

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0505.22

WARD : Emerson Park

Date Received: 28th March 2022

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):

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

SITE DESCRIPTION

A two storey end of terrace 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 above.

There is an existing flat at the upper level at no. 142, proposals would create additional flat on top of the flat roof at no. 144.

Existing 5 parking spaces indicated on plan, although only 2 were indicated on the previously approved application for the site.

RELEVANT HISTORY

P1557.21 Part two storey and part first floor side extension with rear dormer to create a new two bedroom flat - refused 05-10-21.

Reasons:

1. 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. 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. 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.

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 2 representations (4 addresses) received. Concerns raised are summarised as below:

- proposal is unsuitable for the location
- impact on privacy
- impact on parking and road congestion
- rear access road must be kept clear at all times
- rear dormer location unacceptable
- rear dormer already granted at no. 142
- bike will not be used
- There is an existing loss of privacy to occupiers of no. 142 - first floor flat from occupiers as neighbours on Percival Road have direct view into their flat.
- similar proposals was granted years back with obscured glazed windows to the rear
- the area is already overcrowded.

Officers' comments:

All material planning consideration to be addressed in the report below. The issue raised with overcrowding of the area cannot be dealt with under this application.

RELEVANT POLICIES

Havering Local Plan 2016 - 2031

Policy 3 Housing supply

Policy 7 Residential design and amenity

Policy 24 Parking provision and design

Policy 26 Urban design

Policy 33 Air quality

Policy 34 Managing pollution

Policy 35 Waste management

The London Plan 2021

Policy D4 Delivering good design

Policy D6 Housing quality and standards

Policy D14 Noise

Policy H1 Increasing housing supply

Policy T5 Cycling
Policy T6 Car parking
Policy T6.1 Residential parking
Policy T6.2 Office parking
Policy T7 Deliveries, servicing and construction

National Planning Policy Framework (2021)
2. Achieving sustainable development
5. Delivering a sufficient supply of homes
9. Promoting sustainable transport
12. Achieving well-designed places

DCLG Technical Housing Standards
London housing Design Guide SPG (2016)
Residential Extensions and Alterations Supplementary Planning Document (2011)

MAYORAL CIL IMPLICATIONS

Additional floor area created not up to 100Sq.m, however, given the creation of a new 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 80sqm 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 £2,000 of Mayoral CIL and £10, 000 (£12,000 total) of Havering CIL, all subject to indexation.

STAFF COMMENTS

It is noted that the proposal is a resubmission of previously refused scheme, therefore current proposals would need to satisfactorily address the reasons for refusal highlighted above, before the proposals can be considered acceptable.

It is acknowledged that similar proposals for additional office space at the first floor level were approved under planning ref: P0614.07 under a different policy regime and 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, site history, 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.

Following the latest 2021 Housing Delivery Test (HDT) the published results states that the Council delivered 46% of the number of homes required over the three year period of 2018-19 to 2020-21, which would be 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.

Paragraphs 124-131 of the NPPF is also relevant, which among other things seek to achieve well-designed places that are sympathetic to local character and provide adequate amenity for neighbours and future occupants. Consequently, any proposed development would need to meet these objectives of the NPPF and other relevant planning policies in order to benefit from the presumption in favour of sustainable development.

The provision of additional housing is consistent with the NPPF, LP H1 and Policy 3 as the application site is within 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.

DENSITY/SITE LAYOUT

Although Policy D6 of London Plan does not include a matrix guidance on density, 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 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.

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. The proposal would provide approximately 74sq.m internal space to comply with the minimum standard requirements for a 2b3p unit.

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, given the upper floor location of the unit this can be achieved via the design, internally for adequate circulation and the provision of an accessible to all stairs/lift.

In terms of its siting, the proposals would be in line with the established building line to Hillview

Avenue and with the adjoining property at no. 142 Hillview Avenue, front and rear. Would be in scale and character with other properties in surrounding area.

Policy 7 does not prescribe minimum space standards for private gardens. However, it does state that the fundamental design considerations for amenity space are its quality and usability and that size, shape and slope of amenity space is key to its usability. Policy D6 of the London Plan 2021 sets a minimum private outdoor space of 6sq.m for 3 persons dwelling, provides approximately 10sq.m, though the amenity area would be in triangular form however, it would be functional to comply with policy.

In light of the above, the proposal would be considered acceptable in terms of its design and layout.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy 26 states that development must respond to distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding context, this is echoed by the LP and the new NPPF 2021.

It is the view of LBH staff that the proposed dwelling under consideration would integrate acceptably with the Hillview Avenue street scene and the adjacent properties by reason of its design and siting. Given that the proposals would be located above the existing flat roof extension and would be in line with the adjoining existing residential flat at no.142 Hillview Avenue, it would form a continuation of the terrace, although would be wider than the host property, this is not uncommon with end of terrace properties, would have no significant impact on the street scene.

It is acknowledged that the introduction of the first floor and rear dormer would be new elements of built form at this location, however, given the location and the separation distances from the site and the rear gardens of properties fronting Percival Road at more than 20m away, it would not be considered to be an intrusive element when viewed from their garden areas.

The proposed rear dormer would be set in from the proposed roof area and would not be considered to dominate the rear roof slope, would be similar to the approved dormer at no. 142 Hillview Avenue and other existing rear dormers in the surrounding area, would be considered to be in-keeping and therefore acceptable.

