



Havering

LONDON BOROUGH

PLANNING COMMITTEE AGENDA

7.30 pm

**Thursday
25 August 2022**

**Havering Town Hall,
Main Road, Romford**

Members 7: Quorum 4

COUNCILLORS:

**Conservative Group
(3)**

Philippa Crowder
Robby Misir
Carol Smith

**Havering Residents' Group
(3)**

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

**Labour Group
(1)**

Matthew Stanton

For information about the meeting please contact:

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

**To register to speak at the meeting please call 01708 433100
Before 5pm on Tuesday 23 August**

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

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

Reporting means:-

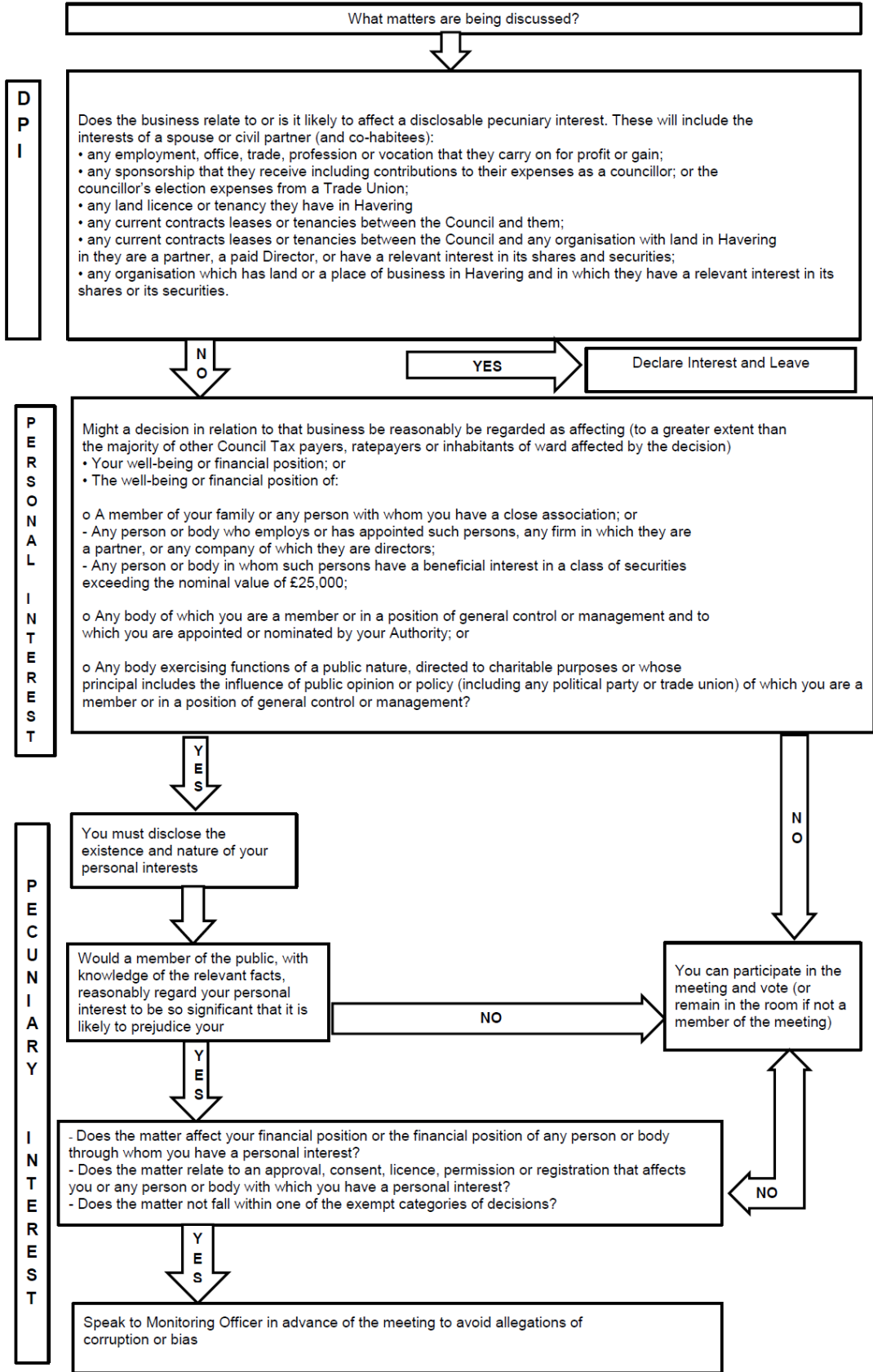
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing,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

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

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

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

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

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

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

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

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

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

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

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF INTERESTS

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

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

4 MINUTES - 4 AUGUST 2022 (Pages 1 - 2)

To approve as a correct record the minutes of the meeting of the Committee held on 4 August 2022 and to authorise the Chairman to sign them.

5 APPLICATIONS FOR DECISION (Pages 3 - 6)

See attached document.

6 P0159.22 67 BOSCOMBE AVENUE, HORNCHURCH (Pages 7 - 14)

Report attached.

7 P0048.22 MAWNEY CLOSE GARAGE BLOCK (Pages 15 - 30)

Report Attached.

8 P0049.22 MOWBRAY'S CLOSE GARAGE BLOCK (Pages 31 - 44)

Report attached.

9 OTHER PLANNING MATTERS (Pages 45 - 48)

See attached document.

10 STOPPING UP ORDER - TBC (To Follow)

To follow supplement report.

11 ITEMS FOR INFORMATION (Pages 49 - 50)

See attached document.

12 QUARTERLY PLANNING PERFORMANCE UPDATE (Pages 51 - 58)

Report attached.

**Zena Smith
Democratic and Election Services
Manager**

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**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
Havering Town Hall, Main Road, Romford
4 August 2022 (7.50 - 9.05 pm)**

Present:

COUNCILLORS:

Conservative Group	Philippa Crowder, Robby Misir and Carol Smith
Havering Residents' Group	Bryan Vincent (in the Chair), Reg Whitney (Vice-Chair) and Gerry O'Sullivan
Labour	Matthew Stanton

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

25 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

There were no apologies for absence.

26 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

27 MINUTES 7 JULY 2022

The minutes of the meeting of 7 July 2022 were agreed as a true record of the same and the Chair was authorised to sign them.

28 APPLICATIONS FOR DECISION

29 P0109.22 THE BUNGALOW, 15 BERWICK POND CLOSE

The Committee considered the report and noted that the application had been called - in by former Councillor David Durant; however, Councillor Jacqueline McArdle was allowed to speak in his absence.

In accordance with the public speaking arrangements the Committee was addressed by an objector with no response by the applicant.

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

The vote for the resolution to grant planning permission was granted by 6 votes to 1 with no abstentions. Councillors P Crowder, Misir, O'Sullivan, Vincent, Whitney and Councillor C Smith voted in favour. Councillor Stanton voted against.

30 **P0419.22 27 HACTON LANE, HORNCHURCH**

The Committee considered the report and noted that the application had been called - in by Councillor Paul Middleton.

In accordance with the public speaking arrangements the Committee was addressed by an objector with no response by the applicant.

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

The vote for the resolution to grant planning permission was granted by 5 votes to 2 with no abstentions. Councillors P Crowder, Misir, O'Sullivan, Stanton, Vincent and Whitney voted in favour and Councillor C Smith and Councillor Whitney voted against.

31 **P0159.22 67 BOSCOMBE AVENUE, HORNCHURCH**

The item was not discussed.

It was agreed by all Members of the Committee that this item would be deferred to the next meeting due to new information/handouts introduced on the evening.

