



# Havering

LONDON BOROUGH

## PLANNING COMMITTEE AGENDA

7.30 pm

Thursday  
12 January 2023

Havering Town Hall,  
Main Road, Romford

Members 7: Quorum 4

**COUNCILLORS:**

**Conservative Group  
(3)**

Philippa Crowder  
Robby Misir  
Carol Smith

**Havering Residents' Group  
(3)**

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

**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 Tuesday on the week of the meeting**

***Under the Committee Procedure Rules within the Council's Constitution the Chairman of the meeting may exercise the powers conferred upon the Mayor in relation to the conduct of full Council meetings. As such, should any member of the public interrupt proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room and may adjourn the meeting while this takes place.***

***Excessive noise and talking should also be kept to a minimum whilst the meeting is in progress in order that the scheduled business may proceed as planned.***

### **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 20 OCTOBER 2022 (Pages 1 - 2)**

To approve as a correct record the minutes of the meeting of the Committee held on 20 October 2022 and to authorise the Chairman to sign them.

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

See attached document

**6 P1723.22 14 WAYSIDE CLOSE ROMFORD (Pages 7 - 12)**

Report attached.

**7 P0229.22 - 88 HARROW DRIVE HORNCHURCH (Pages 13 - 20)**

Report attached.

**8 ITEMS FOR INFORMATION (Pages 21 - 22)**

See Attached document.

**9 QUARTERLY MONITORING REPORT (Pages 23 - 30)**

Report attached.

**Zena Smith  
Democratic and Election Services  
Manager**

This page is intentionally left blank

**MINUTES OF A MEETING OF THE  
PLANNING COMMITTEE  
Havering Town Hall, Main Road, Romford  
20 October 2022 (7.30 - 8.30 pm)**

**Present:**

**COUNCILLORS:**

<b>Conservative Group</b>	Viddy Persaud, Timothy Ryan and John Crowder
<b>Havering Residents' Group</b>	Bryan Vincent (in the Chair), Reg Whitney (Vice-Chair) and Gerry O'Sullivan
<b>Labour</b>	Matthew Stanton

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

**44 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

Apologies were received from Councillors Carol Smith (Councillor Viddy Persaud substituted), Robby Misir (Councillor Timothy Ryan substituted) and Philippa Crowder (Councillor John Crowder substituted).

**45 DISCLOSURE OF INTERESTS**

There were no disclosures of interest.

**46 MINUTES 25 AUGUST 2022**

The minutes of the meeting of 25 August 2022 were agreed as a true record of the same and the Chair was authorised to sign them.

However, it was requested that Councillor Gerry O'Sullivan be added to Item 39 - P0049.22 MOWBRAY'S CLOSE GARAGE BLOCK and recorded as voting for granting planning permission because his name was initially missed from that item.

**47 APPLICATIONS FOR DECISION**

**48 P0995.22 - 5 ALBERT MEWS, ROMFORD**

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

In accordance with the public speaking arrangements, the Committee was not addressed by an objector or the applicant; however, Councillor Judith Holt was given 3 minutes to speak.

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

The vote for the resolution to grant planning permission was granted unanimously with no abstentions. Councillors J Crowder, Persaud, Ryan, O'Sullivan, Stanton, Vincent and Whitney.

49 **OTHER PLANNING MATTERS**

50 **STOPPING UP OF HIGHWAY AT NO.279 SOUTH STREET ROMFORD**

The Committee considered the Stopping Up Order presented to the Planning Committee and **AGREED** to authorise the Stopping Up Order of the Highway at 279 South Street Romford.

---

**Chairman**



## Agenda Item 5

### Applications for Decision

#### Introduction

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

#### Advice to Members

#### Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations.
5. The development plan for Havering comprises the following documents:
  - London Plan Adopted March 2021
  - Havering Local Plan 2016 – 2031(2021)
  - Site Specific Allocations (2008)
  - Site Specific Allocations in the Romford Area Action Plan (2008)
  - Joint Waste Development Plan (2012)
6. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
7. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
8. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development

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

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

#### Non-material considerations

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

#### Local financial considerations

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

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

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

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

**Late information**

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

**Recommendation**

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

This page is intentionally left blank

 <p><b>Havering</b> LONDON BOROUGH</p>	<p><b>Planning Committee</b></p> <p><b>12th January 2023</b></p>
---	--

