



Planning Statement

Land to the rear of 12-26 Harold
Court Road, Romford, RM3 0YU

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Documents

Document 1:	P0818.20 – Decision Notice
Document 2:	Photographs of the Site
Document 3:	P.1328.19 – Decision Notice
Document 4:	APP/B5480/W/19/3243499 – Appeal Decision

1. Introduction

- 1.1 This Planning Statement has been prepared by Simply Planning Limited (SPL), on behalf of our client, Harold Court Limited, and is submitted in support of a full planning application for the residential development of a brownfield garage site, located to the rear of no.12 – 26 Harold Court Road, Romford, London. The development includes the demolition of the existing garages and the erection of 4no. dwellings, alongside associated parking and landscaping works.
- 1.2 By way of background, the proposed development follows planning application ref. P0818.20, which was refused under delegated authority on 10th August 2020. A copy of the Decision Notice is provided at **Document 1**.
- 1.3 The application was refused for 2no. reasons, these can be summaries as follows:
- Poor quality living environment and outlook for future residents by virtue of the inclusion of obscure glazing and rooflights; and
 - Perceived overlooking to no.2 – 8 Harold Court Road
- 1.4 An appeal against this decision was made in October 2020 and is currently pending consideration (please see appeal ref. APP/B5480/W/20/3262088.)
- 1.5 Whilst addressed in greater detail below, the application site has been the subject of much recent planning and appeal history.
- 1.6 In short, through the development management and appeal process, the principle of residential development in this location has been accepted. The only outstanding matter is, therefore, one of amenity (for future and existing residents).
- 1.7 The revised proposals have been carefully considered in the context of the previous appeal decision, the application history and the advice received from officers during pre-application discussions. The development has evolved in line with these recommendations to ensure the proposals deliver a high-quality living environment for future occupants, whilst preserving the amenity of neighbouring residents. In short, the revisions include:
- A change to the housing mix to include 2 x 3-bed homes and 2 x 2 bed homes.
 - A reconfiguration of the internal layouts of Plots 1 and 2, relocating the first-floor bedrooms to the front of the property.
 - This reconfiguration ensures that there are no habitable room windows present on the rear (northern/north-western) elevation of the property at first floor level. Thus, there are no habitable room windows facing the amenity space of no. 8 Harold Court Road.
 - The reconfiguration also provides the bedrooms in plots 1 and 2 having with a southerly aspect, with improved outlook and daylight / sunlight penetration.
 - A significant increase in the separation distance between the rear elevations of plots 1 and 2 and the northern/north-western boundary of the site, i.e. the side boundary of the garden serving no. 8 Harold Court Road.

- 1.8 As we go onto demonstrate, the amendments eliminate the potential for overlooking and improve the bedroom accommodation for plots 1 and 2.
- 1.9 All other technical and design matters remain identical to the proceeding schemes, for which no issues have been raised by either the Planning Inspectorate or LPA.
- 1.10 A series of technical documents accompany this planning application; these test the acceptability of the proposals in light of the Development Plan policies and other material considerations. The accompanying documents are listed as follows:

Document	Author
Design and Access Statement (including Sustainability Assessment)	Tomei and Mackley Partnership LLP
Drainage Strategy	Lanmor Consulting
Tree Survey Report and Tree Protection Plan	Canopy Consultancy
Transport Statement	Sarnlea Consulting Engineers

- 1.11 The following drawings, prepared by Tomei and Mackley Partnership LLP, also form part of the submission:

Drawing no.	Drawing title
3316-04a	Existing Site Plan
3316-12b	Proposed Site Plan (1:100)
3316-13b	Proposed Floor Plans
3316-14a	Proposed Elevations (1 of 2)
3316-15b	Proposed Elevations (2 of 2)
3316-16a	Proposed Site Plan (1:200)

- 1.12 This Planning Statement sets the planning context for the consideration of the application proposal. In particular, it assesses the proposal against the relevant policies of the statutory Development Plan, national guidance and non-statutory planning documents. It demonstrates that the proposal fully complies with that guidance and accordingly, consistent with the NPPF, should be granted consent without delay.

- 1.13 The statement is structured as follows:

- **Section 2** provides a description of the application site and surrounding area.
- **Section 3** reviews the pertinent planning and appeal history associated with the application site.
- **Section 4** details the proposed development.
- **Sections 5** reviews the planning policy context against which the proposals should be judged, including the National Planning Policy Framework (NPPF), the London Plan 2021, the Havering Core Strategy and Development Management Policies (2008) and the emerging Havering Local Plan.
- **Section 6** considers the matters at issue and assesses the scheme against the Development Plan Policies.

- **Section 7** draws our conclusions.

2. Site and Surroundings

- 2.1 The application site is located in the residential area of Harold Park, in close proximity to the Harold Park Local Centre. The site is situated directly to the west of Harold Court Road and lies to the rear of a linear row of dwellings, no's. 10 – 26 Harold Court Road, which front the adjoining highway. The rear gardens of these dwellings extend in a westerly direction and form the eastern boundary of the site. The site benefits from an existing vehicular access from Harold Court Road, with a driveway, extending to the west, located between no's. 26 and 28 Harold Court Road respectively. The site also shares a common boundary with no. 8 Harold Court Road, located to the north, no. 28. Harold Court Road located to the south and no's. 12-28 Thurso Close located to the west. The northern, southern and western boundaries comprise dense vegetation and tree cover.
- 2.2 The site equates to approximately 1,159m², is broadly rectangular in shape (measuring approximately 16.7m in width and 64m in length) and rises gently to the north towards Colchester Road (A12). The site is brownfield, previously developed land, and consists of 23no. derelict residential garages which are largely disused and no longer fit for purpose. The garages fail to positively contribute to the character of the surrounding built environment, are tired in appearance, attract antisocial behaviour, and result in an unwelcoming environment. Photographs of the site are provided at **Document 2**.
- 2.3 There are no site-specific landscape or policy constraints which relate to the site. Whilst there are a number of trees and vegetative features located adjacent to the site, these are not protected by a Tree Preservation Order. Nevertheless, the application is supported by an accompanying Tree Survey prepared by Canopy Consultancy.
- 2.4 The site is situated within the Environment Agency's Flood Zone 1 and is, therefore, at very low risk of fluvial or surface water flooding.
- 2.5 The surrounding settlement pattern is characterised by dense residential development arranged in distinct urban blocks. The built development typically adopts a ribbon form, with dwellings generally organised in a grid like pattern, fronting the adjoining highways.
- 2.6 It is notable that back land development is a common feature within the wider vicinity. Indeed, the existing garage buildings already provide a form of infill-built development, sat between two ribbons of housing.
- 2.7 The surrounding built environment is not defined by a particular architectural style or design, with an eclectic mix of dwellings in situ. The properties within the immediate vicinity are largely two storey in nature and are either terraced or semi-detached in form.
- 2.8 Whilst it is acknowledged that the site has a PTAL rating of 2, it benefits from sufficient access to public transport facilities. Notably, bus stops serving the 496 bus route between Harold Wood Station and Queens Hospital Romford are located 50 – 60m to the east on Harold Court Road. In addition, the site is located approximately 150-205m to bus stops serving the 498 bus route between Brentwood and Queens Hospital Romford and 220 – 235m to bus stops serving the 608 bus route between Gallows Corner and Shenfield. These bus routes provide connections to London Overground, TFL Rail and National Rail Services. PTAL levels are only one indication of accessibility of a site.
- 2.9 The site is situated in close proximity to a range of services and facilities including a primary school, medical centre, convenience stores a hardware store, public houses, cafes, etc. In addition, the site is accessible to a number of local centres for employment and shopping. Future residents of the site would, therefore, not be overly reliant on the car.