32 **STOPPING UP ORDER 23 ROSSLYN AVENUE, HAROLD WOOD, ESSEX RM3 0RG**

The Committee considered the Stopping Up Order and to the planning committees and **AGREED** to authorise the Stopping Up Order to the land adjoining No 23 Rosslyn Avenue, Harold Wood.

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).

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 <p>Havering LONDON BOROUGH</p>	<p>Planning Committee</p> <p>25th August 2022</p>
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Application Reference:	P0159.22
Location:	67 Boscombe Avenue, Hornchurch
Ward:	St Andrews
Description:	Single Storey Rear Extension
Case Officer:	Kelvin Naicker
Reason for Report to Committee:	A Councillor call-in has been received which accords with the Committee Consideration Criteria

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1 The single storey rear extension would be acceptable and not have a detrimental impact on the rear garden environment.
- 1.2 Furthermore, the scale and sitting of the single storey rear extension is not judged to result in material harm to the neighbouring amenity.

2 RECOMMENDATION

- 2.1 That the Committee resolve to GRANT planning permission subject to:
- 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 – Approval following revision

3 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

3.1 The application site features a two storey semi-detached residential dwellinghouse.

It currently benefits from a single storey rear extension.

It is not a listed building, nor is located within a conservation area.

Proposal

3.2 Planning permission is sought for a single storey rear extension.

The host dwelling's existing rear extension measures approximately 4.50m wide, 3.90m deep and has an eaves height of 2.84m rising to a maximum height of 3.84m.

The proposed rear extension would measure approximately 5.50m wide, 5.25m deep and would have an eaves height of 2.81m rising to a maximum height of 3.90m.

A rear extension projecting approximately 6.30m deep was originally proposed as part of the application. However, concerns were raised about its impact on no. 65 Boscombe Avenue, who do not benefit from a rear extension that would have mitigated the impact of the proposed development on their amenity. The 6.30m deep proposal would have infringed upon a 45-degree notional line taken from the 4m point along the shared boundary with this neighbour. In light of this, it was advised that the scale and depth of the proposal be reduced so as for it not to infringe upon this 45-degree notional line taken from the 4m point along the common boundary with no. 65. The agent agreed to this amendment. Given that this modification to the scheme resulted in the proposals having a reduced impact on neighbouring properties (a reduction in the depth reduced the bulk, scale and mass of the development), it was not considered necessary to re-consult the neighbouring occupants about the amended proposals.

Planning History

3.3 No relevant planning decisions relevant to the application could be found.

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 three 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: 2 of which, 2 objected

5.3 The following Councillor made representations:

Councillor Paul Middleton wishes to call the application in on the grounds that:

It is over development in the area. The building will remove light from the neighbours – it will not allow for the 45 degree angle of sunlight that has been enjoyed for over 40 years by at least one of the neighbouring homes.

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

- The proposal would exceed guidance set out in the SPD
- Negative impact on outlook enjoyed by and daylight entering adjacent properties
- Would be out of scale in comparison to adjacent properties
- Would have a negative impact upon Fielders Sports Ground by setting a precedent for similar large extensions which overlook and are overlooked by an area considered a distinctive space.
- As subject site is situated next to areas that the Council considers part of the Historic Built Environment, namely Langtons Estate encompassing Fielders Field, it would have an impact on the borough's historic environment
- Setting a large precedent for domestic extensions would negatively affect the views, landscapes and character of the Langton conservation area
- Would be an overdevelopment of the site. Size of proposed extension will be equivalent to excess of 100% of the original floorspace.
- Severely block sunlight and daylight, sense of enclosure and overshadowing and create a tunnel effect
- Mechanical vent would cause problems associated with smells
- Refute statement on application form that parking during any building works would not be an issue
- Proposal would fail to comply with 45 degree rule

- ✚ It is worth noting that information including diagrams of the proposed extension's projected impact as well daylight level measurements were submitted by objectors during the application process.
- ✚ It is also worth noting that the presentation of this application at planning committee was deferred owing to a summary of objections to the scheme being tabled at committee. The failure of the proposal to comply with 45 degree rule was the only additional representation raised by neighbours, although this issue had already been addressed in substance in the next section of this report.

Procedural issues

5.5 The following procedural issues were raised in representations, and are addressed below:

- Errors on drawings

OFFICER COMMENT: The officer visited the site. The submitted drawings are considered to broadly reflect the site.

- Crucial measurements are missing from the drawings; (i) maximum height of the enlarged part and (ii) the height to the eaves of the enlarged part

OFFICER COMMENT: It is noted that the eaves and maximum height of the proposed rear extension are not explicitly indicated on the submitted drawings. Nonetheless, it is considered that the information submitted is sufficient for the application to be assessed and a decision to be issued.

6 MATERIAL PLANNING CONSIDERATIONS

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

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

- The Council's Residential Extensions and Alterations SPD advises that semi-detached houses can be extended from their rear walls by up to 4m, and should not exceed 3m in height if a flat roof is proposed. Guidelines go on to suggest that if a greater depth is required it should be within an angle of 45 degrees, taken from the 4m dimension on the property boundary.
- The guidance is reinforced by policy 7 (residential design and amenity) of the local plan, which seeks to ensure any development would be of an

acceptable design. The depth of the rear extension to the host dwelling as a result of the proposal - at 5.25m - would not meet guidelines set out in the SPD.

- Staff have given consideration to the depth and scale of the proposed extension. Whilst the proposal would be deeper than commonly found along Boscombe Avenue, the host dwelling benefits from a sizable rear garden, meaning that the extension would not dominate its rear garden scene. As there would be a considerable amount of rear garden space left as a result of the extension (over 18m), it is not considered that the proposal would represent an overdevelopment of the site. Given that the proposal is judged to not adversely affect the character of the property or the visual amenities of the rear garden scene, on balance therefore, its impact on the rear garden environment is considered acceptable.
- To the rear of the site is Fielders Sports Ground, situated within the Langtons Conservation Area. Given that the rear of the proposed extension would be some distance away from the back of the host dwelling's rear garden and from the footpath within Fielders Sports Ground, it is considered that it would not overlook or cause harm to the views, landscapes and character of the sports ground or Langtons Conservation Area.
- A matching materials condition will also be imposed to ensure that the appearance of the host dwelling and the character of the immediate area are safeguarded.

6.3 The impact of the development on neighbouring amenity

- Policy 7 of the local plan also seeks to ensure any development would have an acceptable impact upon the amenities of the adjoining occupiers.
- In terms of the proposal's impact on the attached neighbouring property no. 69 Boscombe Avenue, staff note that it benefits from a single storey rear extension. Given the extension to this neighbour, the proposal would project approximately 2.50m beyond the rear of this neighbouring dwelling, which would be less than the 4m normally permissible by the SPD where a semi-detached neighbour has not previously extended. Therefore, although a 45-degree notional line taken from the 4m point along the common boundary between the host dwelling and this neighbour would be infringed upon by the proposed extension, it is considered that the impacts of the proposal's depth and height on the host dwelling's attached neighbour in terms of outlook, light, overshadowing and sense of enclosure would be within acceptable realms because the extension to no. 69 is judged to mitigate the impacts of the proposal on these neighbouring occupants.
- As for the impact of the proposed rear extension on the unattached neighbouring property no. 65 Boscombe Avenue, both this neighbour and the subject property are set in from their shared boundary, separated by a side access road over approximately 2.50m wide. A 45-degree notional line taken from the 4m point along the shared boundary between this neighbour

and the host dwelling would not be infringed upon by the proposal. This, in conjunction with the separation distance between the subject site means it is considered that the impact of the proposal on these neighbouring occupants in terms of loss of outlook and privacy would also be within acceptable realms.

