

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0179.24

WARD: Marshalls & Rise Pk **Date Received:** 7th February 2024

ADDRESS: 3 Pettits Lane
Romford

PROPOSAL: Proposed amendment of previously approved scheme ref: P0378.22 to include demolition of existing single storey bungalow and erection of 2no. 5 Bedroom semi detached properties with associated car parking, cycle storage, refuse storage and amenity. Changes include using the loft space as habitable space with the right house to have a dormer to the rear. Both to have velux to the front.

DRAWING NO(S): EX01
EX02 Rev. A
EX03 Rev. A
PL14 Rev. A
PL15
PL16
PL17
PL18
PL19
PL20

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 originally had a bungalow located on the western side of Pettits Lane.

The surrounding area is characterised by a mixture of two-storey detached, semi-detached, terraced dwellings and single storey detached dwellings. The bungalow is brick finish with tiled pitched roof.

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

DESCRIPTION OF PROPOSAL

This application is for a proposed amendment of previously approved scheme ref: P0378.22 to include demolition of existing single storey bungalow and erection of 2no. 5 Bedroom semi detached properties with associated car parking, cycle storage, refuse storage and amenity. Changes include using the loft space as habitable space with the right house to have a dormer to the rear. Both to have velux to the front.

Works have commenced on site implementing the original consent P0378.22.

RELEVANT HISTORY

PE/01247/21 - Demolish existing bungalow and the erection of 2 new dwellings -

Officers' response - the principle is acceptable, given no block plan and elevations provided, officers raised concerns regarding residential amenity impact on adjoining neighbours especially no. 1 Pettits Lane.

P1892.23	Proposed amendment of previously approved scheme ref: P0378.22 to include demolition of existing single storey bungalow and erection of 2no. 5 Bedroom semi-detached properties with associated car parking, cycle storage, refuse storage and amenity. Changes include using the loft space as habitable space with the right house to have a dormer to the rear. Both to have velux to the front. Withdrawn - Invalid 31-01-2024
P1858.23	Proposed amendment of previously approved scheme ref: P0378.22 to include demolition of existing single storey bungalow and erection of 2no. 4 Bedroom semi-detached properties with associated car parking, cycle storage, refuse storage and amenity. Apprv with cons 08-03-2024
N0044.23	Application for a non-mateiral amendment to planning permission ref: P0378.22 dated 22/12/2022 to increase the depth of the ground floor footprint (2 x Two storey, 4-bed, semi-detached dwellings with habitable roof space, amenity space, and associated parking, involving demolition of existing dwelling) Withdrawn 20-11-2023
Q0020.23	Discharge of Conditions 3 from P0378.22 ALL DECISIONS 30-03-2023 ISSUED
P0378.22	2 x Two storey, 4-bed, semi-detached dwellings with habitable roof space, amenity space, and associated parking, involving demolition of existing dwelling Apprv with cons 09-12-2022
P0379.22	Proposed demolition of existing single storey bungalow and erection of 2no. 5 Bedroom semi detached properties including habitable loft spaces with rear dormer, associated car parking, cycle storage, refuse storage and amenity. Withdrawn - Invalid 07-04-2022

CONSULTATIONS/REPRESENTATIONS

Consultation Letters were sent to surrounding properties and no representations were received. in response raising the issues below:

Internal Consults:

- LBH Havering Highways: No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of planning permission.
- LBH Waste/Recycling (Streetcare) - Waste and recycling sacks will need to be presented by 7am on the boundary of the property facing Pettits Lane on the scheduled collection day. Please refer to the planning guidance document attached.
- LBH Street Name and Numbering - New dwelling will need to register new address.
- Fire Brigade - No additional fire hydrants are required and no further action on other matters.
- LBH Public Protection has commented that our comments remain the same as P0378.22, with the addition of the EVC requirement. No noise or contaminated land concerns. The previous consent requested a boiler condition be added.

