

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0683.21

WARD : Rainham & Wennington

Date Received: 8th April 2021

ADDRESS: 127 BRISCOE ROAD
RAINHAM

PROPOSAL: Demolition of existing dwelling and formation of pair of three bedroom semi-detached bungalows with dormer windows front and rear with associated parking and amenity space.
Revised Plans Received

DRAWING NO(S): 02A
01A
10A
07A
06A
08A
05A
03A
04A
09A

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 presents as chalet dwelling on the western side of Briscoe Road, Rainham with front and rear garden arrangement. The site is not within any area of specific designation and is not listed.

DESCRIPTION OF PROPOSAL

Permission is sought for the demolition of the existing chalet dwelling and the construction of a pair of semi-detached dwellings with separate parking/amenity areas.

Revisions received 15-06-2021 which revised the massing and footprint of the development to align more with the constraints of the site. The scheme was adjusted from a pair of two storey semi-detached dwellings to a pair of attached three bedroom chalet bungalows with dormers front and rear. This was regarded as a more appropriate response to the site.

RELEVANT HISTORY

- P0073.21 - 2 x two storey 4-bed semi-detached dwellings with associated parking, amenity space, and habitable roof space, and outbuilding to rear of one dwelling, involving demolition of existing bungalow.
Withdrawn 16-03-2021
- P1078.20 - Single storey front, side and rear extensions. Loft conversion to include rear dormer, and roof alterations to include an increase in roof space and height (300mm).
Refuse 25-09-2020

- P0530.20 - Demolition of Existing Bungalow, and Construction of a pair of New Semi-Detached Houses
Withdrawn 26-06-2020
- P0682.19 - Demolish detached bungalow. Erection of three 3-bed houses and outbuilding for household storage
Withdrawn 25-07-2019
- P0068.96 - 2 storey side & single storey rear extension
Apprv with cons 21-06-1996

CONSULTATIONS/REPRESENTATIONS

Neighbouring occupiers were consulted via direct notification, with no letters of representation received.

In addition, the following comments were received from other stakeholders:

Environmental Health - No comments
Highway Authority - No comments
Fire Brigade (Access) No objection
Waste management - No objection

RELEVANT POLICIES

London Plan 2021.

MAYORAL CIL IMPLICATIONS

The proposals would be for a new dwelling and would be liable for contributions under CIL regulations. There would be a net increase of 98sqm disregarding floor area to be demolished.

HCIL (£125 per sqm) - £12,250
MCIL2 (£25 per sqm) - £2,450

STAFF COMMENTS

The main issues to be considered in this case are the principle of development, site layout, living environment for future occupiers and quality of accommodation, impact on local character and street scene, residential amenity and highways/parking matters.

By way of background a number of applications have been presented to the Council which have sought to redevelop this site however in each instance following notification of intended refusal have been withdrawn. They have generally followed the same process of demolishing the existing dwelling and the formation of a pair of semi-detached dwellings.

During the course of development concerns were raised over the impacts of two storey dwellings in this location on the street-scene and neighbouring amenity consistent with views expressed over earlier applications and at pre-application stage. Revised plans were received 15-06-2021. In light of the revisions and the absence of objections from the initial round of consultation it was not decided necessary to consult further.

PRINCIPLE OF DEVELOPMENT

The site is in existing residential use.

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 provision of additional accommodation is consistent with the NPPF 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 measured 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.

In land use terms the development is considered to be acceptable in principle however the wider character impacts, in addition to matters of highways/parking, neighbouring amenity and amenity of future occupiers amongst other policy considerations require further consideration in line with earlier decision making and advice given.

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 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. 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.

Revisions were received 15/06/2021 which revisited the layout and form of the dwellings comprehensively. Having applied the required standards to the proposed dwellings, it is considered that each would make satisfactory internal arrangements and would align broadly with the requirements of Policy D6 of the London Plan as a 3B4P dwelling. It is noted that the plans make reference to 6P occupancy however in terms of bedroom size and mix (ie rear facing bedrooms do not meet the requirements for double occupancy) there would be failings present were this the case. Nonetheless the proposals comply with that threshold applied and the

description of development has been revised accordingly. With regards to rear garden amenity areas the subdivision of the plot would not diminish unsatisfactorily prevailing plot sizes as the site is generously proportioned. Each would benefit from satisfactory outside space in compliance with policy.

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.