- Orientation is also important and as the rear garden of this neighbour is east facing, it is considered that both the attached and unattached neighbours would continue to receive a satisfactory amount of sun and daylight during the day.
- No. 66 Boscombe Avenue and all other neighbouring properties are considered to be sufficiently separated from the proposal such that it would not cause a detrimental impact on their amenities.
- It is considered that any impacts arising from smells from the mechanical vents of the extension would not be so significant so as to warrant the refusal of the entire scheme.
- While no balcony has been proposed on the roof of the proposal, it is considered prudent to impose a condition restricting it from being utilized as a terrace or similar amenity space in order to prevent any unacceptable overlooking or loss of privacy to neighbouring properties. Also, to ensure that the extension would not result in a loss of privacy to or damage the environment of neighbouring occupants, staff consider it prudent to impose a condition which prevents windows or other openings being formed in the flank walls of this proposed development unless permission is sought and obtained from the Council first.

6.4 Parking and Highway Implications

- The proposed development would not affect off street parking. No highway or parking issues would arise as a result of the proposal. It is considered that any car parking issues caused as a result of building works that take place in relation to the proposal would not be so significant so as to warrant a refusal of the scheme.

6.5 Environmental and Climate Change Implications

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

6.6 Financial and Other Mitigation

- 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.

6.7 Equalities


- 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
- In this case, the application 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.

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 Havering LONDON BOROUGH	Planning Committee 25th August 2022
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Application Reference:	P0048.22
Location:	Mawney Close Garage Block
Ward	Mawneys
Description:	Demolition of the existing garages and erection of part single, part two storey building to provide 8 x 1B1P semi-independent residential studios for young people aged 18-24 with provision of off-street parking and amenity space.
Case Officer:	Mark Heaney
Reason for Report to Committee:	Application is a significant development on behalf of the Council which accords with the Committee Consideration Criteria.

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1 The application proposes the demolition of existing garages and the erection of 8 x 1B1P flats, 1 staff accommodation flat and communal facilities together with provision of 4 off-street parking spaces which include 1 wheelchair parking space, landscaped amenity space and provision of refuse and recycling and cycle storage.
- 1.2 The proposals would provide semi-independent housing units to meet the specialist needs of local people and the development would result in economic, social and environmental benefits.
- 1.3 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, residential amenity, or transport impacts and the favourable weight to be given in the planning balance for a the much needed supported living accommodation. 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 Informative's to secure the following matters:

Conditions

- 1) SC4 (Time limit) 3yrs
 - 2) SC32 (Accordance with plans)
 - 3) SC10B (Details of work/material samples) (Pre Commencement)
 - 4) SC89B Hard Surface Porus/Run-off - application site
 - 5) SC13 (Screen fencing) ENTER DETAILS
 - 6) SC13B (Boundary treatment) (Pre Commencement)
 - 7) SC11 (Landscaping) (Pre Commencement Condition)
 - 8) SC05A (Number of parking spaces) ENTER NO.
 - 9) SC63 (Construction Methodology) (Pre Commencement)
 - 10) SC62 (Hours of construction)
 - 11) SC57 Wheel washing (Pre Commencement)
 - 12) SC46 (Standard flank window condition)
 - 13) SC37 (Noise insulation)
 - 14) SC42 (Noise - New Plant) (Pre Commencement)
 - 15) SC82 (External lighting) (Pre Commencement)
 - 16) SC78 (Secure by Design) (Pre Commencement)
 - 17) SC59 (Cycle Storage)
 - 18) SC58 (Refuse and recycling)
 - 19) SC86 Minor Space Standards
 - 20) SC87 Water Efficiency
 - 21) SC42 (Noise - New Plant) (Pre Commencement) -10dB
 - 22) SC19 (Restricted use) semi-independent residential studios
- 22) NSC31 Non Standard Noise condition (A scheme to control noise emanating from the site).
- 23) NSC33 Non Standard Air quality (NRMM) condition
- 24) NSC34 Non Standard Contaminated land condition
- 25) NSC34 Non Standard tree protection conditions

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 to including changes to layout of the car park, refuse store, roof design. This information was subsequently submitted on the 13/07/22 and the 11/08/22.

2) The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). The Mayoral CIL levy rate for Havering is £25/m² and is chargeable for each additional square metre of new residential gross internal [floor] (GIA). Based upon the information supplied with the application, £16,525. would be payable due to result in new residential floorspace with 308m² 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 £125m² (Zone A) for each additional square metre of new GIA. Based upon the information supplied with the application, £82,625 would be payable, subject to indexation.

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

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 and Flood Risk Mitigation

- The developer is advised to sign up to the Environment Agency's Flood Warning Direct service should a flood event occur at: 0345 988 1188.

The developer is also advised to ensure 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.haverling.gov.uk/Pages/Services/Street-names-andnumbering.aspx>

3 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

3.1 The application site has an area of approx. 0.14 hectares and is located to the south of No's 23/24 Mawney Close, to the east of No's 25/26 Mawney Close, to the west of No's 325 to 357 Mawney Road. The site is bounded by the River Rom to the south and the site falls within Flood Zones 2/3.

3.2 The site is comprised of 2 rows of garages and a separate garage block comprising 2 garages constructed in a mix of brick and block and concrete pre-fab with metal roofs. Vehicular access is from Mawney Road from the north-west corner.

3.3 The application site is not located within a conservation area or within the curtilage of a listed building.

Proposal

3.4 The application is seeking planning permission for:

“Demolition of the existing disused garages on site (Sui Generis) and redevelopment of the site for the erection of part two storey and part single

storey 8 x semi-independent residential studios for young people aged 18-24 (Use Class C2).”

Planning History

3.5 The following planning decisions are relevant to the application:

F0007.22 - Prior Approval for demolition of garages between No's 23/24 and No's 25/26 Mawney Close. Prior Approval Given on the 14-06-22.

4 CONSULTATION RESPONSE

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

4.2 A consultation was undertaken on the 18/01/2022.

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

4.6 Anglian Water:

- No comment

4.7 Metropolitan Police (Design out Crime):

- No objection subject to conditions.

4.8 LB Havering Street Waste and Recycling:

- No objection subject to sufficient numbers of bins provided and adherence to SPD guidance

4.9 LB Havering Public Protection (Air Quality)

- No objection subject to an Air Quality (boiler emissions) and construction management condition.

4.10 LB Havering Public Protection (Noise)

- No objection subject to a noise conditions and a construction management condition.

4.11 LB Havering Public Protection (land contamination)

- No objection subject to a land contamination condition.

4.9 LB Havering Flood & Water Management Team

- No objection

4.10 LB Havering Assistant Arboricultural Consultant (Place Services)

- No objection subject to tree protection conditions

5 LOCAL REPRESENTATION

5.1 A total of 27 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: 8 6 of which objected.

5.3 The following issues were raised within the objections.

- Impact on privacy and overlooking
- The design is not in keeping with neighbouring properties.
- The building is too big and imposing for this small site
- The site is unsuitable
- Noise and disturbance
- Light Pollution from the site
- Loss of biodiversity
- Impact on biodiversity
- Increase in traffic, inadequate access, and impact on highway safety
- inadequate parking provision
- Anti-social behaviour
- Air pollution from traffic
- Impacts of noise, dust and traffic during construction period.

