

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1583.24

WARD: Upminster **Date Received:** 29th November 2024

ADDRESS: 23 MELSTOCK AVENUE
UPMINSTER

PROPOSAL: Part single, part two storey side/rear extension following demolition of existing garage

DRAWING NO(S): 3691.01
3691.02
3691.03A
3691.04A

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 a two storey semi-detached dwellinghouse fronting Melstock Avenue which is finished with a catslide design roof to the side and a painted render finish. Parking on the drive to the front of the dwelling. The surrounding area is characterised by predominately two storey dwellings.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a part single, part two storey side/rear extension following demolition of existing garage.

RELEVANT HISTORY

None.

CONSULTATIONS/REPRESENTATIONS

One representation was received in response to the neighbour notification with their comments summarised below -

- Concerns regarding first floor rear extension and a loss of sunlight.
- Proposal would be obtrusive, oppressive and gloomy due to close proximity to the boundary.

The following comments will be considered on the impact on amenity section of the report below.

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 T4 Assessing and mitigating transport impacts

Policy T6 Car parking

Havering Local Plan (2016-2031)

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. Photos were provided by the agent in support of the application and the photos were used in assessing the application. In determining this planning application, Google StreetView TM, aerial view images and submitted drawings were used to assess the site constraints.

The proposal was for a 6.45m wide first floor side/rear extension with a large hip roof extending over the entire extension. Changes were made during the planning process due to the design of the proposal to lessen the scale and bulk of the proposal. A staggered design was used on the first floor rear elevation between the first floor side and rear extensions. A hip roof was used on the first floor rear with a crowned roof over the side extension.

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

DESIGN/IMPACT ON STREET/GARDEN SCENE

The SPD outlines that "the character of many streets in the borough is derived from the uniform spacing of dwellings. Side extensions should be carefully designed so they do not interrupt this rhythm and do not detract from Havering's open and spacious character" and that "side extensions are highly visible from the street, so it is important that their design closely reflects the original house in terms of finishing materials, roof style and positioning and style of windows".

The two storey side extension will be set back by approximately 5.15m from the front wall of the dwelling to create a break in the front elevation and the roof-line, so to comply with Council guidelines. A pitched roof would be visible from the street but the two storey side extension would be mitigated by the screening effect of the application dwelling and the neighbouring dwelling and their two storey side/rear extension at No.21 Melstock Avenue.

The two storey side extension has been designed with a crowned roof, it was suggested that a twin hip roof design be utilised. The agent confirmed within an e-mail of the 11th March 2024 that "Further to our conversation earlier I'd like to explain the reasoning behind the revisions to this scheme. We have now broken up/ staggered the line of the rear extension to reduce its bulk and we have designed a new pitched/ hipped roof to the rear extension and a 'crown' style roof to the side which now blends into the existing roof more naturally. I understand that you would prefer a double hipped roof to the side, however this elevation will be screened by the neighbours two storey side/rear extension and will not be visible from the front or rear. If a double hipped roof were to be shown the front and rear elevations would not alter from what we have currently indicated".

Taking the above into consideration, the set back from the front of the application dwelling and the screening effect of the application dwelling and the extended neighbouring property at No.21, it is considered that the proposed two storey side extension would not unacceptably impact on the street scene and no objections are raised from a visual point of view in regards to impact on the street.

The proposed two storey side/rear extension would also be visible from the rear garden environment. The two storey rear extension would be screened from the street by the proposed two storey side extension.

The proposed two storey rear extension would be of an acceptable design. It is noted that the eaves line has been raised due to low floor to ceiling heights internally of the existing dwelling. A cropped/jerkinhead roof design has been used similar to that at No.27 Melstock Avenue. This part of the proposal would be visible from the rear garden environment and will relate well with the existing dwelling in terms of bulk, scale and massing following the changes undertaken during the course of the application. No objections are raised.

It is considered the extensions would relate acceptably to the existing property and the proposal would not unduly impact on the street scene or the rear garden environment, as the proposal would be of an acceptable design and will relate well with the existing dwelling in terms of bulk, scale and massing. No objections are raised from a visual point of view.

IMPACT ON AMENITY

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

The part single, part two storey side/rear extension would be located on the north side of the dwelling. It is not envisaged that these parts of the proposal would have any impact on the amenity of the detached neighbour at No.21 Melstock Avenue as they are located to the north and these parts of the proposal would be mitigated by the two storey side and extension which has been added to their dwelling.

