

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1282.24

WARD: Heaton

Date Received: 23rd September 2024

ADDRESS: 11 Yelverton Close
Romford

PROPOSAL: Conversion of single dwelling into 2 flats with additional entrance to side, single storey rear extension and timber fence

DRAWING NO(S):

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

SITE DESCRIPTION

The site relates to a two-storey end terrace dwelling measuring 70sq.m, situated to the east of Yelverton Close. The surrounding area is predominantly residential in character, with dwellings to the north, west and south of the site and large area of open parkland to the eastern rear.

DESCRIPTION OF PROPOSAL

The application seeks planning permission for the conversion of the single dwelling into no.2 flats, with an additional entrance to the side facilitating access to the first-floor flat, a single storey rear extension to the ground floor flat and the erection of a timber close boarded fence to separate the proposed ground floor rear garden areas.

RELEVANT HISTORY

None identified.

CONSULTATIONS/REPRESENTATIONS

Neighbouring properties were notified of the proposal at the application site. No letters of representation were received.

Highways - objects due to concerns that the proposal would significantly increase parking demand in a small cul-de-sac due to a strong likelihood of increased vehicle ownership and inadequate off-street parking provisions. The site has a PTAL rating of 1b which requires 0.5 parking spaces for a 1-bedroom dwelling. Given the proposal involves the conversion of a 2-bedroom dwelling into two self-contained 1-bedroom flat without providing any parking spaces, the proposal would conflict with

the parking standards outlined in the Local Plan.

Environmental Health - no land contamination concerns however requested the imposition of relevant conditions including the standard air quality condition, given the heating would be through gas boiler, and a condition for sound insulation for the amenity of future occupants of the flats.

Waste & Recycling - waste and recycling sacks will need to be presented at 7am on the boundary of the property facing Yelverton Close on the scheduled collection day. The applicant's attention is drawn to the guidance document provided.

Street Naming and Numbering - the applicant is advised to apply for street names and numbering.
Anglian Water Services - no comments.

London Fire Brigade Water Team - no additional fire hydrants or action is required.#

Historic England - no comments.

Ecology - provided the development does not affect any more than 25sq.m of on-site habitat, we are satisfied that the development is exempt from the statutory requirement of mandatory biodiversity net gains under the de-minimis exemption.

RELEVANT POLICIES

Havering Local Plan 2016-2031 (HLP) - Policies 3, 5, 7, 9, 24, 26 and 35

Havering Community Infrastructure Levy Charging Schedule

Residential Extensions and Alterations Supplementary Planning Document (SPD)

London Plan 2021 (LP) - Policies H1, H10, D1, D4, D6, T5, T6, T6.1 and T9

National Planning Policy Framework (NPPF)

MAYORAL CIL IMPLICATIONS

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). The Mayoral CIL levy rate for Havering is £25/sqm and is chargeable for each additional square metre of residential gross internal area (GIA). Based upon the information supplied with the application, £380.25 would be payable, due to the additional footprint of 15.21sq.m.

In addition, 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. Based upon the information supplied with the application, £1901.25 (subject to indexation) would be payable.

The charges outlined above are levied under s.206 of the Planning Act 2008. CIL is payable within 60 days of commencement of development.

STAFF COMMENTS

An in-person site visit was not undertaken. A planning appraisal was provided by the agent in support of the application. In determining this planning application, photos, Google Street view, aerial view imagery and submitted drawings were used to assess the site constraints.

The material planning considerations include the principle of the development, density/site layout, the impact of the development in the street scene, impact on the amenities of neighbouring properties and highway and parking issues.

PRINCIPLE OF DEVELOPMENT

The NPPF 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 2016-2033, of which Policy 3 is supportive of housing provision in sustainable locations.

In addition to this, Policy H1 of the London Plan 2021 notes the pressing need for housing and the general requirement to improve housing choice, affordability and quality, whilst Policy D1 also acknowledges that development should optimise housing output subject to local context and character.

Given the site currently has a residential land use and is located within a residential suburb, there is no objection in principle to the proposed residential development on the site, providing that the proposal is acceptable in all other material respects, including Policy 9 of the Havering Local Plan 2016-2035 which stipulates that proposals for conversion to residential use and subdivision of existing residential properties to self contained homes in Havering will be supported where it can be demonstrated that:

- i. There is no conflict with surrounding uses;
- ii. The existing house being subdivided has no less than 120sq.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.