RELEVANT POLICIES

Havering Local Plan

Policy 3 Housing supply

Policy 7 Residential design and amenity

Policy 24 Parking provision and design

Policy 26 Urban design

Policy 27 Landscaping

Policy 32 Flood management

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 D6 Housing quality and standards

Policy D11 Safety, security and resilience to emergency

Policy D14 Noise

Policy H1 Increasing housing supply

Policy H2 Small sites

Policy S1 Developing London's social infrastructure

Policy SI 1 Improving air quality

Policy SI 13 Sustainable drainage

Policy T6.1 Residential parking

Policy T7 Deliveries, servicing and construction

LDF

SPD04 - Residential Extensions & Alterations SPD

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The Havering and London Mayoral CIL payment is applicable for as the proposal for a new dwelling or extensions that creates more than 100 square metres of additional floorspace.

The gross internal floor area of the existing dwelling is 189.38 square metres and this can be deducted from the gross internal floor area of the extended dwelling. The dwellings would have a total of area of 336.69. The difference equates to 147.31 square metres which is rounded up to 148 square metres.

The Mayoral CIL has a charging rate of £25 per square metre of net additional floor space of the proposed development and therefore the liability equals $148 \times £25 \text{ per sq.m} = £3,700$.

The Havering CIL has been implemented from the 1st September 2019, which has a charging rate of £125 per square metre of net additional floor space of the proposed development in Zone A. The proposal would be liable for Havering Community Infrastructure Levy contributions of CIL of £18,500 ($148 \times £125$) to mitigate the impact of the development.

The total CIL liability to be paid is £22,200 subject to indexation based on the information provided.

STAFF COMMENTS

The material planning considerations are the principle of the development, density and site layout, design and impact on the character and appearance of the surrounding area, impact on amenity, highways and parking and planning obligations.

In accordance with the current criteria for site visits, an in-person site visit was not undertaken. Site photos were used from the previous application P0378.22 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.

This application is a resubmission of a previously approved planning application P0378.22 in the following key area where:

The principle of the development has already been accepted by the original approval and therefore it is only the impact of the changes compared to the approved scheme.

This application proposes:

- To alter one half of the semi-detached pair with a gabled roof and rear dormer window.
- Provide an additional bedroom in the loft. Number of bedrooms increased from 4 to 5.
- Roof lights to front and rear of the dwellings.
- Juliette balconies removed from the rear.

It should be noted that no pre-application advice was sought prior to the submission of the application and it is considered that the changes required to try and bring the proposal within the realms of acceptability would not be minor.

The proposed dropped kerb for House 1 will include a new vehicle crossover, which will involve the removal of sections of the grass verge at the front of Pettits lane. The proposed crossover and dropped kerb will further cross a young tree that has been planted on the verge. The revised plans showing the tree have been resubmitted as part of this application due to the condition previously imposed as part of P0378.22, which better indicates the tree affected and the proposed new location for it to be replanted. The tree will be planted within the remaining sections of the verge and a condition will be attached to any permission granted to retain the tree.

The effect of these changes will be assessed in the context of the following:

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.

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, paragraph 60 requires development provide an appropriate mix of housing types for the local community. For the reasons given in the preceding sections of this report the proposals would not contribute to the housing type required by the community. It is therefore 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.

DENSITY/SITE LAYOUT

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

The proposed dwellings adjacent to No.1 would be a 5B8P with the other dwelling with its gabled roof and rear dormer creating a proposed 5B9P dwellings. Both of the dwellings would exceed the LP minimum internal space standards of 119sqm and 128 sqm plus 3sqm built in storage for this type of dwelling. No cross section has been provided in respect to the internal floor to ceiling height. It is unclear if the loft accommodation is compliant with the space standard, however, as this a small part of a larger dwelling, it is unlikely that it would be less than 75 per cent. There is no evidence to oppose the development, mindful that works have already commenced on site implementing P0378.22.

The proposed accommodation would be dual aspect, have good outlook, levels of privacy and receive acceptable daylight within. In addition, section plans have been submitted to demonstrate that the internal floor to ceiling heights would meet the NDSS standards.

