

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1427.24

WARD: St Andrew's **Date Received:** 22nd October 2024

ADDRESS: 1 Billet Lane
Hornchurch

PROPOSAL: Retention of 5no. existing workshops, erection of overhead pergola and the use of the site for car repairs, servicing and tyre fitting and car sales to rear of 1 Billet Lane

DRAWING NO(S): 068.24/01 Revision E - Existing & Proposed site plans
068.24/02- Existing ground floor plan
068.24/03 - Existing roof plan
068.24/04 - Existing front elevation & side elevations
068.24/05 Revision C - Proposed ground floor plan
068.24/06 - Proposed roof plan
068.24/07 - Proposed front elevation & side elevations

RECOMMENDATION: It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The application site comprises of land to the rear of 1 Billet Lane, Hornchurch. There is an access way to the site between No.'s 21 & 21A Billet Lane and 23 Concept House, Billet Lane. 1 Billet Lane is located in the Secondary Frontage of Hornchurch District Centre, but the application site itself is not designated. The LIDL supermarket car park is located to the west of the site. Colwood Motors and Unit 1 both in Fairkytes Avenue, are located to the north of the site. Beyond which, there are neighbouring properties in Fairkytes Avenue to the north west and north of the site. There is a two storey parade of shops in the High Street and Billet Lane located to the east, south and south west of the site, with some residential accommodation at first floor.

DESCRIPTION OF PROPOSAL

The original description of the proposal was the retention of 5no. existing workshops and erection of overhead pergola to rear of 1 Billet Lane.

During the course of the application, the description of the proposal was changed to: "Retention of 5 no. existing workshops, the erection of an overhead pergola and the use of the site for car repairs, servicing and tyre fitting and car sales to the rear of 1 Billet Lane".

During the course of the application, it was noted that the Site Location Plan only showed the site outlined in red and didn't include the vehicular access to the site. In addition, a Certificate of Ownership A had been completed. Following negotiations with the agent, the existing and proposed site plans were amended, so the whole of the application site was outlined in red including the vehicular access. Revised plans were received on 3rd June 2025. Also, the agent completed Certificate of Ownership B and served notice on the landowners for 21 days. Neighbours and consultees were re-consulted regarding the revised description and revised plans for 21 days.

The proposed operating hours are: 08:00-18.00 hours Mondays to Fridays, between the hours of 08.00-13.00 hours on Saturdays and not at all on Sundays, Bank or Public holidays.

The application form states that the work or change of use has not started.

It is noted that there is a discrepancy on Drawing No. 068.24/06, as the title of the plan is "Existing roof plan", but it refers to a proposed roof plan, although this has not affected the determination of this application.

RELEVANT HISTORY

P0065.19	Demolition of the existing garages and construction of three dwellings houses including new public realm, landscape amenity space, car parking and all associated works.
	NDAL e refuse 26-02-2020
P0406.18	Demolition of the existing garages and construction of residential block comprising 9no. residential units.
	Refuse 13-06-2018
E0017.15	Certificate of Lawfulness for existing use as a restaurant/takeaway (class A3/A5)
	PP not required 01-06-2016
Q0124.14	Discharge of Conditions 3 and 4 of P0338.13
	ALL DECISIONS 19-02-2015 ISSUED

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were sent to 49 neighbouring properties. One letter of objection was received with detailed comments that have been summarised as follows:

- Parking is already at full capacity.
- Lorries and vans block the access.
- Traffic.
- Lack of space to manoeuvre.
- Damage to vehicles from pot holes.
- Concerns regarding access.

In response to the above comments, damage to vehicles from pot holes are not material planning

considerations. The remaining issues will be addressed in the following sections of this report.

The following stakeholders were also consulted:

The Public Protection Department advised that noise wise, it's unclear what the workshops will be used for. However, considering the location, which is close to residential units above the commercial properties on Billet Lane/High Street, as well as reasonably close proximity to residential properties to the rear of the development on Fairkytes Avenue. It is recommended that three conditions shall be imposed - hours of work on the site, a scheme that specifies the provisions to be made for the control of noise emanating from the site and plant or machinery if minded to grant planning permission. No objections on land contamination or air quality grounds. Detailed comments are detailed elsewhere in this report.

