



Application Reference:	P1749.17
Location:	86 Station Lane, Hornchurch
Ward:	St Andrew's
Description:	Revised application for a part single/part two storey side extension and a single storey rear extension for the conversion of the existing building to create 5 self-contained flats, together with a single parking space, cycle storage and a refuse and recycling store.
Case Officer:	Adèle Hughes
Reason for Report to Committee:	It was deferred from a previous planning committee meeting.

1 BACKGROUND

1.1 This application went to Regulatory Services Committee on 15 March 2018, where it was deferred to enable staff to:

- Seek the resolution of the deficiency in the size of one of the bedrooms.
- Clarify if there is any scope for additional off street parking to the front of the property.
- Undertake a parking survey in the surrounding streets to understand the extent to which there is capacity for on street parking (with Highway input).
- The report is now brought back to Members, updated with further information on the above matters. Given the change to reporting format, the previous report has been transferred across to the new template and reproduced below from section 2 onwards for completeness

1.2 Internal space standards

1.2.1 The last committee report stated that "The Technical Housing Standard states that in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide. Bedroom 1 of Flat 4 (on the first floor) has a width of 1.9 metres, which technically does not meet the 2.15 metres in line with the DCLG Technical Housing Standard". Following negotiations with

the agent, the width of Bedroom 1 of Flat 4 has increased to 2.15 metres and as such, the proposal meets all the criteria of the DCLG Technical Housing Standard.

1.3 Off-street car parking capacity

- 1.3.1 With the current layout, there is only the space for a single independently accessible parking space. The existing vehicle crossing to the site cannot be widened as this would result in the removal of a significant part of the 'accessible area' of the bus stop – i.e. the footway area raised to be compatible with the 2-door low floor buses serving the bus stop. The plans for application P1635.16 showed a more open frontage without widening the vehicle crossing, which invited the use of the forecourt for parking by three vehicles, despite only one space being shown, but the Highway Authority was concerned that this would impact on the adjacent fully accessible bus stop detrimental to passengers and highway safety. The Planning Inspector for P1635.16 agreed with this point. It is for this reason that there isn't any scope for additional off street parking to the front of the property.

1.4 Capacity for on street car parking in the vicinity of the site

- 1.4.1 The applicant's transport consultant has undertaken a parking stress survey using the Lambeth Methodology which is an industry-standard approach and this was accepted by the Inspector for the appeal for application P1635.16. The Lambeth Methodology was developed by the London Borough of Lambeth and seeks to measure 'parking stress'. In the case of planning applications, it is sometimes used by applicants to argue for a low off-street parking provision on the basis that the adjacent streets have spare on-street capacity.
- 1.4.2 For a residential scheme, the Lambeth Methodology generally uses a 200m (2 minute) walk from the site (actual distances rather than a radius) and relies on undertaking a survey where most residents could be expected to be at home and so would capture any on-street parking generated by existing residents. The survey should be conducted over two separate weekday nights between 00:30 and 05:30 (i.e. excluding Fridays, Saturdays and Sundays). The survey looks at how many spaces are available in each street based on multiples of 5m gaps (excluding dropped kerbs and any restrictions in force at night). The surveyor will generate a theoretical number of spaces from the survey and then count the actual number of cars parked. By dividing the actual numbers parked by the theoretical number of spaces and multiplying by 100, the parking streets are expressed as a percentage. The Highway Authority is satisfied with the use of the Lambeth Methodology and has no concerns regarding the implementation of the car parking survey. In addition, the Highway Authority has advised that no further evidence is required and it is not necessary to undertake another parking survey.
- 1.4.3 The applicant's transport consultant concluded that parking stress in the area was at 81% and that the development would generate 5 vehicles to be parked which would increase stress to 84%. The transport consultant suggested that this was acceptable and in the terms of capacity, the Highway Authority could not disagree. This point was upheld on appeal for application P1635.16, as

the Inspector concluded that the proposal would not have an adverse impact upon on-street parking provision.

