

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0902.22

WARD : Squirrels Heath

Date Received: 1st June 2022

ADDRESS: 57 BALGORES LANE
ROMFORD

PROPOSAL: Pave front and parts of side garden, erection of fence to side boundary, and erection of canopy to rear of garden building (Retrospective)

DRAWING NO(S): 22-081/01
22-081/02 Revision A
22-081/03

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

SITE DESCRIPTION

No. 57 Balgores Lane is a two storey detached dwelling located on the north eastern side of Balgores Lane, Gidea Park. The site lies within the Gidea Park Conservation Area. This building is highlighted in the Conservation Area as being one of the 1910-11 phase of Exhibition Houses and specifically the 100 best houses.

No. 55 Balgores Lane is a two storey detached property located to the north west of the site. A flatted block entitled Geddy Court is located to the south east of the site.

DESCRIPTION OF PROPOSAL

The application seeks retrospective consent for paving to the front and parts of side garden, the erection of a fence to the side boundary and erection of a canopy to the rear of a garden building.

The canopy has a depth of 6.2m, a width of 4.050m and a height of 2.5m.

The fence on the side boundary has a height of 1.273m increasing to 2.040m.

The agent has confirmed via email that the block paving to the front is permeable and some slight falls have been created leading to the soft landscaping. The rear concrete base is unfinished and will have falls leading to the garden and existing gullies.

During the course of the application, the Case Officer requested a pre-existing plan to aid the assessment of the application and this was received on 15th July 2022. However, the pre-existing plan does not reflect the extent of hard to soft landscape that was there in 2020 as evidenced by aerial photography and google streetview - there appears to have been less hard surface than shown on the submitted pre-existing plan. It was not deemed necessary to re-consult neighbouring properties, as the application is retrospective.

RELEVANT HISTORY

P0116.21 - Two storey rear extension
Refuse 24-03-2021

- T0193.20 - T1 Eucalyptus - Remove tree as the residents are wanting to landscape in the area.
 T2 Ash - Remove ash tree. The tree has had the back cut back into main trunk so it's now very much one sided.
 T3 Hawthorn - Remove group of trees as they are of a poor shape.
 T4 Ash - Remove tree as the trunk is in a poor shape.
 T5 Horse chestnut - Remove tree as the residents want to landscape on that part of garden.
 T6 Cherry- Remove tree as the residents want to landscape on that part of garden.
 G1 Leylandii x 3 Remove tree as the residents want to landscape on that part of garden.
 Tree Work Refused 29-01-2021
- P1595.20 - Proposed two storey rear extension and single storey side extension including a proposed outbuilding to be used as games room
 Refuse 12-01-2021
- T0027.16 - Reduce height and width of group conifer trees, plus 2 or 3 small trees in rear garden.
 Tree Work 01-07-2016
 Approved

CONSULTATIONS/REPRESENTATIONS

The application was advertised by way of a site notice, in the local press and letters sent to 20 neighbouring occupiers. Ten letters of objection were received with detailed comments that have been summarised as follows.

- Visual impact.
- The driveway to the front of the house used to be half garden and half parking, now it's all parking.
- The proposed changes do not appear to be consistent with the current guidelines for the conservation area.
- Would create a worrying precedent.
- The paving appears excessive with little space for soft landscaping and in the absence of any trees, which considering the size available, should be able to be accommodated without interfering with the overall vehicle access and parking.
- The fence would be acceptable if there were hedges, shrubs or similar in front of it. The fence is very noticeable in the streetscene.
- Concerns regarding flooding. Increased paving should be limited unless consideration is given to drainage and run-off.
- On one of the diagrams, it states that the front was previously tarmac - actually there was a colourful cottage garden with a smaller tarmac area only to the front of the garage.
- The application wording mentions a new paved area to the front and side, but it's to the rear of the property as well.
- The application is not in keeping with the character of the conservation area.
- Significant loss of wildlife habitat.
- Reduction of the quality of the visual outlook of adjacent properties.
- The front garden is harmful to the character and appearance of this 1911 Exhibition property and the streetscene and would fail to preserve or enhance the Gidea Park Conservation Area.
- Queried the drainage requirements of the paved area.
- The canopy is very large at 6.2m long, 4.05m wide and 2.5m high with a large concrete base, which is not sympathetic to the conservation area. It is not similar in size or appearance to other small garden buildings, such as sheds, gazebos and greenhouses in the area, it is visually

unattractive and prominent from neighbouring properties.

