Design & Access Statement
RevA

Residential Development
at
159 Collier Row Lane
Romford
Essex
RM5 3ED



FORMARCHITECTURE

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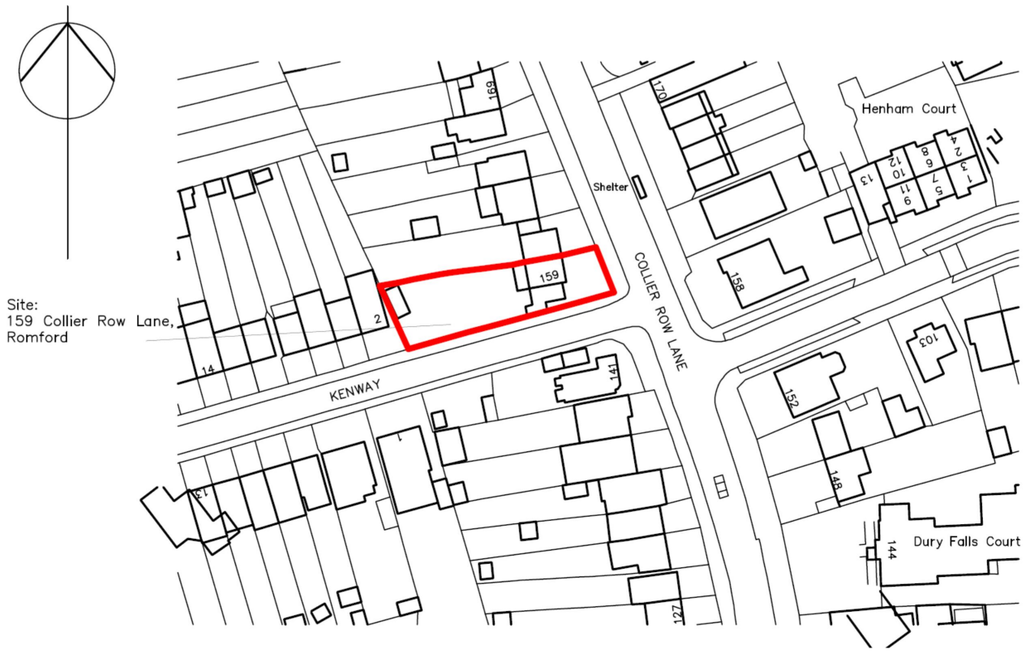
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P1. Site Location Plan

1.0 Introduction

1.1 Proposal

The proposal is for the demolition of the existing garage with the construction of a 2 bedroom, single storey detached dwelling with off-street parking, private amenity space and cycle storage.

1.2 Site Description

The site at No.159 Collier Row Lane is a large plot with two dropped kerbs accessed from Collier Row Lane and a detached garage accessed from Kenway.
The properties within the locality are a mix of single storey and 2-Storey -detached dwellings with loft level accommodation and single storey detached dwelling's that vary in height, Architectural styles and scale
The site is not located within a conservation area or located near any listed buildings and does not contain any Tree Preservation Orders.

The site measures approximately 43.5m across the length and approximately 11.5m wide with a total site area of approximately 517m2.

1.3 Existing Buildings

The existing property at 159 Collier Row Lane is a two storey, semi-detached 3 bedroom dwelling of no architectural merit with white painted render and facing brickwork walls and interlocking concrete roof tiles. The existing garage is a pre-fabricated concrete structure.

1.4 Planning History

A recent application ref **P0689.26** was refused for the following reason:

The proposed development would, by reason of its form, siting, and layout appear incongruous, cramped and out of character with the prevailing pattern of neighbouring development making it harmful to the character and appearance of the surrounding area and would therefore be contrary to Policies 10, 7 and 26 of the Havering Local Plan 2016-2031 and also the NPPF which requires fundamentally that development add to the overall quality of the area whilst also establishing or maintaining a strong sense of place.



P2. Photo of the rear garage accessed from Kenway



P3. Photo of existing side extension built to the pavement which restricts views of the site from Collier Row Lane



P4. View of existing garage and neighbouring property with 3 storey wall with no flank windows.



