

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1700.23

WARD: St Albans

Date Received: 17th November 2023

ADDRESS: 34 DOUGLAS ROAD
HORNCHURCH

PROPOSAL: Part single, part two storey rear extension, single storey front extension, front and rear dormers, and conversion to 6 No. self contained flats

DRAWING NO(S): 034(P)03
034(P)04
034(P)05
034(P)06
034(P)07
034(P)08
034(P)09
034(P)10
034(P)11
034(P)012
034(P)013
034(P)014
034(P)02
Block/Site Plan

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

SITE DESCRIPTION

Application site is one half of a semi-detached pair. The site is neither listed, nor within a Conservation Area. Douglas Road is within a CPZ with on-street parking requiring a residents parking permit.

DESCRIPTION OF PROPOSAL

Proposals seek permission for extensions to the subject dwelling comprised of a part single, part two storey rear extension, single storey front extension, front and rear dormers. The purpose of the alterations is to facilitate a change of use to six self-contained one bedroom flats.

The proposals are described by the applicant as resulting in a building comprised of C3 uses (rather than Sui Generis as a HMO) and the Council's assessment is made on that basis. It is observed that reference is made to prospective occupants who may require some care element, however there would be no mechanism to control this or prevent the units from being used for those purposes in the event of approval.

RELEVANT HISTORY

CONSULTATIONS/REPRESENTATIONS

PUBLIC CONSULTATION

Letters were sent to surrounding neighbouring occupiers with 60 letters of representation received. In addition a petition with 71 signatures was submitted within the statutory consultation period. The comments made are summarised below and where material will be considered by officers:

- Parking
- Out of character
- Cramped/overcrowded
- Waste/refuse
- Discrepancies
- Noise/disruption
- Waste/refuse arrangements
- Air/quality/carbon footprint
- Safety/fear of crime
- Wildlife
- Overbearing
- Impact on amenity
- Loss of privacy/overlooking
- Precedent

OFFICER RESPONSE: Some matters raised such as loss of property value are not material considerations. With regards to matters of Air Quality/carbon footprint it is not considered that a development of this scale would have a material impact. There is no evidence before officers that the domestic extensions or other enabling works would disturb local wildlife/protected species.

The application was subject to a call-in by Councillor Judith Holt/Councillor Jane Keane for the followings:

Please, I should like to call-in this application to be determined by Committee, for the following planning reasons:

1.Land Use ? this would be an over-development of the site. 34 Douglas Road was built as a three-bedroomed, semi-detached family house in the Victorian era, with a kitchen, dining room, living room and two small bathrooms, on a fairly narrow plot of land. The plans propose extending the house with front and rear extensions and dormers, increasing the number of properties to six flats, altogether comprising six bedrooms, six kitchens and six bathrooms or ensuites. This is far too great

a density for the plot of land.

2. Parking - there are no parking spaces marked on the plans. Assuming there would be one resident per flat, this could potentially mean six vehicles. Parking is already at a premium in Douglas Road and the neighbouring roads (Craigdale Road, Allandale Road, Longfield Avenue and Clydesdale Road). Most of the houses do not have off-street parking and have to park in resident parking bays which run all along the roads.

However, there are further parking concerns. Reading the very brief Design and Access Statement, it says there is "an area in front of the building which will accommodate approximately 3 to 4 vehicles". I attach a photograph of 34 Douglas Road (the middle house, which was taken in October 2022.) The space in front of the house would hold at the very most two small vehicles; indeed, it can be seen that the house to the right, which is a similar size, has only enough space for one.

Further perusal of the Design and Access Statement reveals the statement "four flats are for people with learning disability (no need for parking spaces)." This brings up questions of suitability, although I realise what the developer may consider for the future use of the proposed extended property is not a planning issue. However, the assumption that all people with learning disabilities (a very broad-ranging term) cannot drive is simply incorrect. Also, if care workers were needed to visit the residents at the property, they would need somewhere to park. There is simply insufficient parking, on- and off-site.