- All the trees on the site that did not have TPOs on them were removed about a year ago.
- The application totally changes the appearance of the house.
- The outbuilding at the rear is excessively large.
- The neighbouring properties have a different outlook with views of a large outbuilding, concrete and fences.
- The character of the property has been eroded by the removal of the lawn, shrubs and hedges in the front garden.
- The garden structure to the rear of the garage appears to be an inappropriate design for the area.
- The fence is a modern design post 1910 and is not sympathetic to the special design features of the area.
- Reference was made to Article 4 Directions, which are applicable to the Gidea Park Conservation Area - not more than 50% of the front garden area is permitted to be hardstanding. The works that have been undertaken are contrary to the Article 4 Directions.
- The finish of the roof of the canopy is inappropriate and incongruous with the main structure of the house itself.
- The drainage and guttering of the roof of the canopy runs outside of the boundaries of the property and into the adjacent alleyway, which provides a right of way for Geddy Court residents.

In response to the above, each planning application is determined on its individual planning merits. With regard to the Article 4 Direction, the application site is located in Control Level 2 of the Gidea Park Conservation Area, an extract of which states that development consisting of the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such, or the replacement in whole or in part of such a surface applies to the front and sides of the dwellinghouse. Comments regarding the removal of trees on the site that did not have TPOs on them are not material planning considerations. The agent has confirmed via email that the block paving to the front is permeable and some slight falls have been created leading to the soft landscaping. The rear concrete base is unfinished and will have falls leading to the garden and existing gullies.

Place Services (Heritage advice) - Object to the application and detailed comments are contained within this report.

Gidea Park and District Civic Society - No. 57 is a 1911 Exhibition House, which together with its garage occupies a wide plot of land. It has a large and prominent frontage onto the streetscene of Balgores Lane. Its appearance is an important feature of the Gidea Park Conservation Area. The property is subject to an Article 4 Direction. The area of hardstanding to the front of the property should be significantly reduced, preferably to 50% of the whole or certainly something close to that. This level of reduction would improve the visual appearance of the property on the streetscene, which would be further enhanced by the introduction of green planting. Reference was made to several relevant decisions by the Planning Inspectorate dismissing appeals against the refusal by the Council to grant permission for extensive hardstanding:

14 Balgores Square - P0451.15 - new block paved area to be partially removed.

9 Balgores Crescent - P1358.00 - an area of hardstanding to be removed.

100 Balgores Lane - P2387.06 - an area of hardstanding to be removed.

Reference was made to the canopy behind the garage and planning enforcement notice ENF/185/22. The canopy has an overbearing footprint in the context of the rear garden of No. 57 Balgores Lane and is devoid of any architectural merit. Its straight lines and slab like appearance detract from the character and appearance of the Conservation Area. The structure has an adverse impact on the ambience and appearance of the rear garden landscape constituted by the rear gardens of the houses on the Eastern side of Balgores Lane and the houses on the western side of Crossways. The Conservation Area corresponds almost exactly with the area

comprising the Romford Garden Suburb as developed in 1910/1911. It is a distinct feature of the garden suburb concept that rear gardens should provide vistas of open greenery, enhanced with lawns, trees and other foliage, thus creating the impression of individual properties being set in a natural and garden-like environment. This element of the garden suburb as represented by the Romford Garden Suburb is just as important as the streetscene to the front of the property. For the above reason, the fact that the structure is not visible from Balgores Lane is immaterial. It is the deleterious coarsening of the rear gardens context caused by the ugly and intrusive nature of the structure that is important. The structure should be removed.

The construction of a concrete slab approximately 60 feet by 20 feet in area across the rear garden does not seem to be referred to in either the proposal summary forming part of the planning application details as filed online or in the Heritage Statement filed on behalf of the applicant. The slab has been constructed without permission and should be removed. No objection to the new side boundary fencing, which has been erected.