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
- Impact on biodiversity

Principle of Development

- 6.2 Loss of Parking:
- 6.3 The current site is comprised of 2 rows of vacant garage blocks including a small garage block beside No. 26 (Sui Generis) with 48 parking spaces. The site is in poor condition and the garages are no longer in use and are no longer suited for larger modern vehicles including electric vehicles. The redevelopment of the site could cause car parking displacement on the road. However since the site has been closed the displacement of car parking has already been accommodated on the surrounding road. As such no objection is raised to the loss of parking on the site.
- 6.4 Proposed Supported Living Accommodation:
- 6.5 Local Plan policy 6 supports the provision of appropriate housing to meet the specialist needs of local people will be supported where it meets the tests set by this policy which are assessed below:
- 6.6 The proposed flats would provide semi-independent accommodation for 8 young people aged 18-24 and is supported by the Councils Supported Housing team. Furthermore, the LB Havering Supported Housing Strategy 2022-2025 identifies a need for this type of accommodation which would comply with Local Plan policy 6 part i.
- 6.7 The site is located within walking distance of White Hart Lane Local Centre which is located approx. 400m to the north-west and cycle parking facilities would be provided on-site which would comply with Local Plan policy 6 part ii.
- 6.8 There are a number TfL bus routes along White Hart Lane to the north-west and Mawney Road to the east of the site which would comply with Local Plan policy 6 part iii.
- 6.9 The proposals would allow 8 young adults aged between 18 to 24 to live and contribute within this community therefore achieving a mixed, balanced and inclusive community which would comply with Local Plan policy 6 part iv.
- 6.10 The proposed scheme would be built to a high quality standard to provide supervised independent living for residents and the scheme has been design led by the Councils Supported Housing team which would comply with Local Plan policy 6 part v.
- 6.11 The scheme would have approx 300sqm of outside amenity space which would be landscaped to a high standard and include a separate garden at the south of the site for residents which would comply with Local Plan policy 6 part v.
- 6.12 The building would be fully accessible and have an internal lift providing wheelchair access to first floor with level access provided throughout the site. All units would meet and in some cases exceed the minimum gross internal floor areas required by the NDSS for a 1B1P dwelling which would comply with Local Plan policy 6 part vii.

- 6.13 The proposals would comprise a small residential supervised scheme located within a predominately residential area. The 4 parking spaces would only be used by staff and visitors. In this respect the proposals would not result in greater levels of noise and disturbance to occupiers of nearby residential properties. Furthermore, a noise condition would be imposed to ensure there would be no unacceptable noise impact from any plant equipment associated with the development which would comply with Local Plan policy 6 part vii.
- 6.14 The proposed parking arrangements are considered acceptable and a disabled parking bay would also be provided on site which is welcomed and would comply with Local Plan policy 6 part ix.
- 6.15 Adequate parking provision would be provided and there is sufficient space within the grounds of the site for the safe and convenient storage of wheelchairs and mobility scooters if required which would be dependent on each resident's individual requirements which would comply with Local Plan policy 6 part x.
- 6.16 The scheme would provide both internal and external common areas for residents to socialise and interact with each other which would comply with Local Plan policy 6.
- 6.17 Having regard to all of the above the proposed development is considered acceptable and would not be contrary to London Plan policies T6, T6.1 and H12 and Local Plan policies 6, 23, 24 and 34.

Site Layout

- 6.18 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'.
- 6.19 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.
- 6.20 The proposed 1B1P flats would each meet and in some cases exceed the LP minimum internal space standards of 37sqm GIA for the equivalent type of Use Class C3 dwelling size.
- 6.21 The proposed accommodation would have a main communal garden of approx. 247sqm and also a separate sensory garden of approx. 53sqm. The layout is considered to be of sufficient size to provide adequately for the size of the type of accommodation proposed. Although the accommodation would be single aspect units, there is no specific policy requirement for this type of accommodation to be dual aspect. There would also be additional high level windows beyond the communal corridor and overall all flats would 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).

- 6.22 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 external amenity space for all future residential occupiers.

Design and Street Scene Implications

- 6.23 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.
- 6.24 Design, Scale, Bulk, Massing: The building would integrate acceptably within the Mawney Close streetscene as it would have a single part two storey front building with a pitched roofs above. This would replicated the existing roof forms of the properties within Mawney Close. The building would then reduce its massing towards the rear with a single storey section with green roof above and would have a sensory garden at the south end of the site. This would allow the development to integrate successfully with the existing landscaping which adjoins the banks of the River Rom to the south.
- 6.25 The building would be of a high quality design and appear visually interesting, well detailed, well-proportioned with adequate detailing. The proposed building would 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.
- 6.26 The single storey part of the building which projects southward would allow the development to appear subordinate and would not overwhelm the plot. The development would appear visually attractive and in-keeping with the character and appearance of the area. Furthermore, a condition would ensure that there would be appropriate soft landscaping to both the main communal garden and sensory garden in order for the development to complement the character of the area. As such it is considered that the proposed scheme would not be harmful to the visual amenity of the area.
- 6.27 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.
- 6.28 Materials: The supporting information states that the external walls would be finished in red and buff brick and the pitched roof would be finished in fibre cement slate. The fencing would be brick and metal and also brick and timber feather board. The building would be built of durable, robust, low maintenance materials which would reflect the materials used within the surrounding context and no objection is raised to the proposed materials.

- 6.29 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 acceptably integrates with the local character.

Impact on Neighbouring Amenity

- 6.30 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.
- 6.31 Privacy and outlook: The front single storey part of the building has a ridge height of 6m, for a depth of approx 7m. This would then increase to a 2 storey part of the building which would have a height of 8.2m for a depth of approx 13.2m. The main single storey rear projection would have a flat sedum roof with a height of 3.7m. At its nearest point, the windows of Flat 8 would be set back approx 10m from the flank elevation wall of the first floor flat within No. 25 located to the west. The small window on this flank wall serves a stairwell and there is also a mature sycamore tree (T3) adjacent to this window which would be retained with an appropriate tree protection condition. Given the separation distances and existing room uses within No. 25 it is not considered that there would be any unacceptable impact on the privacy of this property.
- 6.32 It is acknowledged that there would be some overlooking from the windows of Flat 7 to the rear garden of No's 25/26 which adjoins the site to the south-west. However the nearest window of Flat 7 serves a kitchen and due to the internal room shape and layout within this flat it is not considered that there would be any unacceptable overlooking of adjoining rear gardens or impact on their outlook from the building itself that would warrant a refusal of the application.
- 6.33 Furthermore, as the building is limited to having only two flats at first floor level there would not be any unacceptable overlooking or have an unacceptable impact on the outlook of any other neighbouring properties which bound the site. Therefore, it is considered that surrounding properties would still receive acceptable outlook and privacy.
- 6.34 Daylight and Sunlight: The neighbouring residential windows nearest to the building are located on No's 25/26 and No's 22/24 Mawney Close. The submitted daylight and sunlight report demonstrates that all neighbouring windows assessed pass the relevant BRE daylight and sunlight tests. The development also passes the BRE overshadowing to gardens and open spaces test. As such the development would not have an unacceptable impact on the daylight sunlight or neighbouring dwellings.
- 6.35 For the reasons identified above, the proposed building with regard to privacy, outlook, sunlight and daylight levels and noise there would be no undue harm to neighbouring residents due to the relationships and separation distances involved.

