

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0556.24

WARD: Elm Park **Date Received:** 18th April 2024

ADDRESS: 16 Simpson Road
Rainham

PROPOSAL: Erection of a two storey end of terrace dwelling house adjoining 16 Simpson Road and part single storey and part two storey rear extension to 16 Simpson Road

DRAWING NO(S): 10-151023-002
10-151023-013
10-151023-014
10-151023-015
10-151023-016

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 area of currently used as a side garden of 16 Simpson Road in Rainham and currently has vehicular access to the rear of the site serving a detached garage.

The surrounding area is predominantly residential and is characterised by two storey semi-detached houses.

DESCRIPTION OF PROPOSAL

Consent is sought for the erection of a two storey, 3-bedroom end-of-terrace dwelling, as well as rear extensions to the donor property.

RELEVANT HISTORY

P0377.24	Erection of a two storey end of terrace dwelling and part single storey and part two storey rear extension to the existing dwelling
	Withdrawn - Invalid 18-04-2024
P1819.04	Part single, part two storey side extension
	Apprv with cons 30-11-2004

P0270.04	Construction of 3 bedroom dwelling house (outline)	
	Refuse	26-03-2004
P1761.03	Three bedroom dwelling house - Outline	
	Refuse	04-11-2003

CONSULTATIONS/REPRESENTATIONS

Neighbouring occupiers were consulted through direct notification with objections from 3 people received. The comments are summarised below:

- Increased on road parking and traffic issues.
- Would be right on the side boundary.
- 16 Simpson Road is a semi-detached and not a terraced house.
- Examples of other houses are not nearby.
- Entrance on side will be out of keeping.

Officer response:

Loss of amenity, design, impact on the street scene and parking are considered to be material planning considerations and are addressed in this report. The description states that the new dwelling would create an end-of-terrace so this terminology is correct.

In addition the following comments were made by other stakeholders:

- Highway Authority - Objects. The application form advises that there is 1 existing parking space and no further spaces proposed. The PTAL rating for this location is 1b which is considered 'very poor' and the requirement at a location like this would be 1.5 spaces per dwelling. The application suggests that the existing property is already short of this requirement, the proposal of an additional dwelling with no additional parking would increase this parking deficiency even further. Subsequently, increase the risk of an increase of parking stress on the public highway. In the circumstances, this application cannot be supported by highways.
- Havering Council's Ecology Advisor - no objection with regards to BNG.
- Street numbering and naming - Applicant needs to apply.
- Environmental Protection - No objection but a ultra-low NOx boiler condition is required.
- Waste/Recycling (Streetcare) - No objection, waste storage should be provided.
- Fire Brigade (Hydrants) - No objection.
- Greater London Archaeology Advisory Service- a 'desk top' archaeological appraisal not required

RELEVANT POLICIES

Havering Local Plan 2016-2031 Policies 7, 10, 23, 24, 26 and 34

London Plan 2021, in particular Policies H1, D1, D4, D6, T6

NPPF

MAYORAL CIL IMPLICATIONS

Contributions would be required under CIL regulations. The proposal would result in a net increase of 88.3m².

This would translate to a Mayoral CIL (MCIL2) contribution of £2207.50 / (x £25 per sqm).

As of September 1st 2019, Havering adopted its on community infrastructure levy (HCIL) which has a chargeable rate of £125 per sqm in this location. This translates to a contribution of £13,245.

Each contribution would be subject to indexation.

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.

PRINCIPLE OF DEVELOPMENT

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. In terms of housing supply, based on the latest 2024 Housing Trajectory, Havering is able to demonstrate 3.4 years 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 update of the Local Plan and this is set out in the Council's Local Development Scheme. 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 small contribution to housing supply and delivery and this would weigh in favour of the development. For the reasons outlined within the officers report the proposed development is unacceptable. 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 (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 Adopted Residential Design SPD states that private amenity space should be provided in single, high quality, usable, enclosed blocks which benefit from both natural sunlight and shading. The Residential Design SPD does not prescribe fixed standards for private amenity space, which can be restrictive on small and awkward sites. 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 where at Policy 7 it requires compliance with the space standards. Private amenity space for the new dwelling would be nearly 30 square metres and policy is met.

Having applied the standards to the proposal, the new dwelling would meet the required gross internal floor area for a two storey 3-bedroom / 4-person dwelling based on the size of the dwelling shown (88.3 square metres meets the 84 square metre minimum standard). Policy D6 of the London Plan states that a dwelling with two or more bed-spaces must have at least one double (or twin) bedroom that is at least 2.75m wide and a floor area of at least 11.5 square metres; this is met. Furthermore, Policy D6 of the London Plan states that a one-bedspace single bedroom must have a floor area of at least 7.5 square metres. and be at least 2.15m wide; this is not met as Bedroom 2 is scaled on the plans as around 7 square metres. The internal ceiling heights are not shown on the plans.

The character impacts are explored below.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The Council recognises that much of the borough is suburban, characterised by spaciouly set up neighbourhoods with large private gardens. Intensification of these areas by development on gardens or back-land may provide valuable sources for housing. Development of such sites can be difficult as there are often a number of constraints. They require sensitive development and high quality design to ensure that the character of the area and the quality of life of existing and future residents is maintained.