3. Design - the extensions would be over-bearing and out-of-scale in terms of appearance. 34 Douglas Road would simply become too big.

4. Waste - there is no provision in the Design and Access Statement for the increased amount of waste generated by six individual flats.

I have been approached by a couple of local residents from Douglas Road, all of whom object to the application.

I feel strongly that this Planning Application P1700.23 - 34 Douglas Road, Hornchurch, Essex, RM11 1AR - Part single, part two storey rear extension, single storey front extension, front and rear dormers, and conversion to 6 No. self contained flats - should be refused.

I have submitted these comments within the timescale noted on the listing, before the Last Day for Call-In of 16th January 2024 as noted on the Councillors' Planning List e-mail sent to me on 26th December 2023 and before the Decision Date of 13th February 2024.

BACKGROUND

This application was included on the weekly list dated 26th December 2023, and I posted this on Face Book on 27th December 2023 and again on 29th December 2023. In that interval I was contacted by a Douglas Road resident. This resident conveyed concerns with me by email. I immediately contacted the planning department to call this planning application in, so that residents'

concerns could be heard at a future planning committee, prior to determination by Councillors sitting as the Local Planning Authority at that planning committee. This request was acknowledged on the 29th December 2023.

ADDITIONAL INFORMATION

You will be aware from our recent exchange of correspondence that I contacted the planning department to request that the applicant be asked to provide additional detailed plans for the 3 - 4 car parking spaces that are referred to in the Design and Access Statement provided alongside the Planning Application. I look forward to receiving these as soon as possible, as existing residents have articulated significant concerns about the loss of car parking provision in Douglas Road that would be occasioned by the approval of this poorly designed and unneighbourly planning application.

CALL IN AND OBJECTIONS:

When I called the application in, I was required to give planning grounds for my action and I did so. I have now had time to consider the application plans in more detail and would like to amplify and expand on those grounds, in this supplementary email, which I would like you, the Planning Case Officer, and Committee members to consider.

The proposal will be judged by you against a suite of planning policies, including the National Planning Policy Framework, the London Plan and the Havering Local Plan. Policies 7 and 9 (Chapter 7 Successful Places to Live) of the Local Plan are especially relevant to this application as is the Residential Extensions and Alterations Supplementary Planning Guidance Adopted 2011. I object to this application on the grounds that the application does not comply with the policies contained in those planning documents and, therefore, **SHOULD EITHER BE WITHDRAWN BY THE APPLICANT/APPLICANT'S AGENT OR REFUSED.**

OBJECTION ONE: INSUFFICIENT PARKING PROVISION/THE LOSS OF PARKING PROVISION FOR EXISTING RESIDENTS/COMMUNITY SAFETY:

Douglas Road is a residential road in the Romford Ward of St Alban's. The street comprises, mainly, residential blocks of several dwellings in terraces, or blocks containing a pair of dwellings. At the junction with Brentwood Road, there are also a number of commercial motor car repair businesses. The road is narrow throughout. There is no room for two cars to pass by on the street because of the on-street residents' only parking. Few homes have sufficient space at the front of their plots to provide for off-street parking.

No. 34 Douglas Road is one of a symmetrical pair of late Victorian/Edwardian villas known as "Edith Villas". No. 34 looks as though it has already been altered at the front. There are no longer any boundary markings at the front dividing the pair of properties in this block (36 and 34) from each other. The front gardens have disappeared. These were probably removed to provide for car park spaces on the front of each plot. No. 34 has a particularly small frontage, compared to No. 32 Douglas Road. No. 34 is barely 6m in width and less than 3m between the front of the house and the pavement. This tiny space accommodates 1 car, parked immediately under the living room window, horizontally to the road. This would not conform to any space standard set out in any adopted policy.

It is telling that the submitted plans do not provide residents with an opportunity to assess the impact of the development proposals on existing car park provision in the street. Douglas Road contains many three bedroom/four bedroom family homes and was designed before widespread car

ownership. On-street parking in Douglas Road is, therefore, under intense pressure. Moreover, those who know Douglas Road will also be aware that the car related businesses in this street, whose customers make heavy use of the existing on-street parking provision, put additional pressures on parking provision.