StreetCare Department - No domestic waste associated with this application.

Highway Authority - Originally raised some concerns regarding the layout of the proposed parking bays. It is likely that there will be some manoeuvrability issues for vehicles trying to use them, particularly bays 1, 7 and 8. In summary, no objection from highways as it is not believed the proposal will have a significant impact on the public highway, but the applicant is encouraged to consider the points raised to ensure an adequate parking area and vehicle access. The Highway Authority was re-consulted following receipt of a revised plan and provided the following comments. It is confirmed that the revised plan does appear to make the manoeuvrability for vehicles using the spaces better and as such, no additional comments from highways from the original response.

RELEVANT POLICIES

Policies 7 (Residential design and amenity), 13 (Town centre development), 19 (Business growth), 20 (Loss of locally significant industrial sites and non-designated land), 23 (Transport connections), 24 (Parking provision and design), 26 (Urban Design), 34 (Managing pollution) and 35 (On-site waste management) of the Havering Local Plan (2016-2031) as well as the Havering Community Infrastructure Levy Charging Schedule.

Policies D4 (Delivering good design), D14 (Noise), E4 (Land for industry, logistics and services to support London's economic function), T4 (Assessing and mitigating transport impacts), T6 (Car parking), T6.1 (Residential parking) and T9 (Funding transport infrastructure through planning) of the London Plan are relevant.

The National Planning Policy Framework is relevant.

MAYORAL CIL IMPLICATIONS

The 5 no. existing workshops have a cumulative gross internal floor area of approximately 115.9m². The application form refers to the retention of 5 no. workshops.

Planning application P0065.19 at 1 Billet Lane for the demolition of the existing garages and the construction of three dwellings houses including new public realm, landscape amenity space, car

parking and all associated works was refused and subsequently dismissed on appeal. The appeal decision states that: "The appeal site contains six flat-roofed garage-type buildings on its western edge, with two separate pitched-roofed garages on its southern edge". The D&A statement for P0065.19 shows a photograph of the existing garages on the site. It appears that the corrugated roof of the garages has been replaced and there is new guttering and perhaps, new or refurbished doors to the front. According to the Council's Aerial photos, the garages have been on site since approximately 1998. Given that the structure of the garages appears to have been retained (and repurposed), it is considered that the application is not liable for Mayoral or Havering CIL.

STAFF COMMENTS

The Case Officer carried out a site visit. A site photograph was provided by the applicant/agent in support of the application. In determining this planning application, photos, Google Street ViewTM, aerial view images and submitted drawings were used to assess the site constraints.

The main issues in this case are the principle of the change of use, the impact of the proposal on the streetscene and on residential amenity and any highway or parking issues.

PRINCIPLE OF DEVELOPMENT

.Principle of development

1 Billet Lane is located in the Secondary Frontage of Hornchurch District Centre, but the application site itself is not designated.

Policy 20 of the Havering Local Plan states that "The Council will require the re-provision of non-designated industrial land where it is located within a wider area of commercial uses (such as retail) in the event of proposals being submitted for redevelopment of the wider area except in cases where this policy accepts their loss".

When reviewing the merits of this application, consideration was given to planning application P0065.19 at 1 Billet Lane for the demolition of the existing garages and the construction of three dwellings houses including new public realm, landscape amenity space, car parking and all associated works was refused on the grounds that:

1)The proposed development by reason of its siting, internal floor area, layout and proximity and nature of surrounding land uses would result in poor living conditions of future occupiers, with regards to outlook, noise and general disturbance. As a consequence, the proposal would be contrary with Policy DC61 of the Core Strategy, Policy 3.5 of the London Plan, and the Council's Residential Design Supplementary Planning Document: Design for Living (2010) which all seek to ensure that development meets the needs of all people of all ages, and is of the highest quality internally, externally and in relation to their context. There would also be conflict with paragraph 127 of the Framework which seeks to ensure a high standard of amenity for future users of development.

