

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0448.23

WARD: Emerson Park **Date Received:** 20th March 2023

ADDRESS: 54 Herbert Road
Hornchurch

PROPOSAL: Variation of Conditions No. 2 of Planning Permission ref P0257.22 dated 27/07/2022 to allow for addition of string course on elevations, rear glazed doors increased in height, small increase in height of parapet coping, further stone detailing around windows, addition of small lantern and crown roof above garage on front elevation, and lantern size increased over single storey rear extension. (Three storey, 6-bed, detached dwelling with associated parking, boundary treatment, soft landscaping, amenity space, and single storey outbuilding to rear)

DRAWING NO(S): 01 Rev A
02 Rev L
03 Rev S
BM/HR/01 Rev A

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

SITE DESCRIPTION

Site is currently vacant, the existing bungalow has been demolished however is shown for completeness on drawings.

The site is located within the Emerson Park Policy Area (Sector 6). The site is not listed, nor within a Conservation Area.

DESCRIPTION OF PROPOSAL

The Local Authority are in receipt of an application which seeks to vary the accordance with plans condition fore the consent granted under ref P0257.22. The proposals concern the following changes:

- string course on elevations
- rear glazed doors increased in height
- small increase in height of parapet coping, further stone detailing around windows,
- addition of small lantern and crown roof above garage on front elevation
- lantern size increased over single storey rear extension

Officers observe also the provision of an additional window at first floor level in the flank wall to serve the master ensuite, omission of windows at ground floor level to the opposing flank and some internal alterations (concerning mainly room sizes).

RELEVANT HISTORY

P0257.22	Three storey, 6-bed, detached dwelling with associated parking, boundary treatment, soft landscaping, amenity space, and single storey outbuilding to rear
Apprv with cons	27-07-2022

CONSULTATIONS/REPRESENTATIONS

PUBLIC CONSULTATION

Letters were sent to surrounding neighbouring occupiers with no letters of representation received.

RELEVANT POLICIES

Havering Local Plan 2016-2031 Policies 3, 7, 23, 24, 26 and 34
London Plan 2021, in particular Policies H1, D1, D4, D6, and T6.
NPPF

MAYORAL CIL IMPLICATIONS

The proposals would create a new dwelling with a floor area of 701 sqm. This would translate to a contribution of:

HCIL (£125 per sqm) - £87,625
MCIL (£25 per sqm) - £17,525

Each contribution would be subject to indexation.

STAFF COMMENTS

PRINCIPLE OF DEVELOPMENT

The principle of development has been established through the consented scheme under reference P1604.20 which remains capable of being implemented. The considerations for the current proposals relate solely to those departures specified in the description of development and no other.

DENSITY/SITE LAYOUT

The proposals were considered to comply with Havering Local Plan 2016.2031 at Policy 7 which requires compliance with required space standards.

Having regard to the changes to the internal layout, these would not result in a net increase over the scale of dwelling for which permission was given. Rooms would remain of a size in excess of the required standards.

No objections are held.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The scheme on the whole was not considered to present any demonstrable visual or design impacts. The development was considered to align with the objectives of the Havering Local Plan 2016-2031, the NPPF and the London Plan 2021.

The external changes are limited to alterations to fenestration/openings to the sides and rear, provision of string course/detailing over all elevations and changes to the front/rear single storey extension/garage respectively. Viewed from the street similar detailing is present within the vicinity and is typical in Emerson Park. The appearance of the dwelling in the street-scene is not regarded as objectionable. The alterations to the garage would increase the prominence of this feature in the street, however on balance it would be proportionate to the scale of the overall house/plot. There would be no street-scene implications for the alterations to the single storey rear projection and it is not considered that it would be harmful to the rear garden environment.

The changes proposed viewed in the round are not considered to be objectionable and would be consistent with earlier decision making.

IMPACT ON AMENITY

Policy 7 of the Havering Local Plan 2016-2031 (HLP) states that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy, noise, vibration and disturbance to existing and future residents. This policy is to be read in conjunction with Policy 26 however the objectives are reflected in Policy 34 also which states that development will not be permitted where it would unduly impact upon amenity, human health and safety and the natural environment by noise, dust, odour and light pollution, vibration and land contamination.

The impacts are limited to the alterations to the front garage and rear extension, where the heights would be increased respectively. Care was taken at application stage to limit the potential for the rear extension to be unneighbourly. The increased height (approx 40cm) is not considered to create an unacceptable relationship in terms of light, overshadowing and outlook. Officers consider that this projection would be well enough removed from the boundary so as to prevent it from being overbearing in planning terms. Turning then to the alterations to the garage, the increased height/bulk is noted, but it is not considered that it would unduly harm neighbouring amenity due to

the level of separation that would be present.

A condition will be imposed requiring flank windows are obscurely glazed for the avoidance of doubt and in light of the provision of additional glazing as it was noted that this was absent from earlier decision making.

HIGHWAY/PARKING

The proposals do not raise any new considerations in terms of parking/highway safety.