<b>Application Reference:</b>	<b>P1723.22</b>
<b>Location:</b>	<b>14 Wayside Close Romford</b>
<b>Ward</b>	<b>Marshalls &amp; Rise Park</b>
<b>Description:</b>	<b>Proposed outbuilding to rear, ancillary to main dwelling, following removal of existing outbuilding.</b>
<b>Case Officer:</b>	<b>Aidan Hughes</b>
<b>Reason for Report to Committee:</b>	<b>A Councillor call-in has been received which accords with the Committee Consideration Criteria</b>

---

## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

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

## 2 RECOMMENDATION

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

### **Conditions**

1. SC04 – Time limit
2. SC10C – Materials as per application form
3. SC32 – Accordance with plans.
4. SC33 – Incidental Use
5. SC34B – Obscure Glazed Flank Window with fanlight openings only
6. SC46 – Standard Flank and Rear Window Condition.

### **Informatives**

1. INF28 – No negotiation required

## **3 PROPOSAL AND LOCATION DETAILS**

### **Site and Surroundings**

- 3.1 The application site comprises of a detached residential two storey dwelling house with an attached garage. The front garden is block paved to provide off-street car parking. The property is not listed, nor is it within a conservation area. It is noted that there are trees within the rear garden but none are protected by a Tree Preservation Order. The surrounding area is residential in nature, containing mainly semi-detached and detached properties.

### **Proposal**

- 3.2 The applicant is seeking planning consent for a proposed outbuilding within the rear garden to be used for a gym/playroom with storage and w.c, following the removal of the existing outbuildings.

### **3.3 Planning History**

P1006.00 – Single storey side/rear extension – Approved.  
P0593.07 – Two storey side extension - Approved

## **4 CONSULTATION RESPONSE**

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

## **5 LOCAL REPRESENTATION**

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

No of individual responses:            1 objection

### **Representations**

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

Objections:

- Inaccuracies on the Design Access Statement (DAS) which is misleading.
- Refers to property being a 3 bed semi-detached when it is a 4 bed extended detached property.
- The proposal replaces a gazebo and not an outbuilding as stated in the DAS.
- Resident considers the proposal to be too large and in particular its depth within the garden.
- The proposal will remove two large mature ash trees and a former Oak tree however it does not give any consideration of neighbouring properties trees.
- Concerned regarding the loss of the trees.
- The use of painted render does not match the Council's design guide.
- A contemporary design using high quality materials such as ash or cedar cladding.
- The front elevation indicates a mixture of glazing fenestration which is unusual which may indicate the internal sub-division.
- Potentially the proposal could be used for separate and permanent living accommodation.
- The proposal would set a precedent if the proposal is approved.
- To the rear of a garden is "French drain" which runs towards Raphael's Lake.
- In high levels of rainfall, the ground becomes saturated until it naturally drains through into the substructure. The proposal would sit across this route which may hinder this function. The trees themselves play a part in mitigating this.

5.4 The proposal was called in by Councillor Robby Misir to be determined at a planning committee meeting on the following grounds:

- Size and mass of building

## **6 MATERIAL PLANNING CONSIDERATIONS**

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

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

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

- The Residential Extensions and Alterations Supplementary Planning Document and Havering Local Plan Policies 7, 24 and 26 are material to the assessment of this application.
- The proposed outbuilding within the rear garden would be used for a gym/playroom with storage.
- It is evident that the proposed outbuilding would be visible when viewed from the rear gardens and rear facing windows of the properties in Wayside Close and from the properties to the rear within Coleridge Road and therefore particular care needs to be exercised. In this respect guidance set out in paragraph 9.5 of the Residential Extensions and Alterations SPD states that:-
  - "The outbuilding should be subordinate in scale to the existing dwelling and to the plot. In assessing proposals, the Council will consider factors such as the scale, height, proximity to boundaries, roof design, finishing materials and prominence in the street scene or rear garden environment. As with all extensions, outbuildings should not detract from the character of the area and should be unobtrusively located to the side and rear of the existing dwelling".
- Paragraph 9.6 goes on to say
  - "The design of outbuildings should reflect their intended use. Outbuildings should not cause undue loss of light to neighbouring properties or adversely affect the living conditions of neighbouring properties".
- The proposed outbuilding will be set off the side boundaries by 0.75m with the proposal being set off the rear boundary by 0.8m. The submitted plans show that the outbuilding would measure 10.7m wide and 7m deep with a hip roof that would have an eaves line of 2.8m rising to an overall height of 3.8m. It is considered that the proposed outbuilding, given the overall size of the garden (approximately 38m deep) and location at the far end of the garden, would not unacceptably impact on the rear garden and is



