

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0619.22

WARD : Upminster

Date Received: 14th April 2022

ADDRESS: 8 Roxburgh Avenue
Upminster

PROPOSAL: Part ground floor rear extension and first floor side extension

DRAWING NO(S): EX01
EX02
PL01 D

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

SITE DESCRIPTION

The application site features a two storey semi-detached residential dwellinghouse. It currently benefits from a side garage. It is not a listed building, nor is located within a conservation area.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a part ground floor rear extension and part first floor side extension.

1. The roof over the existing part ground floor rear extension would be changed from hipped to flat.

RELEVANT HISTORY

P0008.22 - Part ground floor rear extension and part first floor side/rear extension
Refuse 22-03-2022

P1511.02 - Single & two storey rear extensions
Apprv with cons 18-10-2002

CONSULTATIONS/REPRESENTATIONS

Letters of notification were sent to five neighbours regarding the application. No representations were received.

RELEVANT POLICIES

* For ease of reference, Residential Extensions and Alterations SPD will be referred to as 'SPD'.

LONDON PLAN (adopted 2021):

- 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):

- Policy 7 (Residential design and amenity)
- Policy 24 (Parking provision and design)
- Policy 26 (Urban Design)

LDF

SPD04 - Residential Extensions & Alterations SPD

OTHER

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposal is not CIL liable because the new floorspace created is less than 100 square metres.

STAFF COMMENTS

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

This application is a resubmission of a previously refused planning application P0008.22. The key issue in this case therefore is whether the revised proposal overcomes the previously stated concerns. The previous applications were refused planning permission for the following reason:

1. The proposed first floor side/rear extension would, by reason of its position close to the boundary of No. 10 Roxburgh Avenue, would be an intrusive and unneighbourly development and would have an adverse effect on the amenity of these neighbours, contrary to Local Plan Policy 7 and the Residential Extensions and Alterations Supplementary Planning Document.

This application differs to P0008.22 in the following key areas:

1. The proposed first-floor side extension would not project beyond no. 10's ground floor side extension.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy 7 (residential design and amenity) of the local plan seeks to ensure any development would have an acceptable impact upon the character of surrounding areas.

With regards to two storey side extensions, the SPD recommends that such developments should be setback at least one metre from the front of the dwelling at first floor level. The proposed first floor extension would be setback approximately 1.50m from the front of the dwelling and is therefore considered to meet the objective of the provision of ensuring the extension remains subordinate to the main dwelling. Given that no. 14 Roxburgh Avenue benefit from a side/rear extension with a similar roof design, the roof design of the proposed side/rear extension would also be in keeping with extensions within the surrounding area. Overall, therefore, the proposal is considered to be acceptable from a design standpoint.

The part ground floor rear extension is judged to relate well to the application property in terms of its bulk, scale and mass. No objections are thus raised from a visual point-of-view.

Given that it would be of a similar style and design to the host dwelling's existing windows, it is not considered that the proposed first floor flank window would be detrimental to the street scene.

No objections are raised to the proposed change of the roof over the existing ground floor rear extension from hipped to flat from a visual standpoint.

A matching materials condition will be imposed to ensure that the appearance of the host dwelling and the character of the immediate area are safeguarded.

IMPACT ON AMENITY

Policy 7 (residential design and amenity) of the local plan seeks to ensure any development would have an acceptable impact upon the amenities of the adjoining occupiers.

The neighbouring property that the proposals would affect the most would be No. 10 Roxburgh Avenue. The first floor extension would be situated along the shared boundary with these neighbours but would not project past the rear of this property's ground floor side extension.

It is noted that this neighbour benefits from two flank windows which face the application site. According to the agent, both are landing windows. This would appear to be a reasonable assumption, given the character of the houses are similar and the application property has a similar flank window serving the staircase. Less weight is applied to the impact of the proposal on such a window. Staff do not consider that significant harm would be caused to the amenity of this neighbour through loss of light, outlook or privacy and, therefore, the impact of the proposal on this neighbour is considered to be within acceptable realms. Therefore, the reason for refusal for P0008.22 is judged to have been overcome.

The first floor side extension would benefit from a flank window, which would serve a study and face no. 10's existing flank windows. Given that staff will impose a condition requiring that the windows be obscure glazed and non-opening below 1.70m from internal finished floor height to protect against perceived overlooking, it is not deemed that they would be detrimental to the amenity of these neighbouring occupants.

The part ground floor rear extension is deemed to be sufficiently separated from this neighbouring property however such that it would not materially harm the amenity of its occupants.

It is not envisaged that the first floor extension would affect the amenity of the unattached neighbour No. 6 Roxburgh Avenue because these neighbours lie to the south of the host property, well away from this element of the proposals. The proposed part ground floor rear extension would project past the rear of these neighbours by less than 1m and given that the height of this element of the proposal - at 3m - would be policy compliant, any impacts of this development are judged to be within acceptable realms.

The proposals are considered to be sufficiently separated from all other neighbouring properties such that it wouldn't materially harm the amenity of its occupants.

It is not considered that the proposed change of the roof over the existing ground floor rear extension from hipped to flat would be detrimental to neighbouring amenity.

Whilst no balcony has been proposed on the flat roof of the ground floor rear element of the proposals, it is considered prudent to impose a condition restricting it from being utilized as a terrace or similar amenity space in order to prevent any unacceptable overlooking or loss of privacy to neighbouring properties. Also, to ensure that the extension would not result in a loss of privacy to or damage the environment of neighbouring occupants, staff consider it prudent to impose a condition which prevents windows or other openings being formed in the flank walls of

this proposed development unless permission is sought and obtained from the Council first.

HIGHWAY/PARKING

Although the existing garage would be retained, the proposed drawings show that it would be used as storage. Despite the loss of this car parking space, there is space for car parking to the front of the site for two vehicles. No highway or parking issues would therefore arise from the proposal.

KEY ISSUES/CONCLUSIONS

It is considered that the proposed development is acceptable. It is judged to not adversely affect the character of the property or the visual amenities of the rear garden scene. It would also not cause a detrimental impact upon the residential amenities enjoyed by neighbouring properties and is also considered to overcome the reason for refusal of the planning application P0008.22.

It is therefore recommended that planning permission is GRANTED.

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. 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.

3. 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.

4. Non Standard Condition 32

The proposed first floor flank window which would serve a study, shown on drawing 'PL01 D' accompanying the application shall be permanently glazed with obscure glass not less than level 3 on the standard scale of obscurity and shall thereafter be maintained, and also be non-opening unless the parts of the window which can be

opened are more than 1.7 metres above the floor of the room in which the window is installed.

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. 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 plans) shall be formed in the flank wall(s) of the building 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.

6. SC48 (Balcony condition)

The roof area of the extensions 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 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.

Authorising Officer: Raphael Adenegan
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22-06-2022
