

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0205.24

WARD: Upminster **Date Received:** 12th February 2024

ADDRESS: 1 Springfield Gardens
Upminster

PROPOSAL: Two storey rear extension with steps, single storey side extension for new garage and utility room following demolition of existing garage

DRAWING NO(S): 5071-100 Rev PL2
5071-101 Rev PL1
5071-110 Rev PL2
5071-210 Rev PL2
5071-600 Rev PL1

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 detached dwelling finished in painted render. Parking to the front of the property on the drive and in the garage. The ground level slopes from the dwelling towards the rear boundary. The surrounding area is characterised by church next door and by two storey dwellings of various styles and designs.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a two storey rear extension with steps, single storey side extension for new garage and utility room following demolition of existing garage.

The submitted proposed plan shows that the existing flank door adjacent to No.3 will be blocked up.

RELEVANT HISTORY

P1234.23	Double storey rear extension. Demolition of existing side attached flat roof garage and construct new pitch roof side attached garage with Utility Room to the rear.
	Refuse 03-10-2023
P0325.23	Part single storey, part two storey side/rear extension, involving demolition of existing garage

CONSULTATIONS/REPRESENTATIONS

One representation was received with their comments summarised below:

- Loss of light.
- Impact from the development.
- Scale of development.

These comments will be considered below.

LBH Highways has commented that they have no comments to make at this time. Should the details of the application change, then they welcome the opportunity to be re-consulted.

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

Application is not CIL liable.

STAFF COMMENTS

In accordance with the current criteria for site visits, an in-person site visit was not undertaken initially. Site photos provided by the agent in support of the application for P0325.23 and P1234.23 were used to assess this application. In determining this planning application photos, Google StreetView TM, aerial view images and submitted drawings were used to assess the site constraints.

This application is a resubmission of a previously refused planning application P0325.23 and

P1234.23. The key issue in this case therefore is whether the revised proposal overcomes the previously stated concerns for the last application P1234.23. The previous application was refused planning permission for the following reasons.

1. The proposed development by reason of its excessive scale, bulk, mass and lack of subservience between the proposed first floor rear extension and the existing dwelling 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 and the Residential Extensions and Alterations Supplementary Planning Document.

2. The proposed development would, by reason of its roof form, excessive height, depth and position close to the boundaries of the site, be an intrusive and unneighbourly development as well as having an adverse effect on the amenities of adjacent occupiers at No.3 Springfield Gardens, Upminster contrary to Policies 7 of the Havering Local Plan.

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

1. The removal of the parapet wall of the single storey side extension.
2. The roofs of the first floor rear extension are below the ridge of the original dwelling.
3. The width of the first floor rear extension has been reduced.

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

DESIGN/IMPACT ON STREET/GARDEN SCENE

The Residential Extensions and Alterations SPD which is the document against all applications of this type are assessed, seeks to maintain Havering's existing open and spacious residential character. The character of many streets in the borough is derived from the uniform spacing of dwellings and their symmetry.

Springfield Gardens is a residential street with single and two storey dwellings of various styles and designs. The application dwelling has a church on one side and a dwelling house on the other. Springfield Gardens is a street of predominately hip and gabled roofs.

The proposal has been revised since the previous refused application. The removal of the parapet wall from the single storey side extension is an improvement and would lessen the impact on the street.

The single storey side extension would present a subservient appearance and would not unacceptably impact on the street scene as the scale, bulk and mass of the development relates acceptably to the existing dwelling and it would be well removed from the street.

Concerns were raised with the two prior applications regarding the overall bulk of these proposals. The proposal would incorporate a twin hipped roof over the first floor rear extension with the revised plans indicating that the roofs of the first floor rear extension being lower than the ridge of the dwelling.

No reduction in depth of the two storey rear extension has been undertaken on this re-submission,

however, the width of the first floor rear has been reduced adjacent to No.3 Springfield Gardens to minimise the bulk.

Two storey rear extensions should be set in from the common boundary by not less than 2 metres, and should project no more than 3m. In exceptional local circumstances rear extensions of a greater depth up to a maximum of 4m may be acceptable where, for example, this would be sympathetic with the character of the local area and/or rear extensions of a similar depth already exist at neighbouring properties.

Rear extensions should be carefully designed in order to minimise their bulk and 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 to comply with the SPD.

It is considered that the changes undertaken during the process of the previously refused applications would bring the proposal within the realms of acceptability, by reducing the ridge height and the width of the first floor rear extension.

It is acknowledged that the depth of the first floor rear extension would be more than the 3m normally permissible, however, the neighbouring church to the west and due to the fact that No.3 projects further back into the plot would mitigate the depth of the first floor rear extension. The first floor rear extension would be well removed from the street so as not to have a detrimental impact.

