

## OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

**APPLICATION NO:** P0337.23

**WARD:** Hacton **Date Received:** 27th February 2023

**ADDRESS:** 94 Plumpton Avenue  
Hornchurch

**PROPOSAL:** Erection of a hipped roof timber pergola to rear (Part retrospective)

**DRAWING NO(S):** Block - 101  
PRO - 101  
PRO - 102  
PRO - 201

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

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### SITE DESCRIPTION

The application site is located on the western side of Plumpton Avenue and contains a double-storey semi-detached dwelling with a hipped tiled roof. There is an existing outbuilding to the rear and a small private rear garden.

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

### DESCRIPTION OF PROPOSAL

The applicant is seeking part retrospective planning consent for the erection of a hipped roof timber pergola to rear.

### RELEVANT HISTORY

|          |                                                                                                                                     |            |
|----------|-------------------------------------------------------------------------------------------------------------------------------------|------------|
| D0261.21 | Certificate of Lawfulness for construction of an outbuilding at the rear of the garden                                              |            |
|          | PP not required                                                                                                                     | 10-06-2021 |
| P0629.21 | Part single, part two storey rear extension, two storey side extension and loft conversion with rear dormer and 2 front roof lights |            |
|          | Apprv with cons                                                                                                                     | 14-07-2021 |

### CONSULTATIONS/REPRESENTATIONS

Letters were sent to the neighbouring properties. One objection was received which is summarised as:

- Concerns regarding the proximity of the proposed pergola to the fence line;
- The overall height and bulk of the proposed pergola;
- The subsequent impact the pergola will have on the amenity of the neighbour particularly when the family is using their rear garden area;
- There is already a large outbuilding to the rear and the resultant outlook from the neighbour's garden environment; and
- Reduction in the availability of sunlight into the kitchen and rear garden environment of the neighbour

## **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**

## **MAYORAL CIL IMPLICATIONS**

This application would not increase the amount internal floor space.

## **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 a timber pergola which measures 5.64m (w) x 8.51m (d) x 2.3m (h - eaves) with a maximum height of 3.5m.

The subject site has undergone significant change in the preceding two years. A part single/double rear extension (P0629.21) which increased the rear boundary by 4.5m and a large outbuilding (D0261.21) at the rear of the garden which measures 7.5m (w) x 5m (d) x 2.5m (h). The erection of the pergola would add further physical structure to the rear of the property.

Officers are concerned that given the scale of the proposed pergola in combination with the recent development to the rear of the property has contributed to the site having become over developed. The depth of the pergola should be reduced such that it does not negatively contribute to the intensification of development of the property.

The pergola would feature a hipped roof design which would match the host dwelling. The overall eave height at 2.3m is not unreasonable, however, to accommodate the hipped roof form the maximum roof height extends to 3.5m. The hipped roof creates additional bulk and mass to the pergola which when tiled will appear overbearing within the rear garden environment. A neighbour raised a concern referencing the overall height and scale of the structure. Given the pergola is obscured from the street scene a flat roof or a hipped roof with a reduced pitch would be a more preferable design reducing the overall bulk of the structure and ensuring the pergola appears more subservient in comparison to the main dwelling.

The pergola would also appear out of scale and character with the surrounding area and similarly sized properties and would constitute a visually intrusive form of development which would create an unwanted precedent.

Given the above, it is considered the pergola is poorly scaled and appear too dominant 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 7 of the Local Plan 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 along the northern boundary of the subject property the unattached neighbour to the south at No. 96 Plumpton Avenue would likely see any impact to its amenity mitigated by the physical distance between the pergola and the common property boundary. The pergola also hips away from this neighbour further reducing any harmful impacts. Officers do not consider the pergola would unreasonable impact the unattached southern neighbour.

In comparison the attached neighbour to the north at No. 92 Plumpton Avenue. The construction of the base structure of the pergola raised several concerns prior to it being fully tiled and completed. The main issues regarded the impact the significant scale of the pergola would have on neighbouring amenity particularly through loss of light/sunlight to the habitable rooms at the rear and to the wider rear garden environment.

The proposed eave height of 2.3m is not unreasonable considering the eaves would be built right up to the property boundary. While the roof would hip away from the common boundary it would still measure 3.5m in height at a point only 1.5m from the common boundary. Officers considered that

the hipped roof design is unnecessarily bulky which contributes to the pergola appearing overbearing from the rear garden environment of the attached neighbour. Given the depth of the pergola it would also appear quite dominate along the side boundary. Given the depth of the pergola and that development would line almost the entire common property boundary the outlook from the neighbour's rear garden would be impacted. The physical presence of the pergola looms along the boundary of the attached neighbour which would likely lead to a reduction in the availability of light into the rear garden and dwelling of the neighbour.

The combination of these factors leads Officer's to judge the pergola if completed would appear overbearing causing significant harm to the amenity of the attached neighbour contravening the guidance of Policy 7 of the Local Plan.

## 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 - Visual Impact

The proposed pergola would, by reason of it's excessive height, 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.

### 2 Reason for refusal - Loss of Privacy/Overlooking

The proposed development would, by reason of its positioning, depth and proximity to the northern neighbour at No. 92 Plumpton Avenue dominate the outlook of the common property boundary and reduce the availability of light into the rear garden environment of the neighbouring property which would have a serious and adverse effect on the living conditions of adjacent occupiers, contrary to 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 email.

**Authorising Officer:**

A handwritten signature in black ink, appearing to read 'Raphael Adenegan', written in a cursive style.

Raphael Adenegan

26th April 2023