3. Planning / Appeal History

- 3.1 The application site has been subject of recent planning history. Indeed, pre-application advice in relation to the residential redevelopment of the site was initially sought in February 2019. Following that advice an application was submitted for the erection of 4 no. residential units (ref. P.1328.19). That application was refused under delegated authority on 8th November 2019, for 4no. reasons, which can be summarised as follows:
- The proposed dwellings would, by virtue of their height, scale, bulk, mass and proximity to the boundaries of the site, be unneighbourly, visually intrusive and overbearing;
 - The amenity space of Plot 3 is of poor quality;
 - The proposals would result in overlooking of no.'s 2-8 Harold Court Road;
 - The amenity space of Plots 1 and 2 are of a poor quality
- 3.2 A copy of the Decision Notice is provided at **Document 3**.
- 3.3 An appeal against the refusal of P1329.19 was lodged in November 2019, Ref. APP/B5480/W/19/3243499. Whilst the appeal was dismissed (8th April 2020), the Planning Inspector concluded:
- The proposed development would not harm the living conditions of the future occupiers, with particular reference to outdoor space and sunlight (paragraph 13);
 - The proposed dwellings would be modest in scale and would sit lower in height than the surrounding properties (paragraph 6);
 - The layout of the proposal would mean that gaps would exist between the pairs of dwellings which would allow views through the site (paragraph 6); and
 - The proposal would not be harmful in terms of outlook (paragraph 8).
- 3.4 A copy of the Appeal Decision is provided at **Document 4** and is an important material consideration in the determination of his application.
- 3.5 In response to the Appeal Decision (APP/B5480/W/19/3243499) and the Inspectors comments, the proposals were amended to eliminate the potential for overlooking / loss of privacy and an application was submitted to the London Borough of Havering on 15th June 2020 (P.0818.20).
- 3.6 In short, the amendments principally included:
- A change to the first-floor layout of Plots 1 and 2 (internal), to reduce the number of habitable room windows on the western elevation from 4no. – 2no.;
 - The introduction of obscure glazed en-suite bathroom windows; and
 - The introduction of high cill and part opaque windows in bedroom one of plots 1 and 2 respectively.
- 3.7 As set out above, that application was refused on 10th August 2020 for the following reasons:
- *Obscure glazing three quarters of the first floor window to Bedroom 1, which is a habitable room and particularly a master bedroom to the proposed dwellings in Plots 1 and 2, would materially affect the*

outlook of future occupiers and create a poor quality of living environment harmful to their residential amenity. The proposal is therefore contrary to Policies 7.4 and 7.6 of the London Plan (2016), Policy DC61 of the London Borough of Havering LDF Core Strategy and Development Control Policies DPD 20028 and the adopted supplementary Planning Document: Residential Design Guide (2010). The proposal would also fail to accord with the core principle set out in Paragraph 127 of the National Planning Policy Framework which seeks to ensure a high standard of amenity for existing and future occupants of land and buildings.

- *The first floor obscure glazed window to Bedroom 1 on the rear elevation of the proposed dwellings in Plots 1 & 2 would cause perceived overlooking, which would have a serious and adverse effect on the living conditions of adjacent occupiers, particularly No.'s 2-8 Harold Court Road. the proposal is therefore contrary to Policies 7.4 and 7.6 of the London Plan (2016), Policy DC61 of the London Borough of Havering LDF Core Strategy and Development Control Policies DPD 20028 and the adopted supplementary Planning Document: Residential Design Guide (2010). The proposal would also fail to accord with the core principle set out in Paragraph 127 of the National Planning Policy Framework which seeks to ensure a high standard of amenity for existing and future occupants of land and buildings.*

- 3.8 An appeal against this decision was made in October 2020 and is currently pending consideration (please see appeal ref. APP/B5480/W/20/3262088.).
- 3.9 In addition to appealing the decision, further advice was sought from the London Borough of Havering with a follow-up pre-application submission made in November 2020. A meeting was held with planning officer, Adele Hughes on 24th March 2021.

4. Amendments to the Scheme

- 4.1 The revised design proposal has been developed to incorporate the comments from the LPA and Planning Inspectorate.
- 4.2 Balancing the comments pertaining to the previous submissions, this application has been carefully considered to eliminate the potential for overlooking, whilst providing a high quality living environment for future residents.
- 4.3 As set out above, the changes to the scheme include:
- A change to the housing mix to include 2 x 3-bed and 2 x 2 bed homes.
 - A reconfiguration of the internal layouts of Plots 1 and 2, relocating the first-floor bedrooms to the front of the property.
 - The elimination of habitable room windows on the rear (northern/north-western) elevation of the property at first floor level. Thus, there are no habitable room windows facing the amenity space of no. 8 Harold Court Road.
 - The bedrooms in plots 1 and 2 having with a southerly aspect, with improved outlook and daylight / sunlight penetration.
 - A significant increase in the separation distance between the rear elevations of plots 1 and 2 and the northern/north-western boundary of the site, i.e. the side boundary of the garden serving no. 8 Harold Court Road.
- 4.4 As shown on drawings 3316-12a and 3316-13a, the layout of plot 2 has been revised to provide a larger ground floor area and smaller first floor area. This has provided the flexibility to reduce the number of first floor bedrooms by relocating bedroom two to the ground floor level.
- 4.5 As shown on drawing 3316-13b the layouts of plots 1 and 2 have been reconfigured to relocate the bedrooms to the front (south) of the plots). As a result, no habitable room windows are to be located on the rear (northern/north-western) elevation of Plots 1 or 2 at first floor level.
- 4.6 As the floor plan demonstrates, the first-floor windows within the rear elevation of plots 1 and 2, serve bathroom and landing/stairwell accommodation only. The windows are proposed to be obscure glazed and can be reasonably controlled to be retained in this manner by way of condition. Furthermore, should the council see fit, the windows can be conditioned to be non-opening or high-level opening to further preserve the amenity of neighbouring residents.
- 4.7 The change in unit mix has allowed the for a reduction in the scale of plots 1 and 2 which, I turn, has resulted in an increase in the separation distance between the built development from the northern boundary of the site, i.e. the garden of no. 8 Harold Court Road. Indeed, as a result of the amendments, the separation distance between Plots 1 and 2 and the northern/north-western boundary of the site equate to 10m and 7.7m respectively. This is a substantial increase from the previous separation distance of 5.6m.
- 4.8 Whilst discussed in greater detail in the following 'Matters at Issue' section of this Statement, following the reconfiguration of the layouts of plots 1 and 2, the revised proposals eliminate the potential for overlooking as a result of refocussing first floor habitable room windows towards the front of the properties, this is in

accordance with the requirements of Policy DC61 of the Havering Core Strategy and Development Management Policies.

- 4.9 All of the windows serving non-habitable rooms are proposed to be fitted with obscure glazing.
- 4.10 All habitable rooms benefit from non-obscured glazing to ensure future residents are afforded a high standard of living with good outlook and appropriate levels of daylight / sunlight penetration. To further enhance natural light a number of bedrooms also benefit from high level roof lights. The bedrooms within plots 1 and 2 also have southerly aspects.
- 4.11 Notwithstanding the alterations, it is also notable that each dwelling continues to meet internal space standards and delivers high quality, usable external amenity space. Indeed, the quantum and quality of amenity space provided has previously been found to be acceptable by the Planning Inspectorate.
- 4.12 As discussed below, plots 3 and 4 remain identical to those previously considered acceptable at appeal.

5. Proposed Development

- 5.1 Save for alterations detailed above the proposed development is identical to that previously considered at appeal. The general scale, bulk, mass, layout, orientation, detailing, landscaping and technical matters remain as previously submitted.
- 5.2 Overall, the application proposals seek to make effective use of this underutilised brownfield site through the demolition of the existing dilapidated garages and the erection of 4no. dwellings.
- 5.3 The detailed schedule of accommodation, set out against the minimum internal space standards, is provided in the table below:

Plot	No. Beds/Persons	Required GIA (m ²)	Proposed GIA (m ²)	Compliance
1	2b 4p	79	86	✓
2	2b 4p	79	90	✓
3	3b 5p	93	100	✓
4	3b 5p	93	100	✓

- 5.4 As shown on the supporting architectural drawings, the development has been orientated in a northwest to southeast direction and, therefore, sits perpendicular to the built development at Harold Court Road and Thurso Close.
- 5.5 The proposed dwellings have been provided in the form of 2 semi-detached houses, positioned centrally within the site, away from existing root protection areas. The siting ensures that a sufficient separation distance is maintained between the proposed dwellings and neighbouring properties; furthermore, the orientation limits any overlooking to neighbouring residents.
- 5.6 The proposed layout of the built form creates a small inward looking development surrounding a parking and turning courtyard.
- 5.7 The dwellings will benefit from generous private amenity gardens ranging from 53m² to 104m²
- 5.8 The dwellings will have a contemporary appearance and will be finished to a high design quality, utilising a combination of building materials, including: oak finish composite vertical cladding, white render, smooth grey roof tiles, zinc rainwater goods, and Gunmetal grey doubled glazed windows and doors.
- 5.9 The two pairs of semi-detached houses are set at different levels, owing to the gentle gradient of the land. This adds interest to the ridge lines and reduces the overall massing when the buildings are view holistically together.
- 5.10 The proposals also comprise associated works including appropriate hard and soft landscaping; the provision of 8no. off-road car parking spaces; and the provision of a refuse storage area, located at the top of the access drive.
- 5.11 Cycle parking will be provided within the gardens of each dwelling in the form of a secure cycle stores housing 2no. bicycles.

