky from the rear garden or obliquely from the street scene when approaching the dwelling from Parklands Avenue.
- It is considered the proposal would not unduly impact on the rear garden environment, as the proposal would be of an acceptable design and will relate well with the existing dwelling in terms of its bulk, scale and massing.
- As a result, it is considered that the proposed development would not unacceptably impact on the street scene or the rear garden environment and no objections are raised from a visual point of view.

### **6.3 Impact on the amenity of the residents of the neighbouring properties**

- Consideration has been given to the impact of the proposal on the neighbouring properties, primarily in respect of overshadowing, loss of light and loss of privacy.
- It is considered that the proposed extensions would not unacceptably impact on the amenity of the adjacent residents. The two storey rear extension will be set in 2m from the boundary with 35 Corbets Avenue and is a sufficient distance away from the dwelling at 10 Parkland Avenue to have minimal impact on its amenity.
- It is noted that the two openings at No.35 adjacent to the boundary with the application site are a door at ground floor level to the garage and an upper window which serves a bathroom. Both of these are considered to be non-



habitable areas and therefore, less weight is applied to the impact of the proposal on them.

- No.35 has a flank window in their ground floor rear extension which is a secondary light source, as additional light is provided from the rear elevation. As such, it is considered that the proposal would not unacceptably impact on the amenity of these windows.
- It is noted that that the proposal would project 3m beyond the rear elevation of the side extension at No.35 and then encompasses the footprint of the existing garage. It is acknowledged that the proposed single storey rear extension would not meet the guideline in Section 5.3 of the SPD which states that 'any greater depth required should be within an angle of 45 degrees, taken from the 4 metre dimension on the property boundary, in order to ensure a reasonable level of amenity is afforded to neighbouring properties'. However, the extension would replace an existing side/rear detached garage building and the proposal would not create any further loss of amenity in comparison. It is considered that it would be difficult to demonstrate the additional harm, mindful of the position of the existing side/rear detached garage building.
- The proposed first floor side extension would project approximately 45cm beyond the rear extension of No.35 at first floor level. The 3m deep first floor rear extension complies with Council guidelines. It would be set off the common boundary with No.35 by approximately 2.25m. It is noted that the proposed first floor rear extension would not infringe upon a notional line taken from common boundary with No.35 Corbets Avenue at first floor level created by a 2m separation distance and the 3m depth of the extension, this is due to the separation distance between the boundary and the extension.
- It is acknowledged that the rear extension would create a wall along much of the rear boundary with 10 Parkland Avenue but it would be difficult to refuse for this reason alone, especially as the height of the extension is only 3m and the extension would be approximately 24m away from the dwelling house at 10 Parkland Avenue.
- Furthermore, mindful that the proposed first floor rear extension would be set off the boundary with No.10 Parkland Avenue by approximately 1m and the fore mentioned separation distance between this neighbouring dwelling and the proposal, it is considered that it would be difficult to substantiate a refusal on appeal on a loss of amenity to this neighbour.
- There are no concerns of loss of light to the neighbouring houses. No flank windows are proposed and therefore no loss of privacy would arise.
- It is considered that the proposal would not result in any undue overlooking or loss of privacy above existing conditions, particularly as the first floor windows of neighbouring properties already overlook the rear garden areas of surrounding residential properties.

- Given these circumstances and mindful of the general presumption in favour of development, it is considered any impact upon the adjacent neighbours to be modest and within that envisaged as acceptable within guidelines.
- To safeguard the privacy of the adjoining neighbours, two conditions have been imposed to ensure that no openings will be added to side of the proposed extensions or that the flat roof of the rear extension would not be used as a balcony, roof garden or similar amenity area, unless specific permission is obtained in writing from the Local Planning Authority
- Overall, the development is considered to fall within the guidelines in the Supplementary Planning Guidance (Adopted 2011) for householder extensions and the proposal is not deemed to be unneighbourly.

### **Impact on the highway and parking**

- 6.4 The proposal will impact on the parking within the site with the loss of a garage and some parking. The front garden has hardstanding for off-road parking for at least 2 cars and therefore no highway or parking issues would arise. Policy 24 of the Havering Local Plan requires at least 1.5 spaces per 3+ bedroom unit; this is met.

### **Environmental and Climate Change Implications**

- 6.5 Given the limited scale of the proposals, no specific measures to address climate change are required to be secured in this case.

### **Financial and Other Mitigation**

- 6.6 Given the limited scale of the proposals, no specific measures to obtain financial agreements are required to be secured in this case.

### **Equalities**

- 6.7 The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The application, in this case, raises no particular equality issues.

### **Conclusions**

- 6.8 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.

