

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1050.24

WARD: Hylands & Harrow Lg **Date Received:** 25th July 2024

ADDRESS: 119 ELMHURST DRIVE
HORNCHURCH

PROPOSAL: Part single, part two-storey rear extension following demolition of existing outbuilding and add 2 no. windows on the side wall, one on the ground floor, one on the first floor

DRAWING NO(S): P-01 A
P-02 A
P-03 A
P-04 A
P-05 A
P-06 A
Site Location Plan

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 two-storey detached property used as a care home. It benefits from a number of extensions, including a rear conservatory, a first floor front, side and rear extension and two detached garages to the rear. It is not a listed building nor is located within a conservation area.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a part single, part two-storey rear extension.

1. The ground floor rear element of the proposal would project 8m deep.
2. The first-floor rear element of the proposals would project approximately 4m deep.

RELEVANT HISTORY

P0722.24 Part single, part two storey rear extension following demolition of existing outbuilding and alterations to front entrance
Withdrawn - Invalid 27-06-2024

P1559.22	Part single, part two storey rear extension to care home to allow for 12 x additional bedrooms, a communal living room, and accessible bathroom, involving demolition of existing single storey detached outbuilding and proposed side boundary wall	Refuse	26-01-2023
P0574.06	1st floor front extension	Apprv with cons	15-05-2006
P1076.03	First floor side and rear extension	Apprv with cons	18-07-2003
P1101.01	Single storey front and rear extensions	Apprv with cons	10-09-2001

CONSULTATIONS/REPRESENTATIONS

The comments/objections received following neighbour notification can be summarised as follows:

- Extension would not be in-keeping with other properties along road.
- Reduced quality of life; concerned about impacts of increase in activities taking place at premises
- Loss of privacy

The following comments were also received from stakeholders consulted:

- * LBH Highways: No response
- * LBH Public Protection: No comments noise concerns but recommended condition relating to CMS during the demolition and construction phase and contaminated land.
- * LBH Waste and Recycling: Waste and Recycling sacks will need to be presented on the boundary of property facing Elmhurst Drive on scheduled collection day.
- * Sport England: No response

RELEVANT POLICIES

- * NPPF
- * London Plan (2021)
 - Policy D1 - London's form, character and capacity for growth
 - Policy D4 - Delivering good design
 - Policy T6 - Car parking
- * Havering Council Local Plan (2016-31)
 - Policy 7 (Residential design and amenity)

- Policy 24 (Parking provision and design)
- Policy 26 (Urban Design)

MAYORAL CIL IMPLICATIONS

The gross internal floor area of the existing building is approximately 369.09 square metres (excluding the detached garages).

The building would have a total of area of about 455.13 square metres once extended.

This difference equates to 86.04 square metres.

The Havering and London Mayoral CIL payment is therefore not applicable as the proposal is for an extended building that does not create more than 100 square metres of additional floor space.

STAFF COMMENTS

In accordance with the current criteria for site visits, an in-person site visit was not undertaken as one was not considered to be necessary. Site photos were provided by the agent in support of the application. In determining this planning application, photos, Google Street View, aerial view images and submitted drawings were used to assess the site's constraints.

This application is a resubmission of a previously refused planning application P1559.22. The key issue in this case therefore is whether the revised proposal overcomes the previously stated concerns. The previous application was refused planning permission for the following reasons:

1. The proposed part single, part two-storey rear extension, by reason of the bulk, scale mass and depth, would appear as an unacceptably dominant and visually intrusive feature in the rear garden harmful to the character and appearance of the surrounding area contrary to Local Plan Policy 26.
2. The proposed part single, part two-storey rear extension would, by reason of the positioning of its flank windows, cause overlooking and loss of privacy which would have a serious and adverse effect on the living conditions of no. 117 Elmhurst Drive, contrary to Policy 7 of the Local Plan.
3. The applicant has not evidenced satisfactorily that any adverse highways impacts associated with the proposed part single, part two storey rear extension could be mitigated and the development would accordingly be contrary to Local Plan Policy 24 and Policy T6 of the London Plan.

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

1. The part single, part two storey rear extension has been reduced in depth from 18.2m at ground floor and 9.5m at first floor to 8m at ground floor and 4m at first floor.
2. The width of the proposal at first floor level has reduced from 8.4m to 7m and instead of a crown roof, the extension would now benefit from a hipped roof.

3. Proposed side boundary wall has been omitted from the scheme.

4. Whereas P1559.22 proposed 12 bedrooms and 5 additional staff members, this application proposes one additional bedroom and no increase in staff capacity.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy 26 of the local plan seeks to ensure that any development would promote high quality design that contributes to the creation of successful places in the borough.

The site's planning history shows that it already benefits from a number of extensions, including the existing conservatory and a first floor side and rear extension.

Although the projection of the ground floor rear aspect of the proposal, at 8m, would be quite deep, it is not considered to be so harmful to the character and appearance of the rear garden environment given it would project no deeper than the existing conservatory in-situ.

The first floor aspect of the extension would also be deep and somewhat bulky however the building would project no further than nos. 107 and 109 Elmhurst Drive at first floor level as a result of the extension proposed. In view of these current site conditions, it is judged that the visual impact of the extension is not so materially harmful as to justify refusal.

It is noted that flank windows to the main building which would face Hurstlands Close are proposed. Given they would match the existing flank windows of the building in terms of design and scale, they are considered to be acceptable.

On balance, therefore, the proposals are judged to overcome the first refusal reason of P1559.22.