- 6.36 Noise: In terms of noise impact, it is not considered that the residential flats (Use Class C2) would have an unacceptable impact on adjoining residential properties as the site would be within a residential use within a predominately residential area. Furthermore, a noise condition would be imposed to ensure there would be no unacceptable noise impact from any plant equipment associated with the development. In addition a construction management plan would be secured by condition to mitigate any impacts of noise, dust, and disruption during construction the construction period.
- 6.37 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

- 6.38 The application site is located in an area with a PTAL of 1b with a very poor level of access to public transport. The proposals are for 8 semi-independent housing units and 1 staff accommodation unit.
- 6.39 Whilst there are no specific parking standards for this type of accommodation. However, given the nature of the development as the residents will not own or drive a car. The proposals would provide 3 general parking spaces and 1 disabled parking bay on-site to accommodate staff and visitors. Noting the objections above which raise concerns about parking stress within the area it is considered that 4 parking spaces are acceptable to serve this development and would not have an unacceptable impact on the surrounding highway network.
- 6.40 Therefore the proposed parking provision is considered adequate for the nature and scale of this development and would comply with Local Plan policy 24 and London Plan policy T6 and T6.1. The loss of the existing parking on-site has been considered acceptable within the land use section above.
- 6.41 The proposed scheme would be conditioned to retain the use as supported living. 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.
- 6.42 Access: A single shared pedestrian and vehicular access to the site is from Mawney Close and the submission shows that there would be adequate space and level access provided around the development in compliance with London Plan policy D5.
- 6.43 Cycle Parking: The supporting plans show that there would be a level pathway access to a cycle store to be provided near the main entrance of the site. Further details of the elevations and design of the cycle store 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.

- 6.44 Refuse and Recycling: The supporting information shows that refuse bins would be located to the north-west corner of the site close to the point of collection and within the distance advised within the Waste Management Practice Planning Guidance for Architects and Developers SPD. Nevertheless, a condition would require further details of refuse and recycling storage to ensure the refuse store has the required capacity and is designed to comply with the guidance within the Waste Management SPD.
- 6.45 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.

Flood risk

- 6.46 Local Plan Policy 32 states that the Council will support development that seeks to avoid flood risk to people and property and manages residual risk by applying the Sequential Test and, if necessary, the Exception Test as set out in the NPPF.
- 6.47 The south part of the site is located within Flood Zone 2; however there is no sleeping accommodation at basement level. Nevertheless an informative shall advise the Applicant to sign up to the Environment Agency's Flood Warning Direct service should a flood event occur.
- 6.48 The proposals also include new areas of hardstanding. Therefore to ensure that there would be a reduction in surface water runoff and to prevent flooding to neighbouring development. A condition would be imposed to ensure that the scheme is designed and built out to include sustainable drainage systems (SuDS) to comply with policy 32 and London Plan policies SI 12 and SI 13.

Secure by Design

- 6.49 Local Plan policy 26 supports development that are designed in accordance with the principles of Secured by Design. The Metropolitan Police Design out Crime team have reviewed the scheme and have raised no objection subject to condition.
- 6.50 The Metropolitan Police Design out Crime team have recommended conditions to secure the use of anti-climb fencing to the site boundary and security door sets to prevent burglary, external lighting and access door sets to restrict unauthorised access to the building, the installation of external closed circuit television (CCTV); and accessible internal fire doors and windows. A full copy of the DoCo comments are included on the application file.
- 6.48 Subject to a condition demonstrating how Secured by Design certification would be achieved for this scheme, including details to mitigate the concerns raised within the objections, the proposals would not be contrary to Local Plan policy 26 and London Plan policy D11.

Biodiversity

- 6.50 The proposed site area is comprised of hardstanding and buildings. However the proposed development would include external areas of landscaping (247sqm and 53sqm) including also a large green sedum roof of approx. 208sqm. Additional features to promote biodiversity, such as bird and bat boxes which would be incorporated into the design.
- 6.51 A landscaping condition would also ensure that the scheme would result in biodiversity net gain by maximising opportunities for greening through the planting of appropriate trees and other soft landscaping to ensure compliance with Local Plan policy 27 and 30, London Plan policy G6 and paragraph 180(d) of the NPPF.

Trees

- 6.52 London Plan policy G7 states that development proposals should ensure that, wherever possible, existing trees of value are retained.
- 6.53 The existing trees on this site are not subject to a Tree Preservation Order, and the proposals do not seek to remove any trees to accommodate the development. The submitted arboricultural impact assessment demonstrates that trees surrounding the site would be satisfactorily protected from construction impacts and site works during development stage. A condition would ensure the recommendation made within this assessment are followed.
- 6.54 As such, the proposals are not contrary to Local Plan policy 27 and London Plan policy G7.

Sustainability

- 6.55 The building has been designed to adopt a fabric first approach to achieve a minimum on-site reduction of at least 35 per cent beyond Building Regulations. The proposal incorporates technology such as a communal air source heat pump to provide heating and hot water, solar PV panels on the roof and a low tech approach such as rain water collection. A condition would also minimise the use of mains water to achieve a mains water consumption of 105 litres or less per head per day to comply with London Plan policy SI 5.

Air Quality

- 6.56 The Councils Public Protection team (Air Quality) have advised that a gas boiler emission condition is not required as the development would be served by a communal air source heat pump install heat pumps. However they have required a Non Road Mobile Machinery condition to be imposed in order to reduce emissions during demolition and construction works. This would ensure compliance with Local Plan policies 33 and 34 and London Plan policy SI 1.

Land Contamination

- 6.58 The site has been previously used for vehicle storage and the Councils Public Protection team (Land Contamination) have advised that a condition is required to ensure that if contamination is found during demolition and construction works then appropriate remediation measures would be in place.

As such a condition would be attached to the decision notice to require a remediation strategy and verification report to be submitted for approval should unidentified contamination be found on the site to comply with Local Plan policy 34.

Fire Safety

- 6.59 The submitted transport statement states that fire tenders and emergency vehicles could access the site from the existing vehicular access from Mawney Close. A swept path analysis has been provided demonstrating that a fire tender vehicle could access and egress from the site in a safe and appropriate manner and ensure compliance with London Plan policy D12.

Environmental and Climate Change Implications

- 6.60 Given the limited scale of the proposals, no specific measures to address climate change are required to be secured in this case.
- 6.61 The proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development:
- £82,625. LB Havering CIL
 - £16,525. Mayoral CIL towards Crossrail

Equalities

- 6.62 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
- 6.63 The application, in this case, raises no particular equality issues.


Conclusions

- 6.64 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, impact on biodiversity and highway and parking considerations.
- 6.65 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.

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

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 Havering LONDON BOROUGH	Planning Committee 25th August 2022
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Application Reference:	P0049.22
Location:	Mowbray's Close Garage Block
Ward	Pettits
Description:	Demolition of the existing garages and erection of a part single, part 2 x storey building to provide 6 x 1B1P supported living flats and 1 x staff accommodation flat with provision of off-street parking and amenity space.
Case Officer:	Mark Heaney
Reason for Report to Committee:	Application is a significant development on behalf of the Council which accords with the Committee Consideration Criteria

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1 The application proposes the demolition of existing garages and the erection of 6 x 1B1P flats, 1 staff accommodation flat and communal facilities together with provision of 4 off-street parking spaces which include 1 wheelchair parking space, landscaped amenity space and provision of refuse and recycling and cycle storage.
- 1.2 The proposals would provide supported housing accommodation to meet the specialist needs of local people and the development would result in economic, social and environmental benefits.
- 1.3 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, residential amenity, or transport impacts and the favourable planning balance in terms of the public benefit of much needed supported living accommodation. 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 Informative's to secure the following matters:

Conditions

- 1) SC4 (Time limit) 3yrs
- 2) SC32 (Accordance with plans)
- 3) SC10B (Details of work/material samples) (Pre Commencement)
- 4) SC89B Hard Surface Porus/Run-off - application site
- 5) SC13 (Screen fencing) ENTER DETAILS
- 6) SC13B (Boundary treatment) (Pre Commencement)
- 7) SC11 (Landscaping) (Pre Commencement Condition)
- 8) SC05A (Number of parking spaces) ENTER NO.
- 9) SC63 (Construction Methodology) (Pre Commencement)
- 10) SC62 (Hours of construction)
- 11) SC57 Wheel washing (Pre Commencement)
- 12) SC46 (Standard flank window condition)
- 13) SC37 (Noise insulation)
- 14) SC42 (Noise - New Plant) (Pre Commencement)
- 15) SC82 (External lighting) (Pre Commencement)
- 16) SC78 (Secure by Design) (Pre Commencement)
- 17) SC59 (Cycle Storage)
- 18) SC58 (Refuse and recycling)
- 19) SC86 Minor Space Standards
- 20) SC87 Water Efficiency
- 21) SC42 (Noise - New Plant) (Pre Commencement) -10dB
- 22) SC19 (Restricted use) supported living accommodation

- 23) NSC31 Non Standard Noise condition (A scheme to control noise emanating from the site).
- 24) NSC33 Non Standard Air quality (NRMM) condition
- 25) NSC34 Non Standard Contaminated land condition
- 26) NSC34 Non Standard tree protection conditions

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 to including changes to layout of the car park, cycle store, sensory garden, staircase, kitchen, storeroom, rooflights and inclusion of photovoltaic

panels. This information was subsequently submitted on the 17/06/2022 and the 08/08/22.

