

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0141.23

WARD: Havering-atte-Bower **Date Received:** 27th January 2023

ADDRESS: 183 Clockhouse Lane
Romford

PROPOSAL: Canopy to rear, and raised decking (Retrospective)

DRAWING NO(S): HD/GB/0200-001
HD/GB/0200-002
HD/GB/0200-003

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 features a two storey semi-detached residential dwellinghouse. It currently benefits from a rear extension, decking area and canopy to the rear. It is not a listed building, nor is located within a conservation area.

DESCRIPTION OF PROPOSAL

Retrospective planning permission is sought for a canopy to the rear and a raised decking area

1. The raised decking area is approximately 60cm above ground level.

RELEVANT HISTORY

D0285.21	Certificate of lawfulness for a single storey outbuilding to rear PP not required	22-06-2021
P0801.21	Single storey outbuilding to rear with pitched roof Refuse	22-06-2021
P0246.21	Single storey rear outbuilding with pitched roof Withdrawn - Invalid	25-03-2021
D0087.21	SINGLE STOREY REAR OUTBUILDING Withdrawn - Invalid	16-02-2021
D0088.21	Certificate of lawfulness for a single storey rear outbuilding Withdrawn - Invalid	26-04-2021

D0504.20	Certificate of Lawfulness for rear outbuilding for usage as a gym. PP is required	27-01-2021
P1756.20	Proposed outbuilding with pitched roof Refuse	27-01-2021
P0747.20	Single storey side extension involving demolition of existing wooden lean to Apprv with cons	30-07-2020
D0188.20	Certificate of Lawfulness for a Single storey side extension PP not required	16-07-2020
D0088.20	Certificate of Lawfulness for proposed side extension PP is required	11-05-2020
Y0440.18	Single storey rear extension with an overall depth of 4.95 metres, a maximum height of 3.0 metres, and an eaves height of 3.0 metres. (PRIOR APPROVAL) Pr App Refused	21-01-2019
Y0425.18	Single storey rear extension with an overall depth of 4.8m from the original rear wall of the dwelling house, a maximum height of 3m and an eaves height of 3m (PRIOR APPROVAL) Pr App Not Req'd	09-01-2019
Y0404.18	Single storey rear extension with an overall depth of 5.0 metres, a maximum height of 3.0 metres, and an eaves height of 3.0 metres. (PRIOR APPROVAL) Pr App Not Req'd	03-01-2019
Y0165.18	Single storey rear extension with an overall depth of 6 metres, a maximum height of 3 metres, and an eaves height of 3 metres. (PRIOR APPROVAL) Pr App Refused	15-06-2018

CONSULTATIONS/REPRESENTATIONS

Letters of notification were sent to adjoining occupiers regarding this application. No comments/objections were received.

RELEVANT POLICIES

* NPPF

* London Plan 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)

* Residential Extensions and Alterations Supplementary Planning Document (SPD)

MAYORAL CIL IMPLICATIONS

N/A

STAFF COMMENTS

An in-person site visit was undertaken to the application site. In assessing this planning application, site photos, Google Street View, aerial view images and submitted drawings were used to assess the site's constraints.

Although this did not affect the determination of the application, it is noted that the title of the drawings HD/GB/0200-001 and the caption titles of the plans on the drawing HD/GB/0200-003 are 'proposed' when they should be 'as built' as the developments in question already exist.

It is noted that the application site is currently the subject of an enforcement investigation (ref: ENF/120/22).

DESIGN/IMPACT ON STREET/GARDEN SCENE

The canopy is not judged to have a detrimental impact on the character and appearance or host dwelling.

The decking area does not impact on the street scene as it is only be visible from the rear garden environment. Examination of the surrounding area reveals that raised patios are not an unusual feature within the rear gardens of Clockhouse Lane. On that basis, the decking area is not judged so harmful to the character of the rear garden enviironment as to constitute a ground for refusal.

IMPACT ON AMENITY

The canopy is not considered to be detrimental to neighbouring amenity.

The main impacts of the raised decking area are concentrated on the subject property's attached neighbour, no. 185 Clockhouse Lane. It is noted that there is a significant drop in ground level from the host dwelling to this neighbour, given the sloped nature of Clockhouse Lane.

The officer's site visit revealed that there is an additional fence and vegetation within the neighbour's boundary that project almost the full depth of the decking area. These prevent views

from the decking area immediately adjacent to the extension into part of the rear garden environment of no. 185, however, the fencing does not prevent someone at the furthest section of the decking near the steps from directly looking down into their rear garden.

The combination of the overall depth, height and proximity of the decking area to the shared boundary, the full extent of the decking being nearly 10m from the rear wall of the neighbours rear elevation almost halfway down their rear garden, gives rise to an overly intrusive and unneighbourly development, harmful to neighbouring amenity by way of significant overlooking and loss of privacy to the detriment of the enjoyment of the occupiers of their private rear garden amenity space at no.185.

The decking area is therefore considered to result in an unacceptable overlooking and loss of privacy to the attached neighbouring occupiers.

HIGHWAY/PARKING

Parking on site would not be affected and the decking area and canopy does not result in harm to the public highway.

KEY ISSUES/CONCLUSIONS

The decking area is not considered to be in accordance with the above mentioned policies and guidance and, as such, a REFUSAL is recommended.

RECOMMENDATION:

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

1 Reason for refusal - Loss of Privacy/Overlooking

The raised decking area, by reason of its height, depth, position and proximity to the neighbouring property no. 185 Clockhouse Lane, is considered to cause significant overlooking and loss of privacy which has a serious and adverse effect on the enjoyment of the rear garden amenity space of the neighbouring occupiers, contrary to the Residential Extensions and Alterations Supplementary Planning Document and Policy 7 of the Local Plan.

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 e-mail on 05/05/2023.

Authorising Officer:

A handwritten signature in black ink, appearing to read 'Neil Goate', with a stylized, cursive script.

Neil Goate

5th May 2023