The mix of commercial premises and subdivision of dwellings in Douglas Road can sometimes lead to unsafe parking on the corner of Douglas Road so allowing the sub-division of an existing family home (existing parking needs not stated) to No.6 one bedroom units, without providing off-street parking on the plot, would deprive existing residents of their amenities; set the scene for future neighbour disputes with potentially vulnerable new residents, and make the situation on the junction of Brentwood Road/Douglas Road even more unsafe.

The Design and Access Statement provided with the Planning Application refers to four units being for people with Learning Disabilities. For example, "four flats are for people with learning disability (sic). No need for parking spaces." This hardly inspires confidence that the owner of the property has understood the access and social needs of its future inhabitants.

OBJECTION TWO: DETRIMENTAL IMPACT ON THE CHARACTER OF THE STREET - IMPACT ON THE STREET SCENE

It is also telling that the plans do not show the impact of the proposals on the other villa in the block. For that reason I would suggest that the applicant should supply additional plans showing the proposed alterations and extensions in relation to both properties in the block so that the impact might be better judged.

Notwithstanding widespread local doubts about the intentions of the applicant trying to slide an HMO into the ward under the guise of the conversion of a family dwelling house to No.6 units, I understand that Officers and Members of the Planning Committee must judge the application based upon the submitted plans, and rightly so. However, this application, in my opinion, featuring a part single storey extension at the front of the property coupled with the front dormer would forever, and detrimentally, alter the pleasing symmetrical character of Edith Villas from a modest pair of Victorian villas to part Victorian Villa/part urban town house which would be jarring on the eye; not in keeping with the attractive character of the properties in Douglas Road e.g. pretty pairs of matched villas and therefore have an unreasonable and detrimental impact upon the character and appearance of the street scene. Front dormers are rare in this road and not desirable in planning design terms. As the Council's supplementary planning guidance states, front dormer's may have been allowed under older planning policies but in policy terms are no longer acceptable and in design terms they are unattractive.

OBJECTION THREE: PRIVACY AND OVERLOOKING - FRONT AND SIDE OF THE DWELLING

Objection Three relates to the proposal to convert the existing front living room of No.34 Douglas Road to a bedroom intended for someone with learning disabilities. My principle concern about this design relates to the absence of proposals for any plot boundary treatment at the front which could provide for the privacy of the intended occupant of this unit. With approx. 3m between the street and the bedroom there should be some boundary treatment or screening which would ensure that the vulnerable resident's privacy is protected.

The proposals to convert the home into six separate units - which is akin to squeezing a quart into a pint pot - will also result in an unneighbourly development with regard to the neighbouring property, No. 32 Douglas Road. The plans show proposals for each floor. If approved, there would be 6 self-

contained flats crammed into a three bedroomed dwelling. Each floor would comprise no. 2, self-contained units, each having its own bathroom and kitchen with windows. The plans show the elevation which would look onto the side of No. 32 Douglas Road. The wall of No. 32 would provide a very poor outlook for the proposed residents of 34 Douglas Road but the increase from two windows and a door in that elevation to 4 large kitchen windows and three bathroom windows plus a side door would infringe the privacy, and overlook rooms of the inhabitants of number 32 Douglas Road which would be harmful to an unacceptable degree.

OBJECTION FOUR -BULKY DESIGN AND ITS ADVERSE IMPACT

I should like to refer to P0211.20 which was an application for a two storey rear extension at No. 36 Douglas Road which was refused by the Local Planning Authority on the following grounds:

"The cumulative depth of the existing dwelling and the proposed first floor rear extension would, by reason of its depth, height, and position close to the boundary of the site, be an intrusive and unneighbourly development as well as having an adverse effect on the amenities of adjacent occupiers at No. 38 Douglas Road, Hornchurch contrary to Policy DC61 of the London Borough of Havering's Core Strategy and Development Control Policies Development Plan Document 2008, the Adopted Borough Residential Extensions and Alterations Supplementary Planning Document 2011 and Policy 7.4 of the London Plan."

