

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1557.21

WARD : Emerson Park **Date Received:** 5th August 2021

ADDRESS: 142-144
Hillview Avenue
Hornchurch

PROPOSAL: Part two storey and part first floor side extension with rear dormer to create a new two bedroom flat.

DRAWING NO(S): 14405-P003-1st

RECOMMENDATION : It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

SITE DESCRIPTION

A two storey end of terraced property located on the eastern side of Hillview Avenue at its junction with Cranham Road and Kinfauns Avenue, with an existing single storey flat roof side extension. The ground floor is in commercial use (office) and flat above, similar to others within the terrace.

DESCRIPTION OF PROPOSAL

Permission is sought for the erection of a part two storey and part first floor side extension with rear dormer to create a new two bedroom flat at the upper level.

There is an existing flat at the upper level, proposals would create additional flat.
Existing 2 parking spaces previously approved for the office use to be retained.

RELEVANT HISTORY

P1556.21 Conversion of roof space to habitable use to include a rear dormer, 2 front roof lights, and conversion of roof from hip to gable end - granted 30-09-21.

P0614.07 Proposed part two storey and first floor office extension - Granted 21-05-07.

P1924.06 Proposed part 2 storey and first floor office extension - Refused 05-12-06 (Reasons: siting design and appearance, appear as an unacceptably dominant and visually incongruous feature in the streetscene and inadequate on site car parking provision).

P0454.95 Provide a separate ground floor entrance demolish and rebuild the existing storage area at the rear of No. 142 change use from shop to Class A2 use financial and professional services - Granted 02-06-95.

CONSULTATIONS/REPRESENTATIONS

Neighbouring properties consulted with no representations received.

RELEVANT POLICIES

NPPF 2021

London Plan Policies:

- D6 Housing quality and standards
- D3 Optimising site capacity through the design-led approach

- D1 London's form, character and capacity for growth
- H1 Increasing housing supply

DCLG Technical Housing Standards

Local Development Framework:

- CP1 - Housing Supply
- CP17 - Design
- DC3 - Housing Design and Layout
- DC33 - Car Parking
- DC34 - Walking
- DC35 - Cycling
- DC36 - Servicing
- DC40 - Waste recycling
- DC49 - Sustainable Design and Construction
- DC51 - Water supply, drainage and quality
- DC61 - Urban Design

Havering Supplementary Planning Documents:

- Residential Design SPD(2010)
- Residential Extensions and Alterations Supplementary Planning Document (2011)
- London housing Design Guide SPG (2016)

Further to this, the new Havering Local Plan (2016-2030) have been submitted for consideration with the Secretary of State. Whilst this document has not been formally adopted it is anticipated that this document and policies will be formally adopted in the near future.

2020 Housing Delivery Test (HDT)

On 19 January 2021 the Government published the 2020 Housing Delivery Test (HDT) results. The results show that within the London Borough of Havering, 36% of the number of homes required were delivered over the specified period. 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 with an alternative method for calculating delivery.

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.

MAYORAL CIL IMPLICATIONS

Additional floor area created not up to 100Sq.m, however, given the creation of a separate unit, therefore CIL is applicable.

To facilitate the creation of a new dwelling, the proposed extensions for both the existing ground floor commercial and the residential flat above would create approximately 88sqm of floor space.

The Mayoral CIL levy rate for Havering is £25/sqm and is chargeable for each additional square metre of residential gross internal floor space.

Havering's CIL charging rate for residential is (£125/sq.m (Zone A) for each additional square.

The proposal is subject to £2,200 of Mayoral CIL and £11, 000 of Havering CIL, all subject to indexation.

STAFF COMMENTS

It is noted that similar proposals for additional office space at the first floor level was approved under planning ref: P0614.07, this was approved under a different policy regime and would therefore not be considered to be a material planning consideration. In addition, the use of the approved extension was as an additional office space and not residential.