RELEVANT POLICIES

Policies 7 (Residential design and amenity), 24 (Parking provision and design), 26 (Urban Design), 27 (Landscaping) and 28 (Heritage assets) of the Havering Local Plan (2016-2031) as well as the Heritage SPD, the Gidea Park Conservation Area Character Appraisal and Management Proposals and the Residential Extensions and Alterations SPD.

Policies D4 (Delivering good design), HC1 (Heritage conservation and growth), T6 (Car parking), T6.1 (Residential parking) and T9 (Funding transport infrastructure through planning) of the London Plan 2021 are relevant.

The National Planning Policy Framework is relevant.

MAYORAL CIL IMPLICATIONS

The proposed development would not be liable for Mayoral CIL.

STAFF COMMENTS

There are two enforcement cases, references ENF/529/21 & ENF/142/22 with regard to foundational works taking place to the rear and a new garden building in rear garden.

In accordance with the current criteria for site visits, an in-person site visit was not undertaken. Site photos were provided by the agent. In determining this application, photos from the agent for this application and for a previous application P1595.20, Google Street View, aerial view images and submitted drawings were used to assess the site constraints.

The main issues relate to the impact on the character and appearance of the Gidea Park Conservation Area, the implications for the residential amenity of the neighbouring residential dwellings and highway and parking issues.

CONSERVATION AREA

The issues for consideration in this case are the impact of the proposal upon the special character and appearance of the Gidea Park Conservation Area.

The application site is located within the Gidea Park Conservation Area which is characterised by individually designed early 20th century houses influenced by the arts and crafts movement. The Conservation Area contains housing and shops built around a road layout dating from 1910 based on the garden suburb principles and featuring two areas of architectural exhibition and competition housing. The character of the residential parts of the Conservation Area is one of

individually designed dwellings in mature gardens. Nearly all of the houses are detached and the roads are spacious and generous; the variety of designs and the mature planting in streets, gardens and open spaces contributes to a residential environment of high quality and unique character. The mature gardens, trees and boundary hedges form an integral part of the character of the Gidea Park Conservation Area.

The Conservation Area comprises a number of houses which were constructed as part of the 1911 House and Cottage Exhibition and a further exhibition of Modern Homes in 1934. Over the years the Council has sought to preserve the character of the area firstly through the designation as a Conservation Area in 1970 and later through the adoption of an Article 4 Direction to remove permitted development rights.

The statutory duty applied to planning authorities in the exercise of their planning functions in conservation areas is set out in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". This is reflected in Policy 28 (Heritage assets) of the Havering Local Plan, an extract of which states that:

"The Council recognises the significance and value of Havering's heritage assets and will support: Well designed and high quality development in a Conservation Area, or its setting, which preserves, enhances or better reveals the character and appearance of the area and its significance, and which contributes to local character and distinctiveness, taking into account the Conservation Area Appraisal or Management Plan".

Place Services was consulted and provided the following heritage advice. The application site is located within the Gidea Park Conservation Area (the CA), which seeks to preserve the character, appearance and special interest of the Gidea Park Exhibitions houses. The exhibitions aimed to demonstrate "the improvement in modern housing and building, due to the advance of Scientific Knowledge, the Revival of Arts and Craft, and the Progress of the Garden Suburb movement". 57 Balgore Lane constructed as part of the 1910-11 Exhibition (catalogue no. 1003) as a Class II cottage and has been identified as one of the '100 best houses'.

Constructed by J Smith & Sons in the design of architect T. Gerrard Davidson, it demonstrates considerable architectural interest. Also, importantly, for its historic interest through the influence as a show home for further development within the estate, I consider the site a Non-designated Heritage Asset.

The front garden of the property makes an important contribution to the verdant character of the CA. Therefore, lining the entire front lawn replacing the soft landscaped area with hardstanding is considered unsympathetic to the local character and the streetscene. Loss of such elements in the conservation area should, in my opinion, be strongly resisted as interventions such as this have the potential to cumulatively cause significant harm.

The garden structure to rear of the existing garage, albeit lightweight, is considered too large and combined with the sprawling hardstanding area to the rear results in an unsympathetic built form within the garden area. This not only detracts from the garden-suburb character of the CA, but there are concerns that this structure may guarantee an in-principle acceptance for a permanent structure in the future.

