

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0366.23

WARD: Marshalls & Rise Pk **Date Received:** 2nd March 2023

ADDRESS: 5 Oaklands Avenue
Romford

PROPOSAL: Two storey side/rear extension, part single storey rear extension involving a roof enlargement with an increase in ridge height, conversion of roof space to habitable use to include two rear pitch roof dormers, 3 roof lights either side and one front roof light, square bay double storey front extensions, and demolition of existing garage and shed to rear

DRAWING NO(S): 30 Rev: PL1
99 Rev: PL1
AAS104/110 Rev: PL1
AAS104/210 Rev: PL1

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 detached dwelling with a brick and render finish and a hipped, tiled roof. There is a detached garage along the side as well as space at the front on hard stand for 2-3 vehicles to park on site. The property has benefitted from a two storey side and rear extension and single storey rear extension, as well as two outbuildings (garage/ storage and shed).

The application site is located within a predominantly residential area with mainly two storey detached houses. Both adjoining neighbours appear to have had two storey rear extensions.

The site is not within a conservation area, nor is it a heritage listed building.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a two storey side/rear extension, part single storey rear extension involving a roof enlargement with an increase in ridge height, conversion of roof space to habitable use to include two rear pitch roof dormers, 3 roof lights either side and one front roof light, square bay double storey front extensions, and demolition of existing garage and shed to rear.

RELEVANT HISTORY

P0146.21	Two storey side/rear extension, part single storey rear extension involving conversion of roof space to habitable use to include two rear dormers, 3 roof lights either side and one front roof light, and demolition of existing garage and shed to rear. Withdrawn - Invalid	10-03-2021
P0739.20	Two storey side and part two part single storey rear extension; square bay extension to front elevation, increase in roof height and roof space for habitable use including internal alterations Refuse	29-07-2020
P0165.05	Two storey side/ rear and single storey extension, rear dormer windows Apprv with cons	31-03-2005
P1905.04	Two storey side/rear and single storey extension, rear dormer windows Apprv with cons	16-12-2004

CONSULTATIONS/REPRESENTATIONS

Surrounding occupiers were notified and three objections have been received, two from the same resident and they have been summarised by Officer as follows:

- The roof enlargement with an increase in roof ridge height would dominate the street scene.
- Council should assess other neighbouring applications in a similar way if proposal is approved.
- This proposal is largely the same as the refused application P0739.20.
- Loss of light and privacy as it is too large an addition to the size of the current property.
- The gap has increased from 0.4m to 1m since previous application.
- Right of light.
- Difficult to gauge the actual position of the proposal in relation to neighbouring property.
- Brick built extension has already been partly demolished when office/summer house was built and plans do not reflect this.
- Proposed extension would more than double the living space of the current property.
- Too much and out of keeping with the rest of the street.
- The tree in the front garden is not shown on plans.
- The bay at the front would change the building line and is not desirable.
- Drainage issues following construction of conservatory. Concern proposal will exacerbate issue.
- Loss of light for the neighbours stairs, hall and rear lounge area.
- Scaffolding issues during construction.
- Proposal would impact the saleability of the neighbouring properties.

The practicality of how the extensions would be built (i.e. use of scaffolding), the saleability of adjoining neighbours and drainage are not concerns which fall within the planning remit for house extensions and therefore have not been addressed in this report. All other issues have been addressed in the report below.

RELEVANT POLICIES

- For ease of reference, the Residential Extensions and Alterations SPD will be referred as "SPD".

LONDON PLAN:

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

Policy D4 Delivering good design

Policy T6 Car parking

Policies 7 (Residential design and amenity), 24 (Parking provision and design), 26 (Urban Design), 27 Landscaping of the Havering Local Plan (HLP) (2016-2031) are relevant.

LDF

SPD04 - Residential Extensions & Alterations SPD

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The Havering and London Mayoral CIL payment is applicable as the proposal is for a extended dwelling and creates more than 100 square metres of additional floorspace. The gross internal floor area of the existing dwelling is 249.91 square metres and this can be deducted from the gross internal floor area of the extended dwelling. The dwelling would have a total of area of 460.94 square metres once extended. The difference equates to 211.03 square metres which is rounded up to 212 square metres.

