

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0835.23

WARD: South Hornchurch **Date Received:** 25th May 2023

ADDRESS: 28 Stanley Road North
Rainham

PROPOSAL: Single storey front and rear extensions, hip to-pitched roof loft conversion to create first floor and increase of the roof eaves and ridge height with roof lights and additional fenestration.

DRAWING NO(S): 01012022_28ST_1
01012022_28ST_2
01012022_28ST_3
01012022_28ST_4
01012022_28ST_5
01012022_28ST_6
01012022_28ST_8_5 REV AUG 2023
01012022_28ST_9_5 REV AUG 2023
01012022_28ST_10_5 AUG REV 2023
01012022_28ST_11_5 REV AUG 2023
01012022_28ST_12_05 REV AUG 2023
01012022_28ST_13_5 REV AUG 2023
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OS Map - Scale 1:500
OS Map - Scale 1:250

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

SITE DESCRIPTION

Residential, detached bungalow finished in pebble-dash with a tiled roof and a projecting bay on the

front elevation. 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 front and rear extensions, hip to-pitched roof loft conversion to create first floor and increase of the roof eaves and ridge height with roof lights and additional fenestration. New boundary treatment is indicated on the submitted plans.

Materials to the application dwelling to be updated as per the details on the submitted plans and application form.

RELEVANT HISTORY

P0317.23	Single storey rear extension, full front house reconfiguration, conversion of roof from hipped to pitched with 3 hipped roof dormers at side with obscure glazing at the ground and first floors, increase roof ridge and eaves to incorporate converted loft space. Refuse 24-04-2023
P0245.22	Erection of single storey front and rear extension, hip to pitched roof loft conversion including the installation of 3 x dormers and increase the roof eaves and ridge height Refuse 27-07-2022

CONSULTATIONS/REPRESENTATIONS

No representations were received in response to the consultation process.

The application site falls within a contaminated land buffer zone and therefore should the application be approved a condition would be imposed to safeguard the current and future occupiers of the property.

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) of the Havering Local Plan (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 87.07 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 232.25 square metres once extended. The difference equates to 145.18 square metres which is rounded up to 146 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 $146 \times £25 \text{ per sq.m} = £3,650$.

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 £18,250 ($146 \times £125$) to mitigate the impact of the development.

The total CIL liability to be paid is £21,900.

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.

This application is a resubmission of a previously refused planning application P0245.22 and P0317.23. P0245.22 was also dismissed on appeal, under reference APP/B5480/D/22/3307911.

P0245.22 was refused planning permission for the following reasons.

1. The proposed development would, by reason of its design, bulk, and mass, appear as an incongruous development which would be an unacceptably dominant and visually intrusive feature in the streetscene. This would harm the appearance of the surrounding area, being contrary to Policy 26 of the local plan, the Residential Extensions and Alterations Supplementary Planning Document, and the London Plan 2021.

2. Due to its design, bulk and proximity to the shared boundary, the development would cause an overbearing impact, loss of privacy, and increased sense of enclosure, to the detriment of the

amenity enjoyed by the occupiers of nos. 26 and 30 Stanley Road North contrary to Policy 7 of the Havering Local Plan.

P0317.23 was refused planning permission for the following reason.

1. The proposed side dormer windows, by reason of the cumulative impact of their number, scale bulk and mass would appear out of scale and character with the dwelling and materially harmful to the visual amenity of the surrounding area contrary to Policy 26 of the Havering Local Plan, the Residential Extensions and Alterations Supplementary Planning Document, D4 of the London Plan and the guidance contained in the National Planning Policy Framework.

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

1. The side dormer windows have been replaced with roof lights which are 1.7m above the finished floor level.

2. Although, the overall height is unaltered, the eaves height has increased from 3.717m to 4.185m.

However, following an assessment of the proposal there were concerns regarding the impact on the habitable room flank windows to No.30 and as a result revised plans were received reducing the height of eaves from 4.185m to 3.886m. Neighbours were not re-consulted as the impact was being lessened.

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

DESIGN/IMPACT ON STREET/GARDEN SCENE

General Design Principles in the London Borough of Havering Residential Extensions & Alterations SPD 2011 guidance states that, "while extensions and alterations can bring many benefits to the householder in terms of extra space and security, they can also undermine the original character of both the property they are associated with and the street they are situated within. It is important that extensions and alterations do not dominate or detract from the character of the original house and the surrounding houses, or unacceptably reduce the amenity of neighbouring properties".

Policy 26 seeks to ensure that new development are of the highest standards of design which respects, and where possible maintains, enhances or improves the character and appearance of the local area. In particular the form, scale, massing, height of the surrounding neighbouring buildings, public amenity and detailed design.

The Residential and Alterations Extension SPD sets an emphasis on maintaining and improving the existing character especially the street characteristics, rhythm, and uniformity, to ensure Havering's open and spacious character is not diminished.

It is noted that the surrounding area is characterised by single and two storey dwellings of various styles and designs. The Planning Inspector commented that "Given this diversity there is not, in my view, a single prevailing characteristic of the local housing, other than its generally modest scale".