P5. Single storey dwellings at No's 1 & 3 Kenway



P6. Proposed block demonstrating the new dwelling sits within the building lines of Kenway & Collier Row Lane



P7. Illustration demonstrating the proposed dwelling sits harmoniously within the streetscene.

2.0 Design Proposals

2.1 Objectives

The proposal is for the demolition of the existing garage with the construction of 2 bedroom, single storey detached dwelling with off-street parking, private amenity space and cycle storage.
The design proposals aim to acknowledge the policies outlined in the Havering Local Plan and complies with **NPPF** in delivering homes to a good quality of architecture and appropriate landscaping.
The proposal will provide high quality residential dwellings that have good links with Collier Row and Romford Town centres and local amenities. The design approach has been to respond to the varying character of Collier Row Lane and Kenway and the surrounding area, addressing the materials, form, scale and context.

This proposal is very similar in character with two appeals of our schemes that were both allowed.

APP/B5480/W/21/3267232
106 Pett its Lane, Romford, Essex, RM1 4ER

APP/B5480/W/22/3298632
1 Cromer Road, Hornchurch RM11 1EY located within the Langtons Conservation Area.

In regards to the siting and character of this appeal which relates to this application, the Inspector stated that:

7. The proposed replacement dwelling would include forward facing bay windows with gable features above, an arched detail above the front door and a hipped roof shape. The proposal would, therefore, be similar in design and style to many properties along Cromer Road, albeit a single storey version, including 1 Cromer Road. It would not at odds to its surroundings and would preserve the appearance of the road.

8. The building line along this part of Cromer Road is a gentle curve with properties gradually stepping back, although not always uniformly, as they approach the junction with Billet Lane. The position of the proposed front elevation and bay windows would be very slightly forward of those on 1 Cromer Road (as shown on plan 1806/2 A). However, the recessed side portion of the proposed dwelling and the location of the car parking space would mean it would be set away from No 1. The visual gap this would create, and the single storey height would ensure the proposal would not be so overly intrusive within the building line as to have a detrimental effect on the character of the road.

This proposal has the same relationship as the allowed appeal at 1 Cromer Road with the recessed side portion of the proposed dwelling and the location of the car parking space would mean it would be set away from No 2 Kenway. The visual gap this would create, and the single storey height would ensure the proposal would not be so overly intrusive within the building line as to have a detrimental effect on the character of the road.

2.2 Use

The site has a residential C3 class use which is to remain.

2.3 Amount

The total site has an area of approximately 517m2, the proposed dwelling has a plot area of 206m2.
The proposed 2 bedroom detached dwelling has a total gross internal floor area of 70m2 with a private garden of 62m2.

2.4 Layout

The proposed layout provides a high standard of accommodation with quadruple aspect outlook. The single storey dwelling contains a central hallway two bedrooms, family bathroom and a large open plan kitchen/living/dining area that leads directly onto the rear facing garden.

2.5 Scale

The proposal has been designed as a single storey detached dwelling to reflect the character of the single storey dwellings in Kenway and to also prevent any overlooking/privacy issues.

The dwelling has separation from the flank boundaries in excess of 1m which is in accordance with policy. The development will not result in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties. We have demonstrated that the development responds to the distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding physical context.



P8. Illustration demonstrating the design of the proposed dwelling reflects the character of the area

2.6 Landscaping

The existing rear garden contains limited landscaping with an area of low quality modified grassland which is regularly mown with no habitats present and is to be retained, the boundaries are enclosed with close boarded timber fences which are to be replaced at 2m high.
The front garden will be soft landscaped to enhance the street scene and provide an open frontage.
The existing garage has a dropped kerb that is to be retained
The proposal is a self-build project and exempt from Bio-Diversity Net Gain requirements.
New permeable resin bound gravel finishes have been specified and planting beds to provide areas for rainwater run off.
We have provided waste and recycling storage facilities in the rear garden, the bags are placed on the street on collection day as Havering's procedure.

2.7 Appearance

The dwelling has been designed to reflect the 1930's suburban character of Collier Row Lane and Kenway and materials specified consist of a clay tiled, hipped and gabled end roof, bay windows and painted render walls with a brickwork plinth and casement windows with fanlights.
The high quality materials and architectural detail will provide a positive impact on Kenway and will enhance the established character of the area.