The proposal would be assessed against the relevant policies and legislation to consider the principle of development, density and layout, street scene impacts, garden scene impacts, amenity impacts and parking.

NOTE: In accordance with the current criteria for site visits, an in-person site visit was not undertaken. In determining this planning application, Google StreetView TM, aerial view images and submitted drawings were used to assess the site constraints.

PRINCIPLE OF DEVELOPMENT

The National Planning Policy Framework 2021 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 D3) states that development should optimise housing output subject to local context and character.

The 2020 Housing Delivery Test results indicate that the delivery of housing within the borough has been substantially below the housing requirement over the past three years. As a result, 'The presumption in favour of sustainable development' at paragraph 11 d) of the NPPF is relevant. Given that the proposal would cover an area of land which as existing is part of the existing ground floor office use, it would be considered to be a brown field site and would therefore be on its own merits.

The NPPF does offer support for new housing in sustainable locations that represents an efficient use of land. However, whilst the delivery of housing has been substantially below the housing requirement over the previous 3 years, the proposed development would make a minor contribution to housing supply. Paragraphs 126-136 of the NPPF also apply, which among other things seek to achieve well-designed, high quality, beautiful and sustainable buildings and places that are sympathetic to local character and protect residential amenity. Consequently, any proposed development would need to meet these objectives of the NPPF and other relevant planning policies otherwise the application would not benefit from the presumption in favour of sustainable development.

The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area and its continued use for domestic residential purposes, therefore the proposal is acceptable in land use terms. Notwithstanding, the acceptability of the proposal is subject to consideration of the detailed impacts of the development.

In terms of the Local Plan the site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres and is within a predominantly residential area.

On this basis the proposal is considered to be policy compliant in landuse terms and its continued use for domestic residential purposes, therefore regarded as being acceptable.

DENSITY/SITE LAYOUT

Although Policy D3 of London Plan does not include a matrix guidance on density, however the

policy recognises that the appropriate density of a site is an output of a process of assessment which should be arrived at through a design-led approach, taking account of the site context and infrastructure capacity in accordance with paragraphs 124 - 125 of the NPPF which requires planning policies and planning decisions to support development that makes efficient use of land, taking into account a range of contextual factors.

It is important that whilst impacts of the development on surrounding properties need to be minimised, contribution to housing supply should also be maximised taking into account the London's housing need and the site context. Underdevelopment of the site would be an inefficient and wasteful use of the land. Accordingly the proposal in this case with the scale of building in addition with the host building on site would need to provide necessary amenity for the existing and prospective occupiers(further details below). Given the site area, it would be considered acceptable in terms of its density.

The 'DCLG Technical Housing Standards - nationally described space standard' specifies minimum internal space standards required for new dwellings. The Technical Housing Standards stipulate minimum gross internal floor areas (GIAs) for dwellings/units based on the number of bedrooms, intended occupants and storeys, minimum bedroom sizes of 7.5m² for single occupancy and 11.5m² for double/twin occupancy, plus further dimension criteria for such spaces. Built in storage is required for all units with minimum sizes depending on the number of bedrooms and occupants, and minimum floor to ceiling heights are stipulated as at least 2.3m for at least 75% of the GIA. The London Plan Policy D6 and the Housing SPG echo such requirements and the SPG provides further criteria to ensure an acceptable quality of accommodation is provided for users including in relation to entrance and approach routes, access to private open space, outlook, daylight and sunlight.

The proposal would provide a total of approximately 82sq.m for a 2b4p unit which requires 79sq.m plus 2sq.m storage, would comply with the requirement.

The proposed layout would result in a dual aspect unit with standard bedrooms and adequate kitchen/lounge room. The floor to ceiling height would comply with the guidance.

A new dwelling would require accessibility in accordance with M4(2) of the Building Regulations. Circulation and accessibility would need to be appropriate internally and externally to ensure the dwelling is accessible and adaptable, proposal would be located at the upper level, therefore level access would not be possible however could be adaptable with the provision of lift access to the upper levels.

