

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0716.23

WARD: Emerson Park **Date Received:** 9th May 2023

ADDRESS: 91 Wingletye Lane
Hornchurch

PROPOSAL: Single storey side and rear extension, installation of front porch canopy and conversion of loft with roof enlargement to habitable use including installation of 2 x front and 3 x rear dormers.

DRAWING NO(S): 2227-1
2227-2
2227-3
2227-4

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

SITE DESCRIPTION

The subject premises comprises of a two storey detached dwelling finished in painted render. The application site is located within Sector 5 of the Emerson Park Policy Area (EPPA).

The application dwelling has benefited from a single storey front with a single/two storey side and rear extension. Parking available on the driveway and in the garage to the front of the property. The surrounding area is characterised by single and two storey dwellings of various styles and designs.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a single storey side and rear extension, installation of front porch canopy and conversion of loft with roof enlargement to habitable use including installation of 2 x front and 3 x rear dormers.

RELEVANT HISTORY

ES/HOR 122/59 - Garage & room over - Approved.

ES/HOR 185/62 - Sun lounge & verandah - Approved.

L/HAV 1361/70 - Vehicular access - Approved.

L/HAV 1338/72 - Enclosed swimming pool, showers, w.c, stores, boiler and billards room - Refused

P0424.23 Single storey side and rear extension, installation of front porch canopy and conversion of loft to habitable use including installation of 2 x front and

3 x rear dormers.

Withdrawn - Invalid

27-04-2023

CONSULTATIONS/REPRESENTATIONS

No representations were received in response to the neighbour notification.

RELEVANT POLICIES

- For ease of reference, the Residential Extensions and Alterations SPD will be referred as "SPD" and the Emerson Park Policy Area will be referred to as "EPPA 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) of the Havering Local Plan (2016-2031) are relevant.

LDF

SPD04 - Residential Extensions & Alterations SPD

LDF

SPD05 - Emerson Park Policy Area SPD

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposal includes the creation of less than 100sqm of residential Gross Internal floor Area (GIA) and is therefore not liable for CIL payments.

STAFF COMMENTS

In accordance with the current criteria for site visits, an in-person site visit was not undertaken. 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.

The application form outlines that the proposal is for a proposed single storey rear extension, removal of existing roof and creation of new second floor and roof with aesthetic amendments, description was revised to notify neighbours as outlined above.

The submitted plans indicate that there may be an encroachment of the roof over the boundary line adjacent to No.93 Wingletye Lane at ground and first floor level but this may be due to the boundary line being at an oblique angle. Greater clarity and an annotation may be required going forward in the case of a re-submission. It is noted that certification A has been completed on the application form and therefore no part of the development should overhang. If this is the case then certification B on the form needs to be completed and notice served on the adjoining neighbour.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Emerson Park is one of the most mature and pleasant residential district in the Borough. It has a distinctive character of varied and well maintained single family detached dwellings in spacious and well landscaped grounds.

The EPPA SPD outlines that "Sector 5 contains a mixture of medium and large sized detached family houses set in spacious well landscaped grounds typical of Sector 6 and the smaller often semi-detached properties, set in smaller grounds of the other Sectors.

Accordingly, in order to maintain this mix any application for further development should reflect the particular character of the street scene in the immediate vicinity of the site. Semi-detached dwellings will be permitted where appropriate.

No new building or extension to an existing building will be permitted unless its massing and architectural character, and the resultant space between adjacent buildings, are compatible with the character of the local street scene; thereby maintaining the varied character of the Emerson Park area".

The existing front canopy is to be removed and be replaced with a new front porch. The proposed front elevation shows that a new gabled roof would be constructed over the first floor bay window in the middle of the property.

The existing roof would be removed with a new crown roof being provided over the existing dwelling, which has already been extended. In addition, ground floor extensions would be provided to the side and rear of the dwelling, however, the overall depth of the first floor will remain unaltered. Due to the roof alteration with its crown roof, this would provide accommodation within the new second floor as loft accommodation.

Two front dormers are proposed, one on either side of the gabled feature. The front dormers are contained within the roof space and comply with the spirit of adopted guidelines.

The application dwelling projects forward of No.93 Wingletye Lane as the properties along this section of Wingletye Lane have a staggered relationship.

The scale and bulk of the roof enlargement would be clearly visible when descending down Wingletye Lane from north east to south west, due to its projection forward of the neighbouring

property. It is noted that there are other examples of crowned roofs within the area, but these are not as prominent, as the proposed roof alteration to the existing dwelling, as they are screened by the neighbouring dwellings and are not to scale to which is being proposed.

The chamfered wall of ground floor rear extension will be demolished with the depth of the ground floor rear extension being increased. The new crowned roof would be extended over part of the two storey rear extension with a flat roof being retained adjacent to No.89 Wingletye Lane.

Three dormers are being proposed on the rear elevation which would be policy compliant, as they contained well within the roof space.