- 1.4.4 Taking into account the appeal decision for P1635.16, the Highway Authority has no objection to this application, although it has requested a legal agreement to be entered into in order to prevent residents of the development obtaining residents permits in the event a scheme is introduced in the future.
- 1.4.5 Insofar as existing schemes, a residents' parking scheme to the south of the town centre was developed between initial proposals in March 2015 and a scheme becoming operational in October 2017. The scheme operates as far south as The Avenue between Sandown Avenue and Station Lane. A further residents' parking scheme was initiated in early 2017 which included Devonshire Road, however, following informal consultation, ward councillors did not wish to take the scheme forward. In the last month, there has been an indication from ward councillors that there may now be requests from the community to look at the matter again.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The part single/part two storey side extension, single storey rear extension for the conversion of the existing building to create 5 self-contained flats is acceptable in principle. It is considered that the proposal would not adversely affect the streetscene or neighbouring amenity. Staff consider that there are insufficient grounds to refuse this application on parking grounds and therefore, this application is recommended for approval subject to the completion of a legal agreement to secure a financial contribution towards education and to restrict future occupiers from obtaining parking permits.

3 RECOMMENDATION

- 3.1 That the Committee resolve to grant planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

- A financial contribution of £18,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.
- To restrict future occupiers from obtaining parking permits.

- 3.2 That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
- 3.3 That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time limit- The development must be commenced no later than three years from the date of this permission.
2. Samples of materials – No works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority.
3. Accordance with plans - The development should not be carried out otherwise than in complete accordance with the approved plans.
4. Parking provision - Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.
5. Landscaping - No 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.
6. Preserved trees - No works shall take place in relation to any of the development hereby approved until a scheme for the protection of preserved trees on the site has been submitted to and agreed in writing by the Local Planning Authority.
7. Boundary treatment - Details of all proposed walls, fences and boundary treatment.
8. Gas Protection Measures - Prior to the commencement of any groundworks or development of the site, details shall be submitted to and agreed in writing by the Local Planning Authority setting out suitable gas protection measures to be employed on site including, but not necessarily limited to, the installation of a suitable gas resistant membrane.
9. Noise assessment - Prior to the commencement of any development, an assessment of the impact of existing external noise sources on the new development shall be undertaken.
10. Refuse and recycling - Details of refuse and recycling facilities.
11. Cycle storage - Details of cycle storage.
12. Obscure glazing - The proposed first floor flank window serving a shower room to Flat 5 on the flank wall of the proposed two storey side extension as shown on Drawing No.'s 15-1196-30 and 15-1196-31A shall be permanently glazed with obscure glass not less than obscurity level 4 on the standard scale of obscurity and shall thereafter be maintained.

13. Standard flank window condition - No window or other opening (other than those shown on the submitted and approved plan) shall be formed in the flank wall (s) of the building(s) unless specific permission has first been sought and obtained from the Local Planning Authority.
14. Hours of construction.
15. Minor space standards - All dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.
16. Water efficiency - The dwelling shall comply with Part G2 of the Building Regulations - Water efficiency.

Informatives

1. Approval following revision
 2. Approval and CIL
 3. Fee informative
 4. Planning obligations
 5. Street naming and numbering
- 3.4 That, if by 5 November 2018 the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

4 PROPOSAL AND LOCATION DETAILS

4.1 Proposal

- This is a revised application for the demolition of the garage and the erection of a part single/part two storey side extension and a single storey rear extension associated with the subdivision of the property to provide 5 self-contained flats (2 one-bedroom and 3 two-bedroom) together with 1 parking space, 10 cycle spaces and a refuse and recycling store.

