

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1853.20

WARD : Cranham

Date Received: 9th December 2020

ADDRESS: 76 INGREBOURNE GARDENS
UPMINSTER

PROPOSAL: Single storey rear extension involving demolition of existing conservatory

DRAWING NO(S): IG:76:JAWS:PE1
IG:76:JAWS:PE2
IG:76:JAWS:PE3
IG:76:JAWS:PP1
IG:76:JAWS:PP2
IG:76:JAWS:PP3
IG:76:JAWS:PS1

RECOMMENDATION : It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

Residential, two storey detached dwelling finished in a painted render appearance. Parking to the front of the property. The ground level slopes downhill from north to south within the rear garden.

The site is bounded by a high close boarded fence on either side of the dwelling at the rear of the property. The surrounding area is characterised by two storey detached and semi-detached dwellings of various styles and designs.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a single storey rear extension involving demolition of existing conservatory.

RELEVANT HISTORY

L/HAV 406/70 - Repositioning & extension of garage - Approved.

L/HAV 1056/72 - Car port with bedroom over - Approved.

P1145.16 - Proposed first floor rear extension
Apprv with cons 24-08-2016

P0504.12 - Single storey rear conservatory
Apprv with cons 08-06-2012

P0696.10 - Conversion of existing garage into a kitchen and store.
Apprv with cons 09-07-2010

P1806.06 - Single storey side/rear extension (garage)
Apprv with cons 06-11-2006

CONSULTATIONS/REPRESENTATIONS

No representations were received in response to this application.

The Public Protection Team has no objections to the proposal.

RELEVANT POLICIES

LDF

DC33 - Car Parking

DC61 - Urban Design

SPD04 - Residential Extensions & Alterations SPD

OTHER

LONDON PLAN - 7.4 - Local character

LONDON PLAN - 7.6 - Architecture

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

This application is not CIL liable.

STAFF COMMENTS

Due to the current Covid-19 crisis, the officer was unable to do a site visit. Site photos were sent in by the agent and were received by the officer on the 21st December. Aerial views and streetview were used also to assess the site and the proposal.

DESIGN/IMPACT ON STREET/GARDEN SCENE

There would be no impact upon street scene. The proposal would be more noticeable within the rear garden environment and will be seen as an "extension onto an extension".

Care will need to be exercised therefore to ensure that the development does not constitute a disproportionate addition to this dwelling or cause harm to the surrounding area.

The proposal including the new roof over the existing and proposed rear extension is considered to be generally subservient in appearance, having a lower roof line which breaks up the visual bulk and massing of the development when viewed in conjunction with the existing two storey rear extension. The development is not therefore seen as a disproportionate addition to this dwelling. Moreover, when seen in the context of other rear projections nearby the development would not be considered as out of keeping with the character and appearance of the surrounding area.

No objections are raised to the development from a visual impact point of view.

IMPACT ON AMENITY

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

Both of the neighbouring residents have extensions to the rear of their dwellings. The existing conservatory will be demolished to make way for the proposal. The new rear extension would have a depth of between 1.75m and 3.93m adjacent to Nos. 78 and 74 Ingrebourne Gardens respectively.

The rear extension which will replace the conservatory adjacent to No.74 will marginally project beyond the rear of the elevation of the neighbouring extension at No.74. The proposal will be set

in 52cm from the boundary with this neighbour. The proposal will have a dummy pitched roof which would extend around the existing and proposed rear extension. It is considered that the neighbouring rear extension at No.74 and the separation distance to the boundary would mitigate the proposed development and therefore no objections are raised from a neighbourliness point of view.

No.78 lies to east of the application site. The proposal would project a further 1.75m beyond the existing ground floor rear projection. The cumulative depth of the existing and proposed rear extension would project 4m beyond the rear wall of No.78. It is noted that the boundary line between these properties is at an oblique angle with the existing rear extension being currently set off the boundary adjacent to garden by 68cm and should the application be approved, the new rear projection will be set of the boundary by approximately 88cm due to angled boundary.

An overall projection beyond No.78's side/rear extension of approximately 4m is not unusual and is envisaged within guidelines as acceptable when considering the impact of a 4m deep extension on the boundary with a neighbour that has not previously extended.

Furthermore, the roof of extension would have an eaves line 2.87m before being hipped away to a height of 3.62m to mitigate the impact on the neighbouring residents.

The proposed roof lights on top of the extension would be sufficiently removed from the sides of the extension, not to unacceptably impact on the adjacent neighbours.

It is considered that it would be difficult to substantiate a refusal on appeal due to the factors outlined above.

Given these circumstances and mindful of the general presumption in favour of development, it is considered any impact upon the adjacent neighbours to be modest and within that envisaged as acceptable within guidelines.

As a result, it is considered that the proposal would not unacceptably impact on the amenity of the adjacent neighbours.

To safeguard the privacy of the adjoining neighbours, two conditions have been imposed to ensure that no openings will be added to side of the proposed extensions or that the flat roof of the rear extension would not be used as a balcony, roof garden or similar amenity area, unless specific permission is obtained in writing from the Local Planning Authority.

It is considered that the development would fall within the spirit of adopted guidelines for householder extensions and the proposal is not deemed to be unneighbourly

HIGHWAY/PARKING

No highway or parking issues would arise as sufficient parking would remain on site.

KEY ISSUES/CONCLUSIONS

The proposal is considered to be in accordance with the above-mentioned policies and guidance and approval is recommended.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. SC4 (Time limit) 3yrs

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. SC10 (Matching materials)

All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason:-

To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

3. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

For the avoidance of doubt and to ensure that the development is carried out as approved.

4. SC46 (Standard flank window condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, 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) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

5. SC48 (Balcony condition)

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason:-

In the interests of the amenity of the occupiers of neighbouring dwelling, and in order that the development accords with the Development Control Policies Development

INFORMATIVES

1 **Party Wall**

This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc. Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters.

A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc__Act_1996_-_Explanatory_Booklet.pdf

2 **Approval - No negotiation required**

Statement Required by Article 35(2) of the Town and Country Planning (Development Management) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraph 38 of the National Planning Policy Framework 2018.

Authorising Officer: Habib Neshat
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08-02-2021
