

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0813.23

WARD: Rush Grn & Crowlands **Date Received:** 23rd May 2023

ADDRESS: REAR OF 60 CROW LANE
Romford

PROPOSAL: Conversion of single storey outbuilding to 1 x 2-bed apartment

DRAWING NO(S): 010 (Rev D)

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 is an existing single storey outbuilding located to the northern side of the host property at No. 60 Crow Lane.

The application site is not located within a conservation area or within the curtilage of a listed building.

DESCRIPTION OF PROPOSAL

The applicant seeks planning permission for the conversion of a single storey outbuilding to a 1 x 2-bed apartment.

RELEVANT HISTORY

N/A

CONSULTATIONS/REPRESENTATIONS

Consultation letters were sent to surrounding properties. No objections or comments were received.

LB Havering Waste and Recycling team: Waste Storage must be provided with refuse provided to Crow Lane on day of collection.

Highways: Objection on the basis that insufficient off-street parking has been provided.

Street Naming: Applicant must apply.

LBH Environmental Health: No comments provided, if minded to approve the standard boiler condition could be applied.

London Fire Brigade: No objection.

Hydrant Officer: No additional hydrant required
Anglia Water Assets: No comments
Thames Water: No objection.

RELEVANT POLICIES

Havering Local Plan (2016 - 2031)

Policy 3 Housing supply
Policy 7 Residential design and amenity
Policy 10 Garden and backland development
Policy 12 Healthy communities
Policy 23 Transport Connections
Policy 24 Parking provision and design
Policy 26 Urban design
Policy 27 Landscaping
Policy 33 Air quality
Policy 34 Managing pollution
Policy 35 On-site waste management

London Plan (2021)

Policy D3 Optimising site capacity through the design-led approach
Policy D4 Delivering good design
Policy D5 Inclusive design
Policy D6 Housing quality and standards
Policy D7 Accessible housing
Policy D11 Safety, security and resilience to emergency
Policy D14 Noise
Policy H1 Increasing housing supply
Policy H2 Small sites
Policy SI 5 Water infrastructure
Policy SI 13 Sustainable drainage
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T6 Car parking
Policy T6.1 Residential parking
Policy T7 Deliveries, servicing and construction
Policy T9 Funding transport infrastructure through planning

NPPF (2021)

5. Delivering a sufficient supply of homes
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places

Supplementary Planning Guidance

LB Havering 'Waste Management Practice Planning Guidance For Architects and Developers'

London Plan Housing SPG (2016)

London Plan Control of Dust and Emissions SPG (2014)
London Plan Character and Context SPG (2014)
London Plan Accessible London SPG (2014)

MAYORAL CIL IMPLICATIONS

N/A - change of use

STAFF COMMENTS

A site was not undertaken as part of assessment of this application. Site photos were provided by the agent in support of this application. In determining this application, the provided photographs, Google Street View, Aerial Imagery and the submitted drawings were used to complete the assessment.

Initial revisions were sought to the plans to provide further details on off-street parking and boundary treatment details. Upon further review of the plans, it was deemed the proposal still did not align with current planning policy. Consideration was given to seeking further amendments, but given the significant conflict with adopted planning policy and the fact Pre-Application advice was not sought Officer's instead intend to issue a notice of refusal.

PRINCIPLE OF DEVELOPMENT

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.

Based on the latest Housing Trajectory (initially published in 2019 and updated in 2023 through the Havering Authority Monitoring Report), 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 Inspector's report concluded:

"85. Ordinarily, the demonstration of a 5-year supply of deliverable housing land is a prerequisite of a sound plan in terms of the need to deliver a wide choice of homes. However, in the circumstances of this Plan, where the housing requirement has increased at a late stage in the examination, I ultimately conclude that the Plan, as proposed to be modified, is sound in this regard subject to an immediate review.

86. This is a pragmatic approach which is consistent with the findings of the Dacorum judgement. It aims to ensure that an adopted plan is put in place in the interim period before the update is adopted and the 5-year housing land supply situation is established."

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 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.

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 one additional dwelling to housing supply and delivery and this would weigh in favour of the development. However, paragraphs 126-130 of the NPPF require high quality design, consideration of character and a high standard of amenity for existing and future users. For the reasons outlined within this report, the proposed development is unacceptable in regard to its resultant impact on character, poor quality accommodation and impacts on living standards for the existing and future residents - these are key aspects of sustainable development.

Therefore, the proposal does not benefit from the presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF.