The new dwellings would each have long rear gardens which would provide adequate private amenity space for the size of the new family sized dwellings proposed.

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 are informed by, 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 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.

The principle of the development has already been accepted by the original approval P0378.22 and therefore it is only the impact of the changes compared to the approved scheme. This application proposes to alter one half of the semi-detached pair with a gabled roof and rear dormer window, provide an additional bedroom in the loft for each dwelling and increase the number of bedrooms increased from 4 to 5, roof lights to front and rear of the dwellings and the removal of the Juliette balconies from the rear.

The area contains mainly two-storey semi-detached dwelling houses set within generous plots of land, resulting in a low density, suburban character; which is also demonstrated by way of the design of the buildings. Whilst there is no one particular architectural style to this section of Pettits Lane, the majority of the properties are semi-detached and have hipped roofs, or a dual-pitched roof that has the gable facing the road. These roof forms and massing are generally mirrored on each of the semi-detached pair, with well-balanced, regular roof forms, and results in characterful gaps (negative space) between otherwise substantial buildings along the street. This, along with a generously set-back building line, also adds to the open, suburban nature of the road, and provides a degree of consistency.

It is also by this same standard that No.5 is distinctly out-of-place for this area, with a substantial extension to the roof with a gable end which un-balances the semi-detached pair. However, there is no planning records of this extension (it may be 'permitted development'), and does not dictate or otherwise override the identified character of the area.

The proposed building would provide two, two-storey, (with a habitable roof) semi-detached houses; with a gabled end to one of the dwellings, resulting in the semi-detached pair being unbalanced. There would be a greater amount of bulk and mass at roof level in comparison to other semi-detached houses in the vicinity. As a result, the proposed dwellings would fail to respond or otherwise respect the identified character within the streetscene, or respond or reflect the characterful massing and prevailing roof forms of buildings in this section of Pettits Lane. In addition, the proposed rear dormer window would significantly increase the perceived bulk created by the gabled roof form, exacerbating the harm to the visual amenity of the rear garden environment.

The proposed dwellings would, by reason of their unbalanced appearance and rear dormer, appear as an unacceptably dominant and visually intrusive feature out of character with the prevailing pattern of development, detrimental to the visual amenity of the locality and the street scene contrary to Havering Local and London Plans but also the NPPF (135).

It is noted that the dwellings at Nos.5 & 7 Pettits Lane are of a hipped roof design but have benefited from a hip to gable roof two storey side extension in 2005 and 1986 which predate current guidance. These examples create a form of development that is disruptive to the roofscape and would represent an incongruous and bulky addition to the front roof slope and for this reason are not a justification to replicate. It is considered that the proposed roof alteration including the rear dormer window would be materially harmful to the visual amenity of the surrounding area contrary to Council guidelines.

It should be noted that no pre-application advice was sought prior to the submission of the application and it is considered that the changes required to try and bring the proposal within the

realms of acceptability would not be minor.

Materials:

The supporting information on drawing PL17 states that the external walls would be finished in brick and the roof would be finished in slate roof and ridge tiles, although the surrounding area is largely clay roof tiles not slates. The proposed materials would largely reflect the materials used within the surrounding context apart from the roof tiles, materials to be conditioned.

IMPACT ON AMENITY

Local Plan Policy 7 seeks to protect the amenity of existing and future residents 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.

It is not envisaged that the proposed gable roof and rear dormer window would have unacceptably impact on the amenity of the attached neighbour which is the other new dwelling as part of this application. No.5 has no flank windows on their side extension facing the application site. It is noted that the gabled roof would project beyond the front and rear elevations of the neighbouring two storey side extension at No.5, however, mindful of the limited projection beyond this neighbour and the small gap created by the side access, it is considered that it would be within the realms of acceptability.

The rear dormer window would be set in from the side of roof to minimise the impact on the adjacent neighbours.

