

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0618.20

WARD : Romford Town

Date Received: 6th May 2020

ADDRESS: 127 George Street
Romford

PROPOSAL: Demolition of the existing commercial building and construction of two 3 bed semi-detached houses.

Revised Plans

DRAWING NO(S): 3881_PL01
3881_PL02
3881_PL03
3881_PL04
3881_PL05
3881_PL13
3881_PL06 A
3881_PL07 A
3881_PL08 A
3881_PL010A
3881_PL11 A
3881_PL02 A

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

SITE DESCRIPTION

Application site comprises of a detached commercial building on the eastern side of George Street, close to the junction with Brentwood Road.

DESCRIPTION OF PROPOSAL

Permission is sought for the demolition of the existing commercial building and the construction of a pair of semi-detached dwellings with off-street parking and amenity areas.

This application follows an earlier appeal against non-determination, which was allowed. The Council had been minded to refuse this application on the following grounds:

The proposed replacement building comprising of two dwellings would through the constraints of the site, inappropriate design and appearance and resultant scale, bulk and mass read as a dominant and intrusive feature and a cramped overdevelopment of the site detrimental to local character and to the amenity of neighbouring occupiers through an increased sense of enclosure and overbearing impact contrary to policies 7.4 and 7.6 of the London Plan (2016), Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. There would also be conflict with paragraph 127 of the National Planning Policy Framework (the Framework) which states that developments should function well, add to the overall quality of the area and be sympathetic to local character and create places with a high standard of amenity for existing and future users.

The proposed car parking layout is deigned in such a manner which would not allow the cars to manoeuvre within the site in order to enter and egress the site in a forward gear fashion. The

site is within a Controlled Parking Zone which is oversubscribed . The proposed development would, by reason of the inadequate sightline and insufficient on site car parking provision lead to increased competition for spaces which would be to the detriment of the amenity of surrounding residents and result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and the free flow of traffic contrary to Policy DC33 of the LDF Core Strategy and Development Control Policies DPD.

The appeal was allowed.

The current application was submitted prior to the determination of the appeal and replicated the scheme at appeal initially. During the course of determining the application the scheme was revised (whilst the appeal was being considered) however a decision was not taken owing to the similar character of the revised scheme to that under consideration at appeal.

The revised scheme altered the roof form to reduce the visual impression from adjacent sites. This included a reduction in the overall ridge height, pitch and formed gablets at roof level as opposed to what was allowed on appeal.

In the intervening period the London Plan 2021 has been published which forms a consideration.

RELEVANT HISTORY

- P1858.19 - Demolition of the existing commercial building and construction of two 3 bed semi-detached houses.
Awaiting Decision
- P0911.07 - Installation of two obscure glazed windows at 1st floor level to rear elevation.-
retrospective
Apprv with cons 28-06-2007
- P2309.05 - 4 No. 1 Bed Apartments
Refuse 02-02-2006
- P2178.05 - 5 No. 1 bedroom flat units - Outline
Refuse 26-01-2006
- P0811.97 - 2 storey detached storage/ office building
Apprv with cons 27-08-1997

CONSULTATIONS/REPRESENTATIONS

A total of 22 neighbouring occupiers were consulted. One objection was received which raised the following concern:

- Overlooking

In addition to one letter of objection, there was a letter of support from a nearby resident who felt that the change of use and formation of two dwellings would be a welcome change.

In addition the following comments were received from other stakeholders.

Environmental Health - No objection, subject to conditions

Highway Authority - No objection.

Fire Brigade (Access) - No objection.

Fire Brigade (Hydrants) - No objection.
Streetcare - No objection

RELEVANT POLICIES

LDF

CP01 - Housing Supply
CP02 - Sustainable Communities
CP10 - Sustainable Transport
CP17 - Design
DC03 - Housing Design and Layout
DC35 - Cycling
DC55 - Noise
DC61 - Urban Design
SPD04 - Residential Extensions & Alterations SPD

MAYORAL CIL IMPLICATIONS

The proposed development would create a new residential unit with 65m² (this takes into account the demolition of 128.5sq.m of existing floorspace) new gross internal floor space. The proposal is therefore liable for Mayoral CIL (MCIL2) and would incur a charge of £1625 based on the calculation of £25.00 per square metre.

