

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P2002.22

WARD: Gooshays **Date Received:** 9th December 2022

ADDRESS: Land adjacent to 46 Penrith Road
Romford
Essex

PROPOSAL: Erection of a single-storey 1 bed attached dwelling involving demolition of existing garages.

DRAWING NO(S): AG22/2
AG22/3
AG22/4
AG22/5
AG22/6
AG22/5A

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

SITE DESCRIPTION

The application site comprises a two-storey end of terrace dwelling, a side garage and front/side/rear gardens. The application site has an irregular shape and is in close proximity to the junction with Retford Path.

The street is characterised by Two-storey residential terrace dwellings.

The host property is neither in a conservation area nor a listed building.

DESCRIPTION OF PROPOSAL

Planning permission is sought for erection of a 1 bed bungalow following demolition of existing garages.

RELEVANT HISTORY

P1952.21	Two storey side extension
	Apprv with cons 17-12-2021

CONSULTATIONS/REPRESENTATIONS

A statutory consultation was carried out with neighbours who either have adjacency to the rear garden or are on the opposite side of the street, by way of direct notification. A representation has been received and can be summarised as:

- built in close proximity to the boundary
- noise in the garden environment

Officer's comments: Officers can not take into consideration civil matters or personal preferences. Officers can only take into consideration material planning considerations and the above comments would be address in the sections below.

Highways - no response received

Waste & Recycling - no objection

Street naming & Numbering - will require street named and numbered

Anglian Water Authority - no comments made

Planning & Equivalence Team (Anglian Water)

Thames Water Dev Control - no comments made

Essex & Suffolk Water - no response received

LFEPA - London Fire Brigade Water Team - no additional hydrants are required

Fire Safety Regulation London Fire Brigade - no response received

RELEVANT POLICIES

NPPF (2021)

London Plan (2021)

Policy D1 - London's form, character and capacity for growth

Policy D3 Optimising site capacity through the design-led approach

Policy D4 - Delivering good design

Policy D6 - Housing Quality and Standards

H1 - Increasing housing supply

H2 - Small sites

Policy T4 - Assessing and mitigating transport impacts

Policy T6 - Car parking & cycle storage

Havering Local Plan (2016 - 2031)

Policy 3 Housing supply

Policy 10 Garden and Backland Development

Policy 7 Residential design and amenity

Policy 23 Transport Connections

Policy 24 Parking provision and design

Policy 26 Urban design

Policy 27 Landscaping

Policy 35 Waste Management

MAYORAL CIL IMPLICATIONS

The proposal incorporates 26.8sqm of additional floor space for a new residential dwelling and is

liable for Havering and Mayoral CIL.

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 (£125.76/sq.m (Zone A) for each additional square metre of residential gross internal floor space.

The proposal is subject to £670 of Mayoral CIL and £3370 of Havering CIL.

STAFF COMMENTS

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 support of the application. In determining this planning application photos, 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.

Havering Local Plan (2016-31) sets out the Council's ambition, vision and strategy for future growth and sustainable development within the Borough over the next 15 years up to 2031.

On the 30th May 2022, the Government issued Havering with an updated Housing Delivery Test result for 2021. The update takes account of the adoption of the Havering Local Plan in November 2021 and reflects the stepped housing targets set out with the Plan for the period 2016-2031. The updated Housing Delivery Test Result is 78%. In accordance with the NPPF the "Presumption" due to housing delivery therefore does not apply.

However on the matter of housing supply, based on the latest (2019) Housing Trajectory, LB Havering cannot currently demonstrate a five year supply of deliverable housing sites. The Havering Local Plan was found sound and adopted in 2021 in the absence of a five year land supply. The Council is committed to an immediate update of the Local Plan and this is set out in the Council's Local Development Scheme. An update to the trajectory is being prepared but there is no firm date for the work to be completed. Therefore, in the meantime whilst the position with regard to housing delivery and supply is uncertain, consideration has been given to the effect of the tilted balance referred to in Paragraph 11(d) of the NPPF as if the presumption in favour of sustainable development outlined in paragraph 11(d) of the National Planning Policy Framework (NPPF) has been engaged. This will be explored in the conclusion of this report as requires further consideration once other material matters are assessed.

Whilst the site is within a residential area and generally, a residential development would be acceptable, given the context of the site and rear garden environment, in this instance the principle of a new dwelling in this location is not supported for the following reasons given in this report.

DENSITY/SITE LAYOUT

The proposed dwelling would be 1bed 1person dwelling and would have a GIA of approximately 26.8sqm which does not meet the minimum requirement of 37 sqm requirement for 1bed1person with a shower unit. The bedroom meets the GIA requirements and internal storage is provided. Policy D6 states that floor-to-ceiling height should be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling. To this end no information was submitted.

The proposed new dwellings would benefit from a dual aspect. The layout is practical and functional. The siting and orientation of the fenestration would allow a good level of daylight to all habitable rooms.

The private amenity area for the proposed dwelling would provide an approximate area of 39sqm and the residual amenity space allocated to the host property would be app 50sqm. The amenity area for the new dwelling is considered to adequately meet the needs of the future resident of the proposed dwelling however, the resultant amenity space for the donor dwelling is not considered to adequately meet the needs of the future occupants of the donor dwelling.