The National Planning Policy Framework (NPPF) seeks to boost the supply of homes and advises of the importance that a sufficient amount and variety of land can come forward where it is needed. The NPPF promotes residential development that would utilise previously-developed or 'brownfield' land. The NPPF defines previously developed land and states that this does not include residential gardens. Paragraph 71 of the NPPF encourages Local Planning Authorities to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. This indicates that appropriate development of former residential gardens would be acceptable in circumstances where it does not cause harm to the surrounding area or environment.

Whilst the NPPF maintains the primacy of the local development plan the proposed dwelling within the curtilage of residential properties including former garden land must still be assessed on its own merits in the context of development plan policies and material considerations.

Local Plan policy 10 supports residential development on garden land and backland sites subject to the development meeting parts i-v of this policy which is assessed below.

- i.Ensure good access and, where possible, retain existing through routes - in this case no through route existing on site;
- ii.Retain and provide adequate amenity space for existing and new dwellings;
- iii.Do not have a significant adverse impact on the amenity of existing and new occupants;
- iv.Do not prejudice the future development of neighbouring sites;
- v.Do not result in significant adverse impacts on green infrastructure and biodiversity that cannot be effectively mitigated and;

vi. Within the Hall Lane and Emerson Park Character Areas as designated on the Policies Map, the subdivision of plots and garden development will not be supported, unless it can be robustly demonstrated that the proposal would not have an adverse impact on the character of the area and that the proposed plot sizes are consistent with the size, setting and arrangement of properties in the surrounding area.

An assessment of the design merits of the proposal, neighbouring residential amenity and the provision of amenity space is detailed further in this report.

The proposed development would offer a modest contribution to housing supply and delivery and this would weigh in favour of the development. Paragraphs 126-130 of the NPPF require high quality design, consideration of character and a high standard of amenity for existing and future users. For the reasons outlined within this report the proposed development is unacceptable in regard to its resultant impact on living standards for future residents due to its poor provision of private amenity space, inadequate outlook and failure to provide the requisite off-street car parking.

Therefore, the proposal does not benefit from the presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF.

DENSITY/SITE LAYOUT

Policy D6 of the London Plan provides guidance in relation to the dwelling quality and standards within residential developments.

The new 2B4P dwelling would have an approximate GIA of 86sqm which exceeds the minimum required GIA of 70sqm. Both bedrooms also meet the requires of Policy D6 with the provision of storage and overall layout of the dwelling acceptable and would provide a reasonable quality of accommodation for future residents.

The proposed accommodation would be dual aspect, with reasonable outlook and privacy to the front bedroom and sitting area. The outlook to the rear would be much poorer in comparison with the kitchen to the rear and the second bedroom only looking towards a small courtyard space to a depth of approx. 1.5m. The second bedroom would only have one small window facing out onto the small courtyard space. Officer's have concerns that this small courtyard space would not provide sufficient light/outlook into the second bedroom. The window would be supplemented by a roof light to provide additional light.

The Council's Local Plan and the LP requires all dwellings to have access to quality and useable amenity space that is not overlooked from the public realm.

The proposed courtyard would provide approximately 7sqm of amenity space and would be 1.5m deep which does meet the minimum 7sqm requirement for amenity space as outlined of Policy D6. Officer's sought confirmation on the proposed rear boundary treatment to the courtyard which was confirmed as a 1.8m close boarded fence. Beyond the boundary lies the beginning of a industrial/commercial area. Presently the area beyond the boundary is used as a storage area for several large buses/coaches and other vehicles which is not desirable. Given the close proximity to the vehicle storage yard to the rear Officer's have concerns regarding the quality of the private amenity space which may be impacted by noise/odours from the adjacent commercial uses. Given

the amenity space only just meets the minimum requirements and that it is likely to see its quality compromised. Officers do not believe it would suitably provide adequate private amenity space. As such, it would not be suitable for a 2b4p dwelling and would contribute to poor living standards for future occupants.

There is opportunity for space to the front of the dwelling for private amenity space if a gate was installed. Given this would largely be occupied by vehicle(s) and cycling/refuse storage it is not considered to be of adequate quality to be considered to supplement the poor quality private amenity space to the rear.