Whilst LBH now has a new Adopted Local Plan and the policies by which this application will be judged have subsequently changed, the cumulative depth, height, and position close to the boundary of the site, of the proposed development of No.34 will have a similarly unacceptable adverse impact on adjacent occupiers.

OBJECTION FIVE; WASTE ARRANGEMENTS AND ANCILLARY DEVELOPMENT

There would undoubtedly be a significant amount of ancillary development required to provide for the needs of six separate households. The plans do not show where waste bins, or a mobility scooter, or bike sheds, would be located. If not properly planned for, this could be unsightly and might impact adversely upon neighbours as it is not clear whether bin stores sufficient for six separate units or bike/scooter sheds have been provided for within the curtilage of the property. Can some clarification be given by the agent?

I have set out my principle objections to the application based on conversations residents of Douglas Road. If time permitted I would provide a more detailed assessment and I reserve my right to comment upon any submitted amendments/clarifications etc.,

I look forward to reading the officers' report in due course. I would like to speak against the application should it go to planning committee for deliberation, but in view of all the above I hope that the applicant withdraws the application.

Kind regards

Councillor Keane
St Alban's Ward

In addition to this the following comments were received from other stakeholders:

Anglian Water - No objection
Thames Water - No objection
Historic England - No objection
Highway Authority - Objection
LFB (Hydrants/Access) - No objection
Public Protection - No objection subject to conditions
Waste/Recycling - No objection

RELEVANT POLICIES

Havering Local Plan 2016-2031 Policies 3, 5, 7, 9, 23, 24, 26 and 34
London Plan 2021, in particular Policies H1, D1, D4, D6, T6.
NPPF

MAYORAL CIL IMPLICATIONS

The proposals would result in the formation of a new dwelling with approximately 44.7 sqm of new floor area. This would translate to a contribution of:

MCIL (£25 per sqm) - £1,117.50
HCIL (£125 per sqm) - £5,587.50

PRINCIPLE OF DEVELOPMENT

The National Planning Policy Framework 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 provision of additional accommodation is consistent with the NPPF and the objectives of the Havering Local Plan 2016-2031 which at Policy 3 is supportive of housing provision in sustainable locations. In addition the London Plan 2021 notes the pressing need for housing and the general requirement to improve housing choice, affordability and quality at Policy H1 whilst also acknowledging that development should optimise housing output subject to local context and character at Policy D1.

In addition to the above the Housing Delivery Test results (Dec 2023) find that in addition to not being about to demonstrate a five year supply of deliverable housing sites, that the Council also does not meet the threshold for housing deliver (55%). Thus, given the nature of the proposed development, the provisions of Paragraph 11(d) of the National Planning Policy Framework (the Framework) are engaged. Paragraph 11 (d) (ii) requires an assessment of the proposal against the policies in the Framework taken as a whole.

Policy 5 requires all development make provision for family sized homes whereas Policy 3 seeks to resist the net loss of residential development. These objectives are reflected in Policy 9 of the Havering Local Plan 2016-2031 which supports subdivision of properties to self-contained homes in Havering where the following criteria are demonstrated:

- i. There is no conflict with surrounding uses;
- ii. The existing house being subdivided has no less than 120 sq m of original floor space, including internal circulation, and the subdivision would provide a minimum of one family unit of 3 or more bedrooms;
- iii. The new family unit is preferably on the ground floor with direct access to private, good quality, usable amenity space;
- iv. The living areas of new properties do not abut the bedrooms of adjoining properties;
- v. Safe, secure and convenient access is provided to each unit from the street; and
- vi. The parking standards set out in Policy 24 are met.

The applicant has taken care to remove living spaces from the party wall at first floor in order to prevent conflict with subsection (iv) of Policy 9. However the proposals would fail to comply with subsection (ii) through limited internal floor area and would also fail to demonstrate a family unit (ii) being comprised of one bedroom units throughout. Whether there is conflict with surrounding land uses and whether adequate parking arrangements are made will be assessed in the following sections of this report, amongst other material considerations.