In addition the development would be liable for the Havering Community Infrastructure Levy (HCIL) which was adopted on September 1st 2019. In this location it translates to a charge of £125 per sqm of new floor space. This equates to a charge of £8,125

Each charge would be subject to indexation.

STAFF COMMENTS

The main considerations relate to the principle of the development and the layout of the scheme, the impact on local character/the established pattern of development, the implications for the residential amenity of the future occupants and of nearby houses and the suitability of the proposed parking and access arrangements.

The revisions provided and accordingly the changes to the scheme over that approved are limited to the following:

- Reduction in ridge height and roof alterations
- Lower eaves
- Formation of gablets at first floor
- Omission of first floor flank windows

The changes were to reduce the perception of bulk at high levels and they are regarded as being successful in doing so.

The recently allowed appeal is a material planning consideration, as it represents an implementable fallback position.

PRINCIPLE OF DEVELOPMENT

The National Planning Policy Framework 2019 states that housing applications should be considered in the context of the presumption in favour of sustainable development. The London Plan notes the pressing need for housing and the general requirement to improve housing choice, affordability and quality accommodation. The London Plan also (Policy HC1) requires

Local Authorities to optimise the potential for housing delivery on all suitable and available brownfield sites. The provision of additional accommodation is consistent with the NPPF, the London Plan and Policy CP1 as the application site is within a sustainable location.

An additional consideration is that in the intervening period the Housing Delivery Test results have found that the Council has seen a shortfall in the level of housing delivery compared to the housing requirement over the relevant period. Thus, given the nature of the proposal, the provisions of Paragraph 11(d) of the National Planning Policy Framework (the Framework) are engaged. Paragraph 11 (d)(ii) requires an assessment of the proposal against the policies in the Framework taken as a whole.

Permission has been granted through appeal for the replacement of the existing building with a pair of dwellings through the appeals process. As such in land use terms the development is considered to be acceptable in principle. However, the acceptability of the proposals would be subject to other design and amenity considerations.

DENSITY/SITE LAYOUT

Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.

Policy D6 (Housing Quality and Standards) of the London Plan 2021 advises that housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. To that end the policy requires that new residential development conform to minimum internal space standards. There are set requirements for gross internal floor areas of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and minimum floor to ceiling heights. The minimum gross internal floor area requirements and room sizes takes into account commonly required furniture and the spaces needed for different activities and moving around.

New dwellings must also demonstrate an acceptable arrangement of private amenity space. The Adopted Residential Design SPD states that private amenity space should be provided in single, high quality, usable, enclosed blocks which benefit from both natural sunlight and shading. The Residential Design SPD does not prescribe fixed standards for private amenity space, which can be restrictive on small and awkward sites. The London Plan (2021) offers guidance on this matter in the sense that minimum standards are present in Policy D6. It states that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sqm. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m. Whilst this is perhaps more representative of more densely populated areas, it is considered to be consistent in this instance to the subdivision and conversion of the subject dwelling. The London Plan states that private outside space should be practical in terms of its shape and utility, and care should be taken to ensure the space offers good amenity.

Having applied the standards, each of the dwellings would comply with required standards, including bedroom size/mix and headroom. Some dedicated internal storage is shown on plans, but the excess in GIA would mitigate any potential deficit regardless. However; compliance with the prescribed standards is not of itself conducive to a high quality living environment. Rooms must each have reasonable outlook/aspect, natural light and ventilation. There is something also for the residential setting.

The dwellings would exhibit a sense of place and most rooms would have reasonable outlook and aspect. The lack of buffer space to the northern flank is not regarded as a particular failing of the scheme. The access is used by occupants of the adjacent residential units and is not readily comparable to the public footway. The arrangement shown would be similar to that of those adjacent units where habitable rooms are shown with outlook onto the access. Of note also is that the smallest rooms in each dwelling at FF level are shown to have no means of outlook, owing to obscurely glazed windows to prevent inter/overlooking respectively. Whilst this is not good practice, having regard to the quality of the other rooms, the relative low quality of the third room is not held to be a severe failing of the scheme. On balance officers consider that the quality of and use of the third room would be a matter of choice for prospective occupants.