Properties situated within Briscoe Road comprise single family homes that are either semi-detached or detached. The street has a suburban feel with projecting bay windows, half-rendered and brick materials in evidence. The conventional built form consists of almost exclusively relatively modern bungalows, many with loft conversions and rear and front dormers in evidence however there are noted to be some variations which include traditional two storey typology. Concerns have been raised over the impacts of two storey dwellings in this location as whilst not without precedent, the subject site is flanked by lower level dwellings. Accordingly there would be potential for any increased height/bulk to be a prominent feature in the street-scene.

As submitted the proposed development sought a pair of two storey semi-detached dwellings. As indicated above the prevailing character of the western side of Briscoe Road is of lower level buildings with accommodation within the roof where it exists an integral part. The introduction of two storey development of the scale and form shown at submission would have given rise to harm to the street-scene and to appear dominant and overbearing in the context of the lower level dwellings adjacent. Consequently the scheme was revised to show a pair of semi-detached chalet bungalows with dormers front and rear.

This approach is regarded as being consistent with local character and an appropriate response to the relationship with 129 Briscoe Road which had been a significant constraint. The street-scene elevation provided (drawing ref: 06A) demonstrates clearly that the form of the building would integrate satisfactorily with neighbouring dwellings and would be of an overall height consistent with the existing dwelling. There would remain satisfactory lateral separation from shared boundaries so as not to give a cramped visual impression and whilst the dormers to the front would exceed Council guidance in terms of size, they would be proportionate and in keeping with the design concept for the dwellings and comparable to those of the original dwelling. The rear dormers to each would align with Council guidance (Residential Extensions and Alterations SPD) in so far as being contained well within the body of the main roof. The development footprint and projection into the site would be within acceptable tolerances and would reflect the generous plot size.

Subject to a condition requiring details of materials to be issued (including samples), officers do not consider that there are grounds to withhold permission. In the absence of material harm and as a matter of judgement the proposed development would comply with relevant policy objectives - in particular the London Borough of Havering Core Strategy and Development

Control Policies and Development Plan Document (the Core Strategy) 2008, Policy DC61 which requires development to maintain, enhance or improve the character and appearance of the local area.

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.

The impact on amenity in this instance is limited to the unattached neighbours that flank the development site and to a lesser extent the new views created over longer distances. Throughout the application process the impact on no. 129 has been a particular constraint as this premises features a primary window overlooking the frontage of the application site and which provides a generous amount of light to the living space that it serves. Earlier iterations of the scheme under consideration had sought to move the front building of the dwelling forward in line with neighbouring premises. Bringing the building line of the development forward in conjunction with the increased scale, bulk and mass of the proposed semi-detached pair was reasoned to impede outlook and restrict light to 129 Briscoe Road.

Whilst it was accepted that the canted bay with outlook over the site was not the sole means of outlook/light, it was noted to be south facing and therefore of particular importance. The revised scheme received 15-06-2021 repositioned the footprint of the replacement building in a position comparable to that of the existing, therefore preserving outlook and light received by this window. Having regard to the existing and proposed layouts, officers would consider any resultant impacts to this opening arising to be negligible.

In the case of each neighbour the development footprint would project beyond the rear building line of each at varying scale. In the case of 129 Briscoe Road, the applicant indicates that prior-approval has been given for an extension of comparable depth and if constructed this would mitigate the impacts of the proposals in terms of depth and projection into the site. Council records indicated that a building regulations submission has been made which is suggestive of the works having been implemented. However even were this not the case, mindful of the existing footprint of the dwelling and projection into the site, the additional depth and mass over this would be negligible in the opinion of officers. Applying a notional line as required by the SPD at the shared boundary the line would be only marginally impeded by built form. Whilst there would be some conflict, officers do not consider that it would be capable of sustaining a decision to refuse permission in light of the existing relationship.

Turning then to the neighbour to the south, the impacts of the development would be within acceptable tolerances. Where windows exist to the flank they are either non-habitable or not the sole light source. This property benefits from an existing single storey projection which mitigates partly some of the additional depth and massing shown to the replacement building. In addition an outbuilding structure is noted to the shared boundary which would offer some screening. Applying the principles of the Residential Extensions and Alterations SPD there is not regarded as being grounds to withhold permission on amenity grounds.

The provision of dormer windows would introduce new views but after consideration these are not considered to be unneighbourly or out of keeping within the suburban environment.

In all, the development is not considered to result in unacceptable amenity impacts.

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 1B which translates to a poor level of access to public transport.