It is considered that the changes undertaken would be acceptable and no objections are raised from a visual point of view. Furthermore, it is considered that it would be difficult to uphold a refusal on appeal on impact on the area, mindful of its set back from the street and due to the projection of the neighbouring buildings on either side.

The existing dwelling is rendered and painted with a brick plinth dpc. The submitted application form states that the main house is to be rendered and painted with the flank wall of the new garage fair faced brick work. A matching materials condition has been added so the flank wall of the garage would be finished in face brick to match the dpc. This is to ensure that a different type of brick is not utilised within the construction and so a condition is not imposed for materials to be provided.

As a result, it is considered that the first reason for refusal has been addressed.

IMPACT ON AMENITY

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

Upminster Baptist Church lies to the west of the application site. The existing garage would be demolished to make for a new single storey side extension with the roof being hipped away. It is considered that this part of the proposal would not be unacceptable to the adjoining church. The church has a number of openings windows etc facing the application site.

The proposed two storey rear extension would be set in approximately 2.5m from the boundary with the church with the roof being hipped away. It is noted that the church projects further back into the plot compared to the application dwelling.

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 are not in control of the church. In such circumstances, the Local Planning Authority cannot undertake to safeguard the entry of light to the flank windows on the adjacent church.

Taking the above into consideration and mindful of the separation distance between the church and proposed two storey rear extension, it is considered that the proposed development would not unacceptably impact on the neighbouring church.

However of a greater concern, is the potential impact on the adjoining neighbour at No.3 Springfield Gardens.

The SPD advises that two storey rear extensions should be set in from the common boundary by not less than 2 metres, and should project no more than 3m from that 2m set in point.

The proposal has been revised on this re-submission with the width of the first floor rear extension being reduced from approximately 8.8m to approximately 7.75m. The depth of the first floor rear extension would remain the same.

The proposed first floor of the extension would be set in 2m from the boundary with No.3 Springfield Gardens, but it would be 4 metres in depth.

It is noted that No.3 Springfield Gardens has a number of openings on the side of their dwelling which aligns with the application dwelling. The large rectangular window serves the landing which is a non-habitable area, with the smaller one to the rear, being a secondary light source to a bedroom. The main light source to bedroom is from the rear elevation. Less weight would be applied to the impact on these flank windows as they serve a non-habitable area and are a secondary light source. It is noted that the property has benefited from a rear extension as confirmed by building regulations.

There are also windows at ground and first floor on the rear elevation which serve the kitchen and bedroom respectively. The proposed ground and first floor rear extensions would be set in 0.95m and 2m from the boundary with No.3 respectively.

The neighbouring property at no.3 projects further back into the garden by approximately 1.2m. It is noted the proposed first floor rear extension would not infringe upon a notional line taken from the boundary of No.3 aligned with the rearmost part of that dwelling at first floor level created by a 2m separation distance and the 3m depth of the extension following the reduction in width of the first floor rear extension.

In addition, it is noted that there is a drop in ground level within the site and this has been confirmed by the photos provided.

The revised design includes a pitched roof over the ground floor rear extension which would hip away from the neighbouring property at No.3.

The neighbouring property at No.3 lies to the east of the application site. It is considered that the changes undertaken would bring the proposal within the realms of acceptability and the proposal

would be mitigated by the space between the boundary and No.3 but also due to the fact that this neighbouring property projects further back into the rear garden and has a detached garage along the boundary.

The objection refers specifically to the seating area being affected. There is a outbuilding between the seating area and boundary of number 3, which would assist in reducing any overbearing impact.

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.

It is considered that the proposal 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.

To safeguard the privacy of the adjoining neighbours, a condition has been imposed to ensure that no openings will be added to side of the proposed extensions 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.

As a result, it is considered that the second reason for refusal has been addressed due to the changes undertaken.

HIGHWAY/PARKING

The application site is within a PTAL area of 4. As per Policy T6.1 of the London Plan which outlines for a site within a PTAL 4 that has 3 plus bedrooms, the site only needs to provide a maximum parking provision of 0.5-0.75 space per dwelling.

The existing garage would be replaced with the single storey side extension, a garage would be retained but would not be able to accommodate a modern motor vehicle.

However, the site would still retain on site parking for 1-2 vehicles with its current layout excluding the garage and due to site's location near to Upminster Town centre and mindful that there are parking restrictions within the street, it is considered that the current parking arrangement will be acceptable.

KEY ISSUES/CONCLUSIONS

The proposal has been sufficiently revised from the earlier refused scheme to bring the proposal within the realms of acceptability. 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 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.

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 Materials Informative

Materials Informative

A matching materials condition has been added so that the flank wall of the garage would be finished in face brick to match the dpc. This is to ensure that a different type of brick is not utilised within the construction and so a condition is not imposed for materials to be provided.

3 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.

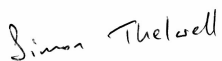
A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government.

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

4 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:



Simon Thelwell

10th April 2024