

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1783.23

WARD: Rainham & Wennington **Date Received:** 4th December 2023

ADDRESS: 74 Lake Avenue
Rainham

PROPOSAL: Permanent residential use of existing outbuilding for use as a granny annexe

DRAWING NO(S): LA-01 REV B
OS Map - Scale 1:500
OS Map - Scale 1:1250

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

SITE DESCRIPTION

The application site features a detached property located on Lake Avenue with a front garden area and parking allowance to the front of the property. The site has a large rear garden with outbuildings within the rear garden. The application site is located within residential area.

DESCRIPTION OF PROPOSAL

The application seeks planning permission for permanent residential use of the existing outbuilding for use as a granny annexe.

The previous application was for temporary use of the outbuilding for residential use during construction works to the main dwelling as part of planning application P1510.22.

RELEVANT HISTORY

P1548.22	Erection of detached garden storage & w.c outbuilding Apprv with cons 30-11-2022
P1510.22	Temporary conversion of existing detached outbuilding to habitable use Apprv with cons 10-11-2022
P0947.19	Erection of roof extension to include new first floor level, two front dormers, rear dormer and 6x roof lights, ground floor rear extension and associated changes to ground floor fenestrations Apprv with cons 27-11-2019

P0114.19	Conversion of bungalow into a two storey house to include 2 no. front dormers, rear dormer and single storey rear extension, single storey side extension and new entrance porch to front.
	Refuse 28-03-2019
D0020.19	Proposed single storey detached outbuilding
	PP not required 06-03-2019

CONSULTATIONS/REPRESENTATIONS

No representations were received in response to neighbour consultation.

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

There is no increase in floorspace of the existing outbuilding and therefore no CIL is applicable.

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 and officers used photos from the previous application. In determining this planning application photos, Google StreetView TM, aerial view images and submitted drawings were used to assess the site constraints.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposal is for the change of use of the existing outbuilding to a granny annexe for an elderly parent.

The conversion of the outbuilding would provide an opportunity to accommodate dependent relatives whilst allowing them some degree of independence. The Residential Extensions and Alterations SPD outlines that "a residential annex is defined as accommodation ancillary to the main dwelling within the residential curtilage and must only be used for this purpose. The annex must form part of the same planning unit, sharing facilities, including access, parking and garden areas", which is the case in this instance. As with all planning applications, the Council will attach conditions to prevent the annexe becoming a self-contained dwelling.

Furthermore, the SPD goes on to state that "the layout, design and physical relationship between the house and the proposed annex are important considerations, and the proposed annex must demonstrate clear connections with the main dwelling. The size and scale of the accommodation to be provided should be proportionate to the main dwelling. As a guide, the scale should be such that the annex could be used as a part of the main dwelling once the dependency need has ceased. The acceptability of outbuilding was deemed acceptable as part of planning application P1510.22.

There would be no change to the external appearance of the existing outbuilding and therefore it is considered that the proposal would not impact on the rear garden environment from a visual point of view.

IMPACT ON AMENITY

The proposal would be set off all three boundaries' by 2m with eaves height of 2.5m rising to an overall height of 4m. The 2m separation distance from the boundary would mitigate both the eaves and overall height.

As previously mentioned, the application is for the change of use of the existing outbuilding to a granny annexe for applicant's elderly parent.

The proposal is for a change of use and not for the outbuilding currently in situ and therefore the Council will be unable to assess any impact arising from the outbuilding creating a loss of light or being overbearing. The existing outbuilding was constructed as part of a certificate of lawfulness application D0020.19.

There are no windows on the rear elevation of the building and five flank windows as shown on the submitted drawing, two of the flank windows will be obscured glazed. It is considered no loss of privacy would arise.

It is acknowledged that temporary consent (P1510.22) was given to the applicant for the building to be used during construction works to the dwelling house under planning consent P0947.19. The temporary consent expired on 9th November 2023.

It is considered that it would be difficult to substantiate a refusal on appeal for the use of the outbuilding as an annexe. It is acknowledged that there would be comings and goings to the annexe and increased use of the garden area but an outbuilding in use as a hobby, games and garden room could generate a similar level of traffic particularly in the summer months. As such Officers are of the opinion that the use of the residential annexe would give rise to levels of noise and disturbance that would not be substantially different to those that could arise between gardens.

No representations were received in respect to this application, however, each application are determined on their individual merit.

The annexe will be used in conjunction with the main dwelling house and not as a separate unit of accommodation and in the instance, the consent is given a condition would be imposed to reflect this.

A condition would be attached to the outbuilding to ensure the development is only used for purposes ancillary to the dwelling house and not for any trade or business.

HIGHWAY/PARKING

The proposal would not give rise to any highway or parking concerns, mindful of the existing arrangement.

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 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.

2 SC31 (Use as part of main dwelling)

The use of the outbuilding (annexe) hereby permitted shall be used only for living accommodation as an integral part of the existing dwelling known as 74 Lake Avenue, Rainham and shall not be used as a separate unit of residential accommodation at any time.

Reason:-

The site is within an area where the Local Planning Authority consider that the sub-division of existing properties should not be permitted in the interests of amenity.

INFORMATIVES

1 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

9th February 2024