- 5.12 2no. passing places will be provided to ensure vehicles do not have to reverse out onto Harold Court Road should they meet.
- 5.13 The landscaping works will be of a high design quality and will improve the aesthetic appearance of the site whilst ensuring neighbouring residents and future occupiers of the dwellings benefit from a sufficient level of amenity.
- 5.14 Further details of the proposed scheme are set out in the supporting Design and Access Statement, prepared by Tomei and Mackley Partnership.

6. Relevant Planning Policy

- 6.1 This section of the Planning Statement outlines the principle national and development plan policies that are relevant to the determination of this application.
- 6.2 Save for the adoption of the New London Plan (2021), the planning policy position remains largely the same as that of the previous submissions, nevertheless, for completeness is replicated below.
- 6.3 The Housing Delivery Test Measurement has also been updated (January 2021). This confirms that the London Borough of Havering continues to significantly underperform in its housing delivery. As a result, a presumption in favour of sustainable development remains in place.

Local Plan Status

- 6.4 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the Development Plan and that determination shall be made in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan for the application site comprises the following:
- The London Plan (Consolidated with alterations since 2011).
 - The Havering Core Strategy and Development Control Policies (2008).
- 6.5 The Havering Local Plan (2016-31) and supporting documents were submitted to the Secretary of State for the Ministry of Housing, Communities and Local Government for independent examination on 27th March 2018. The examination took place between Tuesday, 9th October 2018 and Thursday, 18th October 2018.
- 6.6 Following the hearings into the examination, the Inspector had some follow-on queries regarding specific issues relating to various matters discussed at the hearing. Further examination was held in May 2019.
- 6.7 A Draft Schedule of Proposed Modifications to the Havering Local Plan following the Examination in Public Hearing sessions in October 2018 and May 2019 was produced 5th August 2019. On 2nd December 2019 the Council announced that it was working with the Inspector to finalise matters for the consultation on the Main Modifications. The consultation on the main modifications proceeded in August 2020, the representations and responses were published in January 2021.
- 6.8 Since January 2021 the LPA has received further correspondence from the Inspector regarding the conformity with the London Plan. Most recently, in May 2021 the Planning Inspector confirmed that she did not consider the Plan to be in general conformity with the London Plan (2012) and, therefore concluded that she was currently unable to conclude that the Plan satisfies the requirements of section 24(1) of the Planning and Compulsory Purchase Act 2004.
- 6.9 The Council, therefore, continues to work with the Inspector to finalise matters regarding conformity with the new London Plan.
- 6.10 In recognition of this, whilst an important material consideration, the Havering Local Plan remains in examination and does not form part of the adopted Development Plan at this stage.
- 6.11 The National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and Supplementary Planning Documents/Guidance (SPD/Gs) are also important material considerations.

Housing Delivery and the Presumption in Favour of Sustainable Development

- 6.12 The Housing Delivery Test serves as a mechanism to monitor housing delivery locally and sets out consequences for local planning authorities that fail to deliver sufficient new homes. The test measures net additional homes delivered against the local requirements for new homes resulting in a percentage of delivery. It is updated on an annual basis. The measurements for 2020 were updated on 19th January 2021. For ease, the measurements for London Borough of Havering are replicated below:

Number of Homes Required	
2017 – 2018	1,170
2018 – 2019	1,170
2019 - 2020	1,074
Total	3,414
Number of Homes delivered	
2016 – 2017	265
2017 – 2018	465
2018 – 2019	508
Total	1,238
Housing Delivery Test Measurement	
Delivery percentage	36%
Consequence	Presumption in Favour

- 6.13 At just 36% delivery percentage, the borough has the third worst housing delivery measurement among all of England's Local Planning Authorities. Consequently, a 'presumption in favour of sustainable development', with regard to housing delivery, is in place. This is an important material consideration for the determination of this application and should not be underestimated.

National Planning Policy Framework (NPPF)

- 6.14 In February 2019, the Government issued a revised National Planning Policy Framework (NPPF). The revised document carries significant weight in the decision-making process.
- 6.15 The NPPF retains the 'presumption in favour of sustainable development' which, for decision taking, it takes to mean approving development proposals that accord with an up-to-date Development Plan without delay.
- 6.16 This is established at paragraph 11 of the NPPF which states the following:

"Plans and decisions should apply a presumption in favour of sustainable development."

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or***
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:***

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

6.17 In this respect, paragraph 8 explains that there are three overarching objectives to achieving sustainable development:

- a) “an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”,*

6.18 The application proposals fully accord with the Development Plan and, therefore, consistent with the above advice, should be granted consent without delay. The proposals also perform an important social and economic role, through the delivery of 4no. residential units, for which there is a clear and established need, within a highly sustainable location. As we go on to demonstrate there are no impacts that would significantly or demonstrably outweigh the benefits of the development which would warrant refusing consent to the application proposals.

6.19 The NPPF’s advice on delivering a sufficient supply of homes is set out at paragraphs 59 to 79.

6.20 Paragraph 59 states that it is important that councils provide a variety of land to support the Government’s objective of significantly boosting the supply of homes (our underlining). It is vital that a sufficient amount and variety of land is bought forward.

6.21 Paragraph 61 states that planning policies should reflect the needs of housing for different groups in the community. This includes size, type and tenure.

6.22 In the context of these proposals, Chapter 11 (Making Effective Use of Land) is highly relevant. Paragraph 118, Parts c) and d) encourages local planning authorities to:

- c) “give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; and*
- d) promote and support the development of under-utilised land and buildings, especially if this would help meet identified needs for housing where land supply is constrained and available sites could be used more effectively...”*

6.23 In particular, the wording of the NPPF acknowledges that effective use of air space, service yards and appropriate intensification of sites can make a valuable contribution towards wider housing land supply objectives. This goes to the heart of what these proposals are seeking to achieve. They result in the delivery of new homes on an underutilised garage site within an existing built-up residential environment and sustainable location.

6.24 The need for homes is such that paragraph 123 identifies that where there is an existing or anticipated shortage of land for meeting identified housing needs, that it is especially important that decisions avoid homes being built at low densities. Developments must ensure that they make optimal use of the potential of each site. In this regard the NPPF states that:

“Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight where they would otherwise inhibit making efficient use of a site (as long as the resultant scheme would provide acceptable living standards).”

6.25 Chapter 12 (Achieving Well-designed Places) (Paragraph 127) reiterates that planning policies and decisions should ensure that developments are well functioning, visually attractive, sympathetic to the local character, and provide a strong sense of place. Paragraph 124 acknowledges that good design is fundamental to what the planning and development process should achieve.

6.26 In the context of the above, the proposals will:

- Make better use of an existing, underutilised brownfield site;
- Deliver new housing in a sustainable location for which there is a recognised and pressing need;
- Not adversely affect the amenities of adjoining residential properties;
- Deliver family accommodation within Harold Park;
- Provide a high-quality residential development which maintains the character and appearance of the surrounding built environment;
- Result in economic, social and environmental benefits.

6.27 Overall, the application proposals are consistent with the NPPF and the Government’s objective to deliver additional housing in locations that are sustainable. The proposals result in sustainable development through securing the optimal use of an underutilised brownfield site and, accordingly, attract the full support of the NPPF.