2) The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). The Mayoral CIL levy rate for Havering is £25/m² and is chargeable for each additional square metre of new residential gross internal [floor] (GIA). Based upon the information supplied with the application, £11,775. would be payable due to result in new residential floorspace with 308m² 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 £125m² (Zone A) for each additional square metre of new GIA. Based upon the information supplied with the application, £58,875. 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 has an area of approx 0.096 hectares. The site is adjoined to No.8 Mowbray's Close to the west and No's 37 and 39 Horndon Road to the east. To the south the site adjoins No. 9 Mowbray's Close and to the North it adjoins No's 37 to 43 Hillfoot Road.
- 3.2 The site is comprised of row of garages constructed in concrete with timber doors and corrugated roofs. Vehicular access is from Mowbray's Close from the south-west corner.
- 3.3 The application site is not located within a conservation area or located within the curtilage of a listed building. Collier Row Lane Local Centre is located approx. 130m to the west.

Proposal

- 3.4 The application is seeking planning permission for:

“Demolition of the existing disused garages on site (Sui Generis) and redevelopment of site for the erection of part two storey and part single storey building to create 6 x 1B1P supported living flats (Use Class C2).”

Planning History

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

F0006.22 - Prior Approval for demolition of garage block between 8 and 9 Mowbrays Close. Prior Approval Given on the 14-06-22.

P1508.16 - Erection of 4No. two-storey semi-detached houses with associated parking, hard and soft landscaping. Approved 03-08-17. This development has not been implemented.

4 CONSULTATION RESPONSE

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

4.2 A consultation was undertaken on the 18/01/2022.

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

4.5 Anglian Water:

- No comment

4.5 Metropolitan Police (Design out Crime):

- No objection subject to conditions.

4.5 LB Havering Street Waste and Recycling:

- Concerns regarding access for a HGV vehicles to access the site.

4.6 LB Havering Public Protection (Air Quality)

- No objection subject to an Air Quality (boiler emissions) and construction management condition.

4.7 LB Havering Public Protection (Noise)

- No objection subject to a noise conditions and a construction management condition.

4.8 LB Havering Public Protection (land contamination)

- No objection subject to a land contamination condition.

4.9 LB Havering Flood & Water Management Team

- No objection

4.10 LB Havering Assistant Arboricultural Consultant (Place Services)

- No objection subject to tree protection conditions

5 LOCAL REPRESENTATION

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

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

No of individual responses: 12 10 of which objected.

5.3 The following issues were raised within the objections.

- Discrepancies within the application as the garages were not disused, residents who were rented them were given notice to vacate these garages when the initial plans of 4 terraced houses were approved in 2017.
- The design is not sympathetic to the small site and not in keeping with neighbouring properties.
- The building is too large for this small site
- Overlooking to neighbouring properties and gardens
- Impact on existing mature trees surrounding the site
- Noise and disturbance from the site
- Insufficient information of proposed use
- Increase in traffic, inadequate access, and parking provision
- Requirement of conditions to ensure a superior design and materials
- Implications for existing boundary walls to the site
- Impacts of noise, dust and traffic during construction period.

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
- Impact on trees and biodiversity

Principle of Development

- 6.2 Loss of Parking:
- 6.3 The current site is comprised of a vacant garage block (Sui Generis) with 12 parking spaces. The garages are no longer in use since the previous planning permission (P1508.16) approved the redevelopment of this site. Although the previous permission has not been implemented and has now expired. The site is in poor condition and the garages are no longer suited to for modern larger vehicles including electric vehicles. The redevelopment of the site could cause car parking displacement on the road. However since the 2016 planning permission the displacement of car parking has already been accommodated on the surrounding road and the principle of residential development was considered acceptable under the previously approved scheme with the loss of garages. As such no objection is raised to the loss of parking on the site.
- 6.4 Proposed Supported Living Accommodation:
- 6.5 Local Plan policy 6 supports the provision of appropriate housing to meet the specialist needs of local people will be supported where it meets the tests set by this policy which are assessed below:
- 6.6 The proposed flats would provide accommodation for 6 adults with disabilities and is supported by the Councils Supported Housing team. Furthermore, the LB Havering Supported Housing Strategy 2022-2025 identifies a need for this type of accommodation which would comply with Local Plan policy 6 part i.
- 6.7 The site is located within walking distance of Collier Row Lane Local Centre which is located approx. 130m to the west and cycle parking facilities would be provided on-site which would comply with Local Plan policy 6 part ii.
- 6.8 There are a number TfL bus routes along Collier Row Lane to the west of the site which would comply with Local Plan policy 6 part iii.
- 6.9 The proposals would allow 6 young adults with disabilities to live and contribute within this community therefore achieving a mixed, balanced and inclusive community which would comply with Local Plan policy 6 part iv.
- 6.10 The proposed scheme would be custom built to a high quality standard to provide supervised independent living for residents and the scheme has been design led by the Councils Supported Housing team which would comply with Local Plan policy 6 part v.
- 6.11 The scheme would have approx 290sqm of outside amenity space which would be landscaped to a high standard and include a sensory garden for residents which would comply with Local Plan policy 6 part v.
- 6.12 The proposals would comprise a small residential supervised scheme providing 6 flats for young adults with disabilities within a predominately residential location. All parking would only be used by staff and visitors.
- 6.13 In this respect the proposals would not result in greater levels of noise and disturbance to occupiers of nearby residential properties. Furthermore, a noise condition would be imposed to ensure there would be no unacceptable

noise impact from any plant equipment associated with the development which would comply with Local Plan policy 6 part vii.

- 6.14 The proposed parking arrangements are considered acceptable and a disabled parking bay would also be provided on site which is welcomed and would comply with Local Plan policy 6 part ix.
- 6.15 Adequate parking provision would be provided and there is sufficient space within the grounds of the site for the safe and convenient storage of wheelchairs and mobility scooters if required which would be dependent on resident's individual requirements which would comply with Local Plan policy 6 part x.
- 6.16 The scheme would provide both internal and external common areas for residents to socialise and interact with each other which would comply with Local Plan policy 6.
- 6.17 Having regard to all of the above the proposed development is considered acceptable and would not be contrary to London Plan policies T6, T6.1 and H12 and Local Plan policies 6, 23, 24 and 34.

Site Layout

- 6.18 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'.
- 6.19 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.
- 6.20 The proposed 1B1P flats would each exceed (Flats 1, 2, 4 & 5 = 40sqm Flats 3 & 6 = 45sqm) the LP minimum internal space standards of 37sqm GIA for the equivalent type of Use Class C3 dwelling size. It is considered that the proposed layout and bedroom sizes of the new flats would be in accordance with the London Plan policy D6 and the flats would provide an acceptable amount of internal and external communal space for day to day living.
- 6.21 The new flats would have a gated communal garden of approx. 290sqm. The layout is considered to be of sufficient size to provide adequately for the size of the type of accommodation 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).
- 6.22 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 external amenity space for all future residential occupiers.