The erection of a single storey front extension, and extensive changes the front elevation would

appear quite prominent on the street scene, sitting alongside neighbouring properties 26, and 30 Stanley Road. The Residential Extensions and Alterations Supplementary Planning Document notes that large front extensions are generally unacceptable in Havering due to the adverse effect they can have on the appearance of the original house and the character of the street.

The proposed development represents what would be a substantial reconfiguration of the appeal property.

The Planning Inspector as part of the appeal commented:

"These changes would give the appeal property an attractive, neat and modern street frontage; in my view this would represent a significant improvement on its existing rather drab and tired appearance, and would make a more positive contribution to the street scene. Given the diversity of design and detailing found on the other dwellings in the street, and notwithstanding the conflict with guidance in the SPD, the appearance of the proposed alterations and extension at the front of the dwelling would not be incongruous or otherwise intrusive".

No objections are proposed to the single storey rear extension or to the alteration from a hip to gabled due to varied roof styles within the street. In addition, the Planning Inspector agreed to this during the appeal.

However, there are concerns regarding the side dormer windows. The previously refused flat roof side dormer windows have been replaced with hipped roof. In addition, it is noted that the width of each dormer has been decreased from 2.76m to 2.4m. The overall height of the dormers would be roughly the same at 2m. However, the design will be altered from a flat to hip roof to try and minimise the bulk. The hip roofs would have an eaves line of approximately 1.15m rising up to an overall height approximately 2m.

The Planning Inspector commented during the appeal (APP/B5480/D/22/3307911.) that:

"I saw other examples of side dormers at Nos 22, 26, 31 and 40 Stanley Road North, though they are not a common feature of the area and, perhaps with the exception of the two hipped dormers at No 26, in my view it would be difficult to construct a persuasive argument that those that do exist make a positive contribution to the character and appearance of the area".

The Planning Inspector proceeded to outline that "the three dormers proposed here would together be prominent and incongruous features, their cumbersome and intrusive bulk significantly detracting from what in all other respects would be a neat and attractive scheme". This appeal decision is a material consideration for the determination of this application.

The Planning Inspector concluded in the appeal that "the three large dormers would be detrimental to the character and appearance of the area. The development therefore conflicts with the development plan taken as a whole".

The previous planning application P0317.23 reduced the width of the side dormers to 2.4m, however, there were still concerns regarding the cumulative impact of their number, scale bulk and mass would appear out of scale and character with the dwelling and materially harmful to the visual amenity of the surrounding area and as a result, the application was refused solely on the side dormer windows.

This current application replaces the side dormer windows with roof lights which would be installed 1.7m above the finished floor level. The introduction of the roof lights would be less invasive compared to the previously refused side dormer windows as part of planning applications P0245.22 and P0317.23.

The changes undertaken since the refused application P0245.22 and the dismissed on appeal under reference APP/B5480/D/22/3307911 and P0317.23 would bring the proposal into the realms of acceptability and further to comments made by the Planning Inspector during the appeal which are material planning consideration. As a result, no objections are raised from a visual point of view.

No objections are raised in principle either to the use of the materials being proposed.

IMPACT ON AMENITY

Consideration has been given to the impact on neighbouring dwellings in terms of loss of light and loss of privacy.

The Havering Local Plan, Policy 7 (Residential design and amenity) notes that To protect the amenity of existing and future residents the Council will support developments that do not result in:

- i. Unacceptable overlooking or loss of privacy or outlook;
- ii. Unacceptable loss of daylight and sunlight; and
- iii. Unacceptable levels of noise, vibration and disturbance

The SPD reinforces these requirements by stating that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing.

The extension is 6m deep to the rear, and this type of development is typically covered under permitted development rights. In addition, the 45 degrees angle arc, taken from the nearest habitable window at ground floor for the occupiers of 30 Stanley Road would reside within SPD guidelines as revised during the planning process. Although the habitable room at ground floor to the rear of 26 Stanley Road is set back from the shared boundary with the site area, meeting the 45 degree rule, a degree of tunnelling would occur for the occupiers of 26 Stanley Road given a portion of the property is set forward from the rear building line.

The side dormer windows have been replaced with roof lights adjacent to No.30 Stanley Road North. It is noted on this application that the plans indicate that the roof lights on the side of the dwelling would be 1.7m above the finished floor level which would prevent undue over-looking on the neighbouring land. A condition would be imposed for the windows to be installed to this height otherwise, the rooflights would need to be obscured glazed and fixed shut.

The overall height of the dwelling would increase as a result of the proposal, changes have been made to eaves height during the process to minimise the impact on the adjoining neighbours. The proposal as revised, would not infringe a 45 degree notional line from the window sills of the flank windows of No.30.

No.30 has two flank windows, one serving a bedroom to the front which is a primary light source and one to the rear which is a secondary light source to living room. Additional light is provided via the rear elevation.

It is considered that the obscure glazing proposed flank windows would help to alleviate concerns regarding inter-looking.

It is considered the separation distance between the extended dwelling (no.28) and No.26 would mitigate the increase in height and the creation of first floor accommodation.

