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Planning Statement



Project: Planning Application for One New Home
Site name: Garage to the rear of 2C and 2D Woburn Avenue, Hornchurch RM12 4NG
On behalf of: Mr Jazz Singh
Date: April 2024

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A. SUMMARY AND CONCLUSION

1. This Planning Statement accompanies a full planning application to the London Borough of Havering (“the Council”) which seeks its approval for “redevelopment of the existing garage for the provision of one new home” (“the development”) at the rear of 2C and 2D Woburn Avenue, Hornchurch RM12 4NG (“the site”).
2. The application proposes redevelopment of the existing garage and associated hardstanding site to erect one new home. The new home will be two storeys in height and have two bedrooms (three bedspaces), a living/ kitchen area, and two bathrooms with private amenity space to the rear.
3. The new home will be constructed of materials similar to adjacent properties on Woburn Avenue and offer one off-street parking space, cycle storage and refuse and recycling facilities.
4. The accompanying plans prepared by Skyline Designs demonstrates a high quality scheme. It shows that the garage redevelopment will ensure the new home will be of a high quality, and that the residential quality will be high in terms of meeting internal space standards and having access to light and outlook for all habitable rooms. The proposed development will not result in any adverse impact on the amenities of adjacent residential occupiers.
5. The proposed development will be wholly in accordance with the Havering Local Plan and the National Planning Policy Framework, and there are no material planning considerations that would indicate that planning permission should not be granted. On the contrary, material planning considerations exist in presumption of favour for the proposed development whereby the Council has fell short by 45% in its Housing Delivery Target.
6. We therefore respectfully request that this proposal should be positively considered by the Council.

B. THE SITE AND THE PROPOSAL

7. The site comprises a garage building, with associated hardstanding to the rear of 2C and 2D Woburn Avenue in the local authority area of the London Borough of Havering. The garage fronts Woburn Avenue to the west, which joins onto Elm Park Avenue to the north.
8. The site can be accessed from Woburn Avenue and is bounded by a partition fence delineating the amenity spaces of 2C and 2D Woburn Avenue to the north. A brick wall separates the site from 2 Woburn Avenue to the south and the garage backs on to the rear gardens of 218 and 216 Elm Park Avenue to the east.



Figure 1: The Site -composed of concrete hardstanding and garage.

Planning Designations

9. The site is not located within a Conservation Area or within the setting of a listed building.
10. There are no Tree Preservation Orders present at the site. The site is not located within the Metropolitan Green Belt and the site is not in an Environment Agency (EA) designated flood risk zone.
11. The site has a Transport for London (TfL) Public Transport Accessibility Level (PTAL) score of 3, with bus route access a maximum of 2 minutes on foot and approximately 6 minutes on foot from Elm Park underground station.

Planning History

12. Two previous applications were refused planning permission. These were:
 - PI494.18 - Extension and conversion of existing garage into two bedroom house. Refused 28 November 2018; and

- P0360.19 - Conversion and extension of existing garage into a single self-contained studio flat. Withdrawn 12 July 2019.

The proposal

13. The proposal is for redevelopment of the existing garage on the site to create one new home.
14. The new home will be laid out internally with a kitchen, living room/ diner and WC on the ground floor, one bedroom with two bed spaces, one bedroom with one bed space and one bathroom on the first floor.
15. The new home will be constructed of materials to match adjacent properties on Woburn Avenue to respect the existing character of the area.
16. The existing access of the site from Woburn Avenue will be retained and offer one off-street parking space, as well as cycle storage for 2 bicycles. Appropriate refuse and recycling storage will be provided in line with the existing arrangements at the wider site and in keeping with the Council's adopted standards.

C. PLANNING POLICY COMPLIANCE

18. The statutory development plan for the London Borough of Havering comprises:
 - the Havering Local Plan 2016 - 2031 (adopted in 2021); and
 - The London Plan (2021).
19. The National Planning Policy Framework (December 2023) ('the Framework') is a material consideration of significant weight.
20. The main considerations for the proposed development are:
 - the principle of development;
 - impact on residential amenity;
 - layout and design;
 - highways, access and parking; and
 - other matters.