Design and Street Scene Implications

- 6.24 Design, Scale, Bulk, Massing: The proposed scale, bulk and massing and design of the building has been significantly reduced since the scheme was submitted at pre-application stage. The current scheme has also improved the orientation of the building improved its roof design and included a lift within to improve accessibility. The proposed building 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.
- 6.25 The reduced massing, its hipped and inclusion of green flat roofs would allow the building 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. As such it is considered that the proposed scheme would not be harmful to the visual amenity of the area.
- 6.26 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.
- 6.27 Materials: The supporting information states that the external walls would be finished in red and buff brick and the pitched roof would be finished in fibre cement slate. The fencing would be brick and metal and also brick and timber feather board. The proposed high quality materials would reflect the materials used within the surrounding context and no objection is raised to the proposed materials.
- 6.28 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.

Impact on Neighbouring Amenity

- 6.29. 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.
- 6.30. Privacy and outlook: The 2 storey part of the building has a width of 21m, a depth of 14m and a maximum height of 8m. At its nearest point, the building would have a set-back of 3m from its northern boundary, 9m from its east boundary, 2.7m from its south boundary and 8.7m from its west boundary. The properties of No's 37 to 41 (odd) Horndon Road to the east have long rear

gardens of approx 25m in depth. The properties of No's 37 to 43 (odd) Hillfoot Road to the north have also long rear gardens of approx 50m in depth.

- 6.31 As the building has no flank windows at first floor level and noting the separation distances, orientation and position of the first floor windows. It is not considered that there would be any unacceptable overlooking of neighbouring properties; or that the building would have an unacceptable impact on their outlook. Therefore, it is considered that surrounding properties would still receive acceptable outlook and privacy.
- 6.32 Daylight and Sunlight: The neighbouring residential windows nearest to the building are located on the rear elevations of No's 9 and 10 Mowbray's Close and on the front and rear elevations of No. 8 Mowbray's Close. The submitted daylight and sunlight report shows the main impacts of the building would result in some minor losses of daylight to the front windows and glazed door of No. 8 Mowbray's Close and to the rear windows of No.9 Mowbray's Close. However, these losses would still be within BRE guidance and overall, the impact of the proposed development on the daylight to surrounding buildings would not have an unacceptable impact. The submitted daylight and sunlight report also demonstrates that impacts to sunlight levels are limited and are within BRE recommended levels.
- 6.33 Overshadowing: The report prepared by Right of Light consulting has considered the overshadowing impact to the gardens of No's 8, 9 and 10 Mowbray's Close and No's 37, 39, 41 and 43 Horndon Road. The proposed development would not result in any loss of sunlight to these spaces outside of BRE guidance. There would also be no unacceptable impacts of overshadowing gardens located to the north of the site due to their size, depth and the set back of the proposed building itself.
- 6.34 Noise: In terms of noise impact, it is not considered that the residential flats (Use Class C2) would have an unacceptable impact on adjoining residential properties as the site would be within a residential use within a predominately residential area. Furthermore, a noise condition would be imposed to ensure there would be no unacceptable noise impact from any plant equipment associated with the development. In addition a construction management plan would be secured by condition to mitigate any impacts of noise, dust, and disruption during the construction period.
- 6.35 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

- 6.36 The application site is located in an area with a PTAL of 2 with a poor level of access to public transport. The proposals are for 6 supported housing units and 1 staff accommodation unit. Whilst there are no specific parking standards for this type of accommodation. London Plan policy T6.1 sets a maximum parking standard for this location of .75 spaces per 1 bedroom dwelling.

- 6.37 However, given the nature of the development as the residents will not own or drive a car. The proposals would provide 3 general parking spaces and 1 disabled parking bay on-site to accommodate staff and visitors. Noting the objections above which raise concerns about parking stress within the area it is considered that 4 parking spaces are acceptable to serve this development which would be conditioned to retain the use as supported living flats. Subject to condition it would not have an unacceptable impact on the surrounding highway network.
- 6.38 Therefore the proposed parking provision is considered adequate for the nature and scale of this development and would comply with Local Plan policy 24 and London Plan policy T6 and T6.1. The loss of the existing parking on-site has been considered acceptable within the land use section above.
- 6.39 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.
- 6.40 Access: A single shared pedestrian and vehicular access to the site is from Mowbray Close and the submission shows that there would be adequate space and level access provided around the development in compliance with London Plan policy D5.
- 6.41 Cycle Parking: The supporting plans show that there would be a level pathway access to a cycle store to be provided at the north-east corner of the site. Further details of the elevations and design of the cycle store 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.
- 6.42 Refuse and Recycling: The supporting information shows that refuse bins would be located to the north-east corner of the site. The Waste and Recycling team have raised concerns that this location would be beyond the 30m distance from the point of collection stated within the Waste Management Practice Planning Guidance for Architects and Developers SPD. However a condition would require further details of refuse and recycling storage to ensure the refuse store is relocated nearer the main site entrance to comply with the guidance within the Waste Management SPD, or a condition would secure a commitment to secure a waste management strategy for his development.
- 6.43 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.
- Flood risk**
- 6.44 Local Plan Policy 32 states that the Council will support development that seeks to avoid flood risk to people and property and manages residual risk by applying the Sequential Test and, if necessary, the Exception Test as set out in the NPPF.

- 6.45 The proposals include new areas of hardstanding. Therefore to ensure that there would be a reduction in surface water runoff and to prevent flooding to neighbouring development, a condition would be imposed to ensure that the scheme is designed and built out to include sustainable drainage systems (SuDS) to comply with policy 32 and London Plan policies SI 12 and SI 13.

Secure by Design

- 6.46 Local Plan policy 26 supports development that are designed in accordance with the principles of Secured by Design.
- 6.47. The Metropolitan Police Design out Crime team have reviewed the scheme and have raised no objection subject to condition.
- 6.48 Subject to a condition demonstrating how Secured by Design certification would be achieved for this scheme, including details to mitigate the concerns raised within the objections, the proposals would not be contrary to Local Plan policy 26 and London Plan policy D11.

Biodiversity

- 6.50 The proposed area to the rear of the garage block is comprised of 432sqm of existing landscape space. However the propose development would include external areas of landscaping including two green roofs and features to promote biodiversity, such as bird and bat boxes which would be incorporated into the design.
- 6.52. A landscaping condition would also ensure that the scheme would result in biodiversity net gain by maximising opportunities for greening through the planting of appropriate species of trees and other soft landscaping to ensure compliance with Local Plan policy 27 and 30, London Plan policy G6 and paragraph 180(d) of the NPPF.

Trees

- 6.53 London Plan policy G7 states that development proposals should ensure that, wherever possible, existing trees of value are retained.
- 6.54 The existing trees on this site are not subject to a Tree Preservation Order, however, the proposals would result in the removal of six category U trees T3, T5, T6, T16, T17 and T19. These trees are not mature trees and are in such condition that they could not be retained as living trees in the context of the current land use for longer than 10 years. Two groups of low quality self-seeded trees would also be removed to accommodate the layout.
- 6.55 The Councils Arboricultural consultant has raised no objection to the loss of trees and has requested a condition to ensure that the existing trees would be adequately protected during construction works.
- 6.56 Subject to a landscaping condition the proposals are not contrary to Local Plan policy 27 and London Plan policy G7.

