

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0010.22

WARD : Mawneys

Date Received: 5th January 2022

ADDRESS: 39 Frinton Road
Romford

PROPOSAL: Erection of single storey outbuilding to rear for use as 1 bedroom
'granny annexe'

DRAWING NO(S): Site Location Plan
151/06/C
151/07/C
151/05/C

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

SITE DESCRIPTION

The application site is sandwiched between properties nos. 38 and 39 Frinton Road. There is a vehicle access route down between the two houses from Frinton Road providing access to the site.

The site is not located within a conservation area and not close to listed buildings.

DESCRIPTION OF PROPOSAL

The application seeks planning permission for a single storey annexe in the side garden of no. 39 fronton Garden.

The intended use of the outbuilding is for the parents to live there (according to the application form).

The outbuilding would have a building footprint of approximately 45 s.qm with a height of 2.5m and a flat roof. The internal layout would include a kitchen/dining/living area, a bathroom, a bedroom and a separate dressing room. It would have windows facing the rear garden and main access door and two windows facing the access road.

RELEVANT HISTORY

PE00907/21 - New two storey dwelling - officers not able to support due to siting, impact on residential amenity and access issues.

CONSULTATIONS/REPRESENTATIONS

Consultation was undertaken and no representations have been received.

RELEVANT POLICIES

LONDON PLAN (adopted 2021):

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

Policy D4 - Delivering good design

Policy D6 - Housing quality and standards

Policy T6 - Car parking

MAYORAL CIL IMPLICATIONS

CIL may not be applicable in this instance as the application is for a proposed annexe (essentially an extension to a dwelling) of less than 100 square metres.

STAFF COMMENTS

The main issue for consideration is the impact of the proposed addition on the rear garden environment, the impact to neighbours amenity and whether the proposal constitutes an annexe and if it is ancillary to the use of the main dwelling house.

In accordance with the current criteria for site visits, an in-person site visit was not undertaken. For the purposes of assessing the proposed development, a combination of site photographs provided by the applicant, street-view, relevant aerial photography and historic records including drawings were sufficient for this assessment.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The Residential Extension and Alterations SPD (2011) provides planning guidance for annexes and dependent relatives accommodation. The policy requires that an annex should have shared facilities with the main dwelling in order to ensure it does not become a self contained unit. In addition, the scale of the granny annex should be subordinate to the main dwelling.

The building footprint of the proposed detached annexe is approximately 45sqm, while the building footprint of the main dwelling (including extension) is approximately 44sqm. It would have a greater building footprint than the main dwelling, although it would only be single storey and not two storey, with a height of 2.5m with a flat roof and be built to the side boundary with a small set-in from the side boundary to the west of the host property.

It would have a depth of approximately 5.4 and a width of approximately 9.4m.

The annexe with a Gross Internal Floor Area (GIA) of approximately 45square metres, would be similar to the minimum size standards for a 1b1p unit (39sqm) as described in Table 3.1 of Policy D6 of the London Plan 2021.

The annexe would have facilities which could allow the unit to operate without any reliance on the host property and would be located approximately 9.4m away from the main dwelling.

Taking the above into consideration it would appear that the proposed detached outbuilding as an annexe would be able to function independently of the main dwelling, including the opportunity to have a separate access point if required. It is noted that the intended use is for the parents of the same family occupying the main dwelling, but due to the annex being able to function separately, it is considered that applying a condition for the annexe to only be used by the parents of the family would be difficult to enforce and monitor.

Whilst it is acknowledged that a number of other houses have outbuildings at the bottom of the garden, this proposal is of an entirely different character. The size and scale of the proposed annexe is also of concern, as it would appear much larger than surrounding outbuildings in this locality and therefore out of character within the rear garden scene. The width is almost double that of the host property.

No concerns raised with the quality of accommodation to be provided, given the location of the

fenestrations providing a dual aspect accommodation.

The proposed development would set an undesirable precedent which would contribute to the overdevelopment of the site that goes against the pattern of development of the surrounding area.

On this basis, the bulk, scale and siting of the development in addition with the existing extensions on the site will contribute to the loss of the open character of the rear garden environment which is sought to be maintained under Policy 26. The proposed development does not enhance, maintain or improve the character of the garden scene and does not respond to the pattern of development. The proposal cannot be considered to be an annexe, as defined in the Residential Extensions and Alterations SPD and could ultimately function as a self-contained residential unit. For these reasons the proposal is considered to be contrary to planning policy and guidance.

IMPACT ON AMENITY

Whilst the effect on the host dwelling would be acceptable to the current occupiers, in the longer term the effect of a separate dwelling in what should be a private garden area would be detrimental to the living conditions of the occupiers of the host dwelling and the immediate adjoining neighbour at no. 38. Whether used by an extended family in conjunction with the main house, or as a totally separated and independent unit, it would be harmful to the character of the rear garden and the pattern of development in the area, having an impact on the visual amenity of surrounding residents because of the bulk, mass and siting of the proposal.

Staff consider that there would be comings and goings to the proposed annexe that would result in a significant change in the level of disturbance to the rear garden environment and the amenity of neighbouring properties.

Overall it is considered that the proposed annexe would result in a significant and undue impact on the amenity of neighbouring properties pursuant to Policy 7 and the Residential Extensions and Alterations SPD.

HIGHWAY/PARKING

No adverse impact on parking. This could change if the annexe were to be used as a separate unit of accommodation in the future.

KEY ISSUES/CONCLUSIONS

The proposal by reasons of its scale, massing and siting would be harmful to the character of the rear garden environment and represent an overdevelopment of this space with residential amenity impacts, inconsistent with the prevailing pattern of development and contrary to the objectives of Policy 7 and Policy 26 and the Residential Extensions and Alterations SPD.

The personal circumstances of the family has been taken into consideration, however, given the usual and unavoidable change in circumstances, personal circumstance can rarely override the proper concerns of planning policy which has to balance the public good against individual benefit.

In this case the harmful effects of the proposal as identified above outweigh the benefits, as such it is recommended that planning permission is REFUSED.

RECOMMENDATION

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

1. Overdevelopment and insufficeint car parking

The proposed development, would by reason of its bulk, mass and siting including the existing extensive extensions on the site, represent an overdevelopment of the garden environment which is inconsistent with the prevailing open character of the rear garden scene and pattern of development, contrary to Policy 26 of the Local Plan 2021 and the Residential Extensions and Alterations SPD (2011).

2. Impact to amenity

The proposed development, which could function as a self-contained residential unit in the rear garden scene, would result in an unprecedented and unacceptable impact on visual amenity, including additional comings and goings, noise and disturbance associated with the use and would be out of character with site and surrounding areas, contrary to Policy 26 of the Local Plan 2021 and the Residential Extensions and Alterations SPD.

1 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, it was necessary to issue a decision as close to the statutory timeframe as possible as opposed to seeking amendments which would have significantly delayed the application.

Authorising Officer: Habib Neshat
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17-03-2022
