



**Havering**  
LONDON BOROUGH

## Planning Committee

**25 June 2026**

<b>Application Reference:</b>	<b>P0405.26</b>
<b>Location:</b>	<b>Greenways Court, Estate Office Butts Green Road Hornchurch RM11 2JL</b>
<b>Ward</b>	<b>Emerson Park</b>
<b>Description:</b>	<b>Variation of condition No. 2 (approved plans) of planning permission ref: P0353.24 dated 07/06/2024 to allow for alterations to the access (Change of use of Estate Office B1 use to a single residential social rental apartment including conversion of the estate office)</b>
<b>Case Officer:</b>	<b>Cole Hodder</b>
<b>Reason for Report to Committee:</b>	<b>Applicant is Councillor Sibley</b>

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### **Reason for presentation to Planning Committee**

0.1 The applicant is a serving Councillor (Councillor Sibley).

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

1.1 The application to be varied created a new residential unit. This proposal would vary the access to the building to create an independent access for this unit and improve the living environment for future occupants. Varying the scheme as sought would not result in any material harm to neighbouring amenity, raise any design issues, or unduly impact the highway or pedestrian movement.

### **2 RECOMMENDATION**

2.1 That the Committee resolve to GRANT planning permission subject to:

## Conditions

1. The development shall be begun no later than three years from the date of the planning permission P0353.24 dated, 07-06-2024

Reason: To comply with the provisions of section 91 of the Town and Country planning Act 1990 (as amended)

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans:

01A, 2B

Reason: For the avoidance of doubt and to ensure that the development is carried out as approved and is compliant with development plan policy.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, the premises shall only be used for the purposes specified in the application (Use Class C3) and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

Reason: This use only is permitted and other uses, either within the same Use Class, or permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 are not acceptable to the Local Planning Authority in this location.

## 3 PROPOSAL AND LOCATION DETAILS

### Site and Surroundings

- 3.1 This application relates to an estate office located within Greenways Court, Hornchurch. The estate office is located at ground level, within a 3-storey apartment / social housing association complex. The site fronts Butts Green Road and Burntwood Avenue and can be accessed via Burntwood Avenue. The wider area is predominantly residential. The site is located within the Emerson Park Policy Area

### Proposal

- 3.2 Permission was granted through application reference P0353.24 for the change of use from an Estate Office (B1) to a single residential social rental apartment (C3). Under the proposed scheme, 73.5m<sup>2</sup> of the Estate Office's existing 96m<sup>2</sup> of floor space would be converted into an independent residential apartment.
- 3.3 A Section 73 application has been submitted seeking to vary condition No. 2 (approved plans) of planning permission ref: P0353.24 dated 07/06/2024 to allow for alterations to the access.

- 3.4 The proposals would replace an existing high-level window with one that matches those elsewhere on the building and would create a new opening adjacent to the front elevation for access to the residential unit. The proposals would effectively increase the size of the flat by utilising some of the communal area whilst also providing it with its own dedicated access rather than the communal arrangement originally approved.

#### **4 Planning History**

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

P0353.24 - Change of use of Estate Office B1 use to a single residential social rental apartment including conversion of the estate office - APPROVED

#### **5 CONSULTATION RESPONSE**

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

- 5.2 The following were consulted regarding the application:

LBH Waste/Recycling – No objection  
LBH Public Protection – No objection  
LBH Highway Authority – No objection

#### **6 LOCAL REPRESENTATION**

- 6.1 A total of 148 neighbouring properties were invited to comment on the application submission.

- 6.2 The outcome of all consultation is as follows:

No of individual responses:           None

Petitions received:                   None

- 6.3 No Councillors made representations

#### **7. Planning Policies**

- 7.1 National Planning Policy Framework (2025)

- 7.2 London Plan (2021) policies: D1 - London's form, character and capacity from growth; D4 - Delivering good design; D5 – Inclusive Design; D6 – Housing Quality and Standards T6 - Car parking

- 7.3 Havering Local Plan (2021) policies: 3 – Housing Supply, 7 - Residential design and amenity, 24 - Parking provision and design and 26 - Urban design

- 7.4 Havering Supplementary Planning Documents (SPDs):

Aspects of the following documents apply to the proposed development though need to be read in combination with newer mayoral guidance: Emerson Park Policy Area SPD 2009 and Residential Extensions and Alterations SPD 2011.

## **8 MATERIAL PLANNING CONSIDERATIONS**

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

- Principle of development
- Design and impact on the street-scene
- Quality of living environment
- Impact on amenity
- Highways and Parking

### **Principle of development**

8.2 The principle of the development is established through the parent consent that is to be varied.

8.3 The national Planning Practice Guidance states that a Section 73 application cannot be used to change the description of development. This is supported by the Court of Appeal judgement in *Finney v Welsh Ministers & Ors (Rev 1) (2019) EWCA CIV 1868*. It follows that where amending a condition would result in a conflict between the condition and the description of development that particular amendment is beyond the powers under Section 73.

8.4 Officers do not consider that there would be conflict with the consented scheme and description of development as approved and the proposal is considered to be within the remit of a Section 73 application in principle

### **Design and impact on street-scene**

8.5 It is considered that the proposal does not adversely affect the street scene as there would be limited visibility of the new access arrangements and new window. As shown on plan the new window and door would match those observed within the existing building. There are existing access arrangements on the elevation where the new door is proposed.

8.6 The provision of a larger opening to serve the toilets/kitchen is not objectionable. It is shown on plan to match existing openings present on the building and officers are satisfied that a close match could be achieved. It is not considered necessary to impose a condition requiring the submission of any further details.

### **Quality of living accommodation**

8.7 The proposals under consideration would increase the useable floor area of the previously approved self-contained unit (approx. 12.8m<sup>2</sup>), whilst also providing access independent of the wider building. These are each regarded as elements which would improve the quality of accommodation for future occupants. The proposal is therefore considered to be acceptable and compliant with the objectives of development plan policy and guidance in this regard.

### **Impact on amenity**

- 8.8 Local Plan Policies 7 and 34 require consideration residential amenity through noise, disturbance, and other material planning factors. London Plan Policy D4 considers the noise of developments uses and the Framework at Para 135 requires development provide a good standard of amenity for existing and future users.
- 8.9 The proposals would not create any amenity considerations over and above that considered when granting the parent consent that is to be varied. The creation of a new entrance for the self-contained unit would not result in any material harm to amenity. Occupiers could have accessed the site from Burntwood Avenue in any case. The proposal is therefore considered to be acceptable and compliant with the objectives of development plan policy and guidance in this regard.

### **Highways and Parking**

- 8.10 No highways considerations arise from the S73 submitted. The proposal is therefore considered to be acceptable and compliant with the objectives of development plan policy and guidance in this regard.

### **Financial and Other Mitigation**

- 8.11 None relevant.

### **Equalities**

- 8.12 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment, and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. In considering this application and preparing this report, officers have had careful regard to the requirements of the Equality Act 2010 (as amended). It is concluded that the decision recommended will not conflict with the Council's duties under this important legislation.
- 8.13 The application seeks to vary an existing consent which remains capable of being implemented. The changes shown on plan would improve the quality of accommodation and would not raise any material harm in planning terms.

## **9 Conclusions**

- 9.1 All other relevant policies and considerations have been taken into account. It has been found that planning permission should be granted subject to conditions for the reasons explained in the report. The details of the conditions to be applied are set out in the RECOMMENDATION section above. Subject to these the proposal is acceptable and compliant with the objectives of the relevant development plan policy and guidance.