

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0102.20

WARD : Emerson Park

Date Received: 29th January 2020

ADDRESS: 5A NELMES ROAD
HORNCHURCH

PROPOSAL: Single storey and first floor rear extensions, two storey front extension and conversion of roof space to habitable use to include roof extension with an increase in height and roof enlargement with 3 front and 3 rear dormer windows. Erection of detached garage and pool enclosure (revised description).

Revised Description

DRAWING NO(S): nr-1a
NREP-02
NREP-04 - Roof Floor Plan and Roof Layout
NREP-04 - Proposed Elevations and Block Plan

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

SITE DESCRIPTION

The subject dwelling is a two storey infill detached dwelling located within Nelmes Road which is a residential road within Sector 6 of the Emerson Park Policy Area (EPPA).

The application dwelling is finished in face brick. Ample parking on the drive and in the garage to the front of the property. The surrounding area is characterised by predominately two storey dwellings of various designs.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a single storey and first floor rear extensions, two storey front extension and conversion of roof space to habitable use to include roof extension with an increase in height and roof enlargement with 3 front and 3 rear dormer windows with the erection of a detached garage and pool enclosure.

RELEVANT HISTORY

L/HAV 913/67 - House & double garage - Approved.

6513/72 - Two storey rear extension & extension to porch - Approved.

534/79 - Garage extension - Approved.

CONSULTATIONS/REPRESENTATIONS

Neighbours were notified regarding this application and no representations were received.

RELEVANT POLICIES

LDF

DC33 - Car Parking
DC61 - Urban Design
DC69 - Other Areas of Special Townscape or Landscape Character
SPD04 - Residential Extensions & Alterations SPD
SPD05 - Emerson Park Policy Area SPD

OTHER

LONDON PLAN - 7.4 - Local character
LONDON PLAN - 7.6 - Architecture
NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The Havering and London Mayoral CIL payment is applicable as the proposal is for an extended dwelling and creates more than 100 square metres of additional floorspace. The gross internal floor area of the existing dwelling is 267.38 square metres and this can be deducted from the gross internal floor area of the extended dwelling. The dwelling would have a total area of 742.29 square metres once extended. The difference equates to 474.91 square metres which is rounded up to 475 square metres.

The Mayoral CIL has a charging rate of £25 per square metre of net additional floor space of the proposed development and therefore the liability equals $475 \times £25 \text{ per sq.m} = £11,875$.

The Havering CIL has been implemented from the 1st September 2019, which has a charging rate of £125 per square metre of net additional floor space of the proposed development in Zone A.

The proposal would be liable for Havering Community Infrastructure Levy contributions of CIL of £59,375 ($£125 \times 475$) to mitigate the impact of the development.

The total CIL liability to be paid is £71,250.

DESIGN/IMPACT ON STREET/GARDEN SCENE

This part of Emerson Park has a distinctive character of varied design single family detached dwellings set in spacious and well landscaped grounds.

The subject property is located in Sector 6 of the Emerson Park Policy Area and therefore care is to be taken with regard to maintaining the original character of the area. This sector is particularly typified by medium and large dwellings set within spacious, well landscaped grounds.

It is noted that the ground and first floor of the application dwelling adjacent to No.5 is approximately 1m from the boundary with a greater separation distance to No.7 on the other side.

It is proposed to square off and extend the front elevation of the application dwelling by a further 1.6m.

The application seeks to increase the height of the original dwelling from 8.13m to 9.4m in height with a crowned roof to allow for additional accommodation in the loft with roof lights and a front and rear dormer windows.

Although, the dwelling would increase in scale due to the roof alterations including the dormer windows and the proposed extensions, when viewed from the street scene, the surrounding properties are of various styles with no consistent ridge height and whilst the design is not of

great quality introducing a unattractive crown roof, given the set back from the street. It is considered that the proposal would not unacceptably impact on the street scene.

The overall width of the dwelling would not increase albeit for the squaring off the existing dwelling when viewed from the street adjacent to No.5. The application dwelling which is an infill development has been designed in a way not to unacceptably impact on the street scene. It is would be difficult to apply the 1m and 2m set in front boundary as per guidance for EPPA sector 6, mindful of the other development on other properties nearby.

Three front dormers are proposed which are set below the ridge and up from the eaves. It is noted that the dormers on either side would be close to the pitch of the roof but not of a significant nature to warrant a refusal. Although, it would be preferable for three front dormer windows to be reduced two to minimise the cramped appearance

Whilst the proposed garage would be situated forward of the principal elevation of the main dwelling, and accordingly forward of the front building line of the adjacent neighbouring property, it would not appear visually incongruous despite its prominence.

The character of the area is varied, with a staggered front building line. Similar development can be observed within the Emerson Park Policy Area, including the frontage of Nos.15 and 17 Elm Grove but also within other parts of the EPPA. The design of the garage would replicate some of the characteristics associated with the main dwelling and accordingly is not deemed to be an incongruous feature.

It is considered that the fore mentioned parts of the proposal would not unacceptably impact on the street scene, mindful, that the existing separation distance between the proposal and the street would be retained and the other development within the surrounding area. No objections are raised from a street scene point of view.

The proposed development would also be visible from within the rear garden environment. The house has currently a staggered building line.

The Residential Extensions and Alterations SPD outlines that in most instances an extension which closely matches the design of the original property in terms of roof style, materials and window size is likely to be the most appropriate design solution, particularly where the extension can be seen from the front or side of the property.