DENSITY/SITE LAYOUT

Policy D6 (Housing Quality and Standards) of the London Plan advises that housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. To that end the policy requires that new residential development conform to minimum internal space standards. There are set requirements for gross internal floor areas of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and minimum floor to ceiling heights. The minimum gross internal floor area requirements and room sizes takes into account commonly required furniture and the spaces needed for different activities and moving around.

New dwellings must also demonstrate an acceptable arrangement of private amenity space. The London Plan (2021) offers guidance on this matter in the sense that minimum standards are present in Policy D6. It states that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sqm. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.

These standards are reflected in the Havering Local Plan 2016.2031 at Policy 7 which requires compliance with the space standards referenced above. Each of the self-contained units would have a floor area which would be well below the minimum gross internal floor area required for 1B1P/1B2P units (ranging from in the region of 18 sqm to 34 sqm respectively) where the minimum would be between 37/39sqm and 50sqm. This is a significant shortfall, particularly when the applicant describes the accommodation as "self-contained flats" rather than a HMO or equivalent. It follows then that the proposals would be incapable of meeting with the other requirements of the standards including headroom and bedroom size/mix. The layouts are shown to be open plan with kitchen/bed-spaces forming one larger room sometimes in a quite constrained shape. The plans are not annotated to show any living space, most of the kitchen are too small so would need to be therefore in the bedroom. It is observed that no section drawings have been provided meaning that

it has not been demonstrated that adequate headroom would be achieved. Officers observe also that the flats would be single aspect, with less consideration given to the flank windows which would either be obscurely glazed or would face onto the flank wall of the unattached neighbour.

The proposals do not make provision for any private space, owing to the constraints associated with the conversion process. Communal space is demonstrated, however access to it would not be convenient for future occupants, who would need to leave the dwelling and travel alongside bed-spaces of other occupiers. It has not been demonstrated that this would align with the objectives of Table 3.2 of the London Plan which at Policy D6 requires legibility and convenience for occupants of flatted schemes.

The proposals through failing to comply with minimum internal spacing standards present as substandard accommodation, in conflict with the objectives of London Plan Policy D6, Havering Local Plan Policy 7 and NPPF specifically Para 135 which requires that development provide a high standard of amenity for future users, the proposals would be detrimental to the amenity of the future occupiers.

The character impacts of the development are explored below.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Paragraph 128 of the NPPF states that planning decisions should take into account the desirability of maintaining an area's prevailing character and setting (including residential gardens) and recognises the importance of securing well-designed, attractive and healthy places. The Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. It goes on to set out that good design is a key aspect of sustainable development, in so far as that it creates better places in which to live and work and helps make development acceptable to communities. The Framework requires that permission is refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Those considerations are reflected at Policy 26 of the HLP where it is required that development respect and complement the distinctive qualities, identity, character and geographical features of the site and local area and respond to distinctive local building forms and patterns of development. An additional consideration are the objectives and guidance of the The Residential Extensions and Alterations SPD. The SPD contains design principles for domestic extensions, but fundamentally requires that they demonstrate subservience.

Turning then to the proposals, the proposed front extension is noted on drawings to be approx 950mm and infills the corner of the property. Whilst this would materially change its appearance in the street-scene, on balance and having regard to surrounding character where similar extensions are present it is not considered objectionable in isolation. However the proposed roof alterations would be detrimental to the street-scene. The hip-to-gable conversion would unbalance the semi-detached pair. It is accepted that similar roof form is achieved in the street-scene but this would appear to have either been part of a joint extension or achieved using permitted development rights. The SPD indicates that where such development is capable of being controlled it is resisted. Compounding the issue is the formation of a flat roofed front dormer. Whilst it is observed a nearby property has a flat roofed front facing dormer, this is an isolated example. Notwithstanding this, the

proposed dormer would be excessively large and would present as a dominant and visually intrusive feature which in conjunction with the hip-to-gable conversion would overwhelm the subject dwelling and further unbalance the pair at roof level detrimental to the character and appearance of the host property and visual amenity of the street scene.