Policy 10 of the Havering Local Plan 2016-2031 (HLP) is relevant as it states that 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. Policy 10 would need to be taken in conjunction with Policies 7 and 26 of the HLP which require fundamentally that residential development be of high quality design. Therefore compliance with the criteria of Policy 10 as set out in the preceding section of this report is not of itself justification for approval.

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. However an overarching consideration is the desirability of maintaining an area's prevailing character and setting (including residential gardens), of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places. 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.

The prevailing pattern of development in term of housing typology in the area is semi-detached housing. The proposal would result in the change of the appearance of the site from a pair of semi-detached houses to a small row of terraced houses which would appear out of character, further exacerbated by the significantly narrower width of the plot and proposed dwelling compared to the host dwelling by over 1m. It is acknowledged that there are 2-storey side extensions nearby on corner plots, such as at no.18 but these are much narrower and more subordinate to the host dwellings and are designed with a roof lower than the main roof and a set in from the front elevation at first floor level. These also do not sub-divide the plot in the same way that the subject application does.

This proposal would have no spacing to the side boundary and indeed the roof is likely to marginally oversail the boundary. The proposed development would, by reason of its height, positioning close to the side boundary, bulk and mass, and position relative to the side boundary of the site, appear dominant when viewed from the front and the rear; and would unduly enclose the street scene at this prominent location and appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the character and appearance of the surrounding area. This is exacerbated by the addition of a 2.6m projection in the form of a first floor rear extension at the rear of the host dwelling and the new dwelling, which further appears bulky and at odds with the character of the existing pair of semi's and which will be very exposed in the wider street scene given the siting of

the site and proximity of the development to the boundary and the footway.

All matters considered, the provision of accommodation with the layout shown could be regarded as being at odds with the established urban grain and detrimental to local character.

It is noted that two planning applications in 2003 and 2004 for a 3-bedroom house on the site were refused (planning references: P1761.03 & P0270.04) for the following reason:

"The proposal, by reason of the inadequate size of the site, in particular its width, and the resultant position of the development in relation to the boundaries of the site, would result in an unacceptably cramped, over development of the site, materially out of scale and character with the prevailing pattern of development in the locality and visually intrusive in the street scene".

It is considered that, despite the age of these decisions, the key issues remain equally pertinent to the application under consideration.

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.

With regards to loss of light and overshadowing, there would be minimal impact on the host dwelling. The new dwelling would be within the existing front building line of no.21 and the proposal would include rear extensions meeting the size guidance in the SPD so would have minimal impact in terms of loss of light or overshadowing to the host dwelling.

The new dwelling would be over 17m from the nearby house to the rear of the site at no.2 Hugo Gardens, over 23m away from the nearby houses to the front of the site at no.49-51 Simpson Road and nearly 9m away from the nearby house to the side of the site at no.18 Simpson Road, so would have minimal impact with regards to loss of light or overshadowing to these houses.

The separation distances to nearby houses mentioned above would lead to minimal impact with regards to overlooking.

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 1b which is an area of the Borough that has low public transport access (PTAL 0-1); in such locations Policy 24 of the Havering Local Plan applies and requires 1.5 spaces per 3-bedroom dwelling.

There would be the retention of parking for the host property in the existing detached rear garage

and space to the front of it. No car parking spaces are provided for the new dwelling. Policy is not met and it is considered that intensification of on-road parking stress would occur. The site is on a junction iwth Hugo Gardens. Consent is highly unlikely to be given for a dropped kerb close to the junction due to highway safety concerns. There is also concern that the lack of off street parking for the new dwelling could lead to further demand for on street parking in Hugo Gardens. This is a very narrow road with limited opportunity for on-street parking and it is considered that additional pressure for parking in the vicinity of Hugo Gardens would be undesirable and likely to adversely impact on the functioning of the highway.

Further details of a refuse/recycling store within the site will be secured by condition if minded to grant planning permission.

KEY ISSUES/CONCLUSIONS

Having regard to all relevant factors and material planning considerations, Staff are of the view that this proposal would be not acceptable and should be refused.

RECOMMENDATION:

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

1 Reason for refusal - Layout

The layout of the development would be inadequate resulting in substandard accommodation for future residents through insufficient internal space with regards to bedroom sizes, thereby giving rise to a poor quality residential environment, harmful to the amenities of the occupiers. As a result, the development would be contrary to Policy 7 of the Havering Local Plan and Policy D6 of the London Plan.

2 Reason for refusal - Streetscene

The proposed development would, by reason of its height, positioning close to the side boundary, bulk and mass, appear as a dominant and visually intrusive development, which would unduly enclose the street scene at this prominent location and would also give rise to a form of development which is at odds with the prevailing character of development in the locality, thereby materially harmful to the character and appearance of the surrounding area, contrary to Policy 7 and 26 of the Havering Local Plan.

3 Reason for refusal - Parking Deficiency

The proposal would provide no parking for the new dwelling leading to an increased demand for on-road parking in the area to the detriment of the safety and functioning of the highway contrary to Policy 24 and 26 of the Havering Local Plan and Policy T6 of the London Plan.

INFORMATIVES

1 Refusal - No negotiation

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking

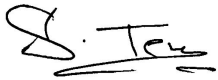
amendments, but given conflict with adopted planning policy, it was necessary to issue a decision as close to the statutory timeframe as possible as opposed to seeking amendments which would have significantly delayed the application.

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 £2207.50 based on £25.00 per square metre and the Havering Community Infrastructure Levy (HCIL) would be a charge of £13,245 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:



Suzanne Terry

18th June 2024