The Residential Design SPD states that private amenity space should be provided in single, high quality, usable, enclosed blocks which benefit from both natural sunlight and shading. The Residential Design SPD does not prescribe fixed standards for private amenity space which can be restrictive on small and awkward sites. In the absence of dedicated standard, the Council would concentrate on the quality and usability of a given area. Each dwelling would have access to a reasonable sized rear garden, consistent with prevailing character and consistent with the aims of the London Plan (2021).

It is worth noting that the provision of amenity areas remains as per the scheme granted on appeal and as such is not considered to represent grounds for refusal.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy DC61 of the Havering Core Strategy and Development Control Policies and Development Plan Document (Adopted 2008) states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area by responding to distinctive local building forms and patterns of development and by respecting the scale, massing and height of the surrounding physical context. Policy CP17 of the Core Strategy states that the appearance 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.

The National Planning Policy Framework 2019 (NPPF) reinforces this by placing emphasis on good quality, design and architecture. The NPPF requires that planning decisions ensure developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. In this respect, the surrounding environment is composed of a variety of built form; however there is a general consistency in terms of scale and massing of two storey dwellings in this location.

The Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. It goes on to set out that good design is a key aspect of sustainable development, in so far as that it creates better places in which to live and work and helps make development acceptable to communities. However an overarching consideration is the desirability of maintaining an area's prevailing character and setting (including residential gardens), of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places. It requires that permission be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. In determining applications, the Local Planning Authority must attribute great weight to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

The provision of a pair of dwellings in this location has been established through the appeal which was allowed. As such the only considerations are the changes to the scheme over that permitted. To that end, the only substantive change is to the roof form with the overall ridge height reduced and roof pitch altered to reflect that. The surrounding environment is characterised primarily by two storey terraced rows with little in the way of variation in terms of ridge height with the road characterised by gable ended development. The subject site sits between a flatted block and a large semi-detached pair fronting Brentwood Road. Whilst the proposed dwellings would continue to have little in common with the terraced dwellings present elsewhere within the street-scene, it is not considered that any harm arising would be capable of substantiating a decision to refuse permission.

On balance, the scheme as submitted would have a neutral impression on local building form and patterns of development through its design. Consistent with the appeal decision the development would comply with Policy DC61 of the LDF and the guidance contained within the NPPF.

IMPACT ON AMENITY

The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.

Flank windows exist in the side wall of the adjacent flatted development. From records held by the Council the approved layout shows that the fenestration would either not serve a primary room or would be a secondary source of light/outlook so as not to prejudice the development of the adjacent site. This correlates with observations made during site inspection. Accordingly the impacts of the development are limited to those properties fronting Brentwood Road.

To that end, the proposals would introduce windows at first floor level with outlook to the east. Views over adjacent rear gardens would be at distance or an oblique angle and it is not envisaged that this would be a harmful relationship in the suburban context. Flank windows however are shown to be obscurely glazed which would eliminate any direct overlooking. The impacts are limited principally to nos. 77 and 79 Brentwood Road. Each building has been subdivided and is in use as self-contained units of accommodation. The existing building runs parallel to the rear boundary of each property and accordingly is a feature from the communal spaces and windows in the rear elevation. The existing building projects deeper into the site than the proposed dwellings and the elevations lack articulation. Whilst the proposed building would be higher than the existing in terms of its overall ridge height, this would be offset somewhat by the front building line being brought forward and the projection into the site being reduced. It is possible to conclude that for some properties, 79 and those to the east that there could be some benefits in redevelopment of the site in the manner shown.

The Council had previously considered that the impacts of the development on no. 77 Brentwood Road would have represented a significant increase in scale, bulk and mass over the existing. The relationship with neighbouring properties, as above, was already held to be relatively poor and whilst there was acknowledged to be some benefits in the redevelopment of the site and the front building line being moved forwards, this would invariably have worsened the relationship with 77 Brentwood Road. The appeal inspector however formed an opposing view considering that whilst the proposed building would be sited forward of the existing commercial building that the outlook from this building would change. The Inspector concluded that a view of the sky of the sky would be maintained and that, whilst oblique, a degree of

outlook would be maintained.

Given that this scheme reduces the overall ridge height further than that scheme allowed on appeal it is not considered that there are any grounds with which to withhold permission on the basis of neighbouring amenity. The allowed scheme would represent a larger dwelling than the revised scheme.