Principle of development

21. At the heart of the Framework is the Government's objective of significantly boosting the supply of homes. Chapter 5 sets out that delivering a sufficient and wide choice of high quality homes is of the utmost importance, noting that Local Plans should meet the objectively assessed need for housing in their area. Paragraph 60 is the key consideration as it sets out an intention to boost significantly the supply of housing.
22. Paragraph 123 of the Framework sets out that planning decisions should promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment and ensuring safe and healthy living conditions. The proposed development is seeking to develop the site to deliver one new home, helping to meet the Government's overriding objective in section 11 of the Framework.
23. Paragraph 124 of the Framework outlines a number of points where planning should support the increase in use and density of sites. Point D is of importance, which states that planning should "*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*". Infilling the site's under-utilised garage and hardstanding to provide one new home will effectively support the Council's housing need and therefore its development meets a core national planning requirement. Related to this, the Government has recently proposed a change to the Framework to apply a "*presumption in favour of sustainable development*", specifically to planning applications on brownfield land in the 20 largest cities. It is this site that the Government clearly considers that the presumption should apply to.
24. Chapter 4 of The London Plan sets out the Mayor's strategic approach to housing development and recognises the pressing need for more homes in London. The London Plan sets out the average annual minimum housing supply targets for each

borough until 2028/29 in order to significantly boost the supply of housing. Policy HI sets a minimum ten year housing target for Havering of 12,850 units.

25. The net gain of one new home on this site will make a vital contribution towards meeting the housing delivery target from the London Plan.
26. Furthermore, the Mayor of London's Housing Supplementary Guidance (SPG) adopted in March 2016, highlights the importance of infill residential development to enable Boroughs to meet the housing targets set out within the London Plan. The SPG states at paragraph 1.1.35 that *"To reduce their reliance on a limited number of allocations, boroughs should aim to [...] proactively identify and enable opportunities for housing intensification and renewal through infill/small-scale development and mixed use redevelopment."*
27. Policy 3 of the Havering Local Plan outlines that 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. One way the Council hopes to achieve this is detailed in Policy 3 Part X where it states new homes will be achieved by *"Supporting appropriate development of infill, under-utilised and vacant sites in the borough's sub-urban areas"*.
28. The proposed principle of development accords wholly with the Framework – including the proposed amendments to it to further engorge new housing on brownfield land – and the development plan as it clearly pertains to the delivery of additional housing to meet local need.

Layout and design

29. Section 12 of the Framework relates to design and states that the Government attaches great importance to the design of the built environment, with good design being a key aspect of sustainable development. Paragraph 134 states that significant weight should be given to outstanding or innovative designs that promote high levels of sustainability or help to raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of the sites surroundings.
30. The Framework encourages all new development to be of a suitably high quality. The London Plan builds on this by stating the importance of good design across all areas of development, specifying that development should be of a high quality and respect and respond positively to existing buildings, the streetscape, and wider context. Buildings and structures should also comprise details and materials that complement the local architectural character. In particular, Policy D3 of the London Plan specifies the need for new development to respect the character of the surrounding area whilst also making a positive contribution to the identity of a place.
31. Policy 26 of the Local Plan outlines that the Council will promote high quality development that contributes to the creation of successful places in Havering.
32. The Council, in Part vii of Policy 26 supports development that *"Responds to distinctive local building forms and patterns of development that respect the visual integrity and established scale"*. In careful designing of the proposed new home, reflection of the massing and materials of existing outbuildings and adjacent properties has been adopted.

33. The accompanying plans prepared by Skyline Design Ltd architects demonstrate how the proposed home is of high architectural quality and design, clearly informed by the local street scene and character. This approach was encouraged in the decision of application reference PI494.18 which refused a single storey dwelling on this site for only two reasons:
- *“The proposal by reason of its lack of a rear garden represents a cramped and uncharacteristic form of development that adversely affect the amenity of prospective occupants and the character of the pattern of development in the local area”;* and
 - *“The proposed house by reason of being detached and single storey would be out of character with the two storey terraced housing that characterises the local area to the detriment of the form of development in the local area”.*
34. In response to these two reasons for refusal, the proposed dwelling has been designed with the following features to align with the properties on Woburn Avenue:
- amenity space to the rear;
 - two storey design;
 - window and door placement;
 - rendering and pebble dash; and
 - hipped roof.
35. On this basis, the proposed dwelling is wholly in keeping with the character of the local area, such that the design and layout cannot be considered a detriment, but an enhancement to the character of the pattern of development and visual interest of the local area. In this regard, there is no reason that the proposed dwelling should not be approved.
36. In line with the above, there is clear capacity to deliver a high quality development fully consistent with the requirements of Policy 26 of the Havering Local Plan, Chapter 3 of the London Plan, and the design policies of the Framework. The relevant development plan policies in relation to design, and the character of the area will be wholly complied with.