The Mayoral CIL has a charging rate of £25 per square metre of net additional floor space of the proposed development and therefore the liability equals $212 \times £25 \text{ per sq.m} = £5,300$.

The Havering CIL has been implemented from the 1st September 2019, which has a charging rate of £125 per square metre of net additional floor space of the proposed development in Zone A. The proposal would be liable for Havering Community Infrastructure Levy contributions of CIL of £26,500 ($£125 \times 212$) to mitigate the impact of the development.

The total CIL liability to be paid is £31,800.

STAFF COMMENTS

In accordance with the current criteria for site visits, an in-person site visit was not undertaken initially. Site photos were provided by the agent in support of the application. In determining this planning application photos, Google StreetView TM, aerial view images and submitted drawings were used to assess the site constraints.

It should be noted that no pre-application advice was sought prior to the submission of the application and it is considered that the changes required to try and bring the proposal within the realms of acceptability would not be minor.

There is a previous approval over the site for a two storey side extension, part two storey and single storey rear extension and two rear dormer windows (P0165.05). Only part of the approval has been

enacted, being the two storey rear extension and single storey rear extension (conservatory). The two storey side extension and dormer windows were not constructed.

This application is a resubmission of a previously refused planning application P0739.20. The key issue in this case therefore is whether the revised proposal overcomes the previously stated concerns. The previous application was refused planning permission for the following reason.

1. The proposed development would, by reason of its combined height, bulk, mass, design and proximity to the common boundary with no.7 Oakland Avenue, appear as an unacceptably dominant and overbearing development to the detriment of both adjoining neighbours and be a visually intrusive feature in the street scene and garden scene harmful to the appearance of the surrounding area and character, which is contrary to the Residential Extensions and Alterations SPD 2011 and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

This application differs from the previously refused schemes in the following key areas:

1. The gap from the boundary with No.7 has increased from 0.4m to 1m. In both applications, the roof overhangs reducing the separation to the boundary.
2. The overall height has decreased from 10.121m to 9.91m, a reduction of 0.211m.
3. Due to the reduction in width, the rear dormers are located closer together.
4. Position of windows on north west side elevation have changed.
5. Reduction in number of windows on north west elevation with a side door being provided instead.
6. The cumulative depth of the ground floor would decrease from approximately 17.53m to 16.41m.
7. The cumulative depth of the first floor would decrease from approximately 16m to 14.86m.

It should be noted since the determination of previously refused scheme P0739.20, the Local Planning Authority has adopted a new Local Plan which is now being utilised for assessing planning application.

The effect of these changes will be assessed in the context of the following:

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy 26 of the HLP states that a proposal needs to respond to distinctive local building forms and patterns of development and respect the visual integrity and established scale, massing, rhythm of the building, frontages, group of buildings or the building line and height of the surrounding physical context.

The proposal for a two storey side extension is similar to that previously approved in 2005 (P0165.05), except that the previous approval was setback 1.1m from the boundary and the current proposal is only setback 1m from the boundary with No.7 Oaklands Avenue, however, the roof overhangs decreasing this gap. The rear extension on the other hand is quite different. The previously approved two storey rear extension was contained to one side (by No. 7 Oaklands

Avenue), but in this current proposal it extends to the full length of the building and to the side as well as having a greater depth.

The Residential Extensions and Alterations SPD 2011 (SPD) states that detached houses can have two storey side extensions where a gap between properties is maintained and that the acceptability will depend on the design and impact to the character of the original house and streetscape as well as impacts to the amenity of neighbours.

The ground and first floor rear extensions would have a depth of 6.633m and 5.123m respectively from the rear wall of the original house. The rear extensions would not extend past the neighbours rear wall at no. 7, but would protrude past the neighbours rear wall at no. 3 Oaklands Avenue by an additional 4.5m at ground level and 2.928m at first floor level.

The SPD states that detached houses can have a single storey rear extension of 4m deep and a two storey rear extension of 3m deep. In general two storey rear extensions should be setback at least 2 metres from neighbouring properties. The proposed two storey rear extension would be within 2m of the common boundary with the adjacent neighbours on either side.