## **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.

This page is intentionally left blank

 <b>Havering</b> L O N D O N   B O R O U G H	<b>Planning Committee</b> <b>7 July 2022</b>
--	---

**Subject:** **Quarterly Planning Performance Update Report.**

**Report Authors:** **Simon Thelwell, Head of Strategic Development**  
**Maria Bailey, Head of Development Management**

---

## **1 BACKGROUND**

- 1.1 This quarterly report produces a summary of performance on planning applications/appeals and planning enforcement for the previous quarter, January to March 2022.
- 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, the then 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 (as previously reported, the Council is not at risk of designation for this period).

- 3.3 Although, no announcements regarding further periods for assessment have been made, it is considered that monitoring of the next rolling two year assessment periods should take place – this would be decisions between 1 April 2020 and 31 March 2022 with subsequent appeal decisions to December 2022 and decisions between 1 April 2021 and 31 March 2023 with subsequent appeal decisions to December 2023.

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

Total number of planning decisions over period: 68

Number of appeals allowed: 1

% of appeals allowed: 1.5%

Appeals still to be determined: 3

Refusals which could still be appealed: 3

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

- 3.5 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. 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.

3.6 The current figures for April 2021 to March 2023 are:

Total number of planning decisions over period: 39  
Number of appeals allowed: 0  
% of appeals allowed: 0%  
Appeals still to be determined: 3  
Refusals which could still be appealed: 3

County Matter Applications:

Total number of planning decisions over period: 0  
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 Jan-Mar 2022**

<b>Total Number of Appeal Decisions -</b>	<b>47</b>
<b>Appeals Allowed -</b>	<b>16</b>
<b>Appeals Dismissed -</b>	<b>31</b>
<b>% Appeals Allowed -</b>	<b>34%</b>

Officer Comment – The average for the year is 39% appeals allowed which is above what has been the case in previous years and when benchmarked against the national and London average. In terms of benchmarking, the national average for the year ending December 2021 was 28%, with the London average being 29%. Appeal decisions are carefully monitored for any particular trends with appropriate advice to officers as necessary.

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

<b>Total Number of Appeal Decisions -</b>	<b>2</b>
<b>Appeals Allowed -</b>	<b>1</b>
<b>Appeals Dismissed -</b>	<b>1</b>
<b>% Appeals Allowed -</b>	<b>50%</b>

Appeal Decisions Jan-Mar 2022  
Decision by Committee Contrary to Officer Recommendation

<b>Date of Committee</b>	<b>Application Details</b>	<b>Summary Reason for Refusal</b>	<b>Appeal Decision</b>	<b>Summary of Inspectors Findings</b>
17 Dec 2020 – Planning Committee	<p>P1189.20</p> <p>13 Burntwood Avenue, Hornchurch</p> <p>1 x three storey, 6-bed detached dwelling, 3 x three storey, 5-bed detached dwellings, with associated parking and amenity space involving demolition of existing care home</p>	Plot 4 unacceptable impact on adjoining residential amenity	Allowed	No direct views due to placement of windows and suitable separation from boundaries such that there is no harm to neighbouring amenity.
13 Aug 20 – Strategic Planning Committee	<p>P0094.20</p> <p>Neopost House, Rom Valley Way. Romford</p> <p>Erection of four blocks ranging from five (5) to nine (9) storeys to provide 82 residential dwellings (Use Class C3) with car parking, associated cycle parking, Refuse Storage Facilities and Landscaping.</p>	Poor quality accommodation due to single aspect and poor amenity space.	Dismissed	The proposed flats would suffer from overheating in future climate change scenario and therefore the quality of accommodation would be unsatisfactory.

#### **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 (as previously reported, the Council is not at risk of designation for this period)

4.3 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 October 2020 and 30 September 2022.

4.4 Performance to date on these is as follows:

October 2020 to March 2022 (to date)

Major Development (52 out of 54) –	96% in time
------------------------------------	-------------

County Matter (0 out of 0) –	N/A
------------------------------	-----

Non-Major Decisions – (3009 out of 3168)	95% in time
--	-------------

4.5 The Council is currently not at risk of designation due to speed of decisions. The figure for future periods will continue to be monitored.

4.6 It is considered useful to provide some comparison on speed of decision on Major and Non-Major decisions with other London Boroughs. Obtaining directly comparable benchmarking data for the above period is not possible. However, comparison data on speed of decision for the year ending December 2021 is available and set out below. Performance in Havering is generally good compared to other boroughs for both measures.