IMPACT ON AMENITY

Policy 7 of the local plan seeks to ensure any development would have an acceptable impact upon the amenity of neighbouring occupants. To that end, consideration has been given to the impact of the development on neighbouring dwellings particularly in respect of light loss, outlook and potential loss of privacy.

The neighbours that would be most impacted by the proposals would be no. 117 Elmhurst Drive. The ground floor aspect of the extension would be largely screened from these neighbours by the existing conservatory within the application site whilst the degree of inset of the first floor element of the extension from the shared boundary - over 8.5m - means it is considered that it would not appear as overbearing or dominant to these neighbouring occupants.

It is not envisaged there would be any loss of privacy from the extension to these neighbours as the south-facing ground floor flank window proposed would face a boundary fence within the site. There are no flank windows proposed to the extension at first floor level facing towards this neighbour so no loss of privacy or overlooking would occur.

The ground floor flank windows facing northwards would face the side boundary fence within the

site and so are not deemed to result in overlooking or loss of privacy. It is noted there would be a first floor flank window within the extension (serving a WC) that would face Hurstlands Close. This would be conditioned to be obscure glazed in the event of an approval to prevent a direct loss of privacy into the amenity areas of 121 and 123 Elmhurst Drive.

All other neighbouring properties, including ones who reside in properties along Hurstlands Close, are judged to be sufficiently separated from the proposed extensions so as for it not to affect their amenity.

The supporting statement submitted as part of this application indicates that the extension would result in the addition of one resident to the premises and no additional employees. It is also stated that the proposals would not alter existing visiting hours. Given the minimal increase in occupancy over the existing arrangement as a result of the proposals, it is not considered that activities taking place within the premises (including in terms of noise and disturbance emanating from the building and comings and goings) which would cause harm to neighbouring amenity.

A condition will also be imposed preventing any other window or opening being formed in the flank walls of the extension approved unless specific permission has been sought and obtained in writing from the Local Planning Authority first in the interests of privacy.

For these reasons, it is not deemed the proposals would have an adverse impact on neighbouring amenity. The second refusal reason of P1559.22 is thus judged to have been overcome.

HIGHWAY/PARKING

The site has a PTAL of 1b, which translates to poor access to public transport.

In a letter submitted to the LPA dated 24th January 2024, it is stated that visitors are welcomed to the premises everyday and there are no specific restrictions on visiting days or hours. On average, the premises receives 15-20 visitors each week and in terms of parking facilities, there is one designated parking space on the drive and multiple parking spaces on the road which are used daily by employees and visitors.

In an email to the case officer dated 29th October 2024, the agent stated that the proposals would result in the addition of one new patient to the facility and the supporting statement submitted with the application states that the proposals would not result in an increase to staff capacity or alter visiting hours or policy.

It is acknowledged that the proposals would result in the loss of garages at the rear of the site but given the hardstanding area to the front of the site can accommodate vehicles coupled with the minimal increase in occupancy over the existing as a result of the extensions proposed, it is not considered that highways or parking issues would arise from these proposals.

For these reasons, the revised proposals are judged to have overcome the third refusal reason of P1559.22.

OTHER ISSUES

BIODIVERSITY NET GAIN (BNG)

The proposed developments would be situated on existing hardstanding at the rear of the site and not be built on any soft landscaping. Therefore the application is not considered to be subject to BNG requirements in this instance.

CONSTRUCTION MANAGEMENT STATEMENT (CMS)

LBH Public Protection recommended imposing a condition requiring the submission of a CMS in the event this application is approved. However as the developments proposed as deemed minor in nature, it is not considered reasonable to impose a condition requiring a CMS for this application.

LAND CONTAMINATION

A pre-commencement condition, agreed with the applicant, will be imposed requiring the submission of suitable gas protection measures to be employed on site and, once installed, a verification report demonstrating that the works have been carried out as it is considered that insufficient information has been supplied with the application to judge the risk arising from landfill gases and the submission of an assessment prior to commencement will protect people on or close to the site from the risks associated with migrating landfill gas.

KEY ISSUES/CONCLUSIONS

It is considered that the extensions proposed would be acceptable and not cause a detrimental impact upon the neighbourly properties, the rear garden scene or highways/parking.

It is deemed to have overcome the refusal reasons of P1559.22.

Therefore it is recommended that planning permission is GRANTED subject to conditions.

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 S SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete

accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved.

3 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.

4 Non Standard Condition 31

The proposed ground floor flank windows within the proposed extension that would serve a laundry room and WC, as shown on the drawing 'P-02 A' accompanying the application, and first floor flank window that would serve a WC, as shown on the drawing 'P-03 A' accompanying the application, shall be permanently glazed with obscure glass not less than level 3 on the standard scale of obscurity and shall thereafter be maintained and also be permanently fixed shut and thereafter maintained, with the exception of any top hung fanlight(s).

Reason:-

In the interests of privacy.

5 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 plans) 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.

6 SC68 (Environment Agency gas migration) (Pre Commencement)

a) Prior to the commencement of any groundworks or development of the site, details shall be submitted to and agreed in writing by the Local Planning Authority setting out suitable gas protection measures to be employed on site including, but not necessarily limited to, the installation of a suitable gas resistant membrane, in compliance with BS 8485:2015. The gas protection measures shall be carried out in strict accordance with the agreed details.

b) Upon completion of installation, a 'Verification Report' must be submitted demonstrating that the works have been carried out.

Reason:-

Insufficient information has been supplied with the application to judge the risk arising from landfill gases (methane and carbon dioxide). Submission of an assessment prior to commencement will protect people on or close to the site from the risks associated with migrating landfill gas.

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

6th December 2024