

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0290.23

WARD: Squirrels Heath **Date Received:** 20th February 2023

ADDRESS: 159 Hillview Avenue
Hornchurch

PROPOSAL: Retrospective application for erection of single storey outbuilding to be used as gym and garden room following demolition of existing detached games room.

DRAWING NO(S): 159HVA/RM11/GYM/1 (Rev A)
159HVA/RM11/GYM/3

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 located on the southern side of Hillview Avenue and contains a single-storey detached dwelling. There is an existing outbuilding to the rear that was constructed without planning permission.

The property is not listed, nor is it within a conservation area. The surrounding area is largely residential consisting mainly of various semi-detached and terraced dwellings.

DESCRIPTION OF PROPOSAL

The applicant is seeking retrospective planning consent for the erection of a single storey outbuilding to be used as gym and garden room following demolition of an existing detached games room.

RELEVANT HISTORY

P0863.02	Replacement detached games room at bottom of garden Apprv with cons 18-11-2002
P1641.01	Single storey side and rear extension. First floor front extension. Loft conversion, including raising and gabling of roof and front and rear dormers and detached building at rear of site. Part aprvd part ref 14-01-2002
P0170.92	Rear addition

CONSULTATIONS/REPRESENTATIONS

Letters were sent to the neighbouring properties. There were three objections received which are summarised as:

- Neighbours queried why planning permission was not sought originally as they would have preferred an opportunity to be consulted;
- The height of the outbuilding is very close to the fence and reduces availability of natural light to the rear garden of neighbours;
- The colour of the outbuilding is not discrete and stands out from the rear gardens of the neighbours;
- The large glass doors to the front of the outbuilding are very large and neighbours can view into the gym; and
- Concerns of overlooking into neighbouring dwellings

Environmental Health - No response

RELEVANT POLICIES

National Planning Policy Framework

London Plan

- Policy D1 - London's form, character and capacity for growth
- Policy D4 - Delivering good design
- Policy T6 - Car parking

Havering Local Plan Adopted November 2021

- Policy 7 Residential Design and Amenity
- Policy 24 Parking provision and design
- Policy 26 Urban Design

Residential Extensions and Alterations Supplementary Planning Document Adopted 2011

- Section 9 Annexes, Outbuildings and Garages

MAYORAL CIL IMPLICATIONS

This application is not CIL liable because the floor space created does not exceed 100 square metres.

STAFF COMMENTS

An in-person site visit was not undertaken. In determining this planning application, photos, Google

street view, aerial view images and submitted drawings / photos were used to assess the site and the proposal.

DESIGN/IMPACT ON STREET/GARDEN SCENE

This retrospective application seeks planning permission for an outbuilding which measures 5.64m (w) x 8.51m (d) x 3.3m (h).

The Residential Extensions and Alterations SPD provides guidance on outbuildings notably:

"The outbuilding should be subordinate in scale to the existing dwelling and to the plot. In assessing proposals, the Council will consider factors such as the scale, height, proximity to boundaries, roof design, finishing materials and prominence in the street scene or rear garden environment. As with all extensions, outbuildings should not detract from the character of the area and should be unobtrusively located to the side and rear of the existing dwelling".

Several objections were submitted with concerns regarding the height and scale of the outbuilding appearing over prominent in comparison with the surrounding properties. The applicant provided supporting photos of the previous outbuilding which was approved under P0863.02 in 2002. Officer's note that relevant planning policies have changed significantly since 2002 and the previous outbuilding is no longer an effective precedent to support the current scheme. The Council must follow the guidance of the SPD for any new development irrespective of the previous outbuilding.

It is also noted the previous outbuilding had a maximum roof height of 4m while the roof hipped away from the eaves to reduce the bulk of the roof. The eave height of the previous outbuilding was set at 2m which when viewed from neighbouring properties was far less obtrusive and only marginally exceeded the existing boundary fencing. It is therefore consider the previous outbuilding would itself likely be unacceptable within current planning policy and does not provide justification for the current proposal.

