

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1669.24

WARD: Elm Park **Date Received:** 19th December 2024

ADDRESS: 8 Finucane Gardens
Rainham

PROPOSAL: Loft conversion with dormers to front and rear

DRAWING NO(S):

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

SITE DESCRIPTION

Residential, two storey mid terraced dwelling finished in pebble-dash and face brick. Parking on the drive to the front of the property. The surrounding area is characterised by two and three residential units.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a loft conversion with dormers to front and rear.

RELEVANT HISTORY

There are no Planning or Building Control records for the original dwelling apart for a record that the dwelling was initially constructed as Council Housing.

D0351.24	Certificate of Lawfulness for a loft conversion with rear dormer and roof lights to front and erection of a single storey outbuilding to the rear to be used for a study and exercise place (home gym). PP not required 04-12-2024
Y0167.24	Single storey rear extension with an overall depth of 6m, a maximum height of 2.8m, and an eaves height of 2.8m. (PRIOR APPROVAL) Pr App Not Req'd 05-08-2024
P0213.02	Demolition and formation of larger garage Apprv with cons 28-01-2003
P0630.98	First floor rear extension Apprv with cons 21-07-1998

CONSULTATIONS/REPRESENTATIONS

No representations were received as part of the neighbour consultation process.

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

Havering Council Local Plan (2016-31).

Policy 7 (Residential design and amenity).

Policy 24 (Parking provision and design).

Policy 26 (Urban Design).

LDF

SPD04 - Residential Extensions & Alterations SPD

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

This application is not CIL liable because the newly created floor space does not exceed 100 square metres.

STAFF COMMENTS

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

It should be noted that no pre-application advice was sought prior to the submission of the application and it is considered that the changes required to try and bring the proposal within the realms of acceptability would not be minor.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The character of many streets in the borough is derived from the uniform spacing of dwellings. Proposals should be carefully designed so they do not interrupt this rhythm and do not detract from

the appearance of the area.

Roof extensions and alterations can change the appearance and character of the dwelling, particularly when alterations are made to the front elevation.

The Council's Residential Extensions and Alterations SPD states dormers facing the highway should not cause harm to the original house or street scene and the width of the dormer should be no greater than 1.2m. The width of the dormer should also not exceed the height (measured vertically between the highest and lowest points at which any part of the dormer intersects with the main roof).

The SPD goes on to state that where a larger window area is required on an elevation facing the highway, two smaller dormers with pitched roofs should be provided, suitably spaced apart, to minimise the apparent bulk of the additions. The combined width of a number of dormers on a roof facing the highway should not exceed half the width of the existing roof (measured at its mid-height).

The proposed front dormer windows would measure 1.2m wide and 1.4m high with glazing the full extent of the face of each dormer and be finished with gabled roofs instead of hipped roofs. Although, the dormers are separated, it is considered that the front dormers would have an unacceptable impact on the street scene.

The front dormer windows would not be in keeping with the design of the original dwelling and the character of the street, particularly the neighbouring dwellings. The application dwelling is within a group of 6 terraced properties. For an even row of terraces, extensions and alterations should be carefully designed, so that the architectural rhythm of the street is maintained.

It is noted that there are no front dormer windows along this section of Finucane Gardens. It is judged that the introduction of the proposed front dormer windows, by reason of their position and bulk would appear out of scale and out of character with the terraced group and be materially harmful to the visual amenity of the surrounding area contrary to Council guidelines.

This application also includes the previously approved rear dormer window approved as part of the certificate of lawfulness application D0351.24.

When dealing with a Certificate of Lawfulness application, any decision that the Council may make is based on fact and whether a proposal meets specific criteria in law, the Local Planning Authority (LPA) are unable to act on concerns in relation to design, loss of light, overlooking or privacy when considering a certificate of lawfulness application.

However when considering a planning application, the Council are able to assess proposal against their locally adopted guidelines. The SPD outlines that :

"Dormer windows should normally be located facing the rear garden so they are not visible from the street and do not harm the appearance or character of the original house.

Dormers should be contained well within the body of the roof, by being set well back from the eaves, and by setting the sides well in from any gables or party walls. Dormers must never extend above the ridge line of the roof and should be located well below it. All windows at roof level,

particularly dormers, should relate to the windows of the original house in proportion, design and position".

Following a review of the proposal under consideration for the rear dormer window, the proposal would not comply with these guidelines. Although, the LPA are aware that applicant has a fall back position in respect to permitted development guidelines.

However, mindful that the application is being refused on other grounds, it is considered that the proposed rear dormer window would be unacceptable and be contrary to planning guidelines due to its height, position and bulk appear out of scale and character with the dwelling and materially harmful to the visual amenity of the surrounding area.

IMPACT ON AMENITY

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

The front dormer windows would in within the roof space and the separation distance between them and the neighbouring properties would mitigate any potential impact. Due to the size, they would not unacceptably overshadow the neighbouring properties.

The front dormer windows would face the street, which is a public area, as such it is not envisaged that there would be any loss of privacy from this development.

The rear dormer window would extend the full width of the dwelling, it is considered that the proposal would not unacceptably impact on the amenity of the adjacent neighbours.

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.

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.

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.

HIGHWAY/PARKING

The application site is within a PTAL area of 2 and therefore the Policy T6.1 of the London applies. The proposal would not impact on the existing parking arrangement and therefore no objections are raised.

KEY ISSUES/CONCLUSIONS

The proposal is considered to be contrary to the above-mentioned policies and guidance and a refusal is recommended.

RECOMMENDATION:

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

1 Reason for refusal - Streetscene

The introduction of the proposed front dormer windows, by reason of their position and bulk would appear out of scale and out of character within the terraced group and be materially harmful to the visual amenity of the surrounding area contrary to Policy 26 of the Havering Local Plan and the Residential Extensions and Alterations Supplementary Planning Document.

2 Reason for refusal - Dormers

The proposed rear dormer window, by reason of its scale, bulk and mass would appear out of scale and character with the dwelling and materially harmful to the visual amenity of the surrounding area contrary to Policy 26 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, notification of intended refusal and the reason(s) for it was given to Shahida Chowdhury (Agent) by e-mail on 13-02-25.

Authorising Officer:



Habib Neshat

17th February 2025