Residential amenity

37. The Framework identifies the need for development proposals to create places that are inclusive and accessible, promoting health and well-being, with a high standard of amenity for future users.

Occupiers of the new home

38. Policy D6 of the London Plan sets out the required quality and standard for housing in the Greater London area. The policy states that all housing development should be well designed and provide adequately sized rooms in line with the minimum space standards. Policy D6 goes on to state that dwellings should also be designed to have comfortable and functional layouts which are fit for purpose and meet people's needs.

39. Policy 7 of the Havering Local Plan seeks to attain residential development of a high design quality that is inclusive and provides an attractive, safe and accessible living environment for new residents.
40. The proposed new home will comply with the Government's National Technical Space Standards in accordance with local policy (which are 70 sq. m for the size of dwelling proposed) whereby the gross internal floor area will be 72.6sq. m with over 2 sq.m of built-in storage. The proposed new home will also offer private amenity space to the rear of the property which also exceeds national standards. It is therefore clear that the proposed dwelling has appropriately responded to the Council's previous reasons for refusal, such that it cannot be considered as cramped.
41. In accordance with Policy 7 of the Local Plan, the layout of the scheme has been carefully designed to also ensure that the new home will have an adequate level of natural light in all habitable rooms. This is demonstrated in the accompanying Daylights and Sunlight Report, prepared by CHP Surveyors.
42. The development has been designed with suitable situation of windows and obscurely glazed windows where appropriate. This careful design ensures that future occupants will not face unacceptable levels of overlooking, or lack of privacy, whilst experiencing dual aspect accommodation as encouraged by Policy 7 of the Local Plan. Furthermore, the level of noise, vibration and disturbance that occurs from activities in this area will have no greater impact on the development's new occupants than occupants of adjacent properties.
43. The assessment above clearly demonstrates that the proposed development has been designed to a high quality to ensure that the quality of life of future occupants of the proposed development will provide an attractive, safe and accessible living environment in accordance with relevant policies (including Policy 10(iii)) of the development plan.

Occupiers of adjacent properties



Figure 2: Adjacent occupiers.

44. Whilst encouraging appropriate residential development, Policy 7 of the Local Plan also seeks to ensure that the amenity and quality of life of existing residents is not adversely impacted.
45. The development has been carefully designed to ensure that it would have an appropriate relationship with all of the surrounding neighbouring properties. An assessment of the impact on each of them is set out below

2 Woburn Avenue

46. The proposed dwelling will be located to the immediate north of this dwelling, with its front elevation in line with it and respecting the building line. The rear elevation of the new dwelling will be set back from that of 2 Woburn Avenue at ground floor level, and in line at first floor level. This will ensure that there is no impact on the front and rear facing windows of 2 Woburn Avenue.
47. There are no windows that serve primary habitable rooms on the north elevation of 2 Woburn Avenue, and so there will be no impact in this regard.
48. With respect to overlooking, the proposed new dwelling will have a first floor rear facing bedroom window. Whilst this will overlook the rear facing garden of 2 Woburn Avenue, this is exactly the same as the relationship between 2 and 4 Woburn Avenue, and indeed any terrace or semi-detached property. Therefore, there will be no loss of amenity from the proposed development.

