

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0336.25

WARD: Rainham & Wennington **Date Received:** 13th March 2025

ADDRESS: 17 King Edward Avenue
Rainham

PROPOSAL: Erection of a two storey, 2-bed dwelling house with associated parking and amenities following demolition of existing detached dwelling house

DRAWING NO(S): KEA-01
KEA-02 A
KEA 03

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

SITE DESCRIPTION

The site is situated to the east of King Edward Avenue, relating to a long narrow L-shaped plot measuring 446 square metres, comprising a single-storey detached dwelling measuring 43 square metres. The existing bungalow is set back from King Edward Avenue and behind the neighbouring dwellings to the north and south.

Located in the suburb of Rainham, the area is residential in character with predominantly detached bungalows to the immediate setting and north of the site, with a mixture of detached two-storey dwellings and bungalows further south.

DESCRIPTION OF PROPOSAL

The application seeks planning permission for the demolition of the existing 1-bedroom / 2 person single-storey dwelling and the erection of a 2-bedroom / 4 person, two-storey dwelling, measuring 121 square metres. It is noted that the proposal would utilise the existing car parking arrangements of no.1 space, with no additional spaces proposed.

This is a resubmission of a similar scheme (reference: P1220.24) which was refused for the following reasons:

1. The proposed development would, by reason of its excessive overall bulk, mass and extensive pitched roof form, be an intrusive and unneighbourly development, which would be most oppressive and give rise to an undue sense of enclosure to the detriment of residential amenity especially those occupiers of no.15 and no.19 King Edward Avenue, contrary to policies 7, 26 and 34 of the Havering Local Plan 2016-2031.

2. The proposed two-storey dwelling, by reason of its bulk, scale, mass and design, unacceptably harm the character of both the subject building itself and the street scene more generally. It therefore conflicts with the objectives of policy 26 of the Havering Local Plan 2016-2031 and policy D3 of the London Plan 2021.It furthermore conflicts with the National Planning Policy Framework to secure high quality design that maintains or enhances the character and appearance of the local area.

RELEVANT HISTORY

P1220.24	Erection of two storey, two bed dwelling, involving demolition of existing dwelling and roof mounted solar panels	
	Refuse	24-10-2024
P0762.24	Erection of two storey, two bed dwelling, involving demolition of existing dwelling	
	Withdrawn - Invalid	05-07-2024

CONSULTATIONS/REPRESENTATIONS

Neighbouring properties were notified of the proposal at the application site however no representations were received.

Highways - no objections.

Waste & Recycling - waste and recycling sacks will need to be presented by 7am on the boundary of the property facing King Edward Avenue on the scheduled collection day.

Environmental Health - no objections subject to conditions.

London Fire Brigade - no additional fire hydrants are required.

Historic England - there is no archaeological requirement.

Anglian Water Authority - outside of their remit.

RELEVANT POLICIES

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

London Plan 2021 (LP) - Policies H1, D1, D4, D6, T6

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 (GIA). Based upon the information supplied with the application, £1950 would be payable, due to the demolition of the existing residential dwelling measuring 43sq. m. and the erection of a two-storey dwelling measuring 121sq. m, with an additional footprint of 78sq. 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, £9750 (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 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

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 development on the site, providing that the proposal is acceptable in all other material respects.

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."

Table 3.1 of Policy D6 outlines that a two-storey 2b4p dwelling should benefit from an internal total floor area of 79sq.m. The proposed dwelling is considered suitable in this regard, with the internal floor space area measuring 121sq.m.

Criteria 2 of Policy D6 stipulates that a dwelling with two or more bedspaces must have at least one double (or twin) bedroom that is at least 2.75m wide, while every other additional double (or twin) bedroom must be at least 2.55m wide. Criteria 4 stipulates that a two bedspace double (or twin) bedroom must have a floor area of at least 11.5 sq. m. The proposed bedrooms are deemed acceptable.

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 dwelling.

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 the proposed dwelling would have up to four occupants, 7m² of private outdoor amenity space would be necessary. While the proposed dwelling would have a larger footprint than the existing, the site benefits from a long narrow plot which extends to an L-shape to the south, measuring a total of 446 sq. m. Thus, it is considered that the proposed dwelling would have access to adequately sized private gardens.

SUMMARY OF SPACE STANDARDS

Overall, the proposal would demonstrate an adequate living environment and amenity space having regard to the standards that are applied; however, the exterior design of the dwelling would have character impacts which are explored below.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The NPPF 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.

Policy D3 of the London Plan 2021 relates to optimising site capacity through the design-led approach, whereby development is expected to respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

Policy 26 of the Havering Local Plan 2016-2033 relates to urban design of which the explanatory stipulates that new development provides the opportunity to enhance the character of an area to create a positive sense of place by reinforcing, repairing and adding to the positive aspects of the built environment. It should seek to optimise the distinctive character of the existing buildings, landscape and topography, and incorporate the principles of 'Secured by Design'.

The proposed two-storey dwelling would replace the existing bungalow and have a height of 6.6m, reduced from 8m in the refused scheme (reference: P1220.24).