4.2 Site and Surroundings

- The application site is a detached two storey house built in the early part of the 20th century and which faces east onto Station Lane. The house has an east facing gable feature to the right of the front door, and ground and first floor bay windows to the left. The roof is finished in a hipped end to the south.
- The house is set back from the footway by 7 metres and there is a generous rear garden. To the side of the house is a detached garage.
- The house is currently divided into two flats with a ground floor flat accessed by the original front door and the flat occupying the rest of the house by an entrance in the south flank behind the garage.
- To the north of the property is 84 Station Lane which is another detached house, this has been considerably extended to the side and rear and is now in use as a restaurant and banqueting suite.
- To the south is 88 Station Lane which is a two storey detached dwelling; to the east is Station Lane and to the west are the rear gardens of houses facing north onto Stanley Road and south onto Devonshire Road.

4.3 **Planning History**

- The following planning decisions are relevant to the application:

P0353.16 - Part single/part two storey side extension and single storey rear extension associated with subdivision of property to provide 5 self-contained flats (3 x one-bed, 1 x two-bed, 1 x three-bed) together with 3 parking spaces, 20 cycle spaces and refuse and recycling store- Refused on streetscene, poor standard of accommodation for future occupiers, parking and highway and planning obligation grounds.

P1635.16 - part single/part two storey side extension and single storey rear extension for conversion of the existing building to create 5 self-contained flats, together with a single parking space, cycle storage, and a refuse and recycling store – Refused on streetscene, amenity space, parking and highway and planning obligation grounds. Appeal dismissed on streetscene and highway safety grounds only.

5 CONSULTATION RESPONSE

5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

5.2 The following were consulted regarding the application:

5.3 Highway Authority - Given the comments made by the Inspector for the appeal for P1635.16, the Highway Authority is unable to object to the proposal because of a shortfall on parking, however, a legal agreement is requested to restrict future occupiers from obtaining parking permits if at all possible (see Highways section below).

6 LOCAL REPRESENTATION

6.1 A total of 26 neighbouring properties were notified about the application and invited to comment.

6.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 6 of which objected

6.3 **Representations**

- The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objections

- There is a mature Copper Beech tree in the garden of the neighbouring property to the south which is the subject of a tree preservation order. The proposed rear extension would damage the tree's roots. (The tree is

identified as T9 in TPO 6/90. If permission were to be granted then a condition would be imposed requiring the submission and approval of a methodology for ensuring that no damage is caused to the tree).

- Windows in the south elevation of the extension should be obscure glazed and fixed shut to avoid overlooking and loss of privacy.
- Overdevelopment.
- Noise.
- The proposal would put pressure on on-street parking in the area.
- Congestion.
- The traffic survey was undertaken in the early hours of the morning and the parking survey was done after midnight and as such, they do not provide a realistic picture of the parking or traffic situation during the day.
- The parking survey is out of date as The Avenue is now resident only parking.
- Highway and pedestrian safety.
- Access.
- Impact on residential amenity.
- Overlooking and loss of privacy.
- Visual impact and out of character.
- The side extension would be out of scale with the proportions of the original building, appear cramped and lack subservience.
- Lack of accessibility to the amenity space provision.
- Loss of light.
- Nothing has changed since the previous applications.
- Requested a Planning Officer to visit a neighbouring property. (The Case Officer visited the neighbouring property).
- Reference was made to previous objections under applications P0353.16 and P1535.16, which should be taken into account for this application.

6.4 Non-material representations

- The following issues were raised in representations, but they are not material to the determination of the application:
- The garage to be demolished has an asbestos roof and the correct procedures should be followed to ensure that there is no contamination of surrounding properties. (Separate legislation governs the removal of asbestos).
- Reference was made to a petition that was received for the previous application, P1635.16 with 42 signatures outlining concerns that the existing parking problems in the area would be made worse by the proposal. (Parking is a material consideration, although a petition submitted for a previous planning application cannot be taken into account).
- Ventilation (This is a building control matter and is not a material planning consideration).

6.5 Environmental Health - No objections or comments in terms of air quality. Recommend a condition regarding a noise assessment to be undertaken including the impacts of plant, machinery and entertainment noise arising from 84 Station Lane, Hornchurch if minded to grant planning permission.

The site is located within a 250m radius area of a former unlicensed landfill (land adjacent to Mill Cottage). To address any potential risks of ground gas presence and release to the proposed development, it is recommended that a condition is placed regarding gas protection measures.

