

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0110.22

WARD : Upminster

Date Received: 25th January 2022

ADDRESS: 30 Brackendale Gardens
Upminster

PROPOSAL: Single storey rear extension
Revised plans recvd 01-02-22 & 09-03-22

DRAWING NO(S): BG-200 Rev: A
BG-201 Rev: B
Site Plan
Block Plan

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 semi-detached dwelling finished in face brick and painted render. Parking on the drive to the front of the property. The surrounding area is characterised by single and two storey dwellings.

DESCRIPTION OF PROPOSAL

Planning permission is sought for single storey rear extension.

RELEVANT HISTORY

P1255.21 - Single storey rear extension involving demolition of existing conservatory
Apprv with cons 20-08-2021

Y0267.21 - Single storey rear extension with an overall depth of 4m from the original rear wall of the dwelling house, a maximum height of 3.9m and an eaves height of 2.7m
(PRIOR APPROVAL)
Pr App Ref Val 28-05-2021

P1376.12 - Two storey side extension and single storey rear extension
Apprv with cons 19-03-2013

CONSULTATIONS/REPRESENTATIONS

One representation was received from a neighbouring resident and their comments summarised below.

- No objection to the proposed plans.
- To ensure there is no unreasonable affect on the natural daylight to our home and garden.
- Comments regarding sewage system and building control.

In response to the above, the impact from the proposal on neighbouring amenity will be assessed below. Issues regarding the sewage and system and building control is not a material planning consideration.

RELEVANT POLICIES

- For ease of reference, the Residential Extensions and Alterations SPD will be referred as "SPD".

LONDON PLAN:

Policy D1 London's form, character and capacity for growth

Policy D4 Delivering good design

Policy T6 Car parking

Havering Council Local Plan (2016-31). Havering Local Plan has now been adopted and Policies 7 (Residential design and amenity), 24 (Parking provision and design), 26 (Urban Design) of the Havering Local Plan (2016-2031) are relevant.

LDF

SPD04 - Residential Extensions & Alterations SPD

OTHER

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

Application is not CIL liable.

STAFF COMMENTS

In accordance with the current criteria for site visits, an in-person site visit was not undertaken. Site photos were provided by the agent in support of the application. In determining this planning application photos, Google StreetView TM, aerial view images and submitted drawings were used to assess the site constraints.

Revised plans were received during the planning process in respect to the height of the proposal and neighbours were re-consulted. Further revised plans were received with a reduction in depth and height of the proposal. Neighbours were not re-consulted as the impact was being lessened.

This application is a resubmission of a previously approved planning application P1255.21. This application differs from the previously approved schemes in the following key areas:

1. The pitched roof over the rear extension has been replaced with a flat roof.
2. The height of the flat roof on the boundary will be approximately 3m high excluding roof light.

The effect of these changes will be assessed in the context of the following:

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposed single storey rear extension would only be visible from the rear garden environment. The proposal would be of an acceptable design and will relate well with the existing dwelling in terms of bulk, scale and massing. No objections are raised from a visual point of view.

IMPACT ON AMENITY

Consideration has been given to the impact of the development on neighbouring dwellings particularly in respect of light loss, outlook and potential loss of privacy.

The depth of the single storey rear extension would vary between 4m and approximately 5m

adjacent to Nos.28 and 32. The proposed single storey rear extension would have a height of approximately 3m excluding the roof light.

The depth of the proposal would exceed Council guidelines, however, the height of the proposal as revised excluding the roof light complies with guidance.

It is noted that No.28 Brackendale Gardens has a single storey side and rear extension. The neighbouring rear extension would project 4m from the rear wall of the dwelling. The proposed rear extension would project 4m beyond the existing two storey cat-slide projection adjacent to No.28 which would equate to approximately 5m.

The depth and height of the proposal would be mitigated by the separation distance between the flank wall of the proposal and the boundary with No.28, which is approximately 2.3m. The proposal would not infringe a 45 degree notional line taken from the 4m point on the boundary.

As a result, it is considered that the proposal would not unacceptably impact on the neighbouring residents at No.28 Brackendale Gardens.

No.32 Brackendale Gardens lies to the south east and has a conservatory to the rear of their dwelling. The depth of the extension was deemed acceptable by the previous application P1255.21.

On this resubmission, the hipped roof design has been replaced with a flat roof which is 3m high excluding the roof light.

The height of rear extension excluding the roof light would be 3m, which complies with normal guidelines.

Orientation is particularly important and extensions may be acceptable where they are proposed to the north of the adjoining property, which is the case in this instance and no loss of sunlight would arise.

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.

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

In all, the development is considered to 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 the existing parking arrangement would be acceptable.

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.

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.

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.

INFORMATIVES

1 Land Ownership

Land Ownership

The applicant is advised that this planning permission does not give consent for any part of the development including guttering and fascias to encroach onto any land not within the applicant's ownership.

2 Party Wall

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/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

3 Approval following revision

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with paragraph 38 of the National Planning Policy Framework, improvements required to make the proposal acceptable were negotiated with Mr Robertson (Agent) by phone and e-mail. The plans were revised in respect to the height of the flat roof and the depth of the rear extension. The amendments were subsequently submitted on 01-02-22 & 09-03-22.

Authorising Officer: Neil Goate
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11-03-2022