2.8 Parking Design Management

The site is located along Collier Row Lane which is within close proximity to Collier Row and Romford Town Centres and has a PTAL rating of 2.
There are a number of bus routes that serve the site including 175, 247, 294 and it is a 2.1 mile (34min) walk to Romford Railway Station.
We have provided one off street parking space for the new dwelling as policy requirements, the donor property (159) can accommodate 1 car on the existing driveway accessed from Collier Row Lane.
We have also included secure cycle storage in the rear garden for alternative means of transport.

2.9 Accessibility Statement

The proposal aims to provide the highest practicable standards of accessibility and inclusivity.
M4(2) will be met when reasonable provision for most people, including wheelchair users, to approach and enter the dwelling and to access habitable rooms and sanitary facilities on the entrance storey. Reasonable provision is made if the dwelling complies with all of the following.
a. Within the curtilage of the dwelling or the building containing the dwelling, it is possible to approach and gain access to the dwelling.
b. It is possible to gain access to the dwelling, or the building containing the dwelling, from the most likely point of alighting from a car.
c. A disabled person who is able to walk is able to visit any dwelling in a building containing one or more dwellings.
d. Visitors can access and use the habitable rooms and a WC within the entrance storey of the dwelling (or the principal storey where the entrance storey does not contain a habitable room).
e. Where the habitable rooms and the WC are located on the entrance storey, access between them is step free.
f. Wall-mounted switches and socket outlets in habitable rooms are reasonably accessible to people who have reduced reach.
The ground floor utility rooms could be converted into a suitable ground floor bath/shower room to meet the requirements of Building Regulation Requirement M4(3).

2.10 Housing Mix

The proposal provides a 1No. x 2 bedroom family dwelling which is compliant with Local Plan policy.

2.11 Detailed Summary

This proposed dwelling strongly succeeds in the following areas:
The proposed dwelling is clearly in accordance with Havering's Local Plan
The proposal would deliver both internal and external spaces which meet the quantitative requirements of the Council.
The proposal responds to strategic housing objectives by contributing to 2+ bedroom family housing needs in the London Borough of Havering, befitting local requirements.
The design is highly contextual: the massing responds to the scale of the immediate area
The proposal is an efficient use of land that respects local character and context.
The proposal delivers a sustainable development in line with NPPF policy.

2.12 Appeal Decisions

APP/B5480/W/22/3298632

1 Cromer Road, Hornchurch

The Planning Inspectorate

Appeal Decision

Site visit made on 4 October 2022

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 October 2022

Appeal Ref: APP/B5480/W/22/3298632
1 Cromer Road, Hornchurch RM11 1EY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by White Post Estates Limited against the decision of the Council of the London Borough of Havering.
- The application Ref P1547.21, dated 4 August 2021, was refused by notice dated 26 April 2022.
- The development proposed is described as the construction of a single storey 2 bedroom dwelling with private amenity space and off street parking with bin and cycle storage.

Decision

1. The appeal is allowed and planning permission is granted for the construction of a single storey 2 bedroom dwelling with private amenity space and off street parking with bin and cycle storage at 1 Cromer Road, Hornchurch RM11 1EY in accordance with the terms of the application, Ref P1547.21, dated 4 August 2021, and subject to the following schedule of conditions.

Procedural Matter

2. I note the reference to the Gidea Park Conservation Area in the decision notice was made in error, so have disregarded it in my decision.

Main Issue

3. The main issue is, therefore, whether the proposed development would preserve or enhance the character or appearance of the Langtons Conservation Area (CA).

Reasons

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area. Paragraph 189 of the National Planning Policy Framework (the Framework) requires that heritage assets, as irreplaceable resources, 'should be conserved in a manner appropriate to their significance' and paragraph 199 confirms 'great weight' should be given to their conservation.