considered to be within the realms of acceptability. No objections are raised from a visual point of view.

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

- Consideration has been given to the impact of the proposal on the neighbouring properties, primarily in respect of overshadowing, loss of light and loss of privacy.
- The proposed outbuilding would be used for a gym/playroom with storage and would be located at the bottom of the garden, away from the properties on Wayside Close, Rosemary Avenue and Lake Avenue. The roof of the outbuilding would have an eaves line of 2.8m and it is would be hipped away from the boundaries on either side to minimise the overall height of 3.8m.
- It is considered that the proposed outbuilding would not unacceptably impact on the amenity of the adjacent neighbours through loss of outlook, light or undue overshadowing.
- In considering any planning application, the Council are required to assess the application as currently submitted for a gym/playroom with storage. Concerns have been raised that the outbuilding would be used for “used for separate and permanent living accommodation” however, that is not proposed and the application can only be assessed on the details submitted.
- It is considered that the proposal would not result in any undue overlooking or loss of privacy from the proposed development.
- Given these circumstances and mindful of the general presumption in favour of development, it is considered any impact upon the adjacent neighbours to be modest and within that envisaged as acceptable within guidelines.
- To safeguard the privacy of the adjacent neighbours, three conditions would be imposed to ensure that no opening would be added to the sides or rear elevations of the outbuilding, the flank window to the bathroom would be obscured glazed and fixed shut apart for an open-able fanlight and that the outbuilding will only be used for incidental purposes unless specific permission is obtained in writing from the Local Planning Authority.
- Overall, the development is considered to fall within the guidelines in the Supplementary Planning Guidance (Adopted 2011) for householder extensions and the proposal is not deemed to be unneighbourly.

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

- 6.4 The application site is within a PTAL area of 1a. As per Policy 24 of the Havering Local Plan for a site within a PTAL 0 - 1 that has 3 bedrooms, the site only needs to provide a minimum parking provision of 1.5 spaces per dwelling. The

application site is able to accommodate potentially three vehicles, two on the drive and one in the garage. As a result, no highway or parking issues would arise and the proposal would comply with Policy 24.

### **Trees and Landscaping**

- 6.5 Four trees will be removed to make way for the proposal. It is noted that the trees are not protected by Tree Preservation Order within the site or the adjoining land and therefore the trees can currently be removed without requiring planning consent. Although the trees are mature, the trees are not considered to be particularly visible from public views which is one of the main criteria for considering whether trees should be protected. Issues regarding damage to neighbouring trees are not considered to be a particular issue in this case given that they are unlikely to be seriously affected.

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

- 6.6 A concern has been raised regarding drainage. It should be noted that, under permitted development, up to half the rear garden could be occupied by buildings and the whole by hard surfaces without any requirements in relation to drainage. A building of the size proposed would not likely create significant drainage issues. No specific measures to address climate change are required to be secured in this case.

### **Financial and Other Mitigation**

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

### **Equalities**

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

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

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

### **Conclusions**

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

 <p><b>Havering</b> LONDON BOROUGH</p>	<p><b>Planning Committee</b> <b>12<sup>th</sup> January 2023</b></p>
---	--

<b>Application Reference:</b>	<b>P0229.22</b>
<b>Location:</b>	<b>Land to the rear of 88 Harrow Drive, Hornchurch</b>
<b>Ward</b>	<b>Hylands</b>
<b>Description:</b>	<b>Single storey, 3-bed, detached bungalow with associated parking and amenity space</b>
<b>Case Officer:</b>	<b>Cole Hodder</b>
<b>Reason for Report to Committee:</b>	<ul style="list-style-type: none"><li><b>A Councillor call-in has been received which accords with the Committee Consideration Criteria</b></li></ul>

---

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

- 1.1 The proposed dwelling would not result in any demonstrable material planning harm to amenity, local character or highway safety and would make a contribution to unmet housing delivery. The development would comply with the objectives of the Local Plan as well as the London Plan, NPPF and PPG.

