

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0169.24

WARD: Emerson Park **Date Received:** 5th February 2024

ADDRESS: 18 Sylvan Avenue
Hornchurch

PROPOSAL: Construction of new front boundary wall with railings and gates

DRAWING NO(S): 18-059/01 Revision i
18-059/02 Revision i
18-059/03 Revision J

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 is on the northern side of Sylvan Avenue. The site is within a residential area with large detached dwellings the predominant building type in the wider locality.

The site is located within Sector 6 of the Emerson Park Policy Area and is within an area characterised by substantial two-storey detached housing situated on large plots.

DESCRIPTION OF PROPOSAL

The proposal seeks planning permission for the construction of new front boundary wall with railings and gates which consist of piers up to 2.4m in height, in fill wall to a height of 1.2m with railings above to an overall height of 2.15m. The proposed gates would be approximately 2.18m.

RELEVANT HISTORY

ES/HOR 188/60-Demolition of existing garage,sheds & erection of new garage,store/w.c-Approved.
L/HOR 57/64 - Extension - Approved.

P0063.21	Erection of front boundary wall, railings and entrance gates	
	Refuse	12-03-2021
P0469.20	Construction of new front boundary wall	
	Refuse	03-06-2020
P0082.20	Alterations to existing front boundary wall	
	Withdrawn - Invalid	05-02-2020

P1557.19	Retrospective planning permission for alterations to existing front boundary wall.	
	Refuse	22-01-2020
Q0275.11	Discharge conditions 4,5,9, and 10 of P0893.11	
	DOC Discharge PART	27-03-2012
P0893.11	Erection of A six bedroom dwelling with accommodation in basement and loft floor and Associated Landscaping Works.	
	Apprv with cons	09-08-2011
P1683.09	Six bedroom house	
	Apprv with cons	21-01-2010
P2322.07	Six bedroom house - basement, ground, first, attic floors and double garage	
	Apprv with cons	11-01-2008
P1672.07	Six bedroom house - Basement, ground, first floor and attic; double garage.	
	Refuse	17-10-2007
P0949.07	Six bedroom house over 4 levels - basement, ground, first and attic. Double garage	
	Refuse	15-06-2007

CONSULTATIONS/REPRESENTATIONS

Consultations/Representations: Neighbouring occupiers were notified and one representation was received requesting first floor flank windows to be obscured glazed.

LBH Highways Team has commented and these will be considered under the Highways section of the report below.

The Tree Officer (Place) has not objected to the proposal.

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) and 27 (Landscaping) of the Havering Local Plan (2016-2031) are relevant.

LDF

SPD04 - Residential Extensions & Alterations SPD
LDF

SPD05 - Emerson Park Policy Area SPD

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

This application is not CIL liable.

STAFF COMMENTS

The main issues are the principle of the development, its impact in the street scene and in particular on the character of the Emerson Park Policy Area, its impact on residential amenity and highways/parking.

This application is a resubmission of a previously refused planning application P0063.21 which was allowed on appeal under reference APP/B5480/D/21/3276093.

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

1. The height of the piers are increasing from 2.1m to 2.4m.
2. The height of the infill wall is increasing from 0.875m to 1.2m
3. The height of the railings are from ground level will increase 1.85m to 2.15m.
4. Black metal railing gates to black solid metal gates which are non transparent.

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

DESIGN/IMPACT ON STREET/GARDEN SCENE

The application site is located within the designated Sector 6 of the Emerson Park Policy Area(EPPA) and the policies outline in the EPPA SPD would be relevant in assessing this case.

The proposed boundary wall, railings and gates would be clearly visible from Sylvan Avenue, due to their location and height.

Sylvan Avenue is mixed in character with a variety of house styles, occupying differing building lines. It is noted that there are various styles of boundary to the front of the properties along Sylvan Avenue in height and style.

The agent has commented that the wall is very high quality design, complies with all highways standards and is in keeping with the area and the house.

Following the above the comments, the case officer visited the site and the surrounding area. the case officer viewed the examples at Nos. 11 and 15 Sylvan Avenue and other properties within the street and neighbouring streets.

The proposal is similar to the one refused under reference P1557.19 which consisted of piers up to 2.639m in height, in fill wall to a height of 1.215m with railing above to an overall height of 1.982m. The proposed gates would be approximately 2.203m.