Overall, it is considered that the works carried out fail to preserve or enhance the character or appearance of the CA therefore contrary to Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regard to the NPPF, the harm identified above falls within the spectrum of 'less than substantial' making Paragraph 202 relevant.

It is considered that the amount of paving to the front and side garden is excessive and covers almost the entire frontage of the site. There is a very small and narrow section of soft landscaping adjacent to the front boundary wall of the site, which is extremely limited, fails to offset or mitigate the extent of the paving or reflect the garden suburb principles. The ratio of hard-to soft landscaping has been reduced significantly, such that almost the entire frontage is devoid of any areas of planting.

It is considered that there are some discrepancies on the pre-existing plan, as it doesn't show all the soft landscaping that was on the site, particularly in the front garden. For instance, there was a hedge on the south eastern boundary of the site that has since been removed and this is shown on Google Streetview, Aerial images and site photographs of the application site. for P1595.20

The Council previously had a long standing guideline within Gidea Park whereby only applications that amounted to 50% or less of the front garden being hard surfaced are permitted. Generally this principle is applied as it is representative of the garden suburb principles. The paving in the front garden substantially exceeds that 50% threshold. There appears to be insufficient justification for the removal of the pre-existing areas of soft landscaping, given that there is sufficient space for at least three vehicles on the paved front garden as well as a garage.

The Heritage Statement states that several properties in Balgores Lane and also in the Gidea Park Conservation Area have recently repaved the front drives and new boundary fences have been erected, but the house numbers of these properties and/or the planning application numbers have not been provided, so it's not possible to comment on these. If there are similar such ratios of hard-to-soft landscaping that have been achieved, there are few examples where formal planning permission has been obtained as the objective of the Council is to maintain the verdant character of the area.

In any event, the presence of other driveways where planting and areas of soft landscaping have been removed are examples of how unsympathetic development can transform sensitive settings. If such development has been undertaken, it is not representative of the wider Conservation Area setting where such arrangements are routinely resisted and dismissed at appeal. They do not, in the view of staff, represent adequate justification for a further unsympathetic development which would detract from the special character of the Conservation Area. To this end, it is considered that the paving in the front and parts of the side garden are visually harmful to the character of the Gidea Park conservation Area and represent an erosion of the characteristics which typify it.

The Heritage Statement states that these works have had little impact on the property and site has resulted in a cleaner and smarter view of the front drive from the highway. The previously overgrown front garden and worn tarmac has been replaced with a paving slab finish and some of the soft landscaping has been retained. These factors are not considered by officers to outweigh the harm identified to the street-scene and character of the Conservation Area. The site has a relatively good PTAL of 3 with London Plan parking standards for new development setting a maximum parking standard of up to 1 space per 3+ bedroom dwelling. There is therefore no justification for greater parking provision. Two car parking spaces could be achieved without the loss of the vast majority of the soft landscaped areas.

The paving to the front and side of the site is considered to be unacceptable. This view is reinforced by an objection that has been made by the Council's heritage advisor who states that the front garden of the property makes an important contribution to the verdant character of the CA. Therefore, lining the entire front lawn replacing the soft landscaped area with hardstanding

is considered unsympathetic to the local character and the streetscene.

The canopy to the rear of the garage is not visible in the streetscene, although it is visible in the rear garden environment.

It is considered that the fence on the side boundary integrates satisfactorily with the streetscene and the Gidea Park Conservation Area.

In conclusion, the works applied for, in particular the front/side hard surfacing and canopy structure fail to preserve or enhance the character of the conservation area contrary to S72(1) of the Planning (Listed Buildings and conservation Areas) Act 1990. The development causes less than substantial harm as set out in para 202 of the NPPF - this harm should be weighed against the public benefits of the proposal. In this case, there are little or no public benefits arising from the proposal and therefore the harm identified has not been outweighed.

IMPACT ON AMENITY

It is considered that the paving to the front and side of the site and the fencing on the side boundary is not harmful to the amenity of neighbouring properties.