The London Plan (2021)

6.28 The London Plan was adopted in March 2021; it is the overall strategic plan for London and serves as a blueprint for the future development and sustainable, inclusive growth of the city. The Plan sets out a fully integrated economic, environmental, transport and social framework for development over the next 20-25 years.

6.29 The London Plan is legally part of each of London’s Local Planning Authorities’ Development Plan and must be taken into account when planning decisions are taken in any part of Greater London.

- 6.30 Chapter 1 sets out the Mayor's vision and explains what Good Growth is. It contains six core 'good growth' objectives which should be taken into account for all planning and development in London. These include:
- Building strong and inclusive communities (GG1)
 - Making the best use of land (GG2)
 - Creating a healthy city (GG3)
 - Delivering the homes Londoners need (GG4)
 - Growing a good economy (GG5)
 - Increasing efficiency and resilience (GG6)
- 6.31 Chapter 2 sets out the overall spatial development pattern for London, focusing on the growth strategies for specific places in London and how they connect with the Wider South East.
- 6.32 Chapter 3 details the policies relating to 'Design'.
- 6.33 Policy D2 indicates that the density of development proposals should be proportionate to the site's connectivity and accessibility by walking, cycling and public transport to jobs and services.
- 6.34 Policy D3 is an overarching design policy. It requires development to make the best use of land by following a design-led approach that optimises the capacity of sites. Development proposals are expected to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The policy also seeks to ensure developments achieve safe, secure and inclusive environments; provide active frontages ; deliver appropriate outlook, privacy and amenity; provide access to greens and open spaces; prevent or mitigate the impacts of noise and poor air quality; create usable environments and spaces; respond to existing character of a place; be of a high quality, with architecture that pays attention to detail; and aim for high sustainability standards.
- 6.35 Policy D4 advocates the delivery of good design and encourages the submission of design and access statement to demonstrate how a proposal meet the design requirements of the London Plan.
- 6.36 Policy D5 requires development proposals to achieve the highest standards of accessible and inclusive design.
- 6.37 Policy D6 relates to housing quality and standards. It requires development proposals to achieve adequate-sized rooms with comfortable and functional layout; discourages single aspect dwellings; and seeks to ensure that the design of development provides sufficient daylight and sunlight to new and surrounding housing whilst minimising overshadowing. The policy also sets out scalar parameters for internal space standards.
- 6.38 At Chapter 4 the Mayor's 'Housing' policies are established. The chapter highlights the desperate need for more housing within London and the need to significantly boost the supply of housing.
- 6.39 Policy H1 relates to the increasing housing suppl. It sets out an ambitious target of delivering almost 66,000 new dwellings per annum across London and requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites.
- 6.40 Table 4.1 sets out the 10 year targets for net housing completions (2019/20 – 2028/29) for each local planning authority. For the London Borough of Havering, the target is to provide some 12,850 new dwellings over the 10 year period.

- 6.41 Policy H2 ‘small sites’ encourages boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) to significantly increase the contribution of small sites to meeting London’s housing needs.
- 6.42 At paragraph 4.2.1 the Plan acknowledges that *“for London to deliver more of the housing it needs, small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Therefore, increasing the rate of housing delivery from small sites is a strategic priority”* (our emphasis).
- 6.43 Table 4.2 sets out the 10 year targets for net housing completions on small sites (2019/20 – 2028/29) for each local authority. For the London Borough of Havering, the target is to provide 3,140 new dwellings over the 10 year period.
- 6.44 Chapter 8 relates to ‘Green Infrastructure and Natural Environment’.
- 6.45 Policy G6 requires development proposals to manage the impacts on biodiversity and aim to secure net biodiversity gain.
- 6.46 Policy G7 relates to trees and woodlands and requires development proposals to retain existing trees wherever possible.
- 6.47 Chapter 9 sets out the policy requirements for ‘Sustainable Infrastructure’.
- 6.48 Policy SI 1 seeks to improve air quality. It requires developments to be at least Air Quality Neutral and to use design solutions to prevent or minimise increased exposure to existing air pollution.
- 6.49 Policy SI 5 seeks to minimise the use of mains water in line with the Operational requirement of the Building Regulations. And seeks to improve the water environment.
- 6.50 Policy SI 7 relates to reducing waste and supporting the circular economy. The policy encourages resource conservation and requires developments to be designed to incorporate adequate flexible and easily accessible storage space which supports the separate collection of dry recyclables and food.
- 6.51 Policy SI 12 relates to flood risk management. It requires development proposals to ensure that flood risk is minimised and mitigate, and that residual risk is managed.
- 6.52 Chapter 10 relates to Transport.
- 6.53 Policy T1 sets out the strategic approach to transport and requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London’s transport networks and supporting infrastructure are mitigated.
- 6.54 Policy T5 seeks to ensure development proposals help remove barriers to cycling and create healthy environments. The policy confirms that cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards and should be in accordance with the minimum standards set out in table 10.2. for residential development, this includes 1 space per studio, 1.5 spaces per 2-person 1-bedroom dwelling and 2 spaces per all other dwellings.
- 6.55 Policy T6 seeks to restrict car parking and indicates that car-free development should be the starting point for all development proposals in places that are well connected by public transport.

Mayor of London Supplementary Planning Guidance (March 2016)

- 6.56 The Mayor's Supplementary Planning Guidance (SPG) provides further advice on the implementation of housing policies, as contained within the London Plan.
- 6.57 The SPG comments at paragraph 1.1.7 that ***'Boroughs should ensure that all opportunities to secure sustainable housing capacity should be fully realised in order to meet London's strategic housing requirements and help close the gap between need and supply across London as a whole'***.
- 6.58 The SPG goes on to state (Paragraph 1.2.25) that boroughs should proactively enable and fully realise the potential for small sites to make a substantial contribution to housing delivery in London, taking into account the strategic need to optimise housing output and increase housing supply. It is recognised that small sites (below 0.25 ha) play a crucial role in housing delivery. Again, this goes to the heart of what the application proposals are seeking to achieve.
- 6.59 The SPG sets out a number of general design standards for achieving appropriate residential development.
- 6.60 Standard 28 relates to privacy. It requires design proposals to demonstrate how habitable rooms within each dwelling will be provided with an adequate level of privacy in relation to neighbouring properties, the street and other public spaces
- 6.61 The supporting text to this guidance continues by highlight that:
- "In the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 – 21m between facing homes (between habitable room and habitable room as opposed to between balconies or terraces or between habitable rooms and balconies/terraces). These can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density."***
- 6.62 This demonstrates that separation distance should not be applied rigidly in order to prevent unnecessary restriction in density.

Havering Core Strategy and Development Control Policies Development Plan Document (2008)

- 6.63 Havering's Core Strategy and Development Control Policies Development Plan Document was adopted in February 2008 and forms part of the Borough's Local Development Framework, alongside, the site specific allocations, the Romford Area Action Plan and Joint Waste Development Plan (2012).
- 6.64 The Core Strategy sets out the spatial, strategic and development management policies for the borough.

Core Policies

- 6.65 Policy CP1 relates to housing supply, it indicates that the Borough plans to deliver a minimum of 535 homes per annum, this is significantly below the London Plan minimum requirements for Havering. Indeed, Havering has a record of persistent under delivery of housing and currently cannot demonstrate a 5-year supply of housing land. This highlights the need for innovative approaches to deliver new housing.
- 6.66 Policy CP1 continues by identifying potential locations for new housing, of particular relevance to this application these include:
- ***Prioritising the development of brownfield land and ensuring it is used efficiently,***

- *Outside town centres and the Green Belt, prioritising all non-designated land for housing, including that land released from Strategic Industrial Locations and Secondary Employment Areas as detailed in CP3.*

6.67 Policy CP2 seeks to create sustainable, attractive, mixed and balanced communities. Among other considerations the policy indicates that such communities will be created by:

- *Ensuring that the sizes, types and tenures of new housing meet the needs of new and existing households at local and sub-regional level.*
- *Ensuring that the required sizes and types of new housing are of a density and design that is related to a site's access to current and future public transport and are compatible with the prevailing character of the surrounding area*
- *Ensuring that, in total, borough-wide 50% of all homes from new residential planning permissions are affordable; of which 70% social rented for those on low incomes and 30% for those on intermediate incomes*
- *Ensuring that in their design and layout new homes provide for the lifetime needs of households*
- *Ensuring that all development demonstrates that it supports improved health and well being.*

6.68 Core Policies CP9 and CP10 relate to highways and transport matters. Policy CP9 specifically seeks to reduce the need to travel. It seeks to achieve this by:

- *"Co-locating major trip generating retail, services, cultural, office, and community uses in places with good public transport accessibility*
- *Ensuring that new development reinforces the town centre hierarchy*
- *Relating residential densities to current and future public transport access levels and the character of existing development*
- *Ensuring that there is a range of local employment opportunities, that local people are suitably skilled to compete for these, and maximising the employment of local people in new development*
- *Improving opportunities for informal recreation in the Havering countryside*

6.69 Policy CP10 continues by promoting a choice of sustainable transport modes. The policy requires the submission of a travel plan / transport assessment for proposals with material transport implications and seeks to ensure that new development does not overload the capacity of the public transport network. It also indicates that the design and layout of new development should prioritise the needs of pedestrians and cyclists and minimise the distance to public transport nodes.