The Residential Extensions and Alterations SPD states that for all two storey rear extensions, the roof should be pitched set at right angles to the main roof and generally finished with a hipped end.

There are concerns regarding the scale and bulk of the roof over the existing first floor rear extension due to the crowned roof form over this extension which adds significant bulk and mass.

This application has been determined on its own individual merits and it is considered that the proposed roof form by reason of its excessive scale, bulk and mass would appear as an unacceptably dominant and visually intrusive feature in the street scene and rear garden environment harmful to the appearance of the surrounding area contrary to Policy 26 of the Havering Local Plan, D4 of the London Plan, Emerson Park Policy Area and the Residential Extensions and Alterations Supplementary Planning Documents.

IMPACT ON AMENITY

Consideration has been given to the impact of the proposal on the side properties, primarily in respect of privacy and overshadowing to Nos. 89 and No.93 Wingletye Lane.

It is considered the proposed front dormers will not have an unacceptable impact on neighbouring properties in terms of privacy or overlooking. The window would face the street, which is a public area, as such it is not envisaged that there would be any loss of privacy from this development.

No.89 Wingletye Lane lies to the south west of the application site and projects forward of the application dwelling due to the staggered relationship within this part of the street. Council records (P1194.13) and photos show that this neighbour has two flank windows facing the application site, one serving the landing in the middle and a smaller window to the rear which is a secondary light source to bedroom, as additional light is provided from the rear elevation. The nearest window at ground floor to the rear as indicated by Council records serves a kitchen.

The overall height and pitch of the roof would remain roughly unaltered. It is considered that the proposed crowned roof would not unacceptably impact on the amenity of the adjacent neighbours at No.89, mindful of the height and pitch of the existing roof. The new crowned roof over the first floor flat roof projection would be set in approximately 4.83m from the boundary with No.89 and as a result, it is considered that it would not unacceptably impact on these neighbours.

However, a proposed ground floor side and rear extension would be added adjacent to No.89 Wingletye Lane.

The front elevation indicates that a mono-pitched roof would be added to the side over the side extension, however, this is not reflected on the proposed side or rear elevation. although it is noted that parapet wall detail would screen the pitched roof in part when viewed from the rear. Changes were not requested in respect to the anomaly on the proposed side extension in respect to the pitch roof, mindful that the application is recommended for refusal.

The depth of the dwelling would increase from approximately 10m to 14.55m adjacent to No.89 Wingletye Lane. Due to the staggered relationship, the application dwelling already project 6m beyond the rear elevation of No.89 and this would increase to approximately 10.1m as indicated on the proposed block plan.

As a general rule, houses can be extended from the rear wall of the original dwelling by up to 4ms in depth for a semi-detached or detached dwelling. This is to ensure the extension is subordinate to the original dwelling. Any greater depth required should be within an angle of 45 degrees, taken from the 4m dimension on the property boundary, in order to ensure a reasonable level of amenity is afforded to neighbouring properties. The depth of the projection beyond the rear elevation of No.89 Wingletye Lane would be well in excess of these parameters.

The side and rear extension would be set off the boundary with No.89 by approximately 80cm with the rear extension having a height of approximately 3.2m.

The cumulative impact of the existing dwelling proposed development with its position close to the boundary of the site would harm outlook and appear dominant as well as being an intrusive and un-neighbourly development, which would have an adverse effect on the amenity of adjacent occupiers at No. 89 Wingletye Lane, Hornchurch contrary to the Residential Extensions and Alterations Supplementary Planning Document and Policies 7 and 26 of the Local Plan.

Should the application have been approved a condition would be imposed for the glazing in the flank doors and window adjacent to no.89 top be obscure glazed with the window either being fixed shut or conditioned to have opening fanlights.

No.93 Wingletye Lane lies to the north of the application dwelling and as mentioned, the application dwelling projects forward this neighbour. It is noted that the application dwelling has benefited from a first floor flat roof side and rear extension, which can only presumed that this design was utilised to minimise the impact on the adjacent neighbours at No.93.

The extended application dwelling is built up to the boundary with No.93 Wingletye Lane. It is noted that this neighbour has three flank window and a side dormer window facing the application site. The first floor window seems to be a secondary light source as the main light is provided from the rear elevation. Less weight would be applied to the impact on the ground floor flank to the main dwelling as the original window and door facing the garden would have been replaced with the existing rear extension which was approved in 1990 under planning reference P0234.90.

Furthermore, less weight would be applied to the impact on the flank window within the extension as additional light is provided from the rear elevation. The installation of flank windows on or close to the boundary are discouraged, as these windows claim light from exclusively outside of the site over land which a resident has no control. In such circumstances, the Local Planning Authority cannot undertake to safeguard the entry of light to the flank windows on the adjacent extension at No.93

Wingletye Lane.