As the proposal involves the subdivision of an existing residential property into 2no. flat units, the site would remain in residential use, in accordance with Criteria i. of Policy 9. However, given the original dwelling does not measure more than 120sq.m and the subdivision would result in the loss of a family unit without the provision of a three bedroom unit, it is considered that the proposal would be in conflict with Criteria ii. and iii. of Policy 9 of the Havering Local Plan 2016-2035 and

would therefore not be acceptable in principle.

The other relevant areas of Policy 9 will also be assessed later in this report, given they relate to other policy considerations such as residential amenity and highways, discussed in the following sections.

DENSITY/SITE LAYOUT

INTERNAL SPACE STANDARDS

Policy D6 (Housing Quality and Standards) of the London Plan 2021 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.

In addition to this, Policy 7 the Havering Local Plan 2016-2033 should be read in conjunction with Policy D6, relating to sufficient privacy and amenity space for existing and new properties. Policy 7 (Residential Design and Amenity) states that: "To ensure a high quality living environment for residents of new developments, the Council will support residential developments that: iv. Meet the National Space Standards and the London Plan requirement for floor to ceiling heights."

Each flat proposed to the ground floor and first-floor respectively would have one-bedroom accommodating 2 persons. Criteria 1 of Policy D6 refers to Table 3.1 outlines that a one-storey 1b2p dwelling should benefit from an internal total floor area of 50sq.m. Criteria 2 states that a dwelling with two or more bedspaces must have at least one double (or twin) bedroom that is at least 2.75m wide. Criteria 4 stipulates that a two-bedspace double (or twin) bedroom must have a floor area of at least 11.5sq.m.

The proposed ground floor flat would measure 46.02sq.m. The proposed double bedroom would measure 3.34m in width and would have a floor area of 15.7sq.m. The internal floor space of the proposed ground floor flat is therefore deemed unacceptable, having regard to Criteria 1 of Policy D6.

The proposed first floor flat would measure 34.52sq.m. The proposed double bedroom would measure 2.62m in width and would have a floor area of 13.39sq.m. The internal floor space of the proposed first floor flat and the width of the proposed double bedroom is therefore deemed unacceptable, having regard to Criteria 1 and Criteria 2 of Policy D6. The proposed flats, especially the first floor flat would be significantly below the minimum floor space standards such that the proposals would result in substandard residential accommodation to the detriment of the amenity of the prospective occupiers.

QUALITY OF INTERNAL SPACE STANDARDS

Criteria C of Policy D6 stipulates that housing development should maximise the provision of dual aspect dwellings to provide adequate passive ventilation, daylight and privacy, and avoid overheating.

It is considered that the proposed accommodation would offer suitable amounts of ventilation and outlook from the rooms of the proposed unit.

EXTERNAL AMENITY SPACE STANDARDS

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 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 5sqm. of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m. These standards are reflected in Policy 7 of the Havering Local Plan, which requires compliance with the space standards.

Given that each of the proposed apartments would have 2 occupants, 5m² of private outdoor amenity space would be necessary for each unit.

In addition to this, Policy D6 of the London Plan 2021, which states all dwellings should have level access to one or more of the following forms of private outside spaces: a garden, terrace, roof garden, courtyard garden or balcony.

The site benefits from a rear garden measuring approximately 37sq.m, which is proposed to be split between the two units through the erection of a fence, with access to the first-floor's garden through a gate to the southern side entrance. The first-floor apartment would not have direct level access to this space and in addition, given the very modest area of garden to be sub-divided means that the ground floor garden would be significantly overlooked from the bedroom to the upper floor flat to the detriment of the enjoyment of the garden to that flat conflict with Policy D6 of the London Plan 2021.

Overall, it is considered that the development would not demonstrate adequate amenity space. Neither of the proposed apartments meet the internal floor space requirements of Criteria 1 of Policy D6, and the width of the proposed double bedroom to the first-floor flat does not meet the requirements outlined in Criteria 2 of Policy D6. Moreover, given the proposed first-floor apartment would not have level access to private amenity space, the proposal also conflicts with the external amenity space standards.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy 26 of the Havering Local Plan sets out to promote high-quality design that contributes to the

creation of successful places by supporting development proposals that, respect and complement the distinctive qualities, respect reinforce and complement the local street scene and respect the visual integrity and established scale, massing and rhythm of the building.

The proposal involves the erection of a single storey rear extension to the proposed ground floor flat, projecting 3.5m from the original rear wall. Given the extension would incorporate a flat roof, matching materials and would be single storey, the proposed is considered proportionate and subordinate to the existing building.

A new entrance door is proposed to the ground floor southern side elevation. The proposed door would comprise of matching materials to the existing, ensuring visual assimilation and is not considered to cause visual harm.