The height of the ground floor rear extension would be marginally greater than the 3m normally permissible at approximately 3.12m excluding the roof light. It is considered that the additional height above 3m would not unacceptably impact on No.21 mindful of the separation distance between the flank wall and the boundary with this neighbour.

It is noted that depth of the ground floor rear extension at 5m would be 1m deeper than normal guidelines. An overall projection beyond No.21's ground floor extension of approximately 1m is not unusual and is envisaged within guidelines as acceptable when considering the impact of a 4m deep extension on the boundary with a neighbour that has not previously extended.

The proposed roof light on top of the ground floor rear extension would be screened by the proposed two storey rear extension and therefore would not impact on the adjacent neighbours at No.21.

As indicated on drawing 3691.03A, the proposed first floor rear would not project beyond the rear elevation of No.21 Melstock Avenue.

For the reason outlined above, the proposed development would not unacceptably impact on the amenity of the adjacent neighbours at No.21 Melstock Avenue.

The two storey side extension would be located on the north side of the dwelling. It is not envisaged that this part of the proposal would have any impact on the amenity of the attached neighbour at No.25 Melstock Avenue as they are located to the south and this part of the proposal would be located on the opposite side of the dwelling.

Orientation is particularly important and extensions may be acceptable where they are proposed to the north of the adjoining property.

It is noted that No.25 Melstock Avenue has a single storey rear extension which would partly mitigate the depth of the proposed ground floor rear extension. An overall projection beyond No.25's ground floor extension of approximately 1.95m is not unusual and is envisaged within guidelines as acceptable when considering the impact of a 4m deep extension on the boundary with a neighbour that has not previously extended. The neighbouring ground floor rear extension at No.25 would partly mitigate the proposal.

As mentioned, the height of the ground floor rear extension would be marginally greater than the 3m normally permissible at approximately 3.12m excluding the roof light. It is considered that the additional height above 3m would not unacceptably impact on No.25 mindful of the limited projection beyond this neighbour and the favourable orientation as this neighbour lies to the south of the application site, it is considered that the ground floor rear extension would not unacceptably impact on this neighbour.

The proposed roof light on top of the ground floor rear extension would be sufficiently removed from

the side of the extension so not to unacceptably impact on the adjacent neighbours.

The proposal would have a 3m deep first floor rear extension which would comply with Council guidelines. It would be set off the common boundary with No.25 by a minimum of 2m which would also comply with guidance. It is noted the proposed first floor rear extension would not infringe upon a notional line taken from common boundary with No.25 Melstock Avenue at first floor level created by a 2m separation distance and the 3m depth of the extension, this is due to the separation distance between the boundary and the extension.

The roof of the first floor rear extension would be hipped away from the attached neighbour to minimise the impact.

Given these circumstances and mindful of the of the general presumption in favour of development and the particular relationship to this neighbour in relation to the favourable orientation and aspect, any additional light loss to neighbouring property is considered to be modest and acceptable.

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.

To safeguard the privacy of the adjoining neighbours, two conditions would be imposed should the application be recommended for approval to ensure that no openings will be added to side of the proposed extensions or that the flat roof of the rear extension would not be used as a balcony, roof garden or similar amenity area, unless specific permission is obtained in writing from the Local Planning Authority.

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 1a. As per Policy 24 of the Havering Local Plan for a site within PTAL 0 - 1 that has 3 plus bedrooms, the site needs to provide a minimum parking provision of up to 1.5 spaces per dwelling.

Photographic evidence shows that two parking spaces can be provided to the front of the dwelling. No parking issues would arise as a result of the proposal following the changes undertaken.

KEY ISSUES/CONCLUSIONS

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 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.

3 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.

4 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 plan,) 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.

5 SC48 (Balcony condition)

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason:-

In the interests of the amenity of the occupiers of neighbouring dwelling.

INFORMATIVES

1 Land Ownership Informative

Land Ownership Informative

The applicant is advised that this planning permission does not give consent for any part of the development including guttering and fascias to encroach onto any land not within the applicant's ownership.

2 Party Wall

Party Wall Informative

This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc. Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters.

A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government.

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

3 Approval following revision

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with paragraph 38 of the National Planning Policy Framework, improvements required to make the proposal acceptable were negotiated with Mr Stubbles by phone and e-mail. The revisions involved changes to the design of the proposal to lessen the scale and bulk of the proposal. A staggered design was used on the first floor rear elevation between the first floor side and rear extensions. A hip roof was used on the first floor rear with a crowned roof over the side extension. The amendments were subsequently submitted on 07/03/25.

Authorising Officer:



Neil Goate

11th March 2025