

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1092.24

WARD: Upminster **Date Received:** 5th August 2024

ADDRESS: Magnolia House, The Chase
Upminster

PROPOSAL: Erection of a two bay cart lodge to front

DRAWING NO(S): 24.156/01
24.156/02
24.156/03

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

SITE DESCRIPTION

Application site is comprised of detached dwellings within the Metropolitan Green Belt. The site was redeveloped from a former commercial function under reference P1401.11 which saw the demolition of existing buildings/structures, hard-standing and the formation of three detached dwellings with associated areas of parking and amenity space. Permitted development rights were withdrawn over the three properties to enable the Council to control any future development in response to the VSC which justified the decision to approve the development.

The site is within the Metropolitan Green Belt and Cranham Conservation Area. The site is not listed.

DESCRIPTION OF PROPOSAL

Consent is sought for the erection of a two bay cart lodge to front of the site. The structure would be open-sided with a pitched roof and a ridge height of approx 4.57m and an eaves of 2.1m. Some additional landscaping (loose gravel on crushed concrete) to the frontage would be required to enable access to the structure which would sit against the Southern boundary with Harefield House.

RELEVANT HISTORY

P1058.24	Variation of condition No. 8 (Permitted development) of planning permission P1401.11 dated 14/02/2012 (Demolition of existing class B8 warehouse and associated hardsurfaces and erection of three detached dwellings with detached garages and landscaping)
	Apprv with cons 24-09-2024

P0743.21	Rear extension to detached garage	
	Apprv with cons	16-06-2021
P0710.19	Erection of small outbuilding for land management purposes (fence details and landscaping submitted pursuant to condition submitted separately but concurrently with this application)	
	Apprv with cons	08-07-2019
Q0097.19	Discharge of Condition 19 of P1401.11	
	ALL DECISIONS	05-07-2019
	ISSUED	

CONSULTATIONS/REPRESENTATIONS

Neighbouring occupiers were invited to comments through direct notification. In addition, a site notice was displayed adjacent to the site and the application was advertised in the local press. No letters of representation were received during the statutory consultation period.

RELEVANT POLICIES

Havering Local Plan 2016-2031 - Policies 26, 34.
Residential Extensions and Alterations SPD
NPPF
London Plan 2021

MAYORAL CIL IMPLICATIONS

Owing to the limited floor area created, there is no requirement for a contribution under the CIL regulations.

STAFF COMMENTS

PRINCIPLE OF DEVELOPMENT

Section 13 of the National Planning Policy Framework (NPPF/the Framework) attaches great importance to the Green Belt, the essential characteristics of which are its openness and permanence. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities are required to ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Para 154 of the NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate development in the Green Belt however details a number of exceptions which include "the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and outdoor recreation as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it" at Para 154(b). Furthermore at Para 154(c) the Framework allows for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Notwithstanding the above the creation of ancillary buildings, as is suggested here, within residential curtilage has long been regarded as being acceptable in principle; indeed permitted development rights will generally allow for such development. Having regard to the VSC which allowed the construction of the three dwellings which formed part of P1401.11 permitted development rights were withdrawn. Recently an application was made to remove this condition, with the outcome being a variation of the condition to allow for some minor development to be undertaken without consent. In this case, the proportions of the structure would necessitate an application for permission in any case as would the formation of additional areas of hard-standing which would run in contrast to the approved landscaping scheme which had been a condition of approval.

Elsewhere in the borough outbuildings have been approved within residential curtilage within the Green Belt on the basis that the host dwelling has not been extended disproportionately and that the provision of an outbuilding has not contributed unacceptably to this perception. Whilst the structure is capable of being used in a capacity incidental to the main dwelling house for the storage of vehicles and is open sided which would offer some benefits it would be sited forward of the principal elevation of the main dwelling. Whilst it would be open-sided which would enable views through and beyond it it would nevertheless be of considerable scale, bulk and mass in terms of its overall height and roof pitch which would contribute to a prominent appearance in the street-scene.

The principal of a cart-lodge is not unacceptable, however officers would question the need for it given the size of the garages permitted through the original consent. The applicant has not presented any case as to why the development is required and required explicitly in this location and of the proportions shown. A garage condition remains imposed on the garage which was extended in 2021. There is no evidence before officers that the garage has been converted and is not still used for parking motor vehicles. The combined height and position of the cart-lodge as shown in addition to increased areas of hard-standing would be detrimental to the open character of the site frontage. There would be both spatial and visual impacts on the character and openness of the Green Belt and the proposals would set a harmful precedent for similar development if allowed.