It is noted that there is an existing single storey rear extension (conservatory) which has a depth of 5.6m and a two storey rear extension with a depth of 2.24m, but that the proposed extensions would have a greater depth, height and width and therefore greater impact than what is existing.

The proposal would include an increase in height of the building from 8.426m to 9.91m and increase of 1.474m but the existing roof area would be enlarged as it would extend over the full width and depth of the extended dwelling including the proposed extensions. Two rear dormer windows and 7 roof lights are proposed. Following the reduction in width of the proposal, the dormers would have a smaller gap between them. The rear dormers have been designed more or less in accordance with the SPD in that they are spaced apart, within the roof space, set in from the eaves and have pitched roofs over.

The proposal includes changes to the front elevation with square bay extensions. It is noted that the streetscape is made up of detached houses of different bespoke designs and there is no specific character in the street. The bay extensions are similar to that of No. 2 Oaklands Avenue (diagonally opposite the subject site). The square bay extensions would protrude forward of the main building line by 0.787m - 0.9m. It would result in three front bay extensions of two storey height with front gabled roofs over.

The SPD states that it is preferential to not extend forward of the original dwelling, but in exceptional circumstances a detached house could extend forward by 1m maximum where there is an irregular building line for example. In this case, it is noted that the building line is quite regular in the street and that the subject dwelling already protrudes slightly forward of the building line. The proposed two storey bay extensions of up to 0.91m depth would further change the building line of a house that already sits forward of other properties and is not acceptable.

Different windows and doors are also proposed to the frontage. The new materials would be brick slips and patterned brickwork (herringbone style) with a clay tiled hipped roof.

Overall, the proposal would introduce a much larger dwelling, essentially creating a three storey house with the raised roof and loft conversion. Changes have been made since the previous

refused scheme to try and bring the proposal within the realms of acceptability.

As a result, it is considered that the increased height, scale, bulk, scale, mass and design of the proposed extensions would be out of character and be incongruous within the street scene and rear garden scenes, harmful to the appearance of the surrounding area, which is contrary to the Residential Extensions and Alterations SPD 2011 and Policy 26 of the Havering Local Plan.

IMPACT ON AMENITY

Consideration has been given to the two adjoining neighbours at Nos. 3 and 7 Oaklands Avenue, which are both two storey detached houses.

The proposal would introduce a two storey side extension within 1m gap of the common boundary with No. 7 Oaklands Avenue. However, it is noted the roof would overhang decreasing this gap. The neighbours property has several side windows on ground and first floor that could be impacted by the proposed two storey side extension, such as side windows to their lounge in the middle of the flank wall. The rear lounge area also appears to have a large window facing the rear garden as well as light coming in from the conservatory on the other side. As the side extension would impact a window which provides a secondary light source to the ground floor lounge, it would not warrant a refusal. The window to the rear serves a kitchen which is secondary light source as additional light is provided from the rear elevation.

The windows at first floor on the side of dwelling serve the landing/stairs, toilet and bathroom extensions could also have an impact on loss of light to the window for the hallway and stairs, but seeing as those are not habitable rooms, it would not be a significant impact to warrant a refusal.

The rear extensions would protrude past the neighbours rear wall at no. 3 Oaklands Avenue by a further 4.5m at ground level and 2.928m at first floor level with a setback of approx. 2m to the boundary line. It is considered that the ground floor extensions would not be much different to the current situation with the rear conservatory and that there wouldn't be any significant impact to the neighbour at no. 3 with the adequate height and setback.

The depth of the first floor rear element has been reduced to minimise the potential impact but there would be a marginal infringement from the first floor rear extension taken from common boundary in line with the extended rear elevation with No.3 Oaklands Avenue at first floor level created by a 2m separation distance and the 3m depth of the extension. However, it is considered that nominal infringement would not unacceptably impact on the amenity of the adjacent neighbours.