Public Transport Accessibility Levels (PTALs) are used by TFL to produce a consistent London wide public transport access mapping facility to help boroughs with locational planning and assessment of appropriate parking provision by measuring broad public transport accessibility levels. There is evidence that car use reduces as access to public transport (as measured by PTALs) increases. Given the need to avoid over-provision, car parking should reduce as public transport accessibility increases. London Plan Policy T6 states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity and that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport.

London Plan 2021 at Policy T6.1 provides further detail and states that new residential development should not exceed the maximum parking standards given by it. In Outer London in areas with a PTAL rating of 1-2, for 3+ bedroom dwellings the requirement is 1.5 spaces per new unit. Indication is made on submitted drawings of two spaces per new unit, however it is not unreasonable to assert that two vehicles could be accommodated. Officers do not consider that the level of parking would be oversubscribed and that two spaces in this location per dwelling, mindful of the low PTAL rating (as is capable of being shown) would be acceptable in policy terms. This is reinforced by the absence of any objection by the Highway Authority.

There is no suggestion of an extension required to the existing crossovers (the site currently has an in and out driveway) and officers are satisfied that this could be utilised. Were works required there is not considered to be an in principle objection, but the permission would not be reliant on them to be undertaken, given the existing arrangement.

Cycle storage has been indicated on submitted plans, as have waste/refuse storage areas. No in principle objection to the siting of each element however a condition will be imposed requiring further clarification on the functionality of these elements. It is envisaged that a good arrangement could be secured.

KEY ISSUES/CONCLUSIONS

On 13 February 2020 the Government published the 2019 Housing Delivery Test (HDT) results. The results show that within the London Borough of Havering 33% of the number of homes required were delivered over the three year period of 2016-17 to 2018-19. Therefore the tilted balance referred to in Paragraph 11(d) of the NPPF is triggered until such a time as the new Local Plan is formally adopted as it details an alternative method for calculating delivery. 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. Fundamentally this means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

The proposed development would offer a modest contribution to housing supply and delivery and this would weigh in favour of the development. On balance, officers do not consider that the proposals would be sufficiently harmful so as to justify a decision to refuse permission. The adverse impacts would not significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole. Therefore, the proposal does benefit from the presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF. APPROVAL is recommended accordingly subject to those conditions outlined above.

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. Matching materials

All new external finishes shall be carried out in materials to match those of the existing building to the satisfaction of the Local Planning Authority.

Reason:-

To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

3. 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.

4. 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

5. 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

6. Vehicle parking

Before the building hereby permitted is first occupied, the area set aside for car parking for host and proposed dwellings shall be laid out and surfaced to the satisfaction of the Local Planning Authority as indicated on drawing no. 03C and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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, and that the development accords with the Development Control Policies Development Plan Document Policy DC33.

7. 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.

8. 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.

9. Hours of construction

No construction works or deliveries into the site shall take place other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

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

10. Removal of permitted development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) hereby permitted without the express permission in writing of the Local Planning Authority.

Reason:-

In the interests of amenity and to enable the Local Planning Authority to retain control over future development, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

11. Obscure and fixed glazing

The proposed windows on the side elevations of the new dwellings shall be permanently glazed with obscure glass not less than 4 on the standard scale of obscurity and shall thereafter be maintained and permanently fixed shut.

Reason:-

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

12. Non Standard Condition 1

The dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.

Reason: In order to comply with Policy DC7 of the Local Development Framework.

13. Non Standard Condition 2

All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.

Reason: In order to comply with Policy DC7 of the Local Development Framework.

14. Non Standard Condition 3 (Pre Commencement Condition)

No part of the development hereby approved shall be occupied until access to the highway has been completed in accordance with the details that have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies DPD, namely CP10 and CP17 and DC61.

INFORMATIVES

1 Non Standard Informative 1

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a license is required and Streetcare should be contacted on 01708434343 to make the necessary arrangements.

Please note that unauthorised works on the highway is an offence.

2 Approval following revision

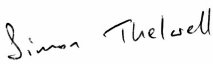
Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with paragraph 38 of the National Planning Policy Framework 2018, improvements required to make the proposal acceptable were negotiated with the agent in writing. The revisions involved alterations to fenestration/openings and boundary treatment/landscaping. The amendments were subsequently submitted on 15-06-2021

3 Approval and CIL

The proposed development would create a new floor area equivalent to 98sqm new gross internal floor space. The proposal is therefore liable for Mayoral CIL (MCIL2) and would incur a charge of £2,250 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 £12,250

Each would be subject to indexation.

Authorising Officer:	Simon Thelwell		09-07-2021
Authorising Officer:	Simon Thelwell		09-07-2021