6.70 Policy CP15 requires new development to reduce their environmental impact and address the causes and adapt to and mitigate the effects of climate change in their location, construction and use.

6.71 Policy CP16 seeks to protect and enhance the borough's rich biodiversity and geodiversity, in particular, priority habitats, species and sites.

6.72 Policy CP17 sets out the overarching design aspirations for new development within Havering. The policy specifically states:

“The appearance, safety and accessibility of Havering will be maintained and, where possible, enhanced by requiring new development to:

- *Maintain or improve the character and appearance of the local area in its scale and design*
- *Provide a high standard of inclusive design so it is accessible to those who require access to it*
- *Be safe and secure in its design and contribute to community safety.”*

Development Control Policies

6.73 Policy DC2 sets out the preferred housing mix and density requirements for new development. The policy indicates that the type and size of new housing is required to meet local and sub-regional housing needs and should create mixed and balanced communities. The preferred market housing mix is as follows

Number of bedrooms	1	2	3	4	5
Recommended mix	24 %	41 %	34 %	0 %	1 %

6.74 Policy DC3 relates to housing design and layout. Through the submission of a Design and Access Statement, the policy requires developers to take account of housing mix and density, lifetime homes, walking, cycling, waste recycling, sustainable design and construction, urban design, access and delivering safer places.

6.75 The application is supported by a Design and Access Statement which addresses these requirements.

6.76 Policy DC6 confirms that affordable housing provision is required for sites of ten or more dwellings. The proposed scheme falls below this threshold; therefore, it is not anticipated that affordable housing provision will be required.

6.77 Policy DC 7 seeks to ensure all new homes are built to Lifetime Homes Standards. The supporting Design and Access Statement clearly demonstrates that the development is of a sustainable design and meets the current Building Regulation requirements.

6.78 Policy DC32 ‘The Road Network’ indicates that new development which has an adverse impact on the functioning of the road hierarchy will not be allowed.

6.79 Policy DC33 relates to car parking and indicates that provision within new developments should not exceed the maxima as set out in annex 5 to the plan. It is also notable that the car parking standards are based on those provided within the London Plan. Pre-application advice indicated that the site attracts car parking provision at a rate of 1.5-2 spaces per dwelling.

6.80 Policies DC34 and DC35 requires developments to take account of the needs of pedestrians and cyclists respectively and create safe and secure environments. Policy DC35 specifically encourages the provision of secure cycle parking in accordance with Transport for London Standards.

6.81 Policy DC36 indicates that planning permission for new housing will only be granted where adequate servicing arrangements are provided.

6.82 Policy DC40 states that planning permission will only be granted for development where suitable waste and recycling storage facilities are provided.

- 6.83 Policy DC48 seeks to ensure new development in the Borough reduces flood risk and minimises the impact of flooding elsewhere. Policy DC51 states that planning permission will only be granted for development which has no adverse impact on water quality, water courses, groundwater, surface water or drainage systems unless suitable mitigation measures can be secured by condition.
- 6.84 Policies DC58 and DC59 seek to protect and enhance biodiversity and geodiversity.
- 6.85 Policy DC60 seeks to protect and enhance the Boroughs trees and woodlands. It requires all development proposals to retain trees of nature conservation and amenity value and include adequate measures to protect trees during construction works.
- 6.86 Policy DC61 sets out the detailed urban design requirements for new development including character, appearance and impact on neighbouring amenity. The policy states:

Planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Development must therefore:

- *Harness the topographical and ecological character of the site, including the retention of existing trees and landscape features while providing appropriate landscaping.*
- *Respond to distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding physical context.*
- *Complement or improve the amenity and character of the area through its appearance, materials used, layout and integration with surrounding land and buildings.*
- *Provide structure by utilising and protecting existing views, vistas, panoramas and landmarks and creating new ones.*
- *Reinforce, define and embrace the street and create natural surveillance by ensuring streets and open spaces are overlooked.*
- *Create or enhance and clearly define the public and private realms and ensure these are free of clutter and easily accessible.*
- *Meet the needs of all people of all ages.*
- *Be designed and oriented around the needs of pedestrians, cyclists and connectivity to the public transport network.*
- *Be durable, flexible and adaptable. Where necessary, applications for planning permission must be accompanied by a design and access statement.*

Planning Permission will not be granted where the proposal:

- *Results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties and has unreasonable adverse effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and within developments; or*
- *Prejudices the satisfactory development of adjoining land and/or the development of the surrounding area as a whole.”*

Emerging Havering Local Plan (2016-2031)

- 6.87 Whilst currently at examination and subject to modifications, the emerging Havering Local is an important material consideration in the determination of applications and sets out a clear direction of travel for the Borough.
- 6.88 The emerging plan emphasises the need for new housing within the Borough and applies a presumption in favour of development for new homes.
- 6.89 Of particular note Policy 3 'Housing Supply' states:

Ensuring an adequate supply of high quality housing in Havering is essential to making the borough a place where people want to live and where residents are able to stay and prosper. The Council will take a pro-active approach to increasing the amount of housing within the borough and will encourage the effective and efficient use of land by reusing previously developed land.

Over the full 15 year Plan period, at least 17,550 new homes will be built in Havering. This will include the delivery of at least:

- *5,300 homes on large sites in the Romford Strategic Development Area;*
- *3,000 homes on large sites in the Rainham and Beam Park Strategic Development Area;*
- *700 homes through the intensification and renewal of existing Council housing estates outside the Strategic Development Areas;*
- *400 homes on two large previously developed sites within the Green Belt; and*
- *2,790 homes on small sites across the borough.*

The delivery of new homes will also be achieved by:

- *Promoting mixed use development in town centres and designated out of town centre locations;*
- *Prioritising all non-designated land for housing when it becomes available;*
- *Supporting the re-use of brownfield sites when they become available;*
- *Supporting residential development proposals around stations where it is compatible with the character of the local area. Major development proposals around stations will be subject to design review;*
- *Supporting appropriate development of infill, under-utilised and vacant sites in the borough's sub-urban areas;*
- *Resisting the net loss of residential development;*
- *Supporting initiatives to bring back empty residential properties into use;*
- *Supporting self-build initiatives; and*
- *Seeking to optimise residential output and densities consistent with the density matrix set out in the London Plan.*

- 6.90 The proposed development, albeit small, would make an important contribution towards achieving the housing supply target. Moreover, the development represents an efficient use of a small, vacant brownfield site.

6.91 The proposed development clearly accords with the direction of travel as set out within the emerging Havering Local Plan (2016-2031).

7. Matters at Issue

- 7.1 Having set the planning context against which the proposals should be judged in the preceding section, we now consider the proposals against that guidance alongside any other relevant considerations. We do so under a number of headings below.