<b>Borough</b>	<b>Major In Time</b>	<b>Rank - Majors</b>	<b>Minor and Others In Time</b>	<b>Rank - Minors and Others</b>
Barking and Dagenham	100.0%	1	100.0%	1
Barnet	85.0%	28	83.5%	23
Bexley	91.0%	23	69.0%	31
Brent	100.0%	1	83.0%	24
Bromley	83.0%	29	58.5%	33
Camden	95.0%	16	74.5%	30
City of London	96.0%	14	87.0%	19
Croydon	73.0%	32	66.5%	32
Ealing	98.0%	12	95.5%	3
Enfield	92.0%	20	92.5%	10
Greenwich	100.0%	1	93.5%	8
Hackney	92.0%	20	84.5%	21
Hammersmith and Fulham	95.0%	16	92.5%	10
Haringey	100.0%	1	92.5%	10
Harrow	90.0%	24	79.0%	26
<b>Havering</b>	<b>98.0%</b>	<b>12</b>	<b>94.0%</b>	<b>5</b>
Hillingdon	100.0%	1	90.5%	17
Hounslow	75.0%	31	86.5%	20
Islington	100.0%	1	93.5%	8
Kensington and Chelsea	100.0%	1	78.0%	28
Kingston upon Thames	92.0%	20	92.5%	10
Lambeth	96.0%	14	95.0%	4
Lewisham	100.0%	1	94.0%	5
Merton	64.0%	33	75.0%	29
Newham	100.0%	1	98.5%	2
Redbridge	100.0%	1	91.0%	15
Richmond upon Thames	100.0%	1	91.0%	15
Southwark	80.0%	30	84.0%	22
Sutton	93.0%	19	89.0%	18
Tower Hamlets	86.0%	27	91.5%	14
Waltham Forest	94.0%	18	94.0%	5
Wandsworth	89.0%	25	82.5%	25
Westminster	88.0%	26	78.5%	27

## 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 2022		
Number of Enforcement Complaints Received: 142		
Number of Enforcement Complaints Closed: 148		
It is also worth noting that the performance of Havering in terms of enforcement notices served is amongst the best in the country. For year ending December 2021, Havering was fifth in the country, having served 70 enforcement notices and 10 breach of condition notices.		
Planning authority	Enforcement notices issued	Breach of condition notices served
Barking and Dagenham	51	-
Barnet	131	18
Bexley	11	4
Brent	121	17
Bromley	50	5
Camden	31	1
City of London	1	-
Croydon	-	2
Ealing	56	-
Enfield	16	-
Greenwich	6	1
Hackney	54	3
Hammersmith and Fulham	34	2
Haringey	62	14
Harrow	29	2
<b>Havering</b>	<b>70</b>	<b>10</b>
Hillingdon	47	2
Hounslow	8	2
Islington	11	2
Kensington and Chelsea	28	3
Kingston upon Thames	-	-
Lambeth	40	18
Lewisham	30	3
Merton	1	-
Newham	70	-
Redbridge	32	6

Richmond upon Thames	13	-
Southwark	5	-
Sutton	5	-
Tower Hamlets	7	3
Waltham Forest	42	-
Wandsworth	35	1
Westminster	104	9
Number of Enforcement Notices Issued Jan-Mar 22:		14
Enforcement Notices Issued in Quarter		
Address	Subject of Notice	
12 Bridge Close, Rainham	Breach of Conditions – Extract system operation and appearance	
Cranham Golf Course, St Marys Lane, Upminster	Unauthorised use of first floor as 3 flats	
27 Heath Drive, Romford	Unauthorised windows	
2-4 Eastern Road, Romford	Unauthorised residential unit	
Rear of 9-11 Elm Road, Romford	Breach of Conditions – Accordance with plans; details of materials; tree protection	
140 Straight Road, Romford	Unauthorised boundary wall, gates and railings	
115a Shepherds Hill, Romford	Breach of Conditions – Details of material, boundary treatment, highway access and cycle storage	
Rear of 230 South Street, Romford	Unauthorised use of building for 6 self-contained residential units	
42 Fontayne Avenue, Romford	Unauthorised hard surface to front of property	
1 Highfield Road, Romford	Unauthorised rear dormer/roof alterations and front porch	
74-76 Brentwood Road, Romford	Unauthorised parcel collection lockers	
64 Berwick Road, Rainham	Unauthorised dormer windows	
Verve Apartments, Mercury Gardens, Romford	Breach of Conditions – Car parking provision and refuse storage	
28 King Edward Avenue, Rainham	Unauthorised rear and side dormers	

## 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
  - Havering Local Plan 2016 – 2031(2021)
  - Site Specific Allocations (2008)
  - Site Specific Allocations in the 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).

This page is intentionally left blank