The roof lights to the front of the dwelling would face the street, which is a public area, as such it is not envisaged that there would be any loss of privacy from this development.

It is considered that the proposed rear dormer window and roof lights to the rear would not result in any undue overlooking or loss of privacy above existing conditions, particularly as the first floor windows of the application dwelling and the neighbouring properties already overlook the rear garden areas of surrounding residential properties.

Safeguarding conditions as previously imposed to would be added to the decision should the application be approved.

at No.73 as this part of the proposal would be located on the opposite side of the dwelling.

HIGHWAY/PARKING

The application site is located in an area with a PTAL of 2 with a poor level of access to public transport and consequently London Plan policy T6.1 sets a maximum parking standard for this location of 1 space per 3 bed dwelling. LBH Highways considers the proposed provision of parking spaces for the sites to be acceptable. Given that two vehicles could be accommodated on each of the

parking areas it is not appropriate to seek to restrict access to residents parking permits as not considered to be overspill from the development.

The new crossovers do not raise any significant highway safety issues.

A condition in respect to electric vehicle charging has been added in line with general protocol since the previous application was approved.

Refuse and Recycling:

The front of the site has space for adequate storage and access.

OTHER ISSUES

Permitted Development Rights

The site is not subject to any limitation for permitted development rights for any extensions, enlargements or alterations. Under the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (the GPDO), Schedule 2, Part 1, there is the potential for the dwelling to be extended further (potentially by an additional 6m to the rear under the larger home extension prior approval scheme, or upwards by two additional storeys). Consequently, this has the potential to create an excessively large dwelling, and has the potential to result in overdevelopment of the site, which would be inappropriate for the streetscene, and the area more generally.

Therefore limiting the ability of future occupants from extending the property under the GPDO would protect the character and appearance of the property and the area more generally without necessarily prejudicing the land owner(s); who can always submit a further planning application if need be. Therefore, such a condition would be required on any grant of planning permission.

TREES

A condition regarding the street tree has been re-imposed in line with condition no.10 of P0378.22. A revised plan was requested in line with condition no.10 of P0378.22 as part of this submission but this was not provided.

KEY ISSUES/CONCLUSIONS

The proposed dwellings would, by reason of their gabled roof form and linked rear dormers, appear as an unacceptably dominant and visually intrusive feature out of character with the prevailing pattern of development, detrimental to the visual amenity of the locality and the street scene contrary to Havering Local Plan and the guidance contained in the National Planning Policy Framework.

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 - Streetscene

The cumulative impact of the hip to gable roof alteration and rear dormer window would be out of scale, be disproportionately large, overly prominent and relate unacceptably to the existing dwelling with a top heavy appearance which and would unbalance the appearance of this pair of semi-detached pair and appear as an unacceptably dominant and visually intrusive feature in the street scene and rear garden harmful to the appearance of the surrounding area, contrary to Policies 7 and 26 of the Havering Local Plan, D4 of the London Plan, NPPF and the Residential Extensions and Alterations Supplementary Planning Document.

INFORMATIVES

**1 CIL informative for refused proposal - Residential
For Residential Development Only**

Please be advised that approval of this application from 1st September 2019 (either by London Borough of Havering, or subsequently by PINS if allowed on appeal following a refusal by London Borough of Havering) will attract a liability payment of £22,200 plus indexation in Community Infrastructure Levy (CIL). This charge has been levied under s.206 of the Planning Act 2008 and includes both the Mayor of London's CIL and Havering Council's CIL.

London Borough of Havering, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL, in addition to Havering's CIL, on commencement of the development.

Your proposal is subject to a CIL Liability Notice indicating a levy of £22,200 plus indexation for the application, based on the Mayoral CIL levy rate for Havering of £25/sq.m plus Havering's charging rate for residential of £125/sq.m (Zone A), and the floorspace of 148 square metres.

You are advised to visit the planning portal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

2 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 Mr Virdee (Agent) by phone on 02/04/24.

Authorising Officer:



Raphael Adenegan

3rd April 2024