

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0777.24

WARD: Cranham **Date Received:** 3rd June 2024

ADDRESS: 10 EVERSLEIGH GARDENS
UPMINSTER

PROPOSAL: Single storey rear extension and new rear steps

DRAWING NO(S): S1-100-989 S10 P2
S1-100-989 S02 P2
S1-100-989 S05 P2

RECOMMENDATION: It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

SITE DESCRIPTION

The application site houses a semi-detached residential 2-storey dwelling house with a single storey rear extension. The property is not listed, nor is it within a conservation area. No trees will be affected as a result of this proposal. The surrounding area is residential in nature, containing mainly semi-detached houses. There are various extensions in close proximity.

DESCRIPTION OF PROPOSAL

The applicant is seeking planning consent for an infill rear extension and steps down into the garden.

This application is a re-submission of a previously approved application for a single storey rear extension (planning reference: P0314.24) but without the angled corner required to protect the amenity of the neighbouring house. The applicant has provided a supporting statement justifying why the angled corner is not required.

The applicant requested pre-application advice after planning application P0312.24 was approved (reference: W0110.24) and the officer clarified the reasons the angled corner was required.

RELEVANT HISTORY

W0110.24	Single storey infill rear extension for 3.1m depth and 5m width. Planning ref: P0314.24 for plans and decision letters. Address House No. 10 Eversleigh Gardens.
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It is an infill extension as there is already a part rear extension adjoining neighbour No. 12. The extension is for only 3m from the rear wall of my property as per section 5.3 of the Havering SPD document. However, the planning officer objected that the rear wall depth should be measured from the neighbour's (No. 8) rear wall. No. 8 is not aligned with my property. At front it sits 4.5m ahead and at the back 2.4m. They have a side extension on my side and I have a side extension on their side. Measuring from No. 8's rear wall results in a 45 degree angle cut to my extension and I lose significant space when the extension is already very small. It has been established that is no impact on neighbouring amenities in terms of loss of light or privacy, particularly on No. 8 which connects with my extension. No objections were received from the neighbours during the consultation process. I now also have a written consent from No. 8 supporting my original application and confirm no sun/day light or privacy impact on them. No. 8 sits on my south side and due to the direction of sun there is no impact on them. I would like to consult as how I can achieve my originally proposed 3m straight extension. The overall plot size is quite big with 128 feet long garden.

There is another property nearby, No. 14, which has a similar full depth rear extension which projects about 5.5m from the neighbour's rear wall. My extension from No.8's rear wall also projects about 5.5m.

Awaiting Decision

P0314.24

Single storey rear infill extension and new rear steps

Apprv with cons

10-05-2024

CONSULTATIONS/REPRESENTATIONS

Letters were sent to the immediate neighbouring properties. No objections have been received. A signed letter of support from the occupier of no.8 has been received.

RELEVANT POLICIES

Havering Local Plan Adopted November 2021

- Policy 7 Residential Design and Amenity
- Policy 24 Parking provision and design
- Policy 26 Urban Design

Residential Extensions and Alterations Supplementary Planning Document Adopted 2011 (SPD)

- Section 5 Rear extensions

MAYORAL CIL IMPLICATIONS

Contributions would not be required under CIL regulations as the proposal would result in a net increase of less than 100m².

STAFF COMMENTS

An in-person site visit was not necessary. In determining this planning application, photos, Google street view, aerial view images and submitted drawings were used to assess the site constraints.

DESIGN/IMPACT ON STREET/GARDEN SCENE

With regard to the rear extension, the height of the single storey rear extension would be around 3m with a flat roof and the depth would be 3.75m, meeting guidance in the SPD. It would be an infill extension next to an existing rear extension of the same depth. The proposed rear extension would sit comfortably within the site and there would be an adequate private garden space left over. It is considered that the proposed rear extension would not unacceptably impact on the character of the immediate vicinity. It is considered that the proposal is acceptably designed, would integrate well with the existing dwelling and will not unduly impact upon the street scene or the immediate garden scene.

Careful consideration has been made as to whether the steps would be in keeping with the character and appearance of the area in general. The appearance of the steps would not look out of place with a small scale of 1.8m in width, 0.8m in depth and 0.5m in height.

IMPACT ON AMENITY

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

The rear extension would have minimal impact on the amenity of the adjoining neighbour at no.12 as it would be next to an existing extension along this shared boundary and it meets the depth and height guidance in the SPD.

The rear extension would be nearly 6m from the rear wall of the non-adjointing neighbour at no.8 which fails to meet the 4m depth guidance in the SPD. Section 5.3 of the document states that 'as a general rule, houses can be extended from the rear wall of the original dwelling by up to 3 metres in depth for a terrace house and up to 4 metres in depth for a semi-detached or detached dwelling. This is to ensure the extension is subordinate to the original dwelling. Any greater depth required should be within an angle of 45 degrees, taken from the 3 metre or 4 metre dimension on the property boundary, in order to ensure a reasonable level of amenity is afforded to neighbouring properties'. The above guidance is in place to ensure that excessive depths of rear extensions are not allowed as they impact on the amenity of nearby neighbouring houses. Each case is assessed on its own merit and this site has the neighbouring house at no.8 with a staggered building line behind the building line of no.10 so the protection of their amenity must be made. Although there is a signed statement of support from the current resident no.8 received, consideration is made to protect amenity of the building and future occupiers. As such, the 6m deep extension would have significant impacts on the amenity of this property. The depth of the extension considerably exceeds the 4m envisaged as acceptable under the SPD and so the presence of a 6m long wall would be overbearing and lead to loss of outlook to a habitable room and unreasonably dominate the rear patio area. The supporting statement cites similar extensions nearby but each case is

assessed on its own merits. The applicant also states that 6m deep extensions are allowed but this would need to be applied for via a prior approval scheme rather than a planning application.

There are no windows in the flank walls of the extension so there are no overlooking issues.

A condition could ensure that the flat roof of the rear extension is not used as a balcony area to prevent overlooking and loss of privacy.

The steps would have a minimal impact on the amenity of both neighbours as they would be approximately 3.4m from both side boundaries and relatively small scale of 1.8m in width, 0.8m in depth and 0.5m in height.

Overall, the development is deemed to be unneighbourly.

HIGHWAY/PARKING

No highway issues.

KEY ISSUES/CONCLUSIONS

Refusal is recommended.

RECOMMENDATION:

It is recommended that **planning permission be REFUSED** for the following reason(s)

1 Reason for refusal - Residential Extensions

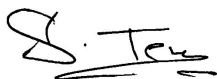
The proposed rear extension would, by reason of its scale, depth, excessive height and proximity to the neighbouring property no.8 Eversleigh Gardens, be an intrusive, overbearing and unneighbourly development that would have a significant adverse effect on the amenities of the adjacent occupiers due to overshadowing and loss of light and be intrusive and overbearing in the rear garden environment contrary to Policy 7 of the Havering Local Plan and the Residential Extensions and Alterations Supplementary Planning Document.

INFORMATIVES

1 Refusal - No negotiation

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, it was necessary to issue a decision as close to the statutory timeframe as possible as opposed to seeking amendments which would have significantly delayed the application.

Authorising Officer:

A handwritten signature in black ink, appearing to read 'S. Terry', with a horizontal line underneath.

Suzanne Terry

29th July 2024