Having applied the required standards to the proposed dwellings, it is considered that the proposed dwelling and resultant amenity space for the donor dwelling would result in substandard residential accommodation which would be detrimental to the amenity of future occupants contrary to Policy D6 of the London Plan and Policy 26 of the Local Plan.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy 26 states the Council will promote high-quality design that contributes to the creation of successful places in Havering by supporting development proposals that are informed by, respect and complement the distinctive qualities, identity and character of the site and local area, responds to distinctive local building forms and patterns of development and respect the visual integrity and established scale, massing, the rhythm of the buildings and the surrounding physical context.

The Residential and Alterations Extension SPD sets an emphasis on maintaining and improving the existing character of the garden characteristics, rhythm, uniformity and do not detract from Havering's open and spacious character.

The application site comprises of a two-storey end of terrace dwelling and the proposal seeks to demolish the existing garage and erect an attached bungalow which would adjoin the two-storey end-of-terrace. The surrounding residential character is comprised of two-storey terrace dwellings. The host property and the non-attached neighbour No5 Retford Path are set approximately 90degrees angle from each other. The proposed dwelling would be situated between the host property and the non-attached neighbour.

The proposal would maintain the front building line with the donor dwelling and would be set back from the rear by 1.3m. At the rear it would be app 0.5m from the common boundary with No5.

The proposal would be visible from the street and due to the proximity to the common boundary it would appear as a cramped form of development. While the proposal would replace a garage, due to its close proximity to shared boundaries and building form would introduce a form of development

that is not representative of local character and would be at odds with this, as well as setting a harmful precedent for infilling other similar undeveloped areas present throughout the locality which would erode from and diminish local character. The resultant plot size is at odds with the surrounding character.

As a result, the dwelling does not respond to the local patterns of development and in the context of Policy 26 is not consistent with the size, setting and arrangement of properties in the surrounding area.

IMPACT ON AMENITY

No5 has benefitted from a single storey side extension and a rear conservatory. The proposal would be app 0.5m from the common boundary with this neighbour and 4.5m from this neighbour. The proposal would inherently change the character of the private amenity space and the existing open private garden being irrevocably changed. Due to the close proximity of the proposal, the bulk and mass would appear as an overbearing feature in the garden environment. Consequently, the proposal would result in a perceived sense of enclosure. The comings and goings arising from the proposal are not considered to result in adverse impact on the amenity of the surrounding neighbours. Nonetheless, due the sitting and close proximity of the amenity space in relation to the amenity of No5, the noise generated from future occupants would change the character of the existing conditions and the enjoyment of their rear garden environment to the detrimental impact of these neighbours.

Given the proposal is a bungalow and no flank windows are proposed, it is not expected to have an unacceptable impact upon the level of privacy currently afforded to the neighbouring properties.

In light of the above, it is considered that the proposal would have an unacceptable impact on the amenity of the surrounding neighbours and would be contrary to Local Plan policy 7.

HIGHWAY/PARKING

The application site has a PTAL rating of 1b translating to poor access to public transport. The provision for the level of occupation and location would be 1.5 space for the donor dwelling and 0.5 for the proposed dwelling.

KEY ISSUES/CONCLUSIONS

The proposal has been assessed against the relevant policies and guidelines. The proposed development would only offer an insignificant contribution to housing supply and delivery which would not amount to great weight to the proposal. Further, paragraphs 126-130 of the NPPF require high quality design and in particular the consideration of character and the amenities issues with respect to the neighbouring occupiers. For the reasons outlined within this report the proposal would not be acceptable in design terms and would have a detrimental impact on the future occupants of the proposal and on the occupants of neighbouring properties.

Therefore, it is recommended that planning permission be refused.

RECOMMENDATION:

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

1 Reason for refusal - Minimum Standards

The proposal fails to meet the minimum gross internal floor area resulting in poor standard of accommodation. Further in the absence of sufficient information it has not been demonstrated that the proposed dwelling would achieve the minimum floor to ceiling height of 2.5m for at least 75 per cent of their Gross Internal Area and therefore the proposal would provide substandard accommodation detrimental to amenities of the future occupiers of the site contrary to Local Plan Policy 7 and London Plan policy D6.

2 Reason for refusal - Streetscene

The proposed development would by reason of its design, form and massing and the relationship with No5 Retford Path would result in a discordant building form and cramped form of development, would be unacceptable and uncharacteristic for the surrounding area, and would adversely impact the character and appearance of the locality and the established pattern of development, contrary to the high-quality design aspirations of the National Planning Policy Framework (2021), policies D3 and D4 of The London Plan (2021) and Policies 7 and 26 of the Local Plan.

3 Reason for refusal - Neighbours amenity

The proposed development by reason of its bulk and mass and close relationship to the shared boundary with No5 Retford Path would result in an overbearing impact to the detriment of their amenity and the enjoyment of the rear garden environment of No5 Retford Path contrary to the high quality design aspirations of the National Planning Policy Framework (2021), policies D3 and D4 of The London Plan (2021) and Policies 7, 10 and 26 of the Local Plan

INFORMATIVES

1 Refusal - No negotiation ENTER DETAILS

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 Mr Ghafar (agent) by email dated 10/03/23.

2 Refusal and CIL (enter amount)

The proposal, if granted planning permission on appeal, would be liable for the Mayor of London and Havering Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the Mayoral CIL payable would be £670 based on the calculation of £25.00 per square metre and the Havering Community Infrastructure Levy (HCIL) would be a charge of £3370 based on calculation of £125.76 per square metre. Each would be subject to indexation.

Further details with regard to CIL are available from the Council's website.

Authorising Officer:

Raphael Adenegan 13th March 2023

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