5. The significance of the CA stems from Langtons House. A former 18th century estate now much reduced and surrounded by housing. The remaining buildings are situated within verdant gardens and are centrally located within the CA. This central core is surrounded by a buffer zone of residential roads, Cromer Road being one of them along with Billet Lane. They contribute to the overall

character and appearance of the CA by conserving the setting, and thereby the significance of Langtons House and gardens.

6. The existing garage is positioned at the extremity of the CA and does not form part of the views into or out of Langtons House and gardens. It is described by the Council's heritage consultant as having a low-key utilitarian presence with no special merit, over and above its position within the buffer zone. A similar conclusion to that of my colleague who dealt with the previous appeal (ref: APP/B5480/W/20/3262010), and there is nothing before me to persuade me otherwise. I am therefore satisfied that the existing garage building does not contribute to the significance of the CA, as set out in paragraph 207 of the Framework, and its demolition would not be harmful to the character and appearance of the area.

7. The proposed replacement dwelling would include forward facing bay windows with gable features above, an arched detail above the front door and a hipped roof shape. The proposal would, therefore, be similar in design and style to many properties along Cromer Road, albeit a single storey version, including 1 Cromer Road. It would not at odds to its surroundings and would preserve the appearance of the road.

8. The building line along this part of Cromer Road is a gentle curve with properties gradually stepping back, although not always uniformly, as they approach the junction with Billet Lane. The position of the proposed front elevation and bay windows would be very slightly forward of those on 1 Cromer Road (as shown on plan 1806/2 A). However, the recessed side portion of the proposed dwelling and the location of the car parking space would mean it would be set away from No 1. The visual gap this would create, and the single storey height would ensure the proposal would not be so overly intrusive within the building line as to have a detrimental effect on the character of the road.

9. From Billet Road, the fencing and the tree along the shared boundary would continue to screen much of the proposal, and the additional landscaping, the setting back of the proposed side elevation would allow, would further soften this view. The proposed rear elevation would also be set back from the shared boundary with 128-131 Billet Lane to provide a courtyard garden and space for additional landscaping along this part of the boundary also. This would alleviate the constrained relationship between the existing garage block and the side elevation of Nos 128-131 and would create defined space between the buildings.

10. The proposed new building would take up a substantial proportion of the site but visually this would not be obvious. This is due to the setback position from the rear and side site boundaries and the replacement of the existing hard standing with a defined off road parking space and small front garden. A frontage treatment in keeping with the residential properties along Cromer Road and the buffer zone roads in general.

11. The proposed development would replace a building which does not contribute to the significance of the CA and the replacement would be sympathetic to the local residential character. It would not overwhelm or compete with the existing buildings along Cromer Road or Billet Lane nor, due to its single storey height, intrude into views of or from Langtons House and gardens. I, therefore, find the proposal would not have a detrimental effect on the significance of the CA and would preserve its character and appearance.

12. I appreciate this differs to the findings of my colleague in the previous appeal. However, I am satisfied that the proposal before me is substantially different to that previously considered. Not least in the volume of development proposed and the number of additional dwellings.

13. The proposal would not therefore cause harm to the significance of the CA and would preserve its character and appearance. It would comply with policies 26 and 28 of the Havering Local Plan 2016-2031 and the Framework insofar as they seek to protect heritage assets from inappropriate development.

Conditions

14. The Council has suggested a series of conditions. I have considered them against advice in the Framework and Planning Practice Guidance and, as a result, have amended them for consistency and clarity. Conditions referring to timeframe and approved plans are required for certainty.

15. To ensure that impact of the demolition of the existing garage and construction of the proposal is minimised in relation to the impact on the living conditions of surrounding residents, a condition requiring a Construction Method Statement has been attached. Due to the impact the demolition could have, this is a pre-commencement condition, and the appellant has confirmed their acceptance of this. A condition stipulating working hours has been attached to also protect the living conditions of nearby residents.

16. Given the nature of the proposed development, it's location within the CA, and the limited details in the evidence before me, it is necessary to attach conditions relating to detailing of external materials, hard and soft landscaping and the treatment of the cycle and refuse storage. These will ensure that the proposal will sit comfortably within its surroundings and are a normal form of control for developments of this nature. Conditions relating to parking and compliance with building regulations will ensure the living conditions of the future occupants of the new dwelling along with its lifetime useability. To reduce potential flood risk, a condition to ensure onsite surface-water disposal has also been applied.

