

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1237.22

WARD : St Albans

Date Received: 27th July 2022

ADDRESS: 4 Kings Road
Romford

PROPOSAL: As built loft conversion with rear dormers (Retrospective)

DRAWING NO(S): JND/1173/10 Location and Block Plan
JND/1173/10 Pre existing Floor Plans
JND/1173/10 Existing Floor Plans (as-built))
JND/1173/10 Pre existing Elevations
JND/1173/10 Existing Elevations (as-built))
JND/1173/10 Existing Section (as-built))

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 a two storey semi-detached property. The surrounding area is characterised by single and two storey dwelling of various styles and designs.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the retention of the as-built rear dormers to facilitate loft conversion.

RELEVANT HISTORY

E0054.21 - Loft conversion works creating additional living accommodation involving installation of a rear dormer window and 2 roof-lights to front roof slope (Application for Certificate of Lawfulness for an Existing use or development).
PP is required 26-07-2022

CONSULTATIONS/REPRESENTATIONS

Surrounding occupiers were notified and two representations were received and a support from ward Councillor Judith Holt. The comments received made objections on grounds of out of character, over-development, over-bearing, loss of privacy, property may be used as HMO and inaccurate plans submitted and questioning why planning permission can still be made retrospectively on work that has unlawfully been done.

Officers response:

It must be noted that officers can only take into account comments that concern relevant material planning considerations. The current application must be determined on its planning merits based on the scheme that is before the Council. That the application relates to a householder extension to a single dwellinghouse and not for a HMO.

An applicant can apply for planning permission to regularise a development and the Council would assess inline with adopted policies.

RELEVANT POLICIES

NPPF (2021)

London Plan (2021)

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

Policy D3 - Optimising site capacity through the design-led approach.

Policy D4 - Delivering good design

Policy T6 - Car parking

Havering Local Plan (2016 - 2031)

Policy 7 Residential design and amenity

Policy 24 Parking provision and design

Policy 26 Urban design

LDF

SPD04 - Residential Extensions & Alterations SPD

MAYORAL CIL IMPLICATIONS

The proposed extensions fall just under 100 square metres in floor area so therefore the application is not CIL liable.

STAFF COMMENTS

By way of background, this is a re-submission of a previously refused Certificate of Lawfulness (existing) ref: E0054.21 which was refused for the following reasons:

1 - Class B.1 (b) Part of the dwellinghouse, as a result of the works, would exceed the height of the highest part of the existing roof.

2 - Class B (B.1) (d) (ii) as the cubic content of the proposed extensions to the roof exceeds 50 cubic metres.

3 - Class B.2 (b) (bb) as the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, is less than 20 centimetres from the eaves, measured along the roof slope from the outside edge of the eaves.

Officers have not been able to conduct a visit to the property. However, other officers of the Local Planning Authority (the 'LPA') - specifically the planning enforcement team - visited the site on 2nd November 2021 and 22 November 2021 and the assessing officers have access to their photos; which shall be used to inform the assessment.

It is noted that the plans do not accurately reflect the photos of the built form. The side elevation shows the top of the dormer to be significantly below the top of the ridge line, however, this is not the case as it is level with the ridge, which has also been raised. Also, the rear elevation shows the dormers are inset from the side and eaves, but the photographic evidence shows otherwise. The roof-lights to the front roof-slope are also shown to slightly protrude from the plane of the roof on plans accompanying this submission.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy 26 of the Local Plan states that the Council will promote high quality design that contributes to the creation of successful places in Havering by supporting development proposals that are of a high architectural quality and design and are informed by, respect and complement the distinctive qualities, identity, character and geographical features of the site and local area.

Section 4.2 of the SPD states that "While extensions and alterations can bring many benefits to the householder in terms of extra space and security, they can also undermine the original character of both the property they are associated with and the street they are situated within. It is important that extensions and alterations do not dominate or detract from the character of the original house and the surrounding houses, or unacceptably reduce the amenity of neighbouring properties".

Furthermore, sections 8.2 and 8.3 of the SPD states that "Dormer windows should normally be located facing the rear garden so they are not visible from the street and do not harm the appearance or character of the original house. Dormers should be contained well within the body of the roof, by being set well back from the eaves, and by setting the sides well in from any gables or party walls. Dormers must never extend above the ridge line of the roof and should be located well below it. All windows at roof level, particularly dormers, should relate to the windows of the original house in proportion, design and position. Dormers with pitched roofs set at right angles to the main roof are preferred.

The submitted plan is contrary to the above design guideline and is therefore contrary to policy as it is excessively large, dominating and overbearing in the rear surrounding area.

The proposed built form has not demonstrated an acknowledgement of the relevant design objectives and as a result, the proposed extensions are not viewed as subordinate to the scale of the original dwelling.

Overall it is considered that the proposed extensions would not be acceptable in this instance. It is considered that the proposed development does not comply with Guidance in respect of visual bulk, mass and scale and would appear harmful to the character of the original dwelling,

IMPACT ON AMENITY

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

The roof lights on the front elevation would face the street, which is a public area, as such it is not envisaged that there would be any loss of privacy from this development.

Given the siting of the rear dormers, there would be no adverse impacts arising from the rear dormer window to the attached neighbour at No. 6 Kings Road.

Similarly, it is considered that the proposed development would not unacceptably impact on the unattached neighbour at No. 2 Kings Road. Council records (ref:P2101.03) show that the neighbouring property at No.2 has a first floor flank window which provides light to a bathroom and a rear window on rear elevation of the original dwelling which serves a stair. These are considered to be a non-habitable areas and therefore no significant loss of amenity will be experienced.

HIGHWAY/PARKING

The proposed development is not considered to raise any highway or parking issues.

KEY ISSUES/CONCLUSIONS

The proposed extension has not been designed in accordance with Havering's Residential Extensions and Alterations SPD and no mitigating circumstances have been presented to rationalise non conformance with these guidelines.

Officers consider that the submitted application has not given sufficient consideration to the impact of the built form on the character of the application site and the character of the street scene.

Also, the level of detail provided with the application does not adequately show the existing conditions of the site and surrounding properties.

Given the above, it is the officers recommendation that the proposal be refused.

RECOMMENDATION

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

1. Reason for refusal - Streetscene & Rear Garden

The proposed rear dormer windows would, by reason of their excessive scale, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the rear garden environment harmful to the appearance of the host dwelling and surrounding area contrary to Policy 26 of the Havering Local Plan and the Residential Extensions and Alterations Supplementary Planning Document.

1 Non Standard Informative 1

It would appear that there are some inaccuracy in the proposed drawings illustrating of the existing rear dormer in relation to the host dwelling as seen from the officer site visit photos.

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 reasons for it was given to the agent (Mr J Patel) via email on 21/09/22.

Authorising Officer: Raphael Adenegan
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21-09-2022