2)In the absence of information that demonstrates the site has direct and unrestricted access (both pedestrian and vehicular) to and from the highway, Council considers the proposal access arrangements to be inadequate. In addition, the narrow width of the entrance road and intensification of the use of the access onto Billet Lane would result in drivers having to reverse

back onto Billet Lane to allow another driver to leave the site, creating an increase in collision risk in terms of occupiers and associated traffic turning into and out of the site. The width and condition of the driveway (access) appear to be insufficient for refuse access and the refuse store is more than 30 metres from the highway. The proposal is therefore contrary to Policies DC32 & DC36 of the LDF Development Control Policies Development Plan Document.

Application P0065.19 was subsequently dismissed on appeal. The appeal decision concluded that: "The proposed development would cause unacceptable harm to the living conditions of future occupiers, with particular regard to outlook, noise and disturbance" and "The proposed development would not provide suitable vehicular or pedestrian access arrangements". The appeal decision for P0065.19 is a material consideration to this application.

The application site appears to have consisted of former garage buildings. Mindful that the site is not suitable for residential development, it is considered that there is no objection in principle to the retention of 5 no. existing workshops, erection of overhead pergola and the use of the site for car repairs, servicing and tyre fitting and car sales to rear of 1 Billet Lane.

DESIGN/IMPACT ON STREET/GARDEN SCENE

It is considered that the retention of 5no. existing workshops and the erection of overhead pergola to the rear of 1 Billet Lane do and would not adversely affect the streetscene, given that the backland location of the site, which is largely screened by the parade of shops in the High Street and Billet Lane and the neighbouring buildings at Colwood Motors. In addition, there is a brick wall with some timber panels above on the eastern and southern boundaries of the site (and some timber gates on the eastern boundary), which provides some screening.

In addition, the overhead pergola would be single storey, with a height of between approximately 2.6 and 2.8 metres and would be set in between approximately 10.9 and 20.8 metres from the eastern boundary and approximately 2 metres from the southern boundary of the site, which would help to mitigate its impact.

The application form states that the proposed materials are a light metal pergola. The following condition will be imposed to ensure that the appearance of the proposed development will harmonise with the character of the surrounding area. "The development hereby approved shall be constructed in accordance with the materials detailed under the Materials Section of the application form unless otherwise agreed in writing by the Local Planning Authority".

IMPACT ON AMENITY

The agent originally sought the following hours of operation: "The workshops will be used for light car repairs all together or separately and will also be used a second hand car sales place. Hours of opening are Monday to Saturday 8am-7pm, closed on Sundays and other holidays." However, the Council's Public Protection Department had raised concerns that the proposed hours of opening are outside of the Council's standard hours (particularly on Saturdays and in the evening during the week), which needs to be addressed. Following negotiations with the agent, the hours of opening were amended to: "08:00-18.00 hours Mondays to Fridays, between the hours of 08.00-13.00 hours on Saturdays and not at all on Sundays, Bank or Public holidays". It is considered that the

reduction in opening hours has brought the proposal within the realms of acceptability. The hours of use will be imposed by condition to minimise the impact of the development on the surrounding area in the interests of amenity.

The Public Protection Department had some concerns regarding noise, particularly the use of air tools for removing tyres and other noisy works that may occur, and the impact they will have on the local residents (particularly those who live above the shops) and as such, they recommended the following conditions:

1) Work shall only be carried out on the site between the hours of 08:00-18.00 hours Mondays to Fridays, between the hours of 08.00-13.00 hours on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason: To minimise the impact of the development on the surrounding area in the interests of amenity.

2) Before the development hereby permitted commences, details of a scheme shall be submitted to and approved in writing by the local planning authority which specifies the provisions to be made for the control of noise emanating from the site. Such scheme as approved shall be implemented prior to first occupation and thereafter retained in accordance with such details. Any variation to the scheme shall be agreed in writing with the Local Planning Authority.