17. The Council proposed 2 similar conditions in relation to the removal of permitted development for windows in side elevations and both are not necessary as they duplicate each other. I have found, however, due to the relationship of the rear elevation of the proposal with the adjacent property it is necessary to limit additional windows in the rear elevation also. This is to ensure the living conditions of the occupants of the adjacent property are maintained.

Conclusion

1. For the reasons given above the appeal scheme would comply with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, that would indicate a decision otherwise. The appeal is, therefore, allowed.

R J Redford

INSPECTOR

SCHEDULE OF CONDITIONS

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1806/01 Rev A; and 1806/02 Rev A.

3) No development, including demolition, shall take place until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for all construction phases of the development:

- the parking of vehicles of site operatives and visitors;
- storage of plant and materials used in constructing the development;
- siting and design of any temporary buildings, where appropriate;
- the erection and maintenance of security hoarding including decorative displays, where appropriate;
- measures to minimise the impact of noise and, if appropriate, vibration during demolition and construction; and
- details of disposal of waste arising from the demolition and construction programme, including final disposal points.

The approved Construction Method Statement shall be adhered to throughout the demolition and construction period of the development.

4) Demolition or construction works shall take place only between 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

5) No construction above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall then be carried out in accordance with the approved details.

6) No construction above ground level shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:

- a scheme of hard and soft landscaping;
- boundary treatments including walls and fences; and
- an implementation programme.

The landscaping works shall be carried out in accordance with the approved details before the dwelling is occupied in accordance with the agreed implementation programme.

7) All planting, seeding, or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

8) The dwelling hereby permitted shall not be occupied until cycle storage facilities have been installed in accordance with details that shall first have been submitted to and approved in writing by the local planning authority, and those facilities shall thereafter be always retained for the storage of cycles.

9) The dwelling hereby permitted shall not be occupied until refuse and recyclable materials storage facilities have been installed in accordance with details that shall first have been submitted to and approved in writing by the local planning authority, and those facilities shall thereafter be always retained for the storage of refuse.

10) The dwelling hereby permitted shall not be occupied until space has been laid out within the site in accordance with drawing no. 1806/02 A for 1 car to be parked and that space shall thereafter be kept available at all times for the parking of vehicles.

11) The dwelling hereby permitted shall not be occupied until all areas of hard surfacing have been drained and surfaced in a manner to ensure surface run-off water is retained within the application site.

12) The dwelling hereby permitted shall not be occupied until the Building Regulations 2010 (as amended) optional requirement M4(2) 'accessible and adaptable dwellings' has been complied with and shall thereafter be maintained.

13) The dwelling hereby approved permitted not be occupied until the Regulation 36 (2)(b) and Part G2 of the Building Regulations 'water efficiency' has been complied with.

14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows or dormer windows, other than those expressly authorised by this permission, shall be constructed on the rear or side elevation of the dwelling hereby approved.

END OF SCHEDULE

The Planning Inspectorate

Appeal Decision

Site Visit made on 11 May 2021

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 May 2021

Appeal Ref: APP/B5480/W/21/3267232
106 Pettits Lane, ROMFORD, RM1 4ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr George Townsend against the decision of London Borough of Havering.
- The application Ref P1500.20, dated 19 October 2020, was refused by notice dated 11 December 2020.
- The development proposed is Single storey detached 2-bed dwelling with private amenity space and off street parking with bin and cycle storage.

Decision

1. The appeal is allowed, and planning permission is granted for Single storey detached 2-bed dwelling with private amenity space and off street parking with bin and cycle storage at 106 Pettits Lane, ROMFORD, RM1 4ER in accordance with the terms of the application, Ref P1500.20, dated 19 October 2020, subject to the conditions in the Schedule attached to this decision.