Turning then to the rear, the application proposes to increase the ground floor footprint whilst also incorporating a first floor rear projection. The combined depth of these additions, mindful of the existing rear projection would exceed Council guidance (4m single storey, first floor set in by not less than 2m from common boundary with 3m depth). The existing single storey rear projection is approx 3.30m as shown on plans, the resultant depth would be approx 6 metres from the original rear wall. The proposed first floor extension would project 2.70m from the rear wall of the dwelling however would not respect the 2m separation from the shared boundary. Whilst the applicant has sought to demonstrate that this would not impede outlook, it nevertheless presents as a cramped form of development. This would be exacerbated by the rear dormer at roof level as proposed, as the first floor projection is essentially a flat roofed projection to accommodate the dormer which is proposed to extend out over it. The proposals have the appearance of a three storey projection which is wholly unacceptable in design terms in this location. The dormer would neither be contained within the main roof through adequate set back from the eaves, or by being set in from party walls/gables.

The proposals cumulatively result in poor design, reflected by the failure to align with Council guidance and the resultant detrimental appearance of the dwelling when viewed from the street and rear garden environment. The proposals are considered to be contrary to HLP Policy 26, the guidance within the Residential Extensions and Alterations SPD, as well as the NPPF which requires fundamentally at Para 130 that development add to the overall quality of the area and maintain a strong sense of place.

An additional consideration is the level of prospective occupancy, having regard to each unit forming a self-contained dwelling. The applicant indicates that four of the units would be used by those with learning disabilities, however this would not be possible to control through condition. Having regard to existing character there is no evidence before officers that the level of comings and goings associated with each dwelling would not be distinguishable from its use as a single dwelling house. Officers are concerned that the conversion would be conspicuous and that it would erode the character of the locality which is comprised of family dwelling houses, thereby at odds with Para 135 of the Framework which amongst other considerations seeks to ensure that development does not undermine community cohesion.

IMPACT ON AMENITY

Policy 7 of the Havering Local Plan 2016-2031 (HLP) states that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy, noise, vibration and disturbance to existing and future residents. This policy is to be read in conjunction with Policy 26 however the objectives are reflected in Policy 34 also which states that development will not be permitted where it would unduly impact upon amenity, human health and safety and the natural environment by noise, dust, odour and light pollution, vibration and land contamination.

It is observed that no. 36 Douglas Road (adjoining premises) benefited from permission for a part

two storey, part single storey rear extension in 2000 (P0971.20), however there is no record of this having been implemented and no evidence before officers otherwise. Similarly this development is not present on the drawings provided by the applicant who has sought to demonstrate that there would not be any undue impact through outlook upon this neighbour. As undeveloped the proposed ground and first floor projection (exacerbated by the development at roof level) would present as visually dominant and overbearing from the rear garden area. It is indicated that the closest window would serve a bathroom and that accordingly there would not be unacceptable outlook from first floor windows. However given the development and its mass cumulatively officers disagree with this assertion. The proposals would present as dominant and overbearing through its mass and would be detrimental to outlook, whilst also forming an oppressive development from the rear garden environment.

Through the design of the dwelling the unattached neighbour has two rear walls with a number of openings present at ground and first floor. The building line is also observed to differ meaning that the mass of the subject dwelling presents differently to other neighbours in the street meaning that the rear projection would be especially deep even though separated from the side boundary. The Residential Extensions and Alterations SPD requires that an equivalent degree of amenity should be secured for the neighbouring dwelling on the non-attached boundary both in terms of the existing house and rear garden and in terms of the ability to build an extension in line with this SPD. The unattached neighbour appears to have a patio area which would in the absence of any evidence otherwise be overshadowed by the proposals. Applying a notional line per the SPD the flank of the rear projection at first floor level would impede this line. This conflict would be exacerbated further by the large rear dormer which effectively presents as a three storey element. Consequently the proposals would present as visually dominant and oppressive and would be detrimental to outlook and amenity more generally to these occupants from side facing windows and the rear garden area.