HIGHWAY/PARKING

Policy DC33 seeks to ensure that all new developments make adequate provision for car parking. In this instance the application site is located within an area that is recognised to have a relatively poor level of access to public transport. The PTAL rating for the site is 4 which translates as good access to public transport.

Whilst the Council had found a deficit in off-street parking the appeal inspector formed an opposing view and resolved that off-street parking would be provided within a Controlled Parking Zone and that the proposals would be compliant with set parking standards in so far as that the maxima would not have been exceeded.

In the case of the revised scheme there is no significant changes from the scheme permitted on appeal. Matters of visibility and practicality whilst raised previously are not worsened further by the revised scheme to the extent that it could be regarded as unacceptable.

KEY ISSUES/CONCLUSIONS

The 2019 Housing Delivery Test results found that delivery of housing in the borough was well below the requirement over the designated three year period. Consequently the presumption in favour of sustainable development outlined in paragraph 11(d) of the National Planning Policy Framework (NPPF) is engaged.

Para 11(d) states that where the policies which are most important for determining the proposal are out of date, permission should be granted unless (i) the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development, or (ii) 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.

There is no conflict with the LDF Policies as set out above. The Council regards the policies to be broadly consistent with the expectations of the Framework which seeks at paragraph 127 good standard of amenity for all existing and future occupants of land and buildings as a key aspect of sustainable development and by fundamentally placing emphasis on good quality, design and architecture. The Frameworks seek also to significantly boost the supply of housing to meet needs and the development is held to make effective use of this previously developed site, in addition to be located close to the town centre transport links and local facilities and amenities. These are facets which are strongly supported by the Framework.

Any harm which may arise is regarded as being within acceptable tolerances and would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Having regard to the earlier appeal decision, APPROVAL is therefore recommended accordingly.

Conditions consistent with the earlier appeal decision are to be imposed. Officers consider it necessary to impose a flank window condition to prevent any new openings, in addition to a condition requiring those flank windows shown in the flank wall of the new building to be

obscurely glazed. Other conditions had been suggested through the appeal, however the Planning Inspector chose not to impose them and consequently it is not considered that there is any justification in this instance (given the limited scale of the development) to depart from that view.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. Time Limit

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Accordance with plans

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

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. Materials

Before any development above ground level takes place, samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

4. Cycle storage

Prior to the first occupation of the development hereby permitted cycle storage shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

5. Waste/recycling

Prior to the first occupation of the development hereby permitted, refuse and recycling facilities shall be provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

6. Land Contamination

No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environmental Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the Local Planning Authority.

If any contamination is found, a report specifying the measures to be taken including the timescale, to remediate the site, to render it suitable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the Local Planning Authority.

If during the course of development any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all remediation works shall be submitted to the Local Planning Authority within 28 days of the report being completed and approved in writing by the Local Planning Authority.

Reason: -

Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

7. Landscaping

No development above ground level shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. The submitted scheme is expected to make provision for planting to the front and side boundaries of the site of a height and type that will provide a sufficient privacy screen to the garden areas of the ground floor units within the development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which

within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990

8. Boundary treatment

No development above ground level shall take place until details of all proposed walls, fences and boundary treatment are submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61

9. SC34 (Obscure glazing)

The proposed windows indicated to be obscurely glazed on drawing nos 3881_PL07 Rev A 3881_PL08 Rev A shall be permanently glazed with obscure glass not less than level 4 on the standard scale of obscurity and shall thereafter be maintained.

Reason:-

In the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

10. 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, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

11. Wheel wash facilities

Prior to commencement of the development hereby permitted, details of vehicle cleansing facilities to prevent mud being deposited onto the highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

1 Approval and CIL (enter amount)

The proposed development would create new residential units of 65m² new gross internal floor space. The proposal is therefore liable for Mayoral CIL (MCIL2) and would incur a charge of £ £1625 based on the calculation of £25.00 per square metre.

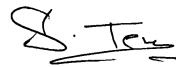
In addition the development would be liable for the Havering Community Infrastructure Levy (HCIL) which was adopted on September 1st 2019. In this location it translates to a charge of £125 per sqm of new floor space. This equates to a charge of £8,125.

Each would be subject to indexation.

2 Approval - No negotiation required

Statement Required by Article 35(2) of the Town and Country Planning (Development Management) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraph 38 of the National Planning Policy Framework 2018.

Authorising Officer: Suzanne Terry



23-03-2021