Preliminary Matters

2. The London Plan 2021 has been published by the Mayor, setting the spatial development strategy for London and is now part of the development plan. The decision notice for the appeal application did not refer to the London Plan 2016, but in their submissions on the appeal, the Council has noted the change in the London Plan. The appellant has referred to London Plan 2016 policies concerning local character and design. However, as the substance of these policies has found expression in the London Plan 2021, the Council did not rely on them in their decision or their subsequent statements, and no further comments on this Plan have been raised at subsequent stages in the appeal I have not found it necessary to seek further views of the parties on the London Plan 2021.

Main Issues

3. The main issues are

   - the effect of the proposal on the character and appearance of the area, and
   - whether or not the proposal would provide suitable living conditions for future occupiers with specific regard to outlook and sense of enclosure.

Reasons

Character and appearance

4. The appeal site lies at the end of the garden of the host property, a semi-detached house on a corner plot, with a long rear garden, stretching along Parkland Avenue with a substantial brick wall to the side. There are a number of similar streets along Pettits Lane, where corner plots with substantial boundaries to their long gardens dominate the entrance to side roads. Houses on these side roads then establish their own building line, character and appearance beyond the end of the Pettits Lane gardens. The appeal site already has a substantial outbuilding in roughly the same location as the proposed dwelling. Large outbuildings, some along boundaries with side streets are not unusual in this area. Although the host property is semi-detached, houses on Pettits Lane and Parkland Avenue have a mixture of characters, styles and appearance, with a variety of scale, materials and finishes.

5. The appeal proposes a modern, single storey dwelling in red brick under a gently-sloping green roof. The walls of the dwelling would be slightly taller than the existing red-brick boundary wall, which is proposed to be reinstated. The proposed dwelling would also be set away from the plot boundaries. As such, the proposal would, in my view, not have a massing, scale or character alien to the area. As noted, substantial outbuildings in rear gardens, visible from, or in some cases, built directly next to, the side roads leading off Pettits Lane are not unusual. There is also no suggestion that permitted development rights which could deliver similar forms, have been removed. The appeal proposal differs in that its detailed appearance would be somewhat more modern, with glazed sky light elements above the boundary wall although it would be largely hidden from public view behind that reinstated boundary wall.

6. As such, I do not consider that the constraints of the site, the relationship of the proposal to its boundaries or its scale and character would cause harm to the character and appearance of the area.

7. I therefore find that the proposal would accord with Policy DC61 of the Havering Core Strategy and Development Control Policies Development Plan Document, adopted 2008 (the Policies DPD), which seeks, amongst other things to ensure that development responds to local building forms and patterns and respects the scale, massing and height of the surrounding area.

Living conditions

8. The appeal site is undoubtedly constrained by its nature, and the proposal before me is clearly driven by and responds to those constraints. Overall, the proposal would deliver both internal and external spaces which meet the quantitative requirements of the Council. I note that the bedrooms have a minor shortfall against the internal floor space requirements, but given the size of this shortfall, and the overall exceedance of internal space requirements, I do not find that the proposal would be unacceptable as a result. Appropriate amounts of space, separation and privacy for the host dwelling and other surrounding, neighbouring properties would also be provided.

9. The Council suggests that the proposal would result in an overwhelming sense of enclosure and poor outlook. However, on close examination of the proposed layout and the relationship of the windows and internal spaces to site boundaries and the surrounding built form, I cannot agree with that assessment. The principal living space has views across and along the longest part of the garden, as well as windows to the front and side. Both bedrooms have windows set a reasonable distance from the side boundary. In addition, the long, angled roof lights on the front and rear elevations, serving the hallway and the kitchen/dining/living space would provide further light into the dwelling, as well as longer, skyward views. To my mind this combination would mitigate against any undue sense of enclosure and would offer a level of outlook and sense of space in excess of what might otherwise be expected from this particular proposal on a site of this size and nature.

10. I therefore consider that the proposal would provide suitable living conditions for future occupiers with specific regard to their outlook and sense of enclosure. It would therefore comply with the requirements of Policy DC61 of the Policies DPD, and its supporting documents to ensure that development delivers good design and safeguards residential amenity.

Other Matters

11. I note the comments from third parties regarding covenants relating to the development of the land. The planning process does not override separate legal rights, nor does it provide legal rights where none currently exist. As such, it remains for the appellant to secure and maintain these rights, separately from the planning application and appeal process.