In terms of its siting, the proposals would not be acceptable as the first floor would not be set back from the main front wall, therefore contradicts the design guide, creating an overly dominant extension at this location given the scale and mass of the roof form which with significant visual harm to streetscene, would be considered to be out of character with the site and immediate vicinity of the site, resulting in a cramped form of development, therefore unacceptable.

Havering's Residential Design Supplementary Planning Document does not prescribe minimum space standards for private gardens. However, the SPD does state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading with the requirement that amenity space should be of quality and usable. Policy D6 of the London Plan 2021 sets a minimum private outdoor space of 8sq.m for 4person dwellings. No external amenity provision proposed for the prospective occupiers of the new dwelling, would be considered to create a substandard level of accommodation, therefore unacceptable.

In light of the above, the proposal would be consider to provide a cramped form and sub-standard level of accommodation to future occupiers and would be contrary to Policy D6 of the London Plan and DC61 of Havering's Development Plan.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

The Residential Extensions and Alterations SPD 2011 stipulates that roof extensions and alterations can change the appearance and character of the dwelling particularly when alterations are made to the front elevation.

It is the view of staff that the proposed dwelling under consideration would represent an anomaly within this area given the proposed scale and width as currently proposed, as proposal would fail to integrate acceptably with the street scene or the host dwelling by reason of its scale and width.

The proposal is disproportionately wider, and given its relationship with the host property and the attached neighbour, it would appear to be overly large and dominant at this location, which would be significantly visible given the junction location. The extension, in addition to being disproportionately wide, lies close to the boundary of the site and appears as an unduly cramped form of development.

The proposed rear dormer would be well set in from the roof of the host property and would not be considered to dominate the rear roof slope, considered acceptable.

The overdeveloped and cramped appearance will detract from the surrounding area. It is the view of staff that the proposed dwelling under consideration would represent somewhat of an anomaly and would fail to integrate acceptably with the wider area by reason of its scale and width. The impact of the proposed dwelling on the street scene/wider area is therefore considered to be unacceptable and contrary to Council's guidelines.

IMPACT ON AMENITY

Consideration has been given to the impact of the proposal on the adjacent properties primarily in respect of privacy and overshadowing to nearby occupiers surrounding the site.

The proposed side extensions (two storey and first floor) would be located on the northern side of the site. It is noted that there would be a two storey extension to the commercial use at ground floor level, this would be the proposed access to the proposed new dwelling. The proposed extension to the already extended ground floor extension would further compromise the openness of the site.

The proposed dwelling first floor extension would be wider than the host property, which generally shares a uniformity with the other properties in the terrace, therefore creating significant visual amenity impact.

Staff are of the view that the first floor side extension would not be overbearing on nearby neighbours given the separation distances and the location in relation to nearby neighbours. Notwithstanding, given the scale and width, it would unacceptably dominate the host and surrounding properties and would be considered to be intrusive.

The submitted plans denote the proposed extension would have flank windows and doors at

both ground and first floor levels. The level of privacy that would be afforded the occupiers would not be affected given the proposed design. However, the proposals could result in overlooking the rear gardens of some properties on Percival Road, which would not be acceptable. Although the windows would serve a corridor which would mean that the privacy loss might not be significant enough to warrant a refusal on its own. In addition, the windows could be obscured via condition if minded to approve.

No overlooking from the first floor rear windows of the dwelling, as these would be obscured.

The rear dormer would have a side window, which would overlook the rear gardens of residents at Percival Road, the loss of privacy might not be significant provided the window would be 1.7m above the finished floor level, further details of the location of the window would be required.

The first floor development, which covers larger part of the existing ground floor side extension, and would be considered to be of a bulk and mass close to the side boundary and would be intrusive.

No private amenity provision for both the existing and the proposed, not acceptable.

In light of the above, officers would consider the scheme to be unacceptable at this location.