In conclusion, the proposals would not be considered to be out of scale and character with site and surrounding area. The impact of the proposed dwelling on the street scene/wider area is therefore considered to be acceptable and would comply with the Council's policies and guidelines.

IMPACT ON AMENITY

Given the siting of the proposed dwelling, officers do not anticipate a notable loss of sunlight or excessive periods of overshadowing to the donor property given the design and scale of the proposals.

The proposals would not be considered to be visually intrusive at this location, considered acceptable in scale and appearance.

The proposed design with dormer windows to the rear would overlook the rear habitable rooms of occupiers at nos. 2 - 20 Percival Road, given the siting and the window would be similar to the existing windows at the first floor level of no. 142, would be considered acceptable.

The proposed balcony/terrace would be located to the rear with 1.8m privacy screen to the side and rear. This would be considered acceptable to prevent overlooking into the rear gardens of occupiers at nos. 2 - 20 Percival Road. Although the quality of the amenity area would be poor, as it would be enclosed at all sides with no outlook, however, being an outdoor space, and a requirement for a new residential development, its quality on its own would not warrant a refusal, as refusal might be upheld at appeal. Details of the privacy screen can be achieved via condition to provide a decent and useable outdoor space.

In light of the above, on balance, officers would consider the scheme to be acceptable.

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 24 and the London Plan Policy T6 and provides adequate parking spaces for both the host and the new dwellings proposed.

Although the development appear to show 5 parking provision, only 2 spaces were approved under the previous approval for the additional office use. Given that the previous office extension and use at the first floor in addition to the existing was not implemented, it is not clear the allocation of the indicated existing car parking spaces between the commercial and the existing residential uses.

Based on the existing office floor space of approximately 118sq.m, policy T6.2 would require approximately 2.5 maximum car parking spaces, therefore it might be considered that out of the 5 car parking spaces indicated on plan, at least 2 would be for the office and the remaining 3 would be for the residential units (existing and proposed), as policy T6.1 requires at least 1.5 car parking space per unit. Therefore the existing 5 spaces should be for the commercial and the residential use, this can be achieved via an appropriate condition.

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 details would be required via appropriate condition.

KEY ISSUES/CONCLUSIONS

The proposed development would offer a limited contribution to housing supply and delivery and this would weigh in favour of the development. The assessment of the planning application has not identified significant harm nor conflict with development plan policies and where there is some harm/conflict identified it is considered that these do not outweigh the benefit of the proposal.

Therefore, it is considered that in this case the proposal does benefit from the presumption in favour of sustainable development set out in paragraph 11 d) of the NPPF.

All other relevant policies and considerations have been taken into account and planning permission recommended for the reasons set out above subject to conditions.

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs

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. 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. SC06 (Parking provision)

Before the residential unit hereby permitted is first occupied, the area set aside for car parking spaces shall be clearly marked and allocated between the commercial and the residential uses on site to the satisfaction of the Local Planning Authority 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 Local Plan policy 24 and London Plan Policy T6.1 and T6.2.

4. SC10C Materials as per application form

The proposed development hereby approved shall be constructed in accordance with the materials detailed on the approved plans and under Material 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 and comply with Local Plan policy 26.

5. SC62 (Hours of construction)

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason:-

To protect residential amenity, and in order that the development accords with Local Plan policy 34.

6. SC87 Water Efficiency

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 SI 5 of the London Plan.

7. 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.

8. SC59 (Cycle Storage)

No building shall be occupied until the allocation of the of the cycle storage is 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 and the allocation between the uses 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 is in the interests of providing a wide range of facilities for non-motor car residents and sustainability (London Plan (2021) Policy T5).

9. SC58 (Refuse and recycling)

No building shall be occupied until refuse and recycling facilities are 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 the capacity, the allocation and 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 (Local Plan Policy 35).

10. Non standard condition 91

Prior to occupation of the development hereby permitted, balcony screening panel shall be installed on the roof terrace associated with the approved unit, adjacent to the boundary with no. 142 Hillview Avenue and to the rear view facing the rear of properties located on Percival Road in accordance with details previously submitted to and agreed by the Local Planning Authority. Following installation, the screening panel shall remain in place permanently.

Reason:-

In the interests of the amenity of the occupiers of neighbouring dwellings, and in order that the development accords with Policy 7 of the Local Plan 2021.

11. Non Standard Condition 31

Before the building(s) hereby permitted is first occupied, a scheme of hard and soft landscaping to include details of boundary treatment, 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 shall be submitted to and approved by the Local Planning Authority. 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 occupation will ensure that the development accords with Local Plan Policies 7, 26 and 27. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

INFORMATIVES

1 Approval following revision ENTER DETAILS

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 the agent on 27/05/2022 via email. The revisions involved amendments to the layout to change the unit size from a 2b4p to a 2b3p in order for the proposals to comply with the minimum space standard requirements. The amendments were subsequently submitted on 30.05.2022.

2 Secure by Design Informative

In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813 . They are able to provide qualified advice on incorporating crime prevention measures into new developments.

3 Approval and CIL (enter amount)

This proposal would be liable for a Mayoral and Havering Community Infrastructure Levy payment as it would create one additional residential unit and would add a net additional 80sqm floor space.

Therefore the proposal would incur a Havering CIL charge of £10,000 and a Mayoral CIL charge of £2,000 based on the calculation of £25 per square metre and £125 per square metre, subject to indexation.

4 **Street Naming and Numbering**

Before occupation of the residential/commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.haverling.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

Authorising Officer: Maria Bailey
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01-06-2022