The fencing proposed is also considered in keeping with the existing boundary fencing to the dwelling and would not cause unacceptable visual harm.

Overall, the resulting development is considered in keeping with the character and appearance of, and is subordinate to, the original dwelling and surrounding properties, and the wider setting.

IMPACT ON AMENITY

Policy 7 of the Havering Local Plan 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 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.

In addition to this, Policies 9 and 10 of the Havering Local Plan, amongst other considerations, requires that development not have a significant adverse impact on the amenity of existing and new occupants, and that the living areas of new properties do not abut the bedrooms of adjoining properties.

As no.12 is a mirror image of no.11 then concern is that the upper floor lounge / kitchen / diner proposed would abut the walls to the front bedroom at no 12 to the detriment of the amenity of the existing occupier contrary to Policy 7 of the Local Plan through potential noise and disturbance from the conflicting uses of the adjoining rooms.

The rear extension is deeper than the Council's residential design guidance suggests for the terraced property by only 0.5m, the height is consistent with the guidance and thus on balance even with the modest overall depth to the rear garden it is considered that the outlook from the rear habitable room at no.12 will not be significantly adversely affected.

The indicative block plan demonstrates that the rear window of the proposed bedroom to the first-floor flat would directly overlook the proposed private garden area for the ground floor flat. While it is acknowledged that fencing is proposed to enclosed the garden area, it is considered that this would not mitigate the view from the first-floor flat's bedroom window and would therefore lead to

unacceptable overlooking.

Overall, it is therefore considered that while there would not be any unacceptable loss of light or level of overshadowing, the proposal would adversely affect the amenity of the adjoining occupier and the proposed garden to the ground floor flat would be directly overlooked by the first-floor bedroom to the first-floor flat, given the separation distances between the two. It is therefore considered that the proposal would conflict with the provisions of Policies 7, 10, 26 and 34 of the Havering Local Plan.

HIGHWAY/PARKING

Parking provision and matters of highway consideration are represented in Policies 23 and 24 of the Havering Local Plan. The proposal does not propose provision for on-site parking.

It is noted that the Highways Officer has been consulted and has objected due to concerns that the proposal would significantly increase parking demand in a small cul-de-sac due to a strong likelihood of increased vehicle ownership and inadequate off-street parking provisions.

The site has a PTAL rating of 1b which requires 0.5 parking spaces for a 1-bedroom dwelling. Given the proposal involves the conversion of a 2-bedroom dwelling into two self-contained 1-bedroom flats without providing any parking spaces.

It is therefore considered that the proposal would conflict with the Havering Local Plan 2016-2031 Policies 10 and 24, as well as the London Plan 2021 Policy T6.

In addition to this, Policy T5 of the London Plan has a minimum cycle parking standard of 2 spaces for a dwelling similar to the proposed. The proposed site plan does not show proposed bike stands, however it is appreciated these details could be achieved via condition in the event of permission being granted.

KEY ISSUES/CONCLUSIONS

Having 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 original dwelling proposed to be subdivided does not measure more than 120sq.m and would result in the loss of a family unit, without the provision of a three bedroom unit. It is therefore considered that the proposal would be in conflict with Criteria ii. and iii. of Policy 9 of the Havering Local Plan 2016-2035 and would therefore not be acceptable in principle.

2 Refusal non standard

The proposed development would fail to provide adequate internal floor space and high quality

external amenity space that is not significantly overlooked for future occupants, in conflict with the indoor space standards outlined in Policy D6, including Criteria 1 and 2, of the London Plan 2021 and Policy 7 the Havering Local Plan 2016-2033, which would result in substandard residential accommodation detrimental to the amenity of the future residents.

3 Refusal non standard

The proposed room layout of the upper floor flat would conflict with the use of rooms on the upper floor of the dwelling at no.12, resulting in potential noise and disturbance to the existing occupiers to the detriment of their enjoyment of their dwelling contrary to Policies 7 and 9 of the Local Plan.

4 Refusal non standard

The site has a PTAL rating of 1b which requires 0.5 parking spaces for a 1-bedroom dwelling. Given the proposal involves the conversion of a 2-bedroom dwelling into two self-contained 1-bedroom flats without providing any parking spaces, it is considered that the proposal cannot demonstrate that adequate provision for parking can be provided against Policy T6 of the London Plan 2021.

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 STATE WHO, HOW (EMAIL/PHONE/MEETING) AND WHEN.

Authorising Officer:



Neil Goate

23rd December 2024