HIGHWAY/PARKING

The site has a public transport access level (PTAL) of 1b (very poor). As such, it is important that the scheme adheres to Policy DC33 of the LDF Core Strategy and Development Control Policies DPD and provides adequate parking spaces for both the host and the new dwellings proposed.

Although the development appears to show 2 parking provision, the spaces indicated were as approved under the previous approval for the office use. Given that the previous office extension was not implemented, it is not clear the allocation of the 2 existing car parking spaces between the commercial and the existing residential uses.

Based on the existing office floor space of approximately 118sq.m, policy DC33 would require only 1 car parking space, therefore it might be considered that the existing 2 spaces are for the commercial and the existing residential use.

No clarity regarding the allocation of the proposed cycle and refuse storage facilities is given, in addition it is not clear whether the proposed facilities would be adequate for both the existing uses and the proposed additional residential unit, therefore as currently proposed would be considered inadequate to meet the need of the uses existing and proposed.

In addition, given the location of site with very poor PTAL rating, it would be expected that the new development provides at least 1 car parking space with cycle spaces. There is a cycle store area shown but the capacity of this and whether serving the office or flat is not clear. Given the lack of external space, it is not clear how adequate parking for the existing office and the proposed flat would be made and how sufficient cycle storage and refuse storage could also be provided. As such the details submitted with the application would be considered inadequate in terms of its car and cycle parking provision and allocation, as well as refuse storage arrangements. Further details would be required prior to any permission on site, given that an inadequate provision would result in parking overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policy DC33 of the LDF Development Control Policies Development Plan Document.

KEY ISSUES/CONCLUSIONS

On 19 January 2021 the Government published the 2020 Housing Delivery Test (HDT) results. The results show that within the London Borough of Havering, 36% of the number of homes required were delivered over the measured three year period. 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 limited contribution to housing supply and delivery and this would weigh in favour of the development. However, paragraphs 126-136 of the NPPF require high quality design, beautiful and sustainable buildings and consideration of character. For the reasons outlined within this report, the proposed development is unacceptable in regard to its resultant impact on the character, visual impact, potential loss of privacy and , inadequate parking details- these are key aspects of sustainable development.

The adverse impacts identified above would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. Therefore, the proposal does not benefit from the presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF.

The proposal is considered to be contrary to policy and a refusal is recommended

RECOMMENDATION

It is recommended that **planning permission be REFUSED** for the following reason(s):

1. Reason for refusal - Streetscene

The proposed development would, by reason of its bulk, width and prominent siting on its plot boundaries fail to integrate acceptably with the host dwelling and result in a cramped form of development which would appear as an anomaly within the wider street scene and would be visually intrusive, out of scale and character with the established pattern of development in the surrounding environment contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD 2008, and criteria contained in the Adopted London Borough of Havering SPD on Residential Design 2010.

2. Refusal non standard

The proposed development, by reason of its lack of private amenity space provides a constrained and sub-standard residential accommodation for future occupiers which would adversely impact on their living condition, contrary to the aims and objectives of London Plan Policy D6 and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

3. Reason for refusal - Parking Deficiency

The proposed development would, by reason of its inadequate details on car parking provision and allocation between the existing and proposed uses, inadequate cycle and refuse facilities on site would adversely impact on the living condition of occupiers at no.142 - 144 and prospective occupiers of the proposed development, and would be considered to result in an unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity, contrary to Policy DC33 of the LDF Development Control Policies Development Plan Document.

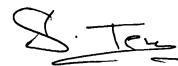
1 Refusal - No negotiation

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, it was necessary to issue a decision as close to the statutory timeframe as possible as opposed to seeking amendments which would have significantly delayed the application.

2 Refusal and CIL

The proposal, if granted planning permission on appeal, would be liable for the Council and the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £13,200 subject to indexation. Further details with regard to CIL are available from the Council's website.

Authorising Officer: Suzanne Terry



05-10-2021