Overall, due to the inadequate quality of the private amenity space and poor outlook from the second bedroom and rear of the dwelling the proposed dwelling would fail to provide a high quality living environment for future occupants contrary to policies 7, 10 and 26 of the Havering Local Plan.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Local Plan Policy 26 states that the Council will promote high quality design that contributes to the creation of successful places in Havering by supporting development proposals that respect, reinforce and complement the local streetscene and respond to distinctive local building forms and patterns of development and respect the visual integrity and established scale, massing, rhythm of the building, frontages, group of buildings or the building line and height of the surrounding physical context.

Access:

The existing subject site is a long regular rectangular shape, and is located on the northern side of Crow Lane. Vehicle access is currently provided through a crossover with a narrow 2m wide driveway that would provide access to the rear where the converted dwelling would lie. The Council's Highways Department have raised concerns with the proposed access which will be discussed in detail later in the report. While the plans do denote that some degree of landscaping is proposed Officers would likely seek further details. This area would be required to be landscaped to help soften the harshness of the site. This can be achieved via condition, if minded to approve.

Positioning:

The surrounding area largely consists of detached dwellings with large rear gardens. The subject dwelling is typical of similar properties to neighbours, large narrow sites with larger outbuildings to the rear of the property. Backland development is not typical of the immediate area with no obvious examples of dwellings to the rear of properties. There are several examples of large outbuildings to the rear of dwellings but these are incidental. As such, the proposal would be out of character with neighbouring dwellings. However, the dwelling would be well obscured from the street scene and from views of neighbours. As such, it is difficult to argue the new dwelling/property would in this specific location would be so harmful to the established character of the area to warrant a refusal.

Layout, Scale, Bulk and Massing:

The only changes proposed is to convert the existing garage door to window, minor changes to the fenestration of the front elevation and to change the internal layout, therefore the scale, bulk and massing would remain the same. Although the use would change from garage to residential use, this would not be considered to be unacceptable, would comply with Policy 26 of the Local Plan 2021.

The dwelling is well setback from the street scene and is unlikely to have adverse impact on the character of the immediate area.

Officers do not consider that there are any grounds to oppose the development on street-scene/character or design. Where there are departures from what existed previously they are sympathetic design choices, or are compliant with the objectives and guidance of the Residential Extensions and Alterations SPD. The development complies also with the objectives of the Havering Local Plan 2016-2031, the London Plan and the Framework.

IMPACT ON AMENITY

Local Plan Policy 7 seeks to protect the amenity of existing and future residents, it states that the Council will support developments that do not result in:

- i. Unacceptable overlooking or loss of privacy or outlook;
- ii. Unacceptable loss of daylight and sunlight; and
- iii. Unacceptable levels of noise, vibration and disturbance.

Given the nature of the proposal being a conversion with no extensions to the existing outbuilding it is not anticipated to cause impacts to the amenity of adjacent neighbours. The new dwelling would be well setback from the rear of both adjacent dwellings and would not overlook into the rear gardens. Additionally, given the physical distance between the proposed dwelling and the neighbour's dwellings there would be no threat of overlooking impacting the amenity of future occupants.

It is acknowledged that the use would differ, however, it is not considered that one additional dwelling (Use Class C3) would have an unacceptable impact on adjoining residential properties given that the application site is located within an established residential area.

Additionally, Officer's have concerns as to whether the proximity to the industrial/commercial area would negatively impact the amenity of future occupants. The adjacent use 'Romford Coachworks' appears to operate typical 8am-5pm working hours and appears to be an office/appointment centre for perspective clients for the repairs business. However, there is nothing preventing the use being changed in the future through Permitted Development which could result in another use within the E class which creates far more noise which could impact the amenity of the neighbour. The plans do not denote any measures taken to insulate or create any protection from the impact of noise.

The development is not considered to give rise to a suitably high quality living environment for future residents. The relationship of the proposed dwelling to the commercial premises that it is attached to would be a poor and undesirable one, with residents of the property likely to experience undue noise and disturbance from vehicular and customer/staff activity in close proximity to the kitchen area and the second bedroom.

The commercial areas are set right up against the boundary to the proposed dwelling. There appears to be a shed/structure which is set right up against where the second bedroom lies. It is not known what this space is utilised for but it is not unreasonable to conclude this area could be used to support the business which being to repair buses/coaches could require loud machinery or tools.

As such, it would be expected that loud noises/disturbance be emitted directly up against the proposed dwelling with no protection or respite from noise and activity that could take place directly against the boundary of the second bedroom and private amenity area. This would give rise to a poor quality living environment for future residents.

Having regard to all of the above the proposal would be contrary to Local Plan policies 7 and 26, in terms of amenity impact and would therefore be unacceptable.