Although there would be a setback of 2m, the two storey element plus the height increase to the roof (and loft space addition) would have an overbearing impact and overshadowing to the neighbours outdoor patio area and rear facing windows at ground and first floor level, mindful that the depth has been reduced from 6.123m to 5.123m which is 1m. The proposal would still project beyond the building line of No.3. It is considered that there would be an adverse impact to neighbours amenity from the overall bulk, scale, height and proximity of the development to the common boundaries.

The setback from the boundary has increased from 0.4m to 1m adjacent to No.7 since the last application which would minimise the impact on this neighbour.

Safeguarding conditions could be imposed should the application be approved to ensure that the roof lights would be obscured glazed and non-openable unless the openable part is above 1.7m from the finished floor level as no cross section has been provided with this information.

Furthermore, a condition could be imposed on the first floor flank windows for them to be obscured glazed and fixed shut apart for open-able fanlights.

It is acknowledged that changes have been made since the previous refused scheme to try and mitigate the impact on the adjoining neighbours. However, there are still concerns that the revised proposal would unacceptably impact on the amenity of the adjacent neighbours. The proposal is contrary to the provisions of the Council guidelines for householder extensions and is deemed to be unneighbourly.

HIGHWAY/PARKING

The application site is within a PTAL area of 0. As per Policy 24 of the Havering Local for a site within Outer London PTAL 0 - 1 that has 3 plus bedrooms, the site needs to provide a minimum parking provision of up to 1.5 spaces per dwelling.

Although the detached garage along the side would be demolished, another garage would be proposed in the side extension and there would also remain space at the front of the site on hard stand to accommodate at least two vehicles on site. Therefore no highway or parking issues would arise as a result of the proposal.

TREES

One of the representation refers to the tree within the front garden. The application form refers to the trees and hedges within the site on drawing AAS104/099PL1. Unfortunately, this drawing does not show the tree that is located along the front boundary of the site.

It is noted that this tree is not protected by a Tree Preservation Order but it noted that potentially the proposal in particular, the front projections would have an impact on the root and stability of this tree. It is suggested that a tree statement or report is provided with any further applications.

KEY ISSUES/CONCLUSIONS

The proposed development would, by reason of its combined height, bulk, mass, design and proximity appear as an unacceptably dominant and overbearing development to the detriment of both adjoining neighbours and be a visually intrusive feature in the street scene and garden scene harmful to the appearance of the surrounding area and character, which is contrary to the Residential Extensions and Alterations SPD 2011 and Policies 7 and 26 of the Havering Local Plan.

Accordingly, it is recommended that planning permission be refused.

RECOMMENDATION:

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

1 Reason for refusal - Streetscene

The proposed development, by reason of its combined height, bulk, mass and design would appear as an unacceptably dominant and overbearing development to the detriment of the adjacent neighbours and be a visually intrusive feature in the street scene and garden scene harmful to the appearance of the surrounding area and character, which is contrary to the Residential Extensions and Alterations SPD 2011 and Policies 7 and 26 of the Havering Local Plan.

INFORMATIVES

1 Re-submission of further application informative

Re-submission of further application informative

The applicant is advised that in preparing any further re-submissions that a tree report/statement would be required due to the potential impact on the tree within the front garden.

2 CIL informative for refused proposal - Residential

For Residential Development Only

Please be advised that approval of this application from 1st September 2019 (either by London Borough of Havering, or subsequently by PINS if allowed on appeal following a refusal by London Borough of Havering) will attract a liability payment of £31,800 plus indexation in Community Infrastructure Levy (CIL). This charge has been levied under s.206 of the Planning Act 2008 and includes both the Mayor of London's CIL and Havering Council's CIL.

London Borough of Havering, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL, in addition to Havering's CIL, on commencement of the development.

Your proposal is subject to a CIL Liability Notice indicating a levy of £31,800 plus indexation for the application, based on the Mayoral CIL levy rate for Havering of £25/sq.m plus Havering's charging rate for residential of 125/sq.m (Zone A), and the floorspace of 212 square metres.

You are advised to visit the planning portal website where you can download the appropriate document templates.

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

3 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 reason(s) for it was given to Mr Biagioni by e-mail on 04-07-23.

Authorising Officer:

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

Neil Goate

4th July 2023