Officers consider, on balance, that there would be conflict with the purposes of including land within the Green Belt and more specifically the exceptions given at Paras 154(b) and (c). No VSC case has been made and accordingly the proposals are inappropriate development and therefore unacceptable in principle.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The National Planning Policy Framework states that Green Belts should seek to retain and enhance landscapes and visual amenity. This Residential Extensions and Alterations SPD aims to provide

clear design guidance to householders, developers, planners, the public and other parties involved in bringing forward residential extensions and alterations within Havering. It seeks to explain what the Council looks for when considering planning applications, and aims to ensure householder development is sympathetic to the existing property and the street scene and does not detrimentally affect the living conditions of neighbouring properties.

The Council's Residential Extensions and Alterations SPD provides further guidance on outbuildings incidental to the use of a dwelling house. It requires that outbuildings are subordinate in scale to the existing dwelling and to the plot respectively. Having regard to the combined siting and proportions of the structure under consideration, there would be harm to the street-scene and local character more generally. It is accepted that the overall height and concept including steep roof pitch may have been adopted to reflect the main dwelling/existing garage. However the visual and character impacts are wholly removed from this, given the more prominent siting of this piece of development well forward of the principal elevation.

Officers have given consideration to the siting of the premises within the Cranham Conservation Area. The statutory duty applied to planning authorities in the exercise of their planning functions in Conservation Areas is set out in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". This aim is reflected in Policy 28 of the Havering Local Plan 2016-2031. To that end, it is considered that the structure as is proposed would adversely impact upon the character of the Conservation Area through its unsympathetic proportions and siting.

Whilst it would read as a later addition to the Conservation Area in much the same way as the main house and adjoining properties and would be constructed of materials in keeping with the main dwelling, this would not outweigh the harm identified.

IMPACT ON AMENITY

Policy 7 of the Havering Local Plan 2016-2031 (HLP) states that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy, noise, vibration and disturbance to existing and future residents. This policy is to be read in conjunction with Policy 26 however the objectives are reflected in Policy 34 also which further requires consideration of human health and safety and the natural environment by noise, dust, odour and light pollution, vibration and land contamination.

Whilst the building would be positioned immediately adjacent to the boundary with Harefield House, it is not considered that it would harm outlook or unacceptably impact upon the amenity of this neighbour directly. In reaching this view officers have given consideration to the location of the neighbouring dwelling, as well as the position of windows and openings. Further to this officers have considered also impacts from loss of light and overshadowing as well as noise more generally from the use of this part of the site. It is not considered that there are any amenity grounds with which to withhold permission. However through its close proximity to the boundary and visual bulk at high level for the reasons given in preceding sections it would be detrimental to visual amenity.

HIGHWAY/PARKING

Due to the scale, nature and location of the proposals there are no highways considerations.

KEY ISSUES/CONCLUSIONS

Having regard to the above and in doing so all relevant planning policy and material considerations APPROVAL is recommended accordingly.

RECOMMENDATION:

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

1 Green Belt

The proposed cart-lodge and associated hard-standing would through siting, overall height and visual bulk, form a prominent and intrusive feature out of character with the surrounding environment that would have a significant adverse impact to the detriment of the openness of the Green Belt. The development would fail to align fully with any of the exceptions given within the NPPF and no Very Special Circumstance case has been made which overcomes the in principle and other harm identified. The development would also be contrary to Policy G2 of the London Plan.

2 Design/CA

The proposed development by reason of its scale, bulk and mass and lack of subservience would appear as an unacceptably dominant and visually intrusive feature from the public realm and adjoining site detrimental to the character of the Cranham Conservation Area and local area more generally. It would therefore be contrary to the objectives of the NPPF, specifically Para 135 which requires development add to the overall quality of the area, Policies 26 and 28 of the Havering Local Plan 2016-2031 and the Residential Extensions and Alterations SPD 2008.

INFORMATIVES

1 Refusal - No negotiation ENTER DETAILS

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, notification of intended refusal and the reason(s) for it was given to the agent in writing 30-09-2024.

Authorising Officer:



Raphael Adenegan

30th September 2024