Principle of Development

- 7.2 New residential development is welcomed, in principle, at all levels of Planning Policy. The NPPF recognises the need for new housing and for the housing supply to meet the needs of present and future generations. At the regional level, the London Plan emphasises the need to significantly boost the supply of housing within the capital. Finally, at the local level the Core Strategy and emerging Havering Local Plan also has a presumption in favour of the provision of new homes to meet identified demand.
- 7.3 The NPPF, Core Strategy and Emerging Local Plan also give substantial weight to the use of suitable brownfield land for homes and promote the development of under-utilised land, especially if this would help meet identified needs for housing. Alongside this, the London Plan has a presumption in favour of small housing developments. This goes to the heart of what these proposals are seeking to achieve. They result in the delivery of 4no. new homes on an underutilised garage site within an existing built-up residential environment.
- 7.4 There is a clearly defined need for new residential development within the Borough and a requirement to deliver 12,850 new homes across the 10-year period to 2028/29. The proposal will make a small, yet important, contribution to meeting this target and will result in the sustainable re-use of a vacant and underutilised development site, located within an established, built-up residential area.
- 7.5 The principle of development has also previously been considered to be acceptable as part of application P1328.19, and, thereafter Appeal Decision APP/B5480/W/19/3243499. Most recently, as part of application P0818.20 the officers delegated report confirmed:

“The provision of additional accommodations consistent with the NPPF and Policy CP1 as the application site is within a sustainable location. In land use terms, the development is considered to be acceptable in principle.”

- 7.6 It must also be noted that with a housing delivery percentage of just 36%, Havering has the third worst housing delivery measurement of all of England’s Local Planning Authorities and is, therefore, subject to a presumption in favour of sustainable development with regard to housing delivery.
- 7.7 There is, therefore, a pressing need to provide new homes in Havering and permission should only be resisted if other material considerations, significantly and demonstrably outweigh the benefits of the scheme. As we go on to demonstrate there are no such matters or such weight to warrant the refusal of the application.
- 7.8 In principle, the proposed redevelopment of this site for residential purposes is acceptable.

Loss of Existing Garages

- 7.9 There is no policy which protects the loss of the existing garages, moreover, as the supporting photographs demonstrate, these are not of any architectural merit, are dilapidated in appearance and fail to positively contribute to the character of the site and its surroundings. Furthermore, many of the garages are redundant and those that remain in use are no longer fit for purpose. Therefore, the demolition of the garages and

redevelopment of the site would, indeed, result in significant betterment to the aesthetic appearance of the site and rejuvenate its use.

- 7.10 In addition to the visual harm caused by the existing garages, at present the site attracts crime and anti-social behaviour. The proposed redevelopment, therefore, provides an opportunity to create a safe and secure environment with natural surveillance and secure boundary treatments

Housing Mix and Density

- 7.11 Owing to the scale of development, it has not been possible to provide a large variation in housing mix. Nevertheless, the proposed development provides a combination of 2 and 3 bedroom properties, such properties contribute to 75% of the recommended mix. This adds to housing choice within the area and delivers family homes.
- 7.12 The proposed density of the development is 34 units per hectare, whilst relatively low, officers have raised no objection to the density owing to the site constraints. Indeed, as part of the assessment of application P1328.19, the Officer states

“It is considered that the relatively low density of development on this site is acceptable in principle owing to the constraints presented by the form of the site, which would prevent the site from being successfully developed at a higher density.”

Affordable Housing

- 7.13 Policy DC61 of the Core Strategy and Development Control Policies DPD requires proposals for housing development of over 10 units to provide affordable housing. As the scheme seeks permission for 4no. residential units, it falls below the threshold for affordable housing provision. Therefore, there is no requirement to provide affordable housing as part of this development.

Design, Visual Impact and Landscape Character

- 7.14 The proposed development has been carefully designed to optimise the use of the site whilst positively contributing the character of the surrounding built environment. Further detail regarding the layout, appearance, elevation treatment, materials, landscape, and scale is contained within the supporting Design and Access Statement.
- 7.15 At present the site has a derelict and tired appearance and, therefore, requires significant rejuvenation. The existing garages are of no architectural merit and are dilapidated in nature. As such, the proposals will provide a significant aesthetic betterment to the character of the site.
- 7.16 The surrounding built environment is not defined by a particular settlement pattern. In this instance, the proposed dwellings will sit perpendicular to the rows of terraced properties situated at Harold Court Road and Thurso Close and mark a natural infill site.
- 7.17 The dwellings have a contemporary design which incorporates high quality building materials, including oak finish composite vertical cladding, white render, smooth grey roof tiles, zinc rainwater goods, and Gunmetal grey doubled glazed windows and doors. A materials palette is included within the supporting Design and Access Statement. During pre-application discussions, officers have confirmed that there is no objection to a contemporary approach. Indeed, the surrounding properties consist of an eclectic mix of styles and thus no set design / form, furthermore, there are limited views into the site and there is no active street scene frontage.

- 7.18 The heights of the dwellings have been purposely kept to a minimum; furthermore, accommodation is provided over one and a half storeys. The reduced height ensures that the proposed development is subservient to the context of the site and responds to the immediate surroundings.
- 7.19 Due to the gentle change in site topography, the two pairs of dwelling are set at different levels. This adds interest to the ridge lines and reduces the overall massing when the buildings are view holistically together.
- 7.20 The density of development is reflective of the surrounding built environment. Therefore, the proposal would not result in a form of overdevelopment.
- 7.21 The proposals include the provision of associated hard and soft landscaping works, appropriate within a residential environment. These landscaping works improve the overall aesthetic quality of the site.
- 7.22 It is also notable that no objections have been raised with regard to the design or appearance of the development by the Planning Officer or Planning Inspector throughout this process. Indeed, the officer acknowledged that the proposed development would not be directly visible in the streetscene and would be largely screen by existing development; and at paragraph 6 of the appeal decision the inspector noted:
- “the proposed dwellings would be modest in scale and would sit lower in height than the surrounding properties. In addition, the layout of the proposal would mean that gaps would exist between the pairs of dwellings, which would still allow views through the site.”***...
- 7.23 Overall, the proposed development has been designed to be of a high, site specific and sensitive quality, appropriate to the character of the surrounding environment. The proposals respect the local context and successfully integrate with the settlement pattern, form, scale, height, massing and architectural characteristics of the surrounding built environment.
- 7.24 Based on this information, the proposed development would comply with the requirements set out in Policy DC61 of the Core Strategy and Development Control Policies DPD and would mark a significant improvement over and above the character and appearance of existing site

Amenity

Overlooking / Privacy

- 7.25 As highlighted above, this re-submission responds to the previous concerns with regard to overlooking and loss of privacy.
- 7.26 The proposed dwellings are orientated with their main aspects primarily facing in a northwest and south east direction to eliminate the potential for overlooking towards nos. 10-26 Harold Court Road and the rear gardens of Thurso Close.
- 7.27 It is notable that no first floor windows, except for high level roof lights with sightlines above 1.7m above finished floor level, are located on the eastern or western side elevations.
- 7.28 Moreover, minimum separation distances of 17m and 30m have been provided between the flank wall of the proposed houses and the rear elevations of the houses situated at Harold Court Road and Thurso Close Respectively.
- 7.29 Internally the building footprints have been staggered to accommodate a 20m separation distance between plots 1 and 3 and plots 2 and 4. These distances fall within these tolerances of the Mayors Housing SPG, which states:

“In the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 – 21m between facing homes (between habitable room and habitable room as opposed to between balconies or terraces or between habitable rooms and balconies/terraces). These can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density.”