12. I also note objections around the effect of the proposal on the privacy of residents of surrounding properties, parking, outlook, loss of light and drainage matters. However, in light of my conclusions on the layout of the proposal and its relationship to neighbouring properties, the comments of both consultees and the Council in their submissions, I do not consider that the proposal would cause any harm in these regards.

Conditions

13. The Council has suggested a number of conditions to be attached, should planning permission be granted. Having had regard to the requirements of the National Planning Policy Framework (the Framework) and the Planning Practice Guidance I have imposed standard conditions concerning commencement (1) and compliance with the submitted plans (2). Conditions 3 and 7, concerning external materials and the submission, approval and implementation of landscape proposals are necessary to ensure the satisfactory appearance of the completed development. Conditions 4 and 5 are necessary to ensure the provision and maintenance of refuse, recycling and cycle storage, in line with policy requirements. Condition 8 is necessary to ensure that the development authorised by the planning permission can be carried out without harm to the living conditions of occupiers of surrounding properties. Conditions 9 and 10 are reasonable and necessary in light of the policy imperatives to make dwellings accessible, adaptable and efficient. Condition 11 is reasonable and necessary to ensure that proper provision is made for car parking in connection with the proposal.

14. The Council has requested the blanket removal of permitted development rights for extensions and alterations, owing to the relatively constrained nature of the site, and the need to retain control over the future development of the site as a result. Both the PPG and the Framework presume against the use of planning conditions to restrict national permitted development rights, unless there is clear justification to do so, and suggest that they may not pass the tests of reasonableness or necessity. However, in this case, I consider that such a condition would be both reasonable and necessary. As set out in my Reasons above, I find it is the particular design of the proposal and its relationship to its site which leads me to consider it acceptable. In light of that conclusion, and even allowing for the requirements and conditions of the permitted development regime, I consider it appropriate to ensure that changes to the appeal proposal be subject to consideration and approval by the Council in the interests of amenity of existing, future, and surrounding occupiers. Condition 6 is therefore considered reasonable and necessary.

15. I am therefore satisfied that the conditions meet the tests in, and requirements of both the Framework and the Planning Practice Guidance.

Planning Balance

16. Both parties agree that as a result of the housing land supply position in the Borough and the Housing Delivery Test results, policies which are most important for determining the application are out-of-date and the presumption in favour of sustainable development, and the test at paragraph 11d)ii of the Framework applies.

17. I have found above that the proposal would not harm the character and appearance of the area and would provide suitable living conditions for future occupiers with specific regard to their outlook and sense of enclosure. I have also found that there are appropriate conditions to deal with matters of detail concerning the main issues. As such, I do not consider that there are any adverse impacts which would significantly and demonstrably outweigh the benefits, being the net addition of a dwelling to the housing supply in the Borough, of granting planning permission in this instance.

Conclusion

18. For the reasons given above I conclude that the proposal accords with the development plan, there are no material considerations which indicate that a decision be taken other than in accordance with it and the presumption in favour of sustainable development in the Framework also supports this position.

19. The appeal should therefore be allowed, and planning permission granted.

S Dean

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

2. That the development hereby permitted shall be carried out in accordance with the following approved plans: 1724/01, 1724/02 Rev B, 1724/03 Rev B.

3. No above ground development shall commence on site until full details of the materials to be used in the exterior of the building are submitted to and approved in writing by the Local planning Authority. The development shall then be carried out in accordance with the approved specified materials.

4. No building shall be occupied or use commenced until refuse and recycling storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The refuse and recycling storage shall be permanently retained thereafter.

5. No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other Development Order), no extension, enlargement (including additions to roofs) or alteration shall be made to the dwellinghouse(s) hereby permitted, without the express permission in writing of the Local Planning Authority.

7. No relevant works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

8. All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and soil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

9. The dwelling hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.

10. The dwelling hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.

11. Prior to the occupation of the house, the car parking space proposed on drawing no.1724/02 Rev B to the side of the proposed dwelling hereby approved shall be provided and maintained as such thereafter unless it is submitted to and approved otherwise in writing by the Local Planning Authority.

End of Schedule of Conditions