The single storey extension would have a flat roof and a condition would be imposed to ensure that it would not be used for a terraced area unless specific permission is obtained in writing from the Local Planning Authority.

It is considered that the proposed fencing being suggested to the front would give potential views, however, this would overlook the front drive and street and is open to public view already. To the rear, the plans clearly denoted that the slatted design fence would be fully solid without gap and therefore this would reduce the impact for a potential loss of privacy.

Consideration has also been given to the neighbours at the rear of the site area, which are 14- 18 Hood Road (even nos). A separation distance of over 30m from the building lines exists between these neighbours and the proposal. This is considered a sufficient distance to mitigate overlooking or impact arising from noise.

Given these circumstances and mindful of the general presumption in favour of development, it is considered any impact upon the adjacent neighbours to be modest and within that envisaged as acceptable within guidelines.

To safeguard the privacy of the adjoining neighbours, two conditions have been imposed to ensure that no openings will be added to side of the proposed extensions or that the flat roof of the rear extension would not be used as a balcony, roof garden or similar amenity area, unless specific permission is obtained in writing from the Local Planning Authority.

HIGHWAY/PARKING

The application site is within a PTAL area of 1b. As per The Havering Local Plan for a site within PTAL 0 - 1 that has 3 bedrooms, the site only needs to provide a maximum parking provision of up to 1.5 spaces per dwelling, which is what the application site would be able to provide. No highways or parking issues would arise as a result of the proposal.

KEY ISSUES/CONCLUSIONS

The proposal has been sufficiently revised significantly from the two previously refused schemes. The application is now considered to be in accordance with the above-mentioned policies and guidance and approval is recommended.

RECOMMENDATION:

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

1 SC4 (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 SC10C Materials as per application form

The proposed development hereby approved shall be constructed in accordance with the materials detailed under materials section of the application form unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

3 SC13 (Screen fencing)

The slatted design fence which would be fully solid without gaps shall be provided on either side in accordance with drawing numbers 01012022_28ST_9_5 REV AUG 2023 & 01012022_28ST_11_5 REV AUG 2023 within the rear garden. The fencing shall be permanently retained and maintained thereafter.

Reason:-

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

4 SC32 (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:-

For the avoidance of doubt and to ensure that the development is carried out as approved.

5 SC34B (Obscure with fanlight openings only)

The proposed ground floor flank windows as shown on drawings 01012022_28ST_9_5 REV AUG 2023 and 01012022_28ST_11_5 REV AUG 2023 shall be permanently glazed with obscure glass not less than level 4 on the standard scale of obscurity and shall thereafter be maintained and permanently fixed shut and thereafter maintained, with the exception of any top hung fanlight(s). Any open-able part of these windows shall be 1.7m above the finished floor level in the room which they are installed, as indicated on the proposed plans.

Reason:-

In the interests of privacy.

6 SC34C (obscure/non-opening & 1.7m above ground level).

The roof lights/windows adjacent to No.30 Stanley Road North, Rainham as show on drawings 01012022_28ST_9_5 REV AUG 2023, 01012022_28ST_12_05 REV AUG 2023, 01012022_28ST_13_05 REV AUG 2023, 01012022_28ST_14_05 REV AUG 2023 & 01012022_28ST_17_05 REV AUG 2023 shall be obscure-glazed, and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Reason:

In the interest of privacy and to protect the amenity of the adjacent neighbours

7 SC60 (Contaminated land condition No. 1) (Pre Commencement)

a. Prior to the commencement of any groundworks or development of the site, details shall be submitted to and agreed in writing by the Local Planning Authority setting out suitable gas protection measures to be employed on site including, but not necessarily limited to, the installation of a suitable gas resistant membrane, in compliance with BS 8485:2015. The gas protection measures shall be carried out in strict accordance with the agreed details.

b. Upon completion of installation, a 'Verification Report' must be submitted demonstrating that the works have been carried out.

Reason:

Insufficient information has been supplied with the application to judge the risk arising from landfill gases (methane and carbon dioxide). Submission of an assessment prior to commencement will protect people on or close to the site from the risks associated with migrating landfill gas, and will ensure that the development accords with the Havering Local Plan.

8 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.

9 SC48 (Balcony condition)

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason:-

In the interests of the amenity of the occupiers of neighbouring dwelling.

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, £3,650 would be payable due to result in a new residential property with 146m² of GIA, however this may be adjusted subject to indexation.

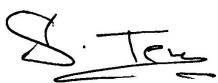
The proposal is also liable for Havering Council's CIL. Havering's CIL charging rate for residential is £125m² (Zone A) for each additional square metre of GIA. Based upon the information supplied with the application, £18,250 would be payable, subject to indexation.

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 following revision

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with paragraph 38 of the National Planning Policy Framework, improvements required to make the proposal acceptable were negotiated with Mrs Liskauskaite (Agent) by e-mail. The revisions involved reducing the eaves height from 4.185m to 3.886m so not to impact on habitable room windows of No.30 Stanley Road North Rainham. The amendments were subsequently submitted on 15-08-23.

Authorising Officer:



Suzanne Terry

19th September 2023