In this instance, the extended roof would add significant bulk compared to the existing roof. The proposal would square off the dwelling at the rear at first floor level removing the balcony and infilling to form part of the development.

The three rear dormer windows would be contained well within the roof space by being set below the extended roof, in on either side and up from the eaves which would be policy compliant.

However, the extended roof and resultant additional height of the building would be particularly visible from the two adjacent dwellings and due to the extent of projection and crown roof design, it would appear incongruous as well as impacting on residential amenity through loss of outlook (see section below). It is considered that the bulk and mass to the side and rear is inappropriate and would appear unduly dominant.

It is evident that the proposed swimming pool enclosure would be visible when viewed from the rear gardens and rear facing windows of properties in Nelmes Road therefore particular care will

need to be exercised. In this respect guidance set out in paragraph 9.5 of the Residential Extensions and Alterations Supplementary Planning Document states that:-

"The outbuilding should be subordinate in scale to the existing dwelling and to the plot. In assessing proposals, the Council will consider factors such as the scale, height, proximity to boundaries, roof design, finishing materials and prominence in the street scene or rear garden environment. As with all extensions, outbuildings should not detract from the character of the area and should be unobtrusively located to the side and rear of the existing dwelling".

Paragraph 9.6 goes on to say

"The design of outbuildings should reflect their intended use. Outbuildings should not cause undue loss of light to neighbouring properties or adversely affect the living conditions of neighbouring properties".

It is considered that the proposed swimming pool enclosure would not be unacceptable as it is located away from the dwellings in the middle of the garden. The height of the proposal adjacent to the boundary with No.5 would be approximately 3.4m with a flat roof and the height will increase on the opposite side of the building due to a drop in ground level.

This application has been determined on its own individual merits and it is considered the outbuilding for the swimming pool enclosure would not unacceptably impact on the rear garden environment or on the street scene.

IMPACT ON AMENITY

Consideration has been given to the impact on the neighbouring dwelling in terms of loss of outlook and light and loss of privacy.

Nos.5 and 7 Nelmes Road lie to the north-west and southeast of the application site respectively and both are two storey detached dwellings.

It is noted that No.5 has one ground floor flank window adjacent to the application site attempts to try to clarify this window were unsuccessful. Similarly, it is noted that No.7 Nelmes Road has numerous windows facing the application site. Although, the officer has tried to clarify the windows on either due to COVID-19, this has been difficult. The officer has reviewed historical plans from previous application but it is unclear if the windows are in currently habitable or non-habitable rooms.

The proposed development would encompass the first floor terraced area and it is considered that the increase in height in conjunction with the crowned roof would add significant bulk and mass to the rear of the extended dwelling compared to the existing house which already projects beyond the rear wall of Nos.5 and 7 Nelmes Road.

No objections are raised to the depth and height of the ground floor rear extension as this part of the proposal, would be mitigated by the neighbouring garages/outbuildings which are along the common boundary

As per the guidance set out in the Residential Extensions and Alterations SPD, an equivalent degree of amenity should be secured for the neighbouring dwelling on the non-attached boundary both in terms of the existing house and rear garden and in terms of the ability to build an extension in line with this SPD.

It is noted that the existing dwelling already infringes a notional line taken from corner of the neighbouring properties created by a 2m separation distance and the 3m depth of the extension, as the application dwelling is set further back into the plot compared to the neighbouring dwellings.

However, it is considered that the proposed first floor development with the increase in roof height and large crowned roof would have a greater impact.

The existing dwelling house is an infill development and as originally built, had been designed in a way to minimise the impact on the adjoining neighbours' amenity by having a modest design and siting and has benefited from extensions with a single storey nature, to try and minimise the impact on the adjoining neighbours.

It is considered that the increase in roof height and the bulk and mass created by the proposed roof enlargement will look incongruous and impact on the outlook from this property.

It is considered the scale and bulk of the extended dwelling would unacceptably overbear and dominate the outlook and amenity of the adjacent neighbours and the impact is further exacerbated by the additional height proposed.

The proposal will give rise to a significant light loss and provide a "wall of development" which will give rise to an uncomfortable overbearing effect and sense of enclosure harmful to their amenity.

It is considered the development would have a detrimental impact on the amenity of the adjacent residents due to the scale, bulk and mass and its position close to the boundaries of the site.

However, it is considered that the proposal would not result in any undue overlooking or loss of privacy above and above existing conditions, particularly as there the first floor windows of neighbouring properties already overlook the rear garden areas of surrounding residential properties.

Mindful of the above, it is considered the proposal is deemed unneighbourly and therefore fails to comply with guidance set out in the Residential Extensions and Alterations SPD.

HIGHWAY/PARKING

No highway or parking issues would arise as a result of the proposal as there is ample parking within the site.

KEY ISSUES/CONCLUSIONS

The proposal is considered to be contrary to the above-mentioned policies and guidance and a refusal is recommended.

RECOMMENDATION

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

1. Reason for refusal - Residential Extensions

The proposed development, by reason of its height, scale bulk, mass and projection beyond the neighbouring dwellings and position close to the boundaries of the site, would appear incongruous and be an intrusive and unneighbourly development, to the detriment of the residential amenities of the occupants of Nos. 5 and 7 Nemes Road,

1 CIL informative for refused proposal - Residential

For Residential Development Only

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 of £71,250 plus indexation 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 £71,250 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 (Zone A) and the floorspace of 475 square metres.

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

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 Mr Breden (Agent) by phone on 29/05/20.

Authorising Officer:	Simon Thelwell		05-06-2020
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