6.6 Procedural issues

The following procedural issues were raised in representations, and are addressed below:

- Lack of consultation and no site notice. (The Council has a duty to consult neighbouring properties that about the application site and any wider consultation is carried out at the Council's discretion. There is no requirement to provide a site notice).

7 PLANNING HISTORY

- This application follows two previous applications on the site - references P0353.16 and P1635.16, which were both refused. P1635.16 was for a part single/part two storey side extension and single storey rear extension for conversion of the existing building to create 5 self-contained flats, together with a single parking space, cycle storage, and a refuse and recycling store that was refused planning permission for the following reasons:

1) The design, width and roof form of the proposed two storey extension would fail to respect the original building and detract from its appearance harmful to the character of the streetscene contrary to Policy DC61 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document.

2) The proposed development would, by reason of a lack of private amenity space provision for flats 1, 4 and 5 and due to the site layout, the communal amenity space for flats 1, 4 and 5 is not particularly useable or of a high quality given its lack of accessibility for future occupiers of these flats harmful to their residential amenity contrary to Policy DC61 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and the Design for Living Residential Design Supplementary Planning Document.

3) The proposed development would, by reason of the creation of two, one bed and three, two bedroom residential units and the provision of only one car parking space for future occupiers result in increased parking congestion in surrounding streets, harmful to the amenity of surrounding occupiers and to the functioning of highway, contrary to Policies DC2, DC32 and DC33 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and the National Planning Policy Framework.

4) The widening of the access to provide the parking would impact the adjacent bus stop and be detrimental to the amenity of passengers

contrary to Policy DC32 (The Road Network) of the Core Strategy and Development Control Policies Development Plan Document.

5) In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.

- Application P1635.16 was subsequently dismissed on appeal, as the proposed development would be harmful to the character and appearance of the host property and the area and the proposed development would be harmful to highway safety. The Inspector concluded that the proposed development would not harm the living conditions of future occupiers and would not have an adverse impact upon on-street parking provision. The appeal decision for P1635.16 is a material consideration when reviewing the merits of this application.
- The issue in this case is whether the revised proposal overcomes previously stated concerns. In this respect, the current application differs from the refused scheme, P1635.16, in the following key areas:
 - Broken the frontage line and set the main wall of the extension back 0.5m and introduced a square bay in a similar but smaller format to the main existing frontage bay with a flat roof.
 - Lowered the eaves level. The overall ridge height of the extension has reduced by approximately 0.35m.

8 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

- The visual impact and impact on amenity arising from the proposal.
- The quality of living environment for future occupiers of the flats.
- Highways and parking issues.

8.2 The visual impact of the proposal

- The appeal decision for P1635.16 stated that "The proposed side extension, whilst incorporating sash windows and being of brick construction, is of bland design and lacks the strength of features and architectural detailing of the original building. Although the ridge of the proposal would be lower than that of the existing building, the proposal, by continuing the front building line and eaves height of the original building, would not appear as a subordinate addition to the original building. The proposal would substantially extend the frontage and create an addition out of scale with the proportions of the original building. Taken together, the proposal would create a large addition of visually inferior appearance and would diminish the attractive character and appearance of the original property and the area".

- For this proposal, the main wall of the extension has been set back 0.5m and there is a square bay window in a similar but smaller format to the main existing frontage bay with a flat roof. The eaves of the side extension have been reduced in height and the overall ridge height of the extension has been reduced by approximately 0.35m. When reviewing the merits of this application, it is considered that the above changes have brought the proposal within the realms of acceptability and the changes to the architectural detailing of the two storey side extension represent an improvement. Overall, Staff consider that the two storey side extension would appear subservient to the existing building and would integrate satisfactorily with the streetscene.