The difference between this current proposal and P1557.19 would be that the overall height of the piers would be 0.239m less, the overall height of railings would be 0.168m less with the brick plinth wall being 0.015m less. The openings have been altered and this is reflect in the position of the where the BT cabinet is.

The agent has outlined the boundary treatment at No.11 Sylvan Avenue would have 2.3m high piers, 1.85m high railings. 1.6m high walls and 2.1m high gates approved as part of P0158.22.

The Planning Inspector as part of the appeal APP/B5480/D/21/3276093 considered "that the dwarf wall should not exceed 0.6 m in height with the pillars and railings being a maximum of 1.6 m high. From my own observations, the photographic analysis of properties provided by the appellant (at Appendix 1 to his appeal statement) and the recent planning permissions for the erection of new front boundary treatments at Nos 11, 29 and 43 Sylvan Avenue (at Appendix 2), I consider that those recommendations are too restrictive and cannot be justified".

The Planning Inspector commented as part of the appeal that the plans for the appeal APP/B5480/D/21/3276093 "show 2.1 m high stone-faced piers, 1.85 m high wrought iron gates to an open design, the gates to the 2 vehicular entrances being well set back from the road, and a 0.875 m high brick wall including the stone capping, with railings attached reaching 1.85 m above ground level, corresponding to the height of the gates. The changes are significant, especially the reductions in height. The lower dwarf wall would be below the top of a BT box in the pavement as opposed to being above it as before. This and the open design and reduced height of the railings and entrance gates would allow for views of the house and the structured planting within the front garden. This vegetation would in turn help to soften the impact of the much lower, front boundary wall and railings. The piers would still be reasonably tall and readily visible in the street scene but only 6 of them would be placed on the back edge of the footway. Bearing in mind the sizeable width of this particular plot this arrangement would not appear too dominant. Whatever the settled position regarding the adjacent pier at no. 20 (2.17 m high as existing or 1.73 m high as approved), I am satisfied that the heights of the various components in the proposed front boundary treatment would not be excessive as they would no longer be so at odds with the typical heights of the front boundaries found along Sylvan Avenue, when viewed in the round, as to justify withholding planning permission".

Concerns were raised to the agent regarding the proposal and the requested changes. The agent responded to these concerns in an e-mail of the 28th March 2024 outlining the following points.

Since the appeal taller walls have been built and are in situ on houses opposite and in other houses that are further away. In particular the house opposite has taller brick work, solid gates, taller piers and railings. Our revised design is lower in all respects and is in keeping with the grand nature of the existing house on the site. The CGI shows it is in keeping. The walls mentioned above are material and would in my opinion be taken into account if we had to appeal again.

Although the boundary treatment is higher than P0063.21, it is considered that there other front boundary treatment in the locality of the site which are very similar to the proposal and therefore

the development is not considered to appear unduly obtrusive or otherwise harmful the street. No objections are therefore raised to the development from the street scene point of view.

IMPACT ON AMENITY

Consideration must be given to the impact of the development upon the amenity of neighbouring properties including outlook as well as the character and appearance of the surrounding area.

The development consists of a front boundary gates and wall with inset railings across the front of the application site at No.18 Sylvan Avenue, Emerson Park. There would be no further neighbourly impact due to the location of the wall

HIGHWAY/PARKING

The development includes a wall, railings and gates facing the public highway which would be greater than 1 metre in height and located directly adjacent to the footpath.

The Highways Team has commented that the proposal highlights a concern regarding the visibility splay of drivers emerging from the access. Whilst the drawing show the visibility splay for the pedestrians, we need visibility splay for traffic in Sylvan Avenue ie. 2.4 m x 43 m for a 30 mph speed limit.

The comments from the Highways Team is duly noted however, mindful of the other examples within the street it is considered that it would be difficult to substantiate such a reason on appeal.

It is considered that the proposal would not have an adverse impact on visibility and outlook, mindful that the principle of the development has already been accepted by the scheme which was allowed on appeal as part of APP/B5480/D/21/3276093 (P0063.21).

The application site has ample on-site parking and no objections are raised.

KEY ISSUES/CONCLUSIONS

The proposal would not have an impact on the street scene or detract from the character of the surrounding area. It is considered that the proposal would not materially affect the amenity of adjacent residential properties.

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 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.

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

18th June 2024