



Havering
LONDON BOROUGH

Planning Committee
12th January 2023

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

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1 The proposed 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.