

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: Y0193.23

WARD: St Albans

Date Received: 24th July 2023

ADDRESS: 25 Park Lane
Hornchurch

PROPOSAL: Single storey rear extension with an overall depth of 6m, a maximum height of 3m, and an eaves height of 3m. (PRIOR APPROVAL)

DRAWING NO(S): ZAAVIA/25PL/101
ZAAVIA/25PL/103
ZAAVIA/25PL/105

RECOMMENDATION: It is recommended that **Prior Approval is Given**

SITE DESCRIPTION

The application site is a two-storey semi-detached dwelling located on the north-western side of Park Lane. The surrounding area is residential in character.

The dwellinghouse is not a listed building and is not located within a conservation area.

DESCRIPTION OF PROPOSAL

The applicant is seeking Prior Approval for a single storey rear extension with an overall depth of 6m, a maximum height of 3m, and an eaves height of 3m.

RELEVANT HISTORY

CONSULTATIONS/REPRESENTATIONS

Letters of notification were sent to the neighbours attached to the boundary regarding the application.

One neighbour re-submitted the same concern with the revised scheme which again is summarised as:

- 1 - The proposed extension is too large within close proximity to neighbours
- 2 - The potential future uses of the property impacting the value of the neighbour's property.

Under the Prior Approval process, Officer's can only judge an application on material considerations

with regard to the impact to neighbouring amenity. As such, No. 1 will be duly assessed in this report. While sympathetic to neighbour's concerns, Officer's cannot make any assumptions the applicant would act in a manner that contravenes what is currently allowed onsite (ie for a HMO). As such, No. 2 is not relevant to this assessment.

RELEVANT POLICIES

Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

STAFF COMMENTS

In accordance with the current criteria for sites 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 street view, aerial view images and submitted drawings were used to assess the site constraints.

Officer's note that this application was submitted simultaneous with the neighbour at No. 27 under reference Y0194.23. This scheme will be assessed in conjunction with Y0194.23 to consider the equal impacts to their amenity.

IMPACT ON AMENITY

The Residential Extensions and Alterations SPD provides guidance on rear extensions, namely, that terraced houses can normally be extended from the rear wall of the original dwelling by up to 3m and that they should generally be no more than 3m in height for an extension with a flat roof. This is to ensure there is no unreasonable loss of amenity to neighbouring properties or reduction in sunlight or daylight. The policy go on to suggest that if a greater depth is required it should be within an angle of 45 degrees, taken from the 3m dimension on the property boundary.

The attached neighbour at No. 27 Park Lane has applied simultaneously for a single storey rear extension under prior approval Y0194.23. Prior Approval was refused for Y0194.23 as this property did not benefit from permitted development rights. As such impact on amenity is assessed without No. 27 benefiting from a matching rear extension. However, it is noted No. 27 does benefit from an existing lean-to and another structure along the common boundary. which does project beyond 3m from the rear of the dwelling. As such, the presence of these structures would largely mitigate the impact to amenity. As such, it is not considered that the proposed rear extension would unreasonably harm the amenity of No. 27.

The unattached neighbour at No. 23 also benefits from a two large rear extensions. The proposed extension would project beyond the rear building line of this neighbour by approximately 1.5m but the subject extension is set in by almost 2m from the common boundary with the neighbour's extension set in by a further 4m. The neighbour's rear building line is staggered with the remainder not set as deep to the rear. However, given these separation distances it is difficult to argue overshadowing/loss of light would cause significant harm. Given the level of development to the

neighbour's dwelling it would be difficult to argue the propped extension would appear overbearing in comparison when viewed from the rear garden environment of this neighbour. There are no flank windows of concern.

Concerns were raised by the neighbour who shares the rear boundary at No. 2 Claremont Road that the proposed would be too large and too close to the boundary of the neighbour. Having reviewed the plans the extension would be 11m from the rear boundary and 13.7m from the rear extension of No. 2. It is difficult to justify a refusal solely on this basis as the separation distances are not unreasonable. The layout of the extension is relatively narrow but also quite deep. This neighbour's property is set at a 90 degree angle so their perspective of the extension would largely be the narrow width rather than the longer profile of the flank wall. On balance, Officer's do not consider the extension would be unnecessarily overbearing from the perspective of this neighbour.

Overall, the development is considered to fall within the guidelines in the Supplementary Planning Guidance (Adopted 2011) and would not unreasonably impact upon the amenity of neighbours.

KEY ISSUES/CONCLUSIONS

It is considered that the proposed development would not be detrimental to the residential amenity of neighbouring properties.

Prior approval is therefore GIVEN for the single storey rear extension.

RECOMMENDATION:

It is recommended that **Prior Approval is Given**

1 SC46 (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.

INFORMATIVES

1 PRA Given Informative 1

This written notice indicates that the proposed development would comply with condition A.4 of

Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 2015. It is important to note that this written notice does not indicate whether or not the proposed development would comply with any of the other limitations of conditions of Schedule 2 Part 1 Class A. If you want confirmation that the proposed development would be lawful (eg. on the basis that it would comply with all of the limitations and condition of Schedule 2 Part 1 Class A) then you should submit an application to the Local Planning Authority for a Lawful Development Certificate.

It is a requirement of the above condition A.4 that the development shall be carried out in accordance with the information that the developer provided to the Local Planning Authority, unless the Local Planning Authority and the developer agree otherwise in writing.

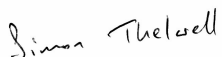
2 Party Wall

This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc. Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters.

A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government.

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

Authorising Officer:



Simon Thelwell

25th August 2023