## **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**

Time Limit – 3 Years

Accordance with Plans

Materials Samples

Boundary Treatment

Landscaping

Provision of parking

Cycle Storage

Refuse Storage

Withdrawal of PD rights (Extensions including loft conversions and porches and outbuildings not permitted)

Scheme of tree protection (Pre-commencement)

Hours of construction

Accessible dwelling

Hard surfaces to be porous

Water usage

### **Informatives**

Standard approval informative

Wildlife informative

CIL Informative

## **3 PROPOSAL AND LOCATION DETAILS**

### **Site and Surroundings**

- 3.1 Application site comprises of rear garden of 88 Harrow Drive which is currently occupied by a domestic outbuilding. The site is neither listed, nor within a Conservation Area. The site adjoins neighbouring rear gardens as well as the garage site serving Hurstlands Close.

### **Proposal**

- 3.2 Consent is sought for the subdivision of the existing plot and formation of a detached single storey dwelling with associated access/off-street parking and amenity space.

### **Planning History**

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

P0746.14 – Rear of 92 Harrow Drive - Erection of 1no. three bedroom bungalow with off street parking (REFUSED and subsequently allowed on appeal 24 February 2015). All conditions discharged and development was implemented and therefore remains capable of being progressed.

## **4 CONSULTATION RESPONSE**

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

- 4.2 The following were consulted regarding the application:

- 4.3 Highway Authority – No objection made

Environmental Health – No objection made

Fire Brigade – No objection made

## **5 LOCAL REPRESENTATION**

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

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

No of individual responses: 24 of which, 12 objected, 4 supported and 3 commented

Petitions received: None submitted

5.3 The following Councillor made representations:

- Councillor Christine Smith objecting and calling-in on grounds of overdevelopment, access, privacy, pollution and precedent.

### **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

- Harm to character/prevaling plot sizes
- Loss of privacy
- Overshadowing
- Loss of landscaping
- Noise
- Highway safety/insufficient parking
- Air pollution from vehicle movement
- Harm to wildlife

#### Supporting comments

- Regeneration

### **Non-material representations**

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

- Financial gain for developer

### **Procedural issues**

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

- Resident was not consulted (OFFICER RESPONSE): The statutory requirement is to consult only those that directly adjoin an application site. The Council is satisfied that it has fulfilled its statutory obligations and has not prevented anyone with an interest from commenting on the application or making representations.

## **6 MATERIAL PLANNING CONSIDERATIONS**

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

- Visual and character impacts
- Impact on amenity
- Highways/Parking
- Quality of accommodation for future occupants

### **Visual and character impacts**

6.2 The site is located at the end of the long rear garden of the host dwelling and its subdivision would not unacceptably diminish the size of the plot.

6.3 There is no prevailing housing typology in the vicinity, Harrow Drive consists of mainly detached two storey dwellings, whilst those in Hurstlands Close consist of two storey flatted properties with two single storey dwellings at the southern end. Plot sizes at the end of Hurstland Close (those closest to the application site) are considerably smaller as are the rear gardens.

6.4 A material consideration is the decision made under ref: P0746.14 (APP/B5480/A/14/2227815) as outlined in the relevant history section of this report. An application was made for a single storey dwelling in the rear garden of 92 Harrow Drive which was allowed on appeal. Officers understand that this scheme was commenced and therefore remains capable of being completed. Reference is made to the implemented scheme on drawings submitted.

6.5 The proposed dwelling would front the existing parking court and be accessed through Hurstlands Close. As such it would form part of the Hurstlands Close street-scene where it would not be visually incongruous. In respect of its scale, height, plot size and general appearance it would not appear out of place in that context. Although it would be somewhat detached from the Hurstlands Close street-scene (as the dwelling to the rear of 92 Harrow Drive would also) this does not equate to any material harm visually which would be consistent with the observations of the appeal inspector when resolving to allow the dwelling in the rear of 92 Harrow Drive.