The Residential Extensions and Alterations SPD states that "The outbuilding should be subordinate in scale to the existing dwelling and to the plot. In assessing proposals, the Council will consider factors such as the scale, height, proximity to boundaries, roof design, finishing materials and prominence in the street scene or rear garden environment. As with all extensions, outbuildings should not detract from the character of the area and should be unobtrusively located to the side and rear of the existing dwelling. The design of outbuildings should reflect their intended use. Outbuildings should not cause undue loss of light to neighbouring properties or adversely affect the living conditions of neighbouring properties".

It is considered that the canopy is not materially harmful to the amenity of neighbouring properties, as it's located adjacent to alley way to the rear of Geddy Court, its single storey and is 2.5m in height. According to the plans, there is a separation distance of approximately 13.9 metres between the flank wall of the canopy and the north western boundary of the site, which helps to mitigate its impact.

It is considered that the canopy to the rear of the existing garage, by reason of its excessive depth, scale, materiality, siting and proximity to the boundaries of the site, lacks subservience to the existing dwelling, appears incongruous, dominant and visually intrusive, results in an unsympathetic built form in the rear garden environment and combined with the extensive hardstanding area, are materially harmful to the character and appearance of this Exhibition property and the Gidea Park Conservation Area.

HIGHWAY/PARKING

The site has a PTAL of 3. The application seeks retrospective consent for paving to the front and parts of side garden, the erection of a fence to the side boundary and erection of a canopy to the rear of a garden building.

The parking standards in the London Plan 2021 have to be applied to this application and they seek to reduce the reliance on car parking. Policy T6.1 of the London Plan, Section A, states that "New residential development should not exceed the maximum parking standards set out in Table 10.3". The London Plan permits a maximum car parking provision of up to one space per 3+ bedroom dwelling in Outer London PTAL 2-3. There is ample space for at least one vehicle on hardstanding and a garage. It is considered that the application does not create any parking

or highway issues.

KEY ISSUES/CONCLUSIONS

The paving by reason of its overall expanse, combined with very limited soft landscaping, sets an undesirable precedent and is detrimental to the open and verdant character of the Gidea Park Conservation Area and neither preserves or enhances the character and appearance of the Gidea Park Conservation Area contrary to Policy 28 (Heritage assets) of the Havering Local Plan (2016-2031), the Heritage SPD and the guidance contained within the NPPF.

It is considered that the canopy to the rear of the existing garage, by reason of its excessive depth, scale, materiality, siting and proximity to the boundaries of the site, lacks subservience to the existing dwelling, appears incongruous, dominant and visually intrusive, results in an unsympathetic built form in the rear garden environment and combined with the extensive hardstanding area, are materially harmful to the character and appearance of this Exhibition property and the Gidea Park Conservation Area contrary to Policy 28 (Heritage assets) of the Havering Local Plan (2016-2031), the Heritage SPD, the Residential Extensions and Alterations SPD and the guidance contained within the NPPF.

Accordingly, it is recommended that planning permission be refused.

RECOMMENDATION

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

1. Refusal non standard

The paving by reason of its overall expanse, combined with very limited soft landscaping, sets an undesirable precedent and is detrimental to the open and verdant character of the Gidea Park Conservation Area and neither preserves or enhances the character and appearance of the Gidea Park Conservation Area contrary to Policy 28 of the Havering Local Plan (2016-2031), the Heritage Supplementary Planning Document, Policy HC1 of the London Plan and the guidance contained within the National Planning Policy Framework.

2. Refusal non standard

The canopy, by reason of its excessive depth, scale, materiality, siting and proximity to the boundaries of the site, lacks subservience to the existing dwelling, appears incongruous, dominant and visually intrusive and results in an unsympathetic built form in the rear garden environment and combined with the extensive hardstanding area, are materially harmful to the character and appearance of this Exhibition property and the Gidea Park Conservation Area contrary to Policy 28 of the Havering Local Plan (2016-2031), the Heritage Supplementary Planning Document, the Residential Extensions and Alterations Supplementary Planning Document, Policy HC1 of the London Plan and the guidance contained within the National Planning Policy Framework.

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, notification of intended refusal and the reason(s) for it was given to Stephensons via email on 25th August 2022.

Authorising Officer:	Simon Thelwell	<i>Simon Thelwell</i>	26-08-2022
Authorising Officer:	Simon Thelwell		26-08-2022