The immediate setting of the site is predominantly detached bungalows, including the adjacent bungalows to the north and south of the site. Two-storey dwellings only really become characteristic to the street further south, with the exception of one two-storey dwelling further north.

In addition to this, the site relates to a narrow long plot that is significantly narrower than the surrounding plots which are characterised by wide bungalows, built close to the shared boundary.

It is therefore considered that there is a degree of consistency to the arrangement of dwellings in

the locality. The introduction of a narrow two-storey pitched roof dwelling to the site, which would be built right up to the shared boundary, would starkly contrast with the wider and more low-level form of the surrounding bungalows to King Edward Close. In this way, the dwelling would appear unduly prominent and excessive in height and would fail to respect the more uniform and wider character of the surrounding dwellings.

Therefore, as submitted the development would not respond to the local pattern of development. It is considered that the scale, bulk and mass of the development and its close proximity to shared boundaries would form a visually intrusive and overbearing feature from adjoining plots, in particular no.15 and no.19 King Edward Avenue, owing to the arrangement and nature of the plot. While the National Planning Policy Framework promotes and supports the development of underutilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, the benefits of this would need to outweigh the other potential harm arising. The provision of accommodation with the layout shown is regarded as being at odds with the established urban grain and would be detrimental to local character. As such there would be conflict with the objectives of the Havering Local Plan 2016-2031, specifically Policy 26, the London Plan 2021, specifically Policy D3 and the NPPF.

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 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, Policy 10 of the Havering Local Plan 2016-2031 amongst other considerations requires that development not have a significant adverse impact on the amenity of existing and new occupants.

The single-storey rear element would project 5.6m in depth from the rear building lines of both neighbours, failing to meet the 4m guidance in the SPD. Furthermore, the first floor element would project further beyond the rear building lines of both neighbours which is not acceptable with the poor spacing to the site boundaries.

It is acknowledged that the existing dwelling projects beyond the rear building lines of both neighbouring properties. The existing rear projection is around 5.79m from both neighbours (single storey) and 1.65m from no.15 and about 1m from no.19. The new dwelling (the ground floor) would project 5.8m in depth, whilst the depth is similar the new dwelling would now be much closer to the shared boundary with no.19 (0.3m) and also the eaves height would be 0.9m higher close to the shared boundary. The two storey element of the house would also projects 1m beyond the rear building lines and in close proximity to both boundaries, but particularly to no.19, although not an extension, the Council's residential design guidance states that two storey extensions beyond adjacent rear building lines should be set in 2m from the shared boundary. Overall the proposals will result in an increased sense of enclosure and overbearing impact to the detriment of the adjacent occupiers, but particularly no.19.

It is not considered that there would be any unacceptable level of overlooking or loss of privacy in

planning terms.

In light of the above, the proposal would be considered to cause a detrimental impact upon the residential amenities enjoyed by neighbouring occupants, specifically no.15 and no.19 King Edward Avenue, and would therefore conflict with Policies 7, 26 and 34 of the Havering Local Plan 2016-2031.

HIGHWAY/PARKING

The proposal would utilise the existing car parking arrangements of no.1 space, with no additional spaces proposed. It is noted that the site has a PTAL rating of 1b.

Parking provision and matters of highway consideration are represented in Policies 23 and 24 of the Havering Local Plan. Policy 24, which relates to parking provision and design, states that in areas of the borough that have low public transport access (PTAL 0-1) where no improvements are planned, the minimum residential parking standards set out will apply. A 2-bedroom dwelling should have no.1 space per unit.

Accordingly, the development in terms of parking and highways considerations would comply with Havering Local Plan 2016-2031 Policies 10 and 24, as well as the London Plan 2021 Policy T6.

KEY ISSUES/CONCLUSIONS

The proposed development would offer a modest contribution to housing supply and delivery and this would weigh in favour of the development. However, paragraphs 124-131 of the NPPF require high quality design, consideration of character and a high standard of amenity for existing and future users. For the reasons outlined within the officers report the proposed development is unacceptable in regard to its resultant impact on character and poor quality design - these are key aspects of sustainable development.

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 Reason for refusal - Streetscene

The proposed two-storey dwelling, by reason of its bulk, scale, proximity to shared boundaries and design poorly relates to the character of the adjacent properties, which is detrimental to the character and appearance of the immediate locality of the street scene. It therefore conflicts with the objectives of policy 26 of the Havering Local Plan 2016-2031 and policy D3 of the London Plan 2021. It furthermore conflicts with the National Planning Policy Framework to

secure high quality design that maintains or enhances the character and appearance of the local area.

2 Reason for refusal - Residential Extensions

The proposed dwelling would, by reason of its positioning, scale, bulk and proximity to the nearby properties, but particularly at no.19 King Edward Road, be an intrusive, overbearing and unneighbourly development that would have a significant adverse effect on the amenities of these adjacent occupiers resulting in an increased sense of enclosure with an overbearing impact contrary to Policy 7 of the Havering Local Plan and the Residential Extensions and Alterations Supplementary Planning Document.

INFORMATIVES

1 CIL informative for refused proposal - Residential

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 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 £1950 and £9750 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.

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 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, 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.

Authorising Officer:



Neil Goate

23rd May 2025