The eaves of the newly constructed outbuilding are significantly higher than the pre-existing outbuilding of which Officer's consider the 3.3m eave height is unnecessary excessive. The eaves height of the outbuilding fails to appear appropriately subordinate to the main dwelling given its single storey profile and appears as an incongruous element within the rear garden scene. Given it features a flat roof the 3.3m eaves are constructed right to the boundary of the neighbouring properties which makes the outbuilding appear unacceptably dominant from their rear garden environments.

Given the above, it is considered the outbuilding is incongruous, dominant and intrusive within the rear garden environment harmful to the character and appearance of existing dwelling and the surrounding area. Consequently, the development is considered to be out of scale with its surroundings and contravenes the policy guidance of the Residential Extensions and Alterations SPD and is not acceptable.

IMPACT ON AMENITY

Consideration has been given to the impact upon neighbouring dwellings in terms of loss of light

and loss of privacy.

By virtue of its positioning at the rear of the property in relation to the neighbouring dwellings the outbuilding is unlikely to cause any harm by way of overshadowing/loss of light into habitable rooms of neighbouring dwellings.

One objection raised concerns that given the large glass sliding doors which face towards the main dwelling that it gives rise to harmful overlooking. Officer's consider this is a legitimate concern notably towards No. 157 Hillview Avenue and No. 11 Cranham Road. Given the natural curvature of the road the dwelling at No. 157 Hillview Avenue is located much closer to the outbuilding (approx. 13m) than the subject dwelling. Given the sliding doors extend to 2.3m above ground level Officer's accept that there may be some risk of overlooking given this height exceeds the boundary treatment fencing. The windows to the side elevations would be suitably glazed therefore obscuring and preventing any overlooking from the smaller flank windows. On balance, given the close proximity to No. 157 Hillview Avenue the outbuilding is likely to harm this neighbour given the height and viewpoint of the large sliding doors.

As noted above, the excessive 3.3m eave height of the outbuilding contributes to the outbuilding having a dominating impact of development on its surroundings particularly to the attached neighbour given the close proximity. The physical presence of the outbuilding looms at the boundary of the attached neighbour which has a detrimental impact on their amenity particularly when viewed from the rear garden environment. It is noted one neighbour raised a concern that the outbuilding reduces the availability of light into their rear garden which is understandable given the height of the outbuilding.

On balance, given the specific circumstances of the site with the neighbouring dwelling being located within 13m of the outbuilding, the excessive eave height makes the outbuilding appear dominant and overbearing in the rear garden scene. The large sliding doors to the front also contribute to an increase in potential for overlooking. Overall Officer's consider the existing outbuilding unacceptably has a negative impact on the amenity of neighbours.

HIGHWAY/PARKING

No highway or parking issues would arise as a result of the proposal.

KEY ISSUES/CONCLUSIONS

For the reasons given above, the proposals are considered to be contrary to the above-mentioned policies and guidance.

A REFUSAL is therefore recommended.

RECOMMENDATION:

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

- 1 Reason for refusal - Outbuilding

The proposed outbuilding would, by reason of their excessive height and bulk and overall scale, give rise to an overbearing and visually intrusive form of development, out of scale and character with the host dwelling and materially harmful to the visual amenity of the surrounding area contrary to Policy 7 of the Local Plan and the provisions of the Residential Extensions and Alterations SPD.

2 Reason for refusal - Loss of Privacy/Overlooking

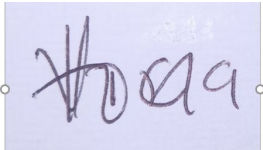
The proposed development would, by reason of its position and proximity to neighbouring properties cause overlooking and loss of privacy which would have a serious and adverse effect on the living conditions of adjacent occupiers, contrary to Policy 7 of the Local Plan and the provisions of the Residential Extensions and Alterations SPD.

INFORMATIVES

1 Refusal - No negotiation ENTER DETAILS

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 reason(s) for it was given to the agent via email.

Authorising Officer:

A handwritten signature in blue ink, appearing to read 'Victoria Collins', enclosed in a light blue rectangular box with small circles at the corners.

Victoria Collins

19th April 2023