2C and 2D Woburn Avenue

49. The proposed dwelling will be located to the south of these two properties. There will be no windows that serve primary habitable rooms on the north elevation of the proposed dwelling, and so there will be no undue overlooking created.
50. The massing of the new dwelling has been carefully designed so that it will respect the 25 degree line when taken from the south facing windows of 2C and 2D Woburn Avenue, ensuring that there will be no loss of amenity in terms of overshadowing. This is confirmed in the Daylight and Sunlight Assessment, dated 27 March 2024, submitted with the application. The proposed dwelling will have some impact in terms of it being larger than the existing garage, but this is in the context of an established tight-knit urban environment.
51. The existing outlook from the existing properties is primarily that of the two storey side elevation of 2 Woburn Avenue. The proposed development will not substantially change this in terms of the outlook being to the two storey elevation of the new dwelling. In this regard, any impacts will be minimal and will not result in a loss of amenity to the occupiers of these two properties.

214 to 220 Elm Park Avenue

52. This is a terrace of properties that are all located to the north and north-east of the site. Due to the distance, the proposed dwelling will not have any impact with respect to overshadowing or loss of outlook.
53. To ensure that there would be no loss of amenity through new overlooking, the aforementioned first floor window will be set at an angle so that it is directed away

from the gardens of these properties. Whilst it is the case that the gardens are already overlooked – both by the other properties in the terrace and from the rear facing window of 2 Woburn Avenue, the design of the proposed dwelling will ensure that there is no potential to increase the overlooking through its design.

Summary

54. Based on the design of the scheme and the above assessment, it is clear that the proposed development will not result in any adverse impact on the amenities of the adjoining and adjacent residential properties, and the proposal will be wholly in accordance with the relevant policies (including Policy 10(ii-iv)) of the development plan.

Accessibility, highways, and parking

Accessibility

55. Policy D7 of the London Plan and Policy 7 of the Council's Local Plan requires new development to promote independent living by way of designing accessible and adaptable dwellings or wheelchair user dwellings.
56. The proposed new home will be accessed directly from Woburn Avenue and shall be carefully constructed to comply with Building Regulation M4(2) 'Accessible and Adaptable Dwellings'. This has been achieved by way of:
- step free access to the proposed new home and associated parking space;
 - step free access to the ground floor WC;
 - step free access to private outdoor amenity space; and
 - situation of bathroom and bedrooms on the same floor.

Highways

57. The Framework continues to recognise that transport policies have an important role to play in facilitating sustainable development and states that development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 111 of the Framework states that developments should not be refused on transport grounds unless there would be an unacceptable impact on highway safety, or the residual cumulative impact of the development are severe.
58. The proposed development will maintain and have no impact on the existing access arrangements to the site such that safe and efficient use of the highway will continue in accordance with Local Plan Policy 10(i) and 23.

Parking

59. Policy T6 of the London Plan states that developments should propose no more parking than the maximum standards included Table 10.3 to ensure an appropriate

balance between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use.

60. The site has a PTAL level of 3 and so is in an area of reasonable public transport accessibility with bus route access a maximum of 2 minutes on foot and approximately 6 minutes on foot from Elm Park underground station. Table 10.3 identifies that the maximum parking provision for London zones within PTAL Level 3 is up to 0.25 spaces per dwelling.
61. Policy 24 of the Local Plan sets out that the London Plan's maximum standards will be applied across the borough. The Council's minimum parking standards are only applied to areas of the borough where there is low public transport access (PTAL 0-1). The minimum parking standards therefore do not apply to this site and as such no additional parking spaces have been provided.
62. The London Plan requires proposals to plan for sustainable transport improvements, including cycling and walking. Policy T5 of the London Plan states that new developments should provide appropriate levels of parking that are well-located, secure, and fit for purpose. Table 10.2 of Policy T5 sets out the minimum standards of cycle parking for a person, 1 bedroom dwelling is 1.5 cycles spaces.
63. The proposed development incorporates 2 cycle parking spaces such that the minimum cycle parking standards of the London Plan.
64. Accordingly, the proposed development will not result in any adverse impacts on transport or the local highway network. On this basis, the proposed access arrangements, and parking provision is suitable and there will be no conflict with either the policies of the development plan or the Framework.