OTHER ISSUES

In light of the scale of the proposed building and resultant massing and dialogue between the Council and the applicant including negotiations to limit amenity impacts on adjoining sites withdrawal of Permitted Development Rights (for all extensions including to the roof, outbuildings etc) is regarded as reasonable and to meet with the tests of the framework. There would be no preclusion against further development, however it would enable the Council to consider fully the impacts through design and amenity. In addition, a condition to restrict the use of each of the garage and outbuilding would be imposed.

KEY ISSUES/CONCLUSIONS

For the reasons above and within this report and after having regard to all relevant policy and material considerations APPROVAL is recommended accordingly.

RECOMMENDATION:

It is recommended that **planning permission be GRANTED** subject to the following condition(s)

1 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 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:-

The Local Planning Authority consider it essential that the whole of the development is carried

out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted.

3 Materials

The development shall be carried out in accordance with details submitted under ref: Q0290.22 and only those materials specified shall be used in the external construction of the dwelling unless otherwise agreed in writing with the LPA.

Reason:-

Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area..

4 Landscaping

Hard/soft landscaping shall be carried out strictly in accordance with the details shown on drawing no. BM/HR/01 Rev A unless otherwise agreed in writing and samples of all materials to be used shall be submitted to and agreed in writing prior to their use. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason:-

To ensure that the development achieves a satisfactory level of landscape quality.

5 Refuse and recycling

The dwelling hereby permitted shall not be occupied until refuse and recycling facilities are provided in accordance with details shown on submitted plans are implemented and those measures shall then be retained permanently thereafter.

Reason:-

To protect the amenity of occupiers of the development and also the locality generally.

6 Cycle Storage

The dwelling hereby permitted shall not be occupied until cycle storage is provided in accordance with details shown on submitted plans are implemented. The cycle storage shall be permanently retained thereafter.

Reason:-

To protect the amenity of occupiers of the development and also the locality generally.

7 Removal of permitted development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 in accordance with the Order, no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) hereby permitted, or any detached building erected, without the express permission in writing of the Local Planning Authority.

Reason:-

In the interests of amenity and to enable the Local Planning Authority to retain control over future development.

8 Incidental use (Outbuilding)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 the outbuilding hereby permitted shall be used only for purposes incidental to the enjoyment of the dwelling house and not for any trade or business nor as living accommodation.

Reason:-

To restrict the use to one compatible with a residential area.

9 Restriction of use (Garage)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 the garage hereby permitted shall be made permanently available for the parking of private motor vehicles and not for any other purpose including living accommodation or any trade or business.

Reason:-

To provide satisfactory off-street parking at the site.

10 Non Standard Condition 1

Notwithstanding the details shown on drawing no. BM/HR/01 Rev A all hard surfaces hereby approved as part of the development (including any sub-base) shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the application site.

Reason: In order to ensure no water run-off from the hard surface which would contribute to risk of flooding.

11 Non Standard Condition 2

Prior to first occupation of the development all proposed walls, fences and boundary treatment shall constructed/erected in accordance with details submitted to the Council under reference Q0290.22 unless otherwise agreed in writing with the Local Planning Authority. The boundary development shall then be retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason:

To protect the visual amenities of the development and prevent undue overlooking of adjoining property.

12 Non Standard Condition 3

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works, including any works of demolition; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason: To protect residential amenity.

13 Non Standard Condition 4

Prior to the first occupation of the proposed dwellings hereby approved, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with Policy 24 of the Havering Local Plan.

14 Non Standard Condition 5

Building Regulations - All dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.

Reason: In order to comply with Policy 7 of the Havering Local Plan and Policy D7 of the London Plan.

15 Non Standard Condition 6

Water efficiency - All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.

Reason: In order to comply with Policy SI 5 of the London Plan..

16 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 plan,) shall be formed in the flank wall(s) of the building(s) 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.

17 Obscure glazing

The proposed windows at first floor level in either flank wall shall be permanently glazed with obscure glass not less than level 4 on the standard scale of obscurity and shall thereafter be maintained.

Reason:-

In the interests of privacy.

INFORMATIVES

1 Approval and CIL

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). The Mayoral CIL levy rate for Havering is 25/m² and is chargeable for each additional square metre of residential gross internal (GIA). Based upon the information supplied with the application, £17,525 would be payable due to result in new properties with a combined gross internal floor area of 701m² of GIA, however this may be adjusted subject to indexation.

The proposal is also liable for Havering Council's CIL. Havering's CIL charging rate for residential is £125m² (Zone A for each additional square metre of GIA. Based upon the information supplied with the application, £87,625 would be payable, subject to indexation.

These charges are levied under s.206 of the Planning Act 2008. CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website. You are also advised to visit the planning portal website where you can download the appropriate document templates at

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

2 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.

3 Highways Informatives

Changes to the public highway (including permanent or temporary access)

- Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant or highway authority

assets and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

Highway legislation

- The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

Temporary use of the public highway

- The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a licence from the Council. If the developer required scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Street Management should be contacted to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

Surface water management

- The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

Authorising Officer:



Habib Neshat

15th May 2023