

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1535.23

WARD: Upminster **Date Received:** 13th October 2023

ADDRESS: 81 Sunnyside Gardens
Upminster

PROPOSAL: Demolition of conservatory and garage with erection of single storey rear and side extension

DRAWING NO(S): SG-01
SG-02
Site Plan - OS Map Scale 1:500
Site Plan - OS Map Scale 1:1250
Proposed Site Plan - OS Map Scale 1:500

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

SITE DESCRIPTION

Residential, two storey semi-detached dwelling located on the north side of Sunnyside Gardens which is a residential street characterised by mainly two storey semi-detached housing.

The dwelling is finished in a pebble-dash appearance. Parking on the drive to the front of the property.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a single storey side and rear extension.

The existing garage would be demolished to make way for the proposal.

RELEVANT HISTORY

L/HAV 6240/72 - Kitchen & lounge extension - Approved.

Y0113.13 Single storey rear extension with an overall depth of 4.45m from the original rear wall of the dwelling house, a maximum height of 3.55m and an eaves height of 2.54m
Pr App Not Req'd 30-12-2013

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".

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 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. Photos were provided by the agent in support of the application. In determining this planning application, Google StreetView TM, aerial view images and submitted drawings were used to assess the site constraints.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposed single storey extension would project beyond the flank wall of the dwelling and would be set in 90cm from the boundary with No.79 Sunnyside Gardens. As such, the proposal would be visible from the street scene and rear garden environment, as the existing garage will be demolished to make way for the proposal. The proposed side extension would be well removed from the street not to have an impact. The majority of the proposal would be visible from the rear garden environment.

It is considered that the proposed development would be acceptably designed and would not be

unduly obtrusive or otherwise harmful to the street scene or rear garden environment. No objections are raised from a visual point of view.

The agent has indicated on the submitted drawings that the proposal will be rendered to match the main house.

IMPACT ON AMENITY

Consideration has been given to the impact of the proposal on the side properties, primarily in respect of privacy and overshadowing.

The neighbours to the front and rear of the site on Sunnyside Gardens and Derham Gardens would be well removed from the proposed side and rear extension so they would not be unacceptably impacted by the proposal.

No.79 Sunnyside Gardens lies to the west of the application site and is the detached neighbour. The proposed side/rear extension would be set off the boundary by 90cm. The proposal would be mitigated in part by the neighbouring side/rear extension at No.79.

An overall projection beyond No.79's extension of approximately 1.6m is not unusual and is envisaged within guidelines as acceptable when considering the impact of a 4m deep extension on the boundary with a neighbour that has not previously extended.

Taking the above consideration, it is considered that the proposed development would not unacceptably impact on the amenity of the adjacent neighbours at No.79 Sunnyside Gardens.

No.83 Sunnyside Gardens is the attached neighbour which lies to the east of the application site. It is noted that this neighbour has recently got consent for a single storey side and rear extension under planning reference P1489.23. This consent has not been implemented and therefore the impact on the adjoining neighbour can only be assessed with that currently on site, as the proposal approved as part of P1489.23 may not be implemented.

It is not envisaged that the proposed single storey side extension would have any impact on the amenity of the attached neighbour at No.83 Sunnyside Gardens as they are located to the east and this part of the proposal would be located to the west on the opposite side of the dwelling and it would be screened by the proposed rear extension.

The proposed single storey rear extension would project 5m along the boundary with No.83 Sunnyside Gardens and would have a height of approximately 2.9m excluding the roof light. The height of the single storey rear extension excluding the roof light would be less than Council guidelines.

The proposed roof light on top of the rear extension would be sufficiently removed from the sides of the extension, not to unacceptably impact on the adjacent neighbours on either side.

No.83 has a flat roof rear extension. The proposed single storey rear extension would project approximately 2.9m beyond the rear elevation of this extension. An overall projection beyond No.83's extension of approximately 2.9m is not unusual and is envisaged within guidelines as

acceptable when considering the impact of a 4m deep extension on the boundary with a neighbour that has not previously extended.

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.

No flank windows are proposed within the extension. 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.

In all, the development is considered to fall within the spirit of adopted guidelines for householder extensions and the proposal is not deemed to be unneighbourly.

HIGHWAY/PARKING

The application site is within a PTAL area of 1a. As per Policy 24 the Havering Local Plan with a PTAL of 0 - 1 that has 3 bedrooms, the site only needs to provide a minimum parking provision of up to 1.5 spaces per dwelling, which is what the application site would be able to provide. No objections are raised.

KEY ISSUES/CONCLUSIONS

The proposal is 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 SC10 (Matching materials)

All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason:-

To safeguard the appearance of the premises and the character of the immediate area.

3 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.

4 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.

5 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 Land Ownership Informative
Land Ownership Informative

The applicant is advised that this planning permission does not give consent for any part of the development including guttering and fascias to encroach onto any land not within the applicant's ownership.

2 Party Wall
Party Wall Informative

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>

3 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.

Authorising Officer:



Neil Goate

7th December 2023