Other matters

Refuse and recycling

65. Policy 35 of the Havering Local Plan will support residential development that provides adequate internal and external storage space to separate, store and recycle waste.
66. The proposed development will adopt the existing refuse and recycling arrangements for other properties at Woburn Avenue that is convenient and accessible to all occupants and waste collection services. The proposed allocates an area for bin storage such that the scheme therefore complies with Policy 35 of the Havering Local Plan.

Biodiversity Net Gain

67. Paragraph 180 of the Framework outlines how local authorities can contribute and enhance the local and natural environment through the minimization of development impacts on biodiversity and the provision of biodiversity net gains.
68. Biodiversity Net Gain (BNG) was made a requirement under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021) and is now applicable to both large and small development sites.

69. The Biodiversity Gain Requirements (Exemptions) Regulations 2024 provides for De minimis exemptions to the BNG requirement, this is only applicable to planning permission for development that does not impact a priority habitat and impacts less than:
- 25 square metres (5m by 5m) of on-site habitat; and
 - 5 metres of on-site linear habitats such as hedgerows.
70. As depicted in Figure 1, the site is entirely composed of hardstanding and an existing garage. The site is not home to a priority habitat and so the development proposed will have no impact on any on-site habitat or on-site linear habitats.
71. The site therefore qualifies as a De minimis exemption to the biodiversity net gain planning condition and so the proposed development will accord with policies of the development plan (including Policy 10 (v)) and the Framework.

D. PLANNING BALANCE AND THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

Compliance with the development plan

72. It is the appellant's position that the proposal clearly accords with the Council's development plan, both in terms of the individual policies and when considered as a whole.

Status of the development plan policies

73. It is a relevant consideration that the most important policies for determining the application are 'out-of-date' by virtue of the Council has failed to meet its Housing Delivery Test (HDT) targets. The most recently published figures show that of a target of 2,968 new homes to be built over a three year period, just 1,636 were, equating to just 55% of the target.
74. The latests Authority Monitoring Report confirms that the Council also has just a four year supply of housing land, and this along with the failure to meet the HDT demonstrates that the policies in its development plan have not been effective, and its overall spatial strategy to meet the needs of its current and future residents has, sadly, failed.
75. The consequence of this is that suitable windfall non-allocated sites such as the site must come forward for residential uses that can assist in meeting the current supply shortfall.
76. As the most important policies for determining the application are 'out-of-date', any conflict with them, should the Council judge there to be, must be afforded reduced weight in the overall planning balance, especially when assessed against the 'tilted balance' in favour of sustainable development, as set out below.

The tilted balance in favour of sustainable development

77. The effect of the Council not having a sufficient housing land supply to meet its needs and failing to meet the HDT is that the policies which are most important for determining the application are out-of-date, and so the Framework's 'tilted balance' is engaged. This sets out at paragraph 11(d) that the decision maker should grant planning permission unless:
- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
78. With respect to point i, as set out above there are no protected areas or assets of particular importance, such as designated heritage assets, being in an Area of

Outstanding Natural Beauty etc, and so there is no clear reason for refusing the development with respect to policies of the Framework.

79. With respect to point ii, there will be no adverse impacts from the proposed development that would significantly and demonstrably outweigh the benefits, which are listed as follows:

- the provision of new housing in an area where there has been a significant and persistent shortfall in supply and delivery for at least eight years;
- the development of a highly sustainable site with good access to public transport and so minimising the need for future residents to rely on travel by private car;
- the proposal will contribute to the protection and enhancement of the natural environment by minimising the use of natural resources and minimising waste and pollution through the provision of sustainable homes on a previously-developed land;
- the development will result in a range of economic benefits through local construction jobs that will be created during the construction phase of the development; and
- the future residents will contribute to the economic prosperity of Hornchurch and the wider Havering area through additional expenditure in local shops and services. In addition, the Council will benefit from the New Homes Bonus through the creation of additional new build homes within the District along with Council Tax and Community Infrastructure payments.

economic and other social benefits. These considerations overall give substantial support to accepting the proposed development.

80. The benefits of the proposed additional housing must be afforded substantial weight, outweighing any conflict (if it exists) with the development plan when applying the tilted balance in favour of the scheme. In addition to the schemes compliance with the policies of the development plan when taken as a whole, the tilted balance in favour of sustainable development is engaged and planning permission should be granted.