No.93 Wingletye Lane projects further back into the plot compared to the application dwelling this is due to their extension and the staggered building line.

An equivalent degree of amenity should be secured for the neighbouring dwellings both in terms of the existing house and rear garden and in terms of the ability to build an extension in line with this SPD. The area between the neighbouring rear extension and the boundary with the application site forms part of the garden/patio area. The depth of the ground floor rear extension beyond No.91's garage/side extension is approximately 5m which would exceed the 4m normally permissible under current and when combined with a height of 3.2m, it is considered that the ground floor rear extension would have a detrimental impact on the neighbouring amenity of No.93.

The proposed crowned roof would be constructed over the existing dwelling and flat roof side/rear extension. As mentioned, this would add significant bulk on the boundary. No.93 lies to the north of the application dwelling and it is considered that the introduction of the crowned roof would have a detrimental impact on the amenity of the adjacent neighbour.

The nearest window at first floor level to the front of the dwelling of No.93 would be a bedroom.

It is considered that the depth, height and close proximity to the boundary would unacceptably overbear and dominate the outlook and amenity of this neighbour.

It is considered the first floor rear extension will give rise to a significant light loss and provide a "wall of development" which will give rise to an uncomfortable overbearing effect and sense of enclosure harmful to their amenity.

Furthermore, the impact of development is further exacerbated by the unfavourable orientation as No.93 lies to the north of the application site.

The cumulative impact of the proposed roof alteration to the dwelling house and the proposed ground floor rear extension with its position close to the boundary of the site would reduce the amount of sunlight, harm outlook and appear dominant as well as being an intrusive and un-neighbourly development, which would have an adverse effect on the amenity of adjacent occupiers at No. 93 Wingletye Lane, Hornchurch contrary to the Residential Extensions and Alterations Supplementary Planning Document and Policies 7 and 26 of the Local Plan.

It is considered that the proposal including the rear dormer window would not result in any undue overlooking or loss of privacy above existing conditions, particularly as the first floor windows of the application dwelling and the neighbouring properties already overlook the rear garden areas of surrounding residential properties.

In coming to an informed view on this decision, parallels have been drawn from an appeal at No.49 Little Gaynes Lane which was dismissed under reference APP/B5480/D/22/3305676 (P0904.22) when considering the staggered relationship.

The Planning Inspector commented within the appeal "In this instance the appeal property extends further back into the plot than the built form of No. 45. The combined mass of the two storey extension which would project beyond the rear elevation of the neighbouring property in addition to

the single storey rear extension along the shared boundary would be a stark addition to the property, appearing overbearing and unduly dominant to the occupants of the neighbouring property

I observed during my site visit that other properties in the area have been extended and altered. Notwithstanding this each development must be considered on its individual merits, and I have reached my conclusion based on the individual merits of the appeal proposal. The presence of other two storey side extensions does not persuade me that the proposed development in light of the relationship with the neighbouring property, No. 45 should be allowed".

The current application has been determined on its individual merit and taken the above into consideration, it is considered that the proposal would not unacceptable impact on the amenity of the adjacent neighbours. The proposal is deemed unneighbourly and therefore fails to comply with guidance set out in the Residential Extensions and Alterations SPD

HIGHWAY/PARKING

The application site is within a PTAL area of 0. Policy 24 of the Havering Local London Plan for a site within 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. Photographic evidence shows that a minimum of 2 parking space can be provided. No highways or parking issues would arise as a result of the proposal.

KEY ISSUES/CONCLUSIONS

The proposal is considered to be contrary to the above-mentioned policies and guidance and a refusal is recommended.

RECOMMENDATION:

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

1 Reason for refusal - Streetscene & Rear Garden

The proposed roof form by reason of its excessive scale, bulk and mass would appear as an unacceptably dominant and visually intrusive feature in the street scene and rear garden environment harmful to the appearance of the surrounding area contrary to Policy 26 of the Havering Local Plan, D4 of the London Plan, Emerson Park Policy Area and the Residential Extensions and Alterations Supplementary Planning Documents.

2 Reason for refusal - Residential Extensions

The cumulative impact of the existing dwelling and proposed development with its position close to the boundary of the site would harm outlook, provide a loss of light and appear dominant as well as being an intrusive and un-neighbourly development, which would have an adverse effect on the amenity of adjacent neighbours contrary to the Residential Extensions and Alterations Supplementary Planning Document and Policies 7 and 26 of the Local Plan.

INFORMATIVES

1 Re-submission of any further applications Informative
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The plans should be revised to ensure that there is no encroachment onto the neighbouring land or clarity should be provided as outlined within the staff comments of the report. In addition, it is advised to seek pre-application advice on the revised design prior to submitting a further planning application.

A tree statement due to position of the neighbouring preserved tree within neighbouring land along the boundary.

2 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 Breden (Agent) by e-mail on 06-07-23.

Authorising Officer:



Habib Neshat

6th July 2023