- 7.30 As such, the development will not surmount in any habitable room – habitable room overlooking.
- 7.31 With regard to the impact upon no.8 Harold Court Road, the proposed development has been revised to ensure there are no habitable room windows located on the rear elevation of plots 1 and 2 at first floor level.
- 7.32 The proposed development will not, therefore, result in any overlooking to the amenity space of no.8 Harold Court Road in any way.
- 7.33 The remaining first-floor windows serve bathroom and landing/stairwell accommodation only. The windows are proposed to be obscure glazed and can be reasonably controlled to be retained in this manner by way of condition. Furthermore, should the council see fit, the windows can be conditioned to be non-opening or high-level opening to further preserve the amenity of neighbouring residents.
- 7.34 Further to the above, the revised scheme also maintains separation distances of 10m and 7.7m between the first floor rear elevation of Plots 1 and 2 and the side boundary to the rear garden of no.8 Harold Court Road.
- 7.35 Indeed, shorter separation distances, to habitable room windows, have previously been considered acceptable within the borough, see for example application ref. P0942,187.38 at 109 – 115 Collier Row Road.
- 7.36 In her Delegated Report, the officer stated:

“It is considered that Units 2 and 3 would not result in a significant loss of amenity to No.'s 119, 119A to 125 and 125A Collier Row Road, including their rear gardens, as there would be a separation distance of approximately 7 metres between their rear elevations and the western boundary of the site, which would help to mitigate their impact.” (our emphasis)

- 7.37 In this instance, the separation distances exceed those that have previously been considered acceptable by the LPA. Moreover, unlike the Collier Row scheme, the proposed windows do not serve habitable rooms.
- 7.38 The potential for overlooking is further reduced by natural screening from trees T3 and G2, situated at the common boundary between no.8 Harold Court Road and Plots 1 and 2.
- 7.39 The proposed development, cannot, therefore, be said to result in harm to the amenity of no.8 Harold Court Road by virtue of overlooking nor perceived overlooking.
- 7.40 Based on this information, the proposed development would not cause harm to the amenity of neighbouring residents or future occupiers of the development by virtual of a loss of privacy / overlooking of. The proposal, therefore, complies with policy DC61 of the Core Strategy and Development Control Policies DPD.

Living Standards of Future Occupiers

- 7.41 The proposed development will provide a high quality living environment for the future occupiers of the proposed dwellings.

- 7.42 As set out in the table below, each dwelling exceed minimum internal space standards, therefore, provide a sufficient level internal space for the enjoyment of future occupiers.

Plot	No. Beds/Persons	Required GIA (m ²)	Proposed GIA (m ²)	Compliance
1	2b 4p	79	86	✓
2	2b 4p	79	90	✓
3	3b 5p	93	100	✓
4	3b 5p	93	100	✓

- 7.43 In addition, each dwelling will be provided with a private outdoor amenity area ranging from 53m² to 104m². These gardens are of a high quality, will provide residents with a space of seclusion and benefit from a sufficient level of natural daylight and sunlight.
- 7.44 The acceptability of these spaces have previously been considered at appeal, whereby the planning inspector confirmed that the proposed gardens are of an appropriate scale, are afforded sufficient levels of daylight and sunlight and, therefore, provide adequate space for day to day uses, such as a table a chairs for outdoor dining, clothes drying relaxation, gardening and children's play.
- 7.45 Whilst officer's previously raised concern with regard to the outlook of future occupiers, the revised scheme ensures that all habitable rooms are served by a non-obscure glazed window. Furthermore, the first-floor bedrooms benefit from rooflights to enhance light penetration and provide an addition upward outlook to the skies.
- 7.46 Based on this information the proposed development will provide a high-quality living environment for the future occupiers of the proposed dwellings.

Daylight and Sunlight

- 7.47 The proposed dwellings would not have an overbearing or intrusive impact on neighbouring properties. Indeed, the Planning Inspector has acknowledged that gaps through the site remain, furthermore the increase in separation distance to no.8 Harold Court Road eliminates any sense of enclosure.
- 7.48 The application is also supported by a Daylight and Sunlight Assessment, which was prepared by T16 Design Ltd in support of the original application. Whilst relating to the previous, larger scheme, the report remains relevant to the proposals.
- 7.49 The report details the levels of the change in daylight and sunlight for the windows and gardens of the neighbouring properties owing to the introduction of new development on the site.
- 7.50 The main criteria used in the analysis include Annual Probable Sunlight Hours and Vertical Sky Component (VSC) tests. The report concludes the following:
- The effect on VSC is within the 80% guidance value in all cases. There will, therefore, be no adverse impact on neighbouring residents in terms of daylight.
 - In terms of sunlight, all windows and gardens retain in excess of 80% of their current values and so the scheme accords with BRE guidance in relation to sunlight. There will therefore be no adverse impact on sunlight receipt to neighbouring properties.

- From a planning perspective therefore, it is the conclusion of this report that the proposed development is entirely acceptable, in planning terms, without adverse impact on the neighbours.

Transport and Parking Considerations

- 7.51 The proposed development will utilise the existing access from Harold Court Road.
- 7.52 Whilst the garage site has fallen into a dilapidated state, theoretically, vehicle movements could reasonably exceed those associated with the proposed development. Therefore, from a highway safety perspective, the proposed development would not result in an intensification of the site over and above that in which has previously been considered acceptable. Conversely, the supporting transport statement confirms that there would be a significant material decrease in traffic generation and pedestrian trips to that of the existing lawful use of the site.
- 7.53 The access benefits from a sufficient level of visibility in both north and south directions.
- 7.54 Internally, sufficient space has been provided to ensure vehicles can manoeuvre to enter and exit the site in a forward gear. Moreover, 2no. passing places have been incorporated to ensure vehicles can pass one another within the site without reversing back into the public highway.
- 7.55 It is acknowledged that the application site does not benefit from a sufficiently wide enough access for a Fire Appliance; and the proposed dwellings fall outside the maximum distance of 45m as prescribed within “Manual for Streets” for servicing by a Fire Pump Appliance on street. However, the site lies within the necessary distance to be serviced by a Fire Tender from the Highway. Each property is to be provided with a residential sprinkler system and this results in a Fire Appliance to be able to reach the required distances of 90m as per “Design Document BS9991” under B5 of Approved Document B Vol 2 of the Building Regulations Manual.
- 7.56 8no. off road car parking spaces (2no. spaces per dwelling) and 8no. cycle parking spaces are provided as part of the development. During pre-application discussions, Officers have indicated that such parking provision is considered to be acceptable.
- 7.57 The application is also supported by a Transport Statement, prepared by Sarnlea Consulting Engineers. This confirms the following:
- The development proposals have been formulated in accordance with both local and national policy to which the proposal accords well;
 - The proposal has been assessed in terms of its accessibility by non-car borne modes and the level of accessibility is adequate and in accordance with a development of this type and scale;
 - The likely level of traffic has been obtained from an interrogation of the National Travel Survey incorporating the TRICS database. The assessment has found that the development will generate a level of traffic that is immaterial in terms of highway safety and efficiency;
 - The internal highway layout is suitable and fit for purpose in terms of both highway safety and highway efficiency;
 - The details regarding refuse collection and fire service access have been assessed as being acceptable;

- The assessment clearly demonstrates a significant material decrease in traffic generation and pedestrian trips to that of the existing lawful use of the site.

7.58 The access and parking arrangements remain identical to those submitted as part of application P1328.19 and P0818.20 to which no objection has been raised by the highway authority, planning officer nor Planning Inspector.

7.59 Based on this information, the proposed development would not result in any highway safety concerns and would, therefore, accord with the requirements of policies CP9, CP10, DC32, DC33, DC34, DC35 and DC36 of the Havering Core Strategy and Development Control Policies DPD.

7.60 **Flood Risk and Drainage**

7.61 The application site is located within Flood Zone 1 and is not situated near to any watercourses. It is, therefore, at low risk of fluvial and surface water flooding.

7.62 The application is also supported by a Drainage Strategy, prepared by Lanmor Consulting. The Drainage Strategy details the proposed foul and surface water drainage regime and outlines the management and maintenance of said regimes. The strategy provides the following summations:

- The proposed development is considered to be in a very low flood risk area from all sources of flooding. The extent of fluvial flooding in the area has been assessed and allowances for climate change factored in and the site is still in a very low flood risk area (Zone 1). It is therefore considered that the site will be safe and free from flood waters for all events with a probability of 0.1% or greater. The development site has also been assessed for risk of flooding from other sources including surface water and reservoirs. The assessment has confirmed that the site is at low risk of flooding from any of these sources. As it is in Flood Zone 1 a safe access can be provided at all times and it meets the requirements of the sequential test in the NPPF to allocate development to areas at low risk of flooding.
- In the preparation of this strategy the use of SuDS was considered and have been incorporated into the strategy where possible. The proposed drainage strategy comprises of two options, the preferred option of permeable paving with an alternative option of using underground attenuation tanks if permeable paving is not viable. Both options will restrict the discharge rate from the proposed development below the current brownfield discharge from the site.
- The attenuation tank or permeable paving will provide the main storage for the runoff from the development and will be located under car parking area of the site. The discharge from the tanks will be restricted by a HydroBrake and the permeable paving by orifice plates to ensure the development provides a reduction in the peak runoff rate.
- This statement clearly demonstrates that the proposed development can be served in terms of discharge of foul and surface water runoff from the site without increasing the risk of flooding in the area. Given the above we can see no reason to preclude development on this site on the grounds of there being insufficient capacity to deal with the runoff from the proposed development.