The level of overlooking which could be achieved from first floor windows/roof level would be no more harmful than that of the host dwelling or another dwelling dwelling in the suburban environment but this does not address the other matters.

Furthermore in the opinion of officers it is reasonable to conclude that the intensive use of the resultant building would be over and above what could be regarded as acceptable in the suburban context and far beyond that of a typical family dwelling as would be expected in this location. This would result in adverse impacts through intensified use of the property through noise and disturbance would be detrimental to the amenity of neighbouring occupiers. These impacts could not be controlled by planning condition satisfactorily to the extent that the impacts of the use could be mitigated fully thereby in conflict with the objectives of Policy 9.

In summary, it is considered that there would not be compliance with Policies 7, 26 and 9 of the HLP, the objectives of the Residential Extensions and Alterations SPD and the NPPF through harm to amenity.

HIGHWAY/PARKING

Parking provision and matters of highway consideration are represented in Policies 23 and 24 of the Havering Local Plan 2016-2031. The PTAL rating for the site is 2 which translates to poor access to public transport. Public Transport Accessibility Levels (PTALs) are used by TFL to produce a consistent London wide public transport access mapping facility to help boroughs with locational

planning and assessment of appropriate parking provision by measuring broad public transport accessibility levels. There is evidence that car use reduces as access to public transport (as measured by PTALs) increases. Given the need to avoid over-provision, car parking should reduce as public transport accessibility increases.

The low PTAL rating for the site engages the parking standards set out in the Havering Local Plan 2016-2031. This translates to 0.75 spaces per dwelling, equivalent to a maximum of 4.5 spaces. The applicant indicates on drawings provided that two off-street spaces could be provided alongside one another. The drawings indicate that the spaces would overhang the footway and it has not been demonstrated that this would not be the case, measurements taking by officers appear to confirm that the depth of the frontage is insufficient. Notwithstanding this the presence of on-street bays running either side of Douglas Road means that access cannot be relied upon in any case. Policy 9 requires that the parking standards in Policy 24 are complied with, which would not be achievable in this instance. It is more likely that there would be a reliance on on-street parking.

The site is within a controlled parking zone and in representations made and observations by officers there is existing parking stress in this location. The applicant has not evidenced that the demand for parking as six self-contained flats would not be materially different to the existing use as a single dwelling house as the policy would indicate, nor has any parking stress survey or other compelling case been made to evidence otherwise.

As such the proposals would fail to make adequate provision for off-street parking. The spaces to the frontage are not shown to be of the required size and would overhang the footway. They would therefore be detrimental to highway and pedestrian safety and cannot be relied upon as a result. In the absence of a mechanism to prevent future occupants from obtaining residents parking permits and in the absence of a parking stress survey or other compelling evidence it has not been demonstrated that there would not be a material impact on the functioning of the highway or that the cumulative impacts would not be severe. The proposals are therefore contrary to Havering Local Plan Policies 9, 23 and 24 which seek amongst other things to ensure adequate parking provision is made and that no unacceptable impacts on highway safety would occur and London Plan Policy T6. Further to this there would be conflict with Para 115 of the NPPF.

KEY ISSUES/CONCLUSIONS

On the 19th December 2023, the Government published the Housing Delivery Test result for 2022. The Housing Delivery Test Result for 2022 is 55%. In accordance with the NPPF the "Presumption" due to housing delivery therefore applies.

Furthermore 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 and the Council is committed to an immediate update of the Local Plan. 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, the "Presumption" due to housing supply is applied.

The Presumption refers to the tilted balance set out 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 a modest contribution to housing supply and delivery and this would weigh in favour of the development. However, paragraphs 131 to 139 of the NPPF require high quality design and consideration of character and amenity of future occupants whereas Paragraph 115 requires that permission is refused where there would be unacceptable impact on highway safety or the cumulative impacts on the road network would be severe. For the reasons given in the preceding sections of this report it is considered that the development is unacceptable.