Reason: To prevent loss of amenity to neighbouring residential properties from noise.

3) No plant or machinery shall be installed unless it meets, or mitigation is employed, to meet the following standard: The Rating Level (Lar, Tr) of the hereby permitted plant or machinery shall be at least 10dB below the prevailing background noise level (LA90, T). The measurement position, assessment and definitions shall be made according to BS4142:2014 + A1:2019 "Methods for rating and assessing industrial and commercial sound." The equipment shall be maintained thereafter to the satisfaction of the Local Planning Authority, and the use hereby permitted must cease during any period that this condition is not complied with.

Reason: To protect the amenity of noise sensitive premises from noise from mechanical plant.

The above conditions will be imposed for the reasons outlined above and to protect neighbouring amenity.

The application site is located to the rear of a parade of shops (with residential properties above) which forms part of the Secondary Frontage of Hornchurch District Centre. It is reasonable to assume, given the location of the application site that the ambient noise levels would remain reasonably high in the evenings and on Sundays and Bank/Public Holidays. The LIDL supermarket car park is located to the west of the site. Colwood Motors and Unit 1 both in Fairkytes Avenue, are located to the north of the site. The site is located in an area which is characterised by commercial premises, where a certain level of activity and associated noise is to be expected. Staff are of the view that the proposed use of the site for car repairs, servicing, tyre fitting and car sales is more suitably located within a town centre location than within a predominantly residential setting and that the amenities of residents living within the town centre are not normally expected to be as high as for residents living in purely residential locations.

Conditions will be imposed to ensure that the roof area of the 5 no. existing workshops hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority and to prevent the insertion of windows

or other openings in the flank walls of the building to protect neighbouring amenity and in order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future.

Subject to the conditions outlined above and following the reduction in opening hours, it is considered that the proposal would not be materially harmful to the amenity of neighbouring properties.

It is considered that the 4m deep proposed pergola would not adversely affect neighbouring amenity, as it is single storey and would be set in between approximately 10.9 and 20.8 metres from the eastern boundary and approximately 2 metres from the southern boundary of the site, which would help to mitigate its impact. The pergola would have a height of between approximately 2.6 and 2.8 metres.

It is considered that the proposed pergola would not result in a significant loss of amenity to the buildings at Unit 1 and Colwood Motors, Fairktyes Avenue, as they are in commercial use.

HIGHWAY/PARKING

During the course of the application, the existing and proposed site plans were amended, so the whole of the application site was outlined in red including the vehicular access.

The Highway Authority was consulted and provided the following comments. The location in question is on private land around a well protected area in terms of parking restrictions. As such, the Highway Authority is of the view that the proposal is unlikely to have a significant impact on the public highway. However, although on private land, the Highway Authority originally raised concerns regarding the layout of the proposed parking bays. It is likely that there will be some manoeuvrability issues for vehicles trying to use them, particularly bays 1,7 and 8. It is also noted that the access road which appears to be a shared use area to the rear of multiple properties, is not in great condition. Whilst not a road maintained by the Council, it is likely that an increase in usage is going to expedite the issue (although this is just from a desktop review, improvements may have been made). In summary, the Highway Authority has no objection as it is not considered that the proposal will have a significant impact on the public highway, but it would encourage the applicant to consider the points raised to ensure an adequate parking area and vehicle access.

Following negotiations with the agent, the layout of the parking bays was revised accordingly and revised plans were received on 8th August and 25th September 2025. The Highway Authority was re-consulted and confirmed that the revised plan does appear to make the manoeuvrability for vehicles using the spaces better and as such, no additional comments from highways from the original response.

A representation has been received with concerns regarding parking, traffic, access and a lack of space for vehicles to manoeuvre. It is considered that the proposal would not generate significant parking issues or levels of traffic, which would be unduly harmful to the amenity of neighbouring properties. It is considered that the revised layout of the parking bays has brought the proposal within the realms of acceptability. The Highway Authority has no objection to the proposal.