6.6 The garage court is enclosed by the access/boundary treatment framing the rear garden of the donor site. The provision of a bungalow here with associated parking and frontage would open this up which would bring both visual benefits as well as natural surveillance of the garages, benefits observed by the appeal Inspector when allowing the earlier appeal. Whilst a material consideration in the intervening period the adoption of the Havering Local Plan (specifically Policy 10 which relates to back-land development) officers do not consider

there to be any conflict in design or character matters which would enable the scheme as submitted to be opposed.

- 6.7 The proposals would also represent an opportunity to seek improvements to landscaping which could be through condition in the event of approval. No trees are proposed to be removed from the site which is currently well maintained rear garden. There would be the loss of some shrubs/planting within the application site however there is no compelling evidence before officers that this makes any positive contribution to public amenity. A scheme requiring details of landscaping would be secured in the event of approval.

#### **Impact on amenity**

- 6.8 Policy 7 of the Havering Local Plan 2016-2031 (HLP) states that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy, noise, vibration and disturbance to existing and future residents. This policy is to be read in conjunction with Policy 26 however the objectives are reflected in Policy 34 also which states that development will not be permitted where it would unduly impact upon amenity, human health and safety and the natural environment by noise, dust, odour and light pollution, vibration and land contamination.
- 6.9 The proposed dwelling would be located at the rear most point of gardens of dwellings fronting Elmhurst Drive. Through the degree of separation from primary windows of surrounding dwellings it would not be detrimental to outlook, nor would it be overbearing, given it would be single storey with only the roof visible above any boundary treatment. With regards to loss of light and overshadowing, the overall height of the dwelling would be relatively low and the roof would be hipped away from shared boundaries. This serves to reduce visual bulk and potential for loss of light. Whilst there would be some overshadowing of rear gardens it is not considered that these impacts would be material.
- 6.10 The dwelling would be contained to a single storey and accordingly outlook would be restricted to ground level. The site would be framed by boundary treatment and through condition there could also be some degree of planting incorporated. It is not considered that there are any material considerations regarding privacy or overlooking and on this basis it would be difficult to oppose the development on these matters.
- 6.11 Further to the above the provision of an additional dwelling into a residential environment is unlikely to create significant levels of additional noise and disturbance. Noise and disturbance during construction works is not a material planning consideration.

#### **Highways/Parking**

- 6.12 Access would be taken from Hurstlands Close and this is an arrangement for users of the garages currently and would also be the case for the approved dwelling on the adjoining site. The proposed dwelling would make adequate provision for vehicles to manoeuvre within the site.

- 6.13 The amount of parking provided would be consistent with the objectives of the London Plan which would be the relevant standard imposed for this site given the PTAL rating (1B). It is not considered that the formation of a single dwelling would generate significant vehicle movement.
- 6.14 Representations made express concern over emergency vehicles. These are matters which have been considered previously through the appealed scheme and whilst time has elapsed since that application was determined, there is no compelling evidence before officers which would enable an opposing view to be formed. It is not considered that the formation of a dwelling in this location raises any unacceptable highways/access impacts and the absence of an objection from the Highway Authority or Fire Brigade reinforces this.
- 6.15 Officers have considered occasions where larger vehicles might attend the site, however this would be limited compared to other general activity. Furthermore it would be unlikely to be for a sustained period of time and as a result it is unlikely to amount to a significant degree of interference to local residents, including those using the garage court, in terms of the turning and manoeuvring of their vehicles.

#### **Quality of accommodation for future occupants**

- 6.16 Policy D6 (Housing Quality and Standards) of the London Plan advises that housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose.
- 6.17 To that end there are minimum internal space standards and set requirements for gross internal floor areas for dwellings as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and minimum floor to ceiling heights. Applying those standards the proposed dwelling would show compliance as a 3B 4P unit. The absence of dedicated internal storage is offset by the excess gross internal floor area. Rooms would receive adequate natural light and outlook from internal and external spaces would be acceptable.
- 6.18 New dwellings must also demonstrate an acceptable arrangement of private amenity space. The London Plan (2021) requires minimum outside space/amenity provision based on prospective occupancy. The rear garden area shown would significantly exceed the minimum standard set by the London Plan with a garden area laid out to the side/rear of the dwelling of approx. 210 square metres.
- 6.19 Through compliance and in most cases in exceeding the minimum standards the proposed dwelling would make provision for an acceptable living environment for future occupants.