The adverse impacts identified would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. Therefore, the proposal does not benefit from the presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF. Having had regard to the above and in doing so all relevant planning policy and material considerations, REFUSAL is recommended accordingly.

RECOMMENDATION:

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

1 Refusal non standard

The proposals do not comply with the objectives of Policy 9 of the Havering Local Plan 2016-2031 specifically subsections (i), (ii) and (iii) through having limited internal floor area and the absence of a family sized unit as the policy requires. In failing to align with the objectives of this policy there would also be conflict with Policies 3 and 5 of the Local Plan through loss of the existing family dwelling house. Furthermore there would be conflict with Paragraph 135 of the NPPF which amongst other considerations requires development add to the overall quality of an area and be sympathetic to local character, the provision of accommodation as that proposed would be removed from existing patterns of development.

2 Refusal non standard

The proposed self-contained flats would by way of their limited internal spacing fail to meet with prescribed standards, lack of private amenity areas, poor means of access to communal space and limited outlook would represent substandard accommodation to the detriment of the amenity of the future occupiers. Furthermore the applicant has failed to demonstrate that sufficient headroom would be achieved for each of the proposed units. The proposals are therefore in conflict with the objectives of London Plan Policy D6, Havering Local Plan 2016-2031 Policy 7 and the Framework, specifically Para 135 which requires that development provide a high standard of amenity for future users.

3 Refusal non standard

The proposed extensions and alterations to facilitate the proposals including front extension,

front and rear dormers and combined ground and first floor rear extensions would be of poor design cumulatively and would dominate the original dwelling, lacking subservience and would be detrimental to local character, the street-scene and rear garden environment more generally thereby contrary to Havering Local Plan Policy 26, the Residential Extensions and Alterations SPD and Para 135 of the NPPF which requires development provide a high standard of amenity.

4 Refusal non standard

The combined development at the rear of the property through increased ground floor footprint, first floor projection and large flat roofed dormer over would give rise to a sense of enclosure for the neighbouring premises and would unduly harm outlook from the rear/garden environment of each whilst presenting as visually dominant thereby having an overbearing impact detrimental to the amenity of those occupants and contrary to the guidance contained within the Residential Extensions and Alterations SPD, the objectives of Havering Local Plan Policies 7 and 26 and the Framework at Para 135 which requires development provide a high standard of amenity.

5 Refusal non standard

The proposals would fail to make adequate provision for off-street parking. The spaces to the frontage are not shown to be of the required size and would overhang the footway. They would therefore be detrimental to highway and pedestrian safety and cannot be relied upon as a result. In the absence of a mechanism to prevent future occupants from obtaining residents parking permits and in the absence of a parking stress survey or other compelling evidence it has not been demonstrated that there would not be a material impact on the functioning of the highway or that the cumulative impacts would not be severe. The proposals are therefore contrary to Havering Local Plan Policies 23 and 24 which seek amongst other things to ensure adequate parking provision is made and that no unacceptable impacts on highway safety would occur. Further to this there would be conflict with Para 115 of the NPPF in the absence of any evidence otherwise.

6 Refusal non standard

The conversion of the subject property into six self-contained flats throughcomings and goings would be detrimental to neighbouring amenity through noise and disturbance and would therefore conflict with Havering Local Plan Policies 7 and 34. Furthermore officers are concerned that the conversion would be conspicuous and that it would erode the character of the locality which is comprised of family dwelling houses, thereby at odds with Para 135 of the Framework which amongst other considerations seeks to ensure that development does not undermine community cohesion.

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 the agent in writing 13-02-2024

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 £1117.50 based on the calculation of £25.00 per square metre and the Havering Community Infrastructure Levy (HCIL) would be a charge of £5587.50 based on calculation of £125 per square metre. Each would be subject to indexation.

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

Authorising Officer:



Neil Goate

13th February 2024