The Council's StreetCare Department was consulted and advised that there is no domestic waste

associated with this application. The plans show two refuse stores. It is not deemed necessary to impose a condition regarding refuse/recycling, as the business should have a suitable waste collection/contract to meet the requirements of the business.

KEY ISSUES/CONCLUSIONS

Upon full assessment of the submitted material supporting the application, taking into account all material considerations, it is considered the objectives of the development plan have been met, and planning permission should be approved subject to conditions.

RECOMMENDATION:

It is recommended that **planning permission be GRANTED** subject to the following condition(s)

1 SC10C Materials as per application form

The development hereby approved shall be constructed in accordance with the materials detailed under the Materials Section of the application form unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

2 SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

For the avoidance of doubt and to ensure that the development is carried out as approved.

3 SC46 (Standard flank window condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future.

4 SC48 (Balcony condition)

The roof area of the 5 no. existing workshops hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason:-

In the interests of the amenity of the occupiers of neighbouring dwelling.

5 SC19 (Restricted use)

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the use hereby permitted shall be for car repairs, servicing, tyre fitting and car sales only and shall be used for no other purpose(s) whatsoever including any other use of the Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application.

6 SC27 (Hours of use)

The premises shall not be used for the purposes hereby permitted other than between the hours of 08:00-18.00 hours Mondays to Fridays, between the hours of 08.00-13.00 hours on Saturdays and not at all on Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity.

7 Storage of materials in outdoors areas

There shall be no storage of materials in the outdoor areas of the site.

Reason: To protect the amenity of neighbouring properties.

8 Storage in the 5 no. existing workshops

Any storage in the 5 no. existing workshops shall be in connection with vehicle repairs, servicing, tyre fitting and car sales.

Reason: To protect the amenity of neighbouring properties.

9 A scheme to control noise (Pre Commencement Condition)

The use hereby permitted shall not commence until details of a scheme are submitted to and approved in writing by the Local Planning Authority, which specifies the provisions to be made for the control of noise emanating from the site. Such scheme as approved shall be implemented prior to the use hereby permitted commencing and thereafter retained in accordance with such details. Any variation to the scheme shall be agreed in writing with the Local Planning Authority.

Reason: Insufficient information has been supplied with the application with regards to a scheme for the control of noise emanating from the site. Submission of this information before

the use hereby permitted commences will prevent the loss of amenity to neighbouring residential properties from noise and ensure that the development accords with Policies 7 and 34 of the Havering Local Plan.

10 Plant or machinery

No plant or machinery shall be installed unless it meets, or mitigation is employed, to meet the following standard:

The Rating Level (L_{ar}, T_r) of the hereby permitted plant or machinery shall be at least 10dB below the prevailing background noise level (L_{A90}, T). The measurement position, assessment and definitions shall be made according to BS4142:2014 + A1:2019 "Methods for rating and assessing industrial and commercial sound."

The equipment shall be maintained thereafter to the satisfaction of the Local Planning Authority, and the use hereby permitted must cease during any period that this condition is not complied with.

Reason: Insufficient information has been supplied with the application with regards to plant or machinery. Submission of this information will protect the amenity of noise sensitive premises from mechanical plant or machinery and ensure that the development accords with Policies 7 and 34 of the Havering Local Plan.

11 SC06 (Parking provision)

The use hereby permitted shall not commence until the parking spaces shown on Drawing No.'s 068.24/01 Revision E and 068.24/05 Revision C are laid out and provided to the satisfaction of the Local Planning Authority and retained permanently thereafter for parking in connection with the use hereby permitted.

Reason:-

To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety.

INFORMATIVES

1 Approval following revision

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with paragraph 38 of the National Planning Policy Framework, improvements required to make the proposal acceptable were negotiated with ANVA, via email on 15th July 2025. The revisions involved reducing the hours of use and revising the proposed parking bay layout. The amendments were subsequently submitted on 8th August and 25th September 2025.

2 Non Standard Informative 1

The applicant is reminded that the business should put in place a suitable contract for the collection of commercial waste from the site.

Authorising Officer:

Simon Thelwell

Simon Thelwell

24th October 2025