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

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



### **Financial and Other Mitigation**

6.21 None relevant aside from Mayoral and Havering Community Infrastructure Levy contributions to mitigate the impact of the development:

- £10,875 LB Havering CIL
- £2,175 Mayoral CIL towards Crossrail

### **Equalities**

6.22 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

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

## **7 Other Planning Issues**

7.1 Matters have been raised regarding wildlife and loss/damage to trees. The site is a well maintained rear garden and there is no compelling evidence that any protected species are at risk. The removal of shrubs as would be required by the proposals could be undertaken without permission. In any case this would not absolve the applicant from any responsibilities under the Wildlife and Countryside Act 1981. An informative is recommended in the event of approval reminding the applicant of their responsibilities.

7.2 With regards to the loss of trees and landscape features, this is a material planning consideration and an intrinsic part of national and local planning policy. However the proposals would not require the loss of any mature trees and as indicated the shrubs/planting has not been evidenced to be of any public amenity value. Instead the proposals represent an opportunity to increase greening and biodiversity through a scheme of planting to be secured by condition. The removal of trees in the adjoining site was considered through ref: P0746.14 and their loss balanced against the benefits of the scheme by the Appeal Inspector. Therefore a scheme for tree-protection is not considered to be appropriate or necessary.

7.3 With regards to air quality, as the development comprises only a single dwelling the impacts in planning terms are not considered to be significant.

## **8 Conclusions**

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

This page is intentionally left blank

## AGENDA ITEM 8

### Items for Information

#### Introduction

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

#### Public speaking

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

#### Late information

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

#### Recommendation

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

This page is intentionally left blank

 <p><b>Havering</b> LONDON BOROUGH</p>	<p><b>Planning Committee</b> <b>12<sup>th</sup> January 2023</b></p>
---	--

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

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

---

## **1 BACKGROUND**

- 1.1 This quarterly report produces a summary of performance on planning applications/appeals and planning enforcement for the quarter, July to September 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 October 2022, the DLUHC announced that there would be two periods of assessment for the purposes of designation:

- decisions between 1 April 2020 and 31 March 2022, with subsequent appeal decisions to December 2022.

- decisions between 1 April 2021 and 31 March 2023, with subsequent appeal decisions to December 2023.

3.3 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: 1

Refusals which could still be appealed: 0

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

3.5 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: 53

Number of appeals allowed: 0

% of appeals allowed: 0%

Appeals still to be determined: 2

Refusals which could still be appealed: 1

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 Jul-Sep 2022**

<b>Total Number of Appeal Decisions -</b>	<b>24</b>
<b>Appeals Allowed -</b>	<b>9</b>
<b>Appeals Dismissed -</b>	<b>19</b>
<b>% Appeals Allowed -</b>	<b>37%</b>

Officer Comment – The average for the year to date (2 quarters) is 33% appeals allowed. In terms of benchmarking, the national average for the same quarter was 31%, with the London average being 30%. Appeal decisions are carefully monitored for any particular trends with appropriate advice to officers as necessary.

#### **Adverse Costs Decisions – 1**

Details of Costs Award – Land North of Willoughby Drive, Rainham – This was a co-joined enforcement notice and planning appeal dealt with by way of Public Inquiry. Both appeals were dismissed with the enforcement notice being upheld. Costs were awarded against the Council for unreasonable behaviour in relation to introducing new material late in the process including highway safety matters and requesting changes to the enforcement notice. The Council was successful in arguing for an award of costs for the appellant's unreasonable behaviour in continual cross examination of the Council's enforcement witness on matters that should have been directed at the planning witness. Given that costs were awarded against each party, it was agreed that no costs would be claimed by either party.