HIGHWAY/PARKING

Car Parking:

The site has a PTAL of 1a and the maximum parking provision that London Plan policy T6.1 allows is up to 1.5 spaces per dwelling. Local Plan policy 24 sets minimum parking standards in areas where PTAL is 0-1 and this would require at least 1 space per unit for the unit proposed. The proposal includes one off street parking space, as such the proposal would not be contrary to Local Plan policy 24 or London Plan policy T6.1 with respect to parking.

The donor property retains an area of hardstanding to front which is accessible through what would become the shared crossover. There is sufficient space available to allow two vehicles to safely park to the front of the dwelling. As such, the loss of the space to rear of the property to accommodate the new dwelling would not cause any additional parking stress.

Of greater concern is the proposed dwelling would require at least one space to address the requirements of the site having a PTAL rating of 1a. While the revised plans denote that a car parking space could be accommodated on the property, the Council's Highways Department have significant concerns regarding the safety and viability of the 2m wide access driveway. They have indicated in order to support the proposal the access would need to demonstrate it is a minimum width of 2.5m. As such, it is considered the proposed access arrangement would constitute an unsafe environment for future occupants with ingress/egress from the site compromised by the narrow driveway. The proposed off-street car parking space can therefore not be considered to contribute to the required 1 space.

There was discussion with the agent as to whether a car-free scheme would be suitable for the site, but given it is a minimum of a 20minute walk from the nearest major train station and commercial hub in Romford this was not judged to be suitable. It is likely the occupant would still be heavily reliant on a private vehicle to go amongst their day to day activities and therefore it is considered they would require parking.

Future occupants would be reliant on on-street car parking, of which, the provision along Crow Lane is quite limited due to the structure of the highway and the amount of existing vehicle crossovers. It is considered the proposed scheme would fail to provide adequate parking for future residents to the detriment of their living standards whilst contributing to increased parking stress to the public highway and immediate area to contrary to Policy 24 of the Local Plan.

Cycle Parking/Refuse and Recycling

Both Cycle parking and Refuse/Recycling storage are indicated on plans and would lie in front of the dwelling out of view of the street scene. The positioning and orientation of the storage facilities along the common boundary to the neighbour is appropriate and would not be seen to clutter the

front of the dwelling. The provision is considered adequate to address the requirements of these policies.

Others:

Possible impact of the proposals on emergency access cannot be established from the proposed design, given the existing wide crossover to the existing garage.

KEY ISSUES/CONCLUSIONS

The presumption in favour of sustainable development outlined in paragraph 11(d) of the National Planning Policy Framework (NPPF) is engaged. However, considering the proposals against the policies in Framework taken as a whole, it is concluded that the tilted balance does not come into play in this instance due to the resultant impact on living standards for future residents due to its poor provision of private amenity space, inadequate outlook and failure to provide the requisite off-street car parking.

All other relevant policies and considerations have been taken into account. It is therefore recommended that full planning permission should be **REFUSED**.

RECOMMENDATION:

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

1 Reason for refusal - Amenity Space

Due to the physical constraints of the layout of the existing outbuilding and proximity to the adjacent commercial uses the proposed conversion to a dwelling would fail to provide an adequate provision of private amenity space to a sufficient standard, to the detriment of future occupiers contrary to Policies 7, 10 and 26 of the Havering Local Plan and Policy D6 of the London Plan.

2 Reason for refusal - Noise and Disturbance

The proposed dwelling, by reason of its proximity to neighbouring commercial uses and its design and layout, including the proximity of the kitchen, private amenity space and the second bedroom to areas used for vehicle storage would be likely to incur unreasonable adverse amenity impacts by reason of noise and disturbance and vehicular activity, leading to a poor quality living environment to the detriment of the amenity of future occupiers, contrary to Policy 7 of the Havering Local Plan.

3 Refusal non standard

The proposed outbuilding conversion would result in a dwelling, that by reason of its siting, layout, design and configuration would not provide adequate outlook for the proposed rear habitable rooms specifically the kitchen and second bedroom and would fail to provide an acceptable degree of amenity for future occupants contrary to Policies 7, 26 of the Havering Local Plan and Policy D6 of the London Plan.

4 Reason for refusal - Parking Deficiency

The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity contrary to Policy 24 of the Havering 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 further amendments, but given conflict with adopted planning policy, notification of intended refusal and the reason(s) for it was given to the agent via email on 09/08/2023.

Authorising Officer:



Habib Neshat

9th August 2023