8.3 **Impact on residential amenity**

- It is not considered that the proposal would have a material detrimental impact on the amenity of neighbouring occupiers. No. 88 Station Lane has a side door, one ground floor and one first floor flank window that serve a hallway and landing and all of these are obscure glazed. The front of the two storey side extension is set further back than the ground floor side flank window of the dwelling to the south and does not extend far enough back to cause loss of light to the living room window to the rear of that property. The only first floor flank window in the two storey side extension serves a shower room and this could be conditioned to be obscure glazed if minded to grant planning permission. The rear windows look out onto the generous rear garden (with a depth of between 17 and 20 metres) and there is therefore no potential for loss of amenity from these. Staff consider that the proposed development would not create any additional overlooking or loss of privacy to neighbouring properties (including those to the rear of the site in Devonshire Road) over and above existing conditions.
- Staff consider that the proposal would not create undue noise and disturbance to neighbouring properties, as the building is detached. The part single/part two storey side extension and single storey rear extension for the conversion of the existing building to create 5 self-contained flats would be subject to Building Regulations including the provision of sound insulation, which would help to mitigate the impact of the proposal. The Council's Environmental Health Department has requested a noise assessment to be undertaken including the impacts of plant, machinery and entertainment noise arising from 84 Station Lane, Hornchurch, which will be secured by condition if minded to grant planning permission to protect the amenity of future occupiers.
- The previous application, P1635.16, was refused on the ground that the proposed development would, by reason of a lack of private amenity space provision for flats 1, 4 and 5 and due to the site layout, the communal amenity space for flats 1, 4 and 5 is not particularly useable or of a high quality given its lack of accessibility for future occupiers of these flats harmful to their residential amenity.

- The appeal decision stated that "Whilst some of the proposed flats would not have individual private outdoor amenity spaces, the communal space to the rear of the building is large...and would be a private, attractive, functional and safe environment" for future occupiers. The Inspector concluded that the proposed development would not harm the living conditions of future occupiers.

8.4 Highway and parking issues

- In terms of parking, the third reason for refusal for P1635.16 stated that: "The proposed development would, by reason of the creation of two, one bed and three, two bedroom residential units and the provision of only one car parking space for future occupiers result in increased parking congestion in surrounding streets, harmful to the amenity of surrounding occupiers and to the functioning of highway, contrary to Policies DC2, DC32 and DC33 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and the National Planning Policy Framework".
- The appeal decision for P1636.15 stated that "The proposal, with one off-road car parking space, would fall well below the Borough's adopted parking standards of 1 to 1.5 spaces per unit. The appeal is supported by a transport statement that highlights the proposed development could be expected to generate a parking demand for six vehicles". The Inspector gave consideration to the good public transport links in the area, the proposed cycle parking provision and was of the view that "the increase in on-street parking would be low. Whilst normally parking provision should be made on site, there is no substantive evidence before me that would suggest vehicles could not be parked on the surrounding highways". The Inspector concluded that the proposal would not have an adverse impact upon on-street parking provision.
- Given the comments made by the Inspector for the appeal for P1635.16, the Highway Authority have commented that they are unable to object to the proposal because of a shortfall on parking, however, a legal agreement is requested to restrict future occupiers from obtaining parking permits if at all possible.
- The Inspector considered that any additional parking could be accommodated on surrounding streets. Given this finding, it would be difficult to sustain a refusal on parking grounds. However, a restriction on the ability of occupiers to obtain parking permits would mean that residents would not be able to park in surrounding streets should controls be introduced in the future.
- With regards to access, the fourth reason for refusal stated that "The widening of the access to provide the parking would impact the adjacent bus stop and be detrimental to the amenity of passengers contrary to Policy DC32 (The Road Network) of the Core Strategy and Development Control Policies Development Plan Document" and this was upheld on appeal.

- For this proposal, the front boundary wall and hedge on the front boundary of the site would be retained in its entirety, which has addressed previous concerns regarding highway safety.

8.5 Local Financial Considerations

- The proposal would attract the following section 106 contributions to mitigate the impact of the development:
- Up to £18,000 towards education.
- The proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development:
- £1,760 Mayoral CIL towards Crossrail

9 Conclusions

- All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.