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

<b>Total Number of Appeal Decisions -</b>	<b>0</b>
<b>Appeals Allowed -</b>	<b>0</b>
<b>Appeals Dismissed -</b>	<b>0</b>
<b>% Appeals Allowed -</b>	<b>0%</b>

Appeal Decisions Jul-Sep 2022  
Decision by Committee Contrary to Officer Recommendation

<b>Date of Committee</b>	<b>Application Details</b>	<b>Summary Reason for Refusal</b>	<b>Appeal Decision</b>	<b>Summary of Inspectors Findings</b>
N/A	N/A	N/A	N/A	N/A

#### **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 October 2022 DLUHC announced that there would be two periods assessed for the purposes of designation:

- Decisions made between October 2020 and September 2022
- Decisions made between October 2021 and September 2023

4.3 Performance to date on these is as follows:

October 2020 to September 2022 (final figure)

Major Development (66 out of 68) –	97% in time
County Matter (2 out of 2) –	100% in time
Non-Major Decisions – (3995 out of 4221)	95% in time

October 2021 to September 2023 (to date)

Major Development (34 out of 35) –	97% in time
County Matter (1 out of 1) –	100% in time
Non-Major Decisions – (1940 out of 2060)	94% in time

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

4.5 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 September 2022 is available and set out below. Performance in Havering is generally good compared to other boroughs for both measures.

<b>Borough</b>	<b>Major In Time</b>	<b>Rank - Majors</b>	<b>Minor and Others In Time</b>	<b>Rank - Minors and Others</b>
Barking and Dagenham	100%	1	100%	1
Barnet	70%	32	83%	22
Bexley	91%	20	79%	28
Brent	100%	1	80%	24
Bromley	84%	27	76%	31
Camden	94%	16	71%	33
City of London	90%	21	83%	22
Croydon	78%	29	75%	32
Ealing	100%	1	96%	2
Enfield	85%	26	86%	19
Greenwich	100%	1	92%	8
Hackney	87%	24	80%	24
Hammersmith and Fulham	100%	1	91%	11
Haringey	100%	1	89%	16
Harrow	72%	31	80%	24
<b>Havering</b>	<b>97%</b>	<b>14</b>	<b>95%</b>	<b>4</b>
Hillingdon	96%	15	91%	11
Hounslow	68%	33	89%	16
Islington	100%	1	96%	2
Kensington and Chelsea	100%	1	85%	20
Kingston upon Thames	86%	25	93%	7
Lambeth	100%	1	91%	11
Lewisham	100%	1	92%	8
Merton	78%	29	80%	24
Newham	100%	1	94%	5
Redbridge	100%	1	94%	5
Richmond upon Thames	89%	22	90%	14
Southwark	79%	28	77%	29
Sutton	100%	19	88%	18
Tower Hamlets	93%	18	92%	8
Waltham Forest	94%	16	90%	14
Wandsworth	88%	23	84%	21
Westminster	93%	18	77%	29

## 5 PLANNING ENFORCEMENT

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

Jul – Sep 2022	
Number of Enforcement Complaints Received: 144	
Number of Enforcement Complaints Closed: 173	
Number of Enforcement Notices Issued Jul-Sep 22: 13	
Enforcement Notices Issued in Quarter	
Address	Subject of Notice
11 St Lawrence Road, Upminster	Unauthorised extension/alteration of outbuilding
150 Upminster Road, Upminster	Unauthorised roller shutter
Frog Island, Rainham	Unauthorised use of land for waste processing
49 Heath Drive, Romford	Unauthorised hard surface to front/side
27 Pettits Boulevard, Romford	Untidy Land Notice
172-174 Collier Row Lane, Romford	Unauthorised vehicle storage
7 Walmer Close, Romford	Unauthorised front extension
162 Heath Park Road, Romford	Unauthorised seating area to front
26-26A Tudor Drive, Romford	Unauthorised hard surface to front
Land at York Road, Rainham	Untidy Land Notice
317 Lodge Lane, Romford	Unauthorised: 1) Outbuilding 2) Rear extension 3) Swinging frame 4) Porch
96 Nelson Road, Rainham	Unauthorised: 1) First floor rear extension 2) Window to side elevation
Land rear of 12-26 Harold Court Road, Romford	Breach of Conditions - Hours of construction - Construction methodology

This page is intentionally left blank