Sustainability

- 6.57 The building has been designed to adopt a fabric first approach to achieve a minimum on-site reduction of at least 35 per cent beyond Building Regulations. The proposal incorporates technology such as a communal air source heat pump to provide heating and hot water, solar PV panels on the roof and a low tech approach such as rain water collection. A condition would also minimise the use of mains water to achieve a mains water consumption of 105 litres or less per head per day to comply with London Plan policy SI 5.

Air Quality

- 6.58 The Councils Public Protection team (Air Quality) have advised that a gas boiler emission condition is not required as the development would be served by a communal air source heat pump. However they have required a Non Road Mobile Machinery condition to be imposed in order to reduce emissions during demolition and construction works. This would ensure compliance with Local Plan policies 33 and 34 and London Plan policy SI 1.

Land Contamination

- 6.59 The site has been previously used for vehicle storage and the Councils Public Protection team (Land Contamination) have advised that a condition is required to ensure that if contamination is found during demolition and construction works then appropriate remediation measures would be in place. As such a condition would be attached to the decision notice to require a remediation strategy and verification report to be submitted for approval should unidentified contamination be found on the site to comply with Local Plan policy 34.

Fire Safety

- 6.60 The submitted transport statement states that fire tenders and emergency vehicles could access the site from the existing vehicular access from Mowbray Close. A swept path analysis has been provided demonstrating that a fire tender vehicle could access and egress from the site in a safe and appropriate manner and ensure compliance with London Plan policy D12.

Environmental and Climate Change Implications.

- 6.61 Given the limited scale of the proposals, no specific measures to address climate change are required to be secured in this case.
- 6.62 The proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development:
- £58,875. LB Havering CIL
 - £11,775. Mayoral CIL towards Crossrail

Equalities

6.63 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

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

Conclusions

6.65 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, impact on trees and biodiversity and highway and parking considerations.

6.66 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.

6.67 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 9

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).

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AGENDA ITEM 11

Items for Information

Introduction

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

Public speaking

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

Late information

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

Recommendation

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

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 <p>Havering LONDON BOROUGH</p>	<p>Planning Committee 25 August 2022</p>
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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, April to June 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: 2

Refusals which could still be appealed: 1

County Matter Applications:

Total number of planning decisions over period: 1

Number of appeals allowed: 0

% of appeals allowed: 0%

Appeals still to be determined: 0

Refusals which could still be appealed: 0

3.5 Based on the above, there is no risk of designation for this period.

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

Total number of planning decisions over period: 47
 Number of appeals allowed: 0
 % of appeals allowed: 0%
 Appeals still to be determined: 2
 Refusals which could still be appealed: 3

County Matter Applications:

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

3.7 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.

3.8 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 Apr-Jun 2022

Total Number of Appeal Decisions -	25
Appeals Allowed -	6
Appeals Dismissed -	19
% Appeals Allowed -	24%

Officer Comment – As this is the first quarter, the average for the year is 24% 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 same quarter was 31%, with the London average being 32%. Appeal decisions are carefully monitored for any particular trends with appropriate advice to officers as necessary.

Adverse Costs Decisions - None

Appeal Decisions where Committee Decision Contrary to Officer Recommendation

Total Number of Appeal Decisions -	1
Appeals Allowed -	1
Appeals Dismissed -	0
% Appeals Allowed -	100%

Appeal Decisions Apr-Jun 2022				
Decision by Committee Contrary to Officer Recommendation				
Date of Committee	Application Details	Summary Reason for Refusal	Appeal Decision	Summary of Inspectors Findings
1 Jul 21 – Planning Committee	P0450.21 145A Chase Cross Road, Romford Variation of condition no. 8 of planning permission P0729.99 dated 07/08/1999 (meeting room) to extend hours of use to Monday to Friday 12:00-19:30, Saturday, Sunday and Bank Holidays 12:00-17:30	Cumulative impact of extending hours resulting in greater intensity of use resulting in noise, disturbance and light pollution, harmful to neighbouring residential amenity.	Allowed	The hours applied for are during the day and would be unlikely to cause significant disturbance. However, it would be reasonable to grant temporary permission for an 18 month period to monitor any impact.

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 June 2022 (to date)

Major Development (60 out of 62) – 97% in time

County Matter (2 out of 2) – 100% in time

Non-Major Decisions – (3686 out of 3873) 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.

Borough	Major In Time	Rank - Majors	Minor and Others In Time	Rank - Minors and Others
Barking and Dagenham	100%	1	100%	1
Barnet	78%	29	83%	21
Bexley	92%	20	68%	32
Brent	100%	1	82%	23
Bromley	79%	28	63%	33
Camden	94%	18	71%	31
City of London	96%	15	86%	20
Croydon	69%	31	72%	30
Ealing	98%	13	97%	3
Enfield	95%	16	91%	14
Greenwich	100%	1	93%	9
Hackney	90%	21	80%	25
Hammersmith and Fulham	100%	1	92%	11
Haringey	100%	1	91%	14
Harrow	84%	26	79%	26
Havering	98%	13	96%	4
Hillingdon	100%	1	92%	11
Hounslow	68%	32	88%	19
Islington	100%	1	94%	5
Kensington and Chelsea	100%	1	82%	23
Kingston upon Thames	89%	22	93%	9
Lambeth	95%	16	94%	5
Lewisham	100%	1	94%	5
Merton	60%	33	78%	28
Newham	100%	1	98%	2
Redbridge	100%	1	91%	14
Richmond upon Thames	100%	1	92%	11
Southwark	72%	30	79%	26
Sutton	93%	19	90%	17
Tower Hamlets	84%	26	90%	17
Waltham Forest	89%	22	94%	5
Wandsworth	88%	24	83%	21
Westminster	88%	24	78%	28

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:

Apr – Jun 2022	
Number of Enforcement Complaints Received: 157	
Number of Enforcement Complaints Closed: 207	
Number of Enforcement Notices Issued Apr-Jun 22: 19	
Enforcement Notices Issued in Quarter	
Address	Subject of Notice
133 Turpin Avenue, Romford	Unauthorised conversion to 2 flats
160-162 Balgores Lane, Romford	Unauthorised decking/sitting area to front
17 Hall Lane, Upminster	Breach of Condition – No details of landscaping submitted
60 Brooklands Road, Romford	Unauthorised use of outbuilding for non-incidental/residential purposes
Land to rear of 143 Crow Lane, Romford	Breach of Conditions – Removal of plant, materials, weighbridge and containers associated with former scrapyards use; no details of boundaries, refuse storage and cycle storage submitted
Land to rear of 61-63 Crow Lane, Romford	Unauthorised residential use and siting of container
101 Hillview Avenue, Hornchurch	Unauthorised rear decking
106 Whitchurch Road, Romford	Breach of Condition – failure to replace finishing materials of dormer
143 Crow Lane, Romford	Unauthorised dwellings (x 3)
Meadow Farm, Eastern Avenue East, Romford	Unauthorised hard surfacing, access road, fencing and use for storage of building materials/rubble
Park Farm, Eastern Avenue East, Romford	1) Unauthorised scaffolding yard, sheds, boundary fencing and hard surfaces. 2) Unauthorised bunds, access road, increased land levels and lighting
Grangewood Café, New Road, Rainham	Unauthorised canopy extension
10 Victory Road, Rainham	Unauthorised outbuilding
31 Court Avenue, Romford	Unauthorised change of use to HMO
11A Guardian Close, Hornchurch	Breach of Conditions – no details of sound insulation, refuse storage or cycle storage submitted

7 Elder Way, Rainham	Unauthorised front balcony and front boundary
48-50 Station Lane, Hornchurch	Unauthorised first floor rear extension and front extension
52 Lower Bedfords Road, Romford	Unauthorised outbuilding, boundary walls/railings and hard surface.