7.63 The recommended drainage strategy measures can be reasonably controlled by way of an appropriately worded condition.

7.64 The drainage strategy remains identical to that submitted as part of application P1328.19 and P0818.20 to which no objection was raised.

- 7.65 Based on this information the proposed development would not give rise to and flood risk or drainage issues and would, therefore, comply with the requirements of policies DC48 and DC51 of the Core Strategy and Development Control Policies.

Trees

- 7.66 A Tree Survey Report, Including an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) was undertaken in August 2019 by the Canopy Consultancy. The trees were inspected from ground level by consultant arboriculturist Neil Taylor on 25th January 2019 and measurements taken in accordance with the recommendations set out in the BS5837:2012. The survey is accompanied by an associated tree survey drawing (ref. 18-696-TPP-A).
- 7.67 The report makes recommendations for effective tree protection strategies for the duration of the development and provides the necessary Arboricultural information for the planning requirements of Havering Borough Council.
- 7.68 It is noted that there are no trees within the site; however, those adjacent to the site vary considerably in terms of their condition and amenity value in the context of the local area. For the purpose of this application, the trees have been divided into three distinct character groups.
- G1 - Large, mature trees found growing adjacent to the site boundaries – generally in good condition and provide significant amenity to the wide area
 - G2 - Medium size, middle aged trees found growing adjacent to the site – reasonable condition, limited contribution to amenity of the local area
 - G3 - Smaller, young trees found growing adjacent to the site – good condition, however due to their size contribute little to the amenity of the local area.
- 7.69 None of the trees are protected by a Tree Preservation Order and are not afforded protection through a specific landscape designation.
- 7.70 The report confirms that no trees will be removed to enable the proposed development,
- 7.71 As articulated within the Design and Access Statement, the siting of the dwellings has been carefully considered to limit any impact to the existing trees outside of the application site. Works to the existing trees will, therefore, be limited to the pruning of overhanging laterals of G2 back to boundary and the lifting of the crowns of T1 and T2 to clear 5m and 6m respectively.
- 7.72 A number of trees will also be affected by the demolition of the garages (T1, T2, T3 and G2), the construction of hard surfaces within root protection areas (RPAs) (T1 and G2), the construction of plot 4 within the RPA (T2), and the removal of existing hard surfaces (T2, T3 and G2). Notwithstanding this, the incursion by plot 4 into the RPA of T2 is less than 5% and is, therefore, considered acceptable. Furthermore, the works will be carried out in accordance with an appropriate Working Methods Statement, outlined within section 5 of the Report. This sets out a number of mitigation measures to ensure retained trees benefit from an adequate level of protection. The full details of these measures are provided at pages 6-7 of the Report, however, in summary these include:
- The installation of tree protection barriers (Heras type panels or similar).
 - The use of a 'top down, pull back' method for the demolition of the garages, whereby the structure is pulled away from the retained trees.

- Any machinery used will be stood on the existing hard surface at all times.
- The concrete slab that is within the RPA of T2, T3 and G2 is to remain in situ during the construction phase and will only be removed when the construction is complete.
- The removal of the concrete slab within the RPA of T2, T3 and G2, will be by hand and the area will be reinstated with top soil immediately.
- The existing sub base within the RPA T1 and G2 will remain in situ to be utilised for the new hard surface that forms the proposed car parking spaces and access drive.
- Where foundations for plot 4 are within the RPA of T2, a pile and above ground system is to be utilised. The existing concrete slab will remain in situ to be used as a pile mat. The desired pile locations will be marked out and each one probed to a depth of 600mm to check for significant roots under the supervision of a suitably qualified arboriculturist. If roots with a diameter of 25mm or more are found, the pile location will be shifted and the process repeated until a location free of significant roots has been established.
- No materials or spoil to be stored within the RPA of a retained tree.
- Service runs within the RPA of a retained tree to be dug by hand.
- All root pruning to be agreed beforehand with the named arboriculturallist in consultation with the LPA, and to be carried out in accordance with current best working practice.
- Site monitoring and supervision.

7.73 The report concludes that through the specified tree protection measures and construction techniques, it will be possible to minimise the impact of the proposed development on the retained trees. Overall, there are no known overriding arboricultural constraints which would prevent the proposed development from going ahead, subject to the protection measures and construction methodologies specified within the report being correctly implemented.

7.74 The arboricultural scope of works remain identical to those submitted as part of application P1328.19 and P0818.20, to which no objection was raised.

7.75 Based on this information, the proposed development would accord with the requirements set out within policy DC60 and DC61 of the Havering Core Strategy and Development Control Policies DPD.

Energy and Sustainability

7.76 The proposed development will comply with Building Regulation standards and Policy 5.2 of the London Plan regarding water efficiency, energy consumption and emissions.

7.77 Furthermore, as set out within the Design and Access Statement:

- Construction materials will be selected and sourced with reference to the BRE 'Green Guide to Housing Specification'.
- Materials containing CFC's / HFC's will be avoided wherever possible. Materials will be selected for their low toxicity, recycled content and for their low embodied energy content and carbon dioxide.
- Wherever possible materials have been selected to achieve a 60 year lifespan.

- The envelope will be thermally designed to achieve the requirements of the new Part L Building Regulations or better. These targets can be met by adopting measures such as, the inclusion of boilers with SEDBUK 'A' ratings; aerated shower and tap heads; double glazing with low-E glass; and an airtight building envelope strategy.
- The design seeks to include a 19% reduction in CO2 and water consumptions of 110 litres per person per day to comply with the statutory requirements.

Ecology

- 7.78 The application site is not located within an identified SSSI or area of local or national conservation importance. The site comprises hard surfacing and single storey garage buildings. It is, therefore, of no ecological value and does not provide a suitable habitat for protected species.

Waste

- 7.79 The development includes the provision of a refuse and recycling storage area situated at the end of the access road. Each property will be provided with the appropriate general waste and dry recycling bins. Collection arrangements are to be confirmed and agreed with the London Borough of Havering.
- 7.80 The waste strategy remains identical to that submitted as part of application P1328.19 and P0818.20, to which no objection was raised.

Noise

- 7.81 By virtue of its scale, the proposed development is not considered to give rise to an unacceptable level of noise disturbance during construction works. An appropriately wording condition could be included to control the working hours during construction.
- 7.82 No objections have previously been raised with regard to noise pollution.

8. Conclusion

- 8.1 As we have clearly demonstrated the proposed development has been revised to eliminate the potential for overlooking / loss of privacy whilst continuing to provide a high standard of living accommodation for future occupants and, therefore, responds to previous reasons for refusal / concerns.
- 8.2 Save for the specified amendments, the scheme remains identical to that of application P1238.19 and P0818.20, which has been considered to be acceptable by officers and the Planning Inspectorate.
- 8.3 Overall, our conclusions are, therefore, as follows:
- The proposed development would result in the creation of much needed residential development in a sustainable location.
 - The proposal will make a small, but nonetheless important, contribution towards the Borough's achievement of its housing target and will do so in a way that does not result in any unacceptable impact either in terms of the locality generally or the amenities of nearby residents.
 - The proposal will not result in unacceptable loss of sunlight or daylight or overshadowing to nearby properties, nor will overlooking be an issue.
 - The proposal will make better use of an existing, underutilised brownfield site; consistent with existing and emerging policy.
 - The proposal is wholly compatible with local policies, complementing urban typologies and design specific requirements.
 - The proposal does not give rise to any highway safety, drainage and flooding or ecological issues.
 - This submission has actively engaged with the comments previously received from officers to ensure that the scheme is wholly appropriate to the site and its surroundings.
 - Havering Borough Council are subject to a presumption in favour of sustainable development with regard to the provision of new homes. There are no significant adverse impacts that would outweigh the benefits of delivering new homes at this sustainable location.
- 8.4 Having regard to all of the foregoing, it is considered that the application proposals fully comply with the provisions of the Development Plan and, accordingly, should be granted consent without delay.