

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0116.25

WARD: Elm Park

Date Received: 28th January 2025

ADDRESS: 75 Tuck Road
Rainham

PROPOSAL: Proposed two storey rear and side extension

DRAWING NO(S): TR/RA/DS/PL01
TR/RA/DS/PL02
TR/RA/DS/PL03
TR/RA/DS/PL04
TR/RA/PL05

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 features a two storey semi-detached property. It currently benefits from a side attached garage and front porch. It is not a listed building, nor is located within a conservation area.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a two storey rear and side extension.

RELEVANT HISTORY

ES/HOR 1512A/53 - Residential (Approved)

98/52 - Housing (Refused, Approved)

1512/53 - Road Layout (Approved)

1323/83 - Proposed Porch & Motor Garage (Approved)

P1194.86 - Kitchen/Diner Extension (Approved)

D0095.24	Certificate of Lawfulness for loft conversion with rear dormer and roof lights to front
PP not required	25-04-2024

Y0038.24	Single storey rear extension with an overall depth of 6m, a maximum height of 2.92m, and an eaves height of 2.82m. (PRIOR APPROVAL) Pr App Not Req'd 20-03-2024
Y0386.22	Single Storey rear extension with an overall depth of 5.63m, a maximum height of 3.39m, and an eaves height of 3.39m. (PRIOR APPROVAL) Pr App Ref Val 14-12-2022
Y0315.22	Single Storey rear extension with an overall depth of 6m, a maximum height of 3.39m, and an eaves height of 3.39m. (PRIOR APPROVAL) Pr App Ref Val 05-10-2022
P0294.21	Addition of 1 x 1-bed attached dwelling involving conversion of existing attached garage, alteration to front elevation, part single, part two storey rear extension and first floor side extension over garage. Refuse 15-04-2021

CONSULTATIONS/REPRESENTATIONS

Surrounding neighbours, including those which adjoin the application site, were consulted about this application. The representations received can be summarised as follows:

- Concerned about loss of light and impacts on neighbouring windows
- Proposal would not be in-keeping with area

Councillor Julie Wilkes also submitted the following comments about the application:

- Concerned that the dwelling would become an unlicensed HMO

Response:

Matters relating to the impacts of the proposal on the character and appearance of the surrounding area as well as on loss of light and on neighbouring windows will be addressed below. This application seeks planning consent for extensions to a single dwellinghouse and therefore, concerns about its change of use to an HMO will not be considered below. Furthermore, there is an Article 4 direction that has removed permitted development rights to change a semi-detached dwelling into a HMO without planning permission.

RELEVANT POLICIES

* NPPF

* London Plan (adopted 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)
- Policy 28 (Heritage Assets)

* The Residential Extensions and Alterations Supplementary Planning Document (SPD)

MAYORAL CIL IMPLICATIONS

The Havering and London Mayoral CIL payment is not applicable as the proposal is for an extended dwelling 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 judged to be necessary. Site photographs provided by the agent, Google Street View, aerial view images and submitted drawings were used to assess the site's constraints.

It is noted that planning permission was refused for the addition of 1 x 1-bed attached dwelling involving conversion of existing attached garage, alteration to front elevation, part single, part two storey rear extension and first floor side extension over garage (application reference: P0294.21). The appeal of this decision was dismissed by The Planning Inspectorate and is considered to be a material consideration.

It is noted that P0294.21 was partly refused due to the impacts of that scheme on the character and appearance of the surrounding area. However, that was in the context of extensions being proposed to facilitate a new dwelling that would be attached to 75 Tuck Road. This application differs from P0294.21 as consent is now being sought for a proposed extension to the single dwellinghouse of 75 Tuck Road and therefore, the proposal will be assessed against planning policy for householder extensions.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposed developments would comply with the Council's planning policy set out in the Residential Extensions and Alterations Supplementary Planning Document and therefore are considered to relate acceptably to the host dwelling in terms of their bulk, scale and massing.

It is considered that the design of the proposed extensions would generally be in-keeping with the character of the subject property and therefore, it is not deemed that the proposals would be detrimental to the appearance of the host dwelling or surrounding area.

No objections are thus raised to the proposals from a visual standpoint.

IMPACT ON AMENITY

Consideration has been given to the impacts of the proposed extensions on neighbouring amenity.

Attached Neighbour

At ground floor level, the extension proposed would be screened from this neighbour by the existing rear extension of the dwelling and therefore is deemed unlikely to have a harmful impact on their amenity.

At first floor level, the depth and proximity of the extension proposed to this neighbour would comply with guidelines in the Residential Extensions and Alterations Supplementary Planning Document and therefore would be acceptable.

Unattached Neighbour

The host dwelling has a staggered relationship to this neighbour, with the subject property set forward of this neighbouring dwelling.

As mentioned earlier on in this report, planning permission was refused for a part single, part two storey rear extension and first floor side extension over garage as part of P0294.21. The first floor side extension proposed as part of that application measured approximately 3.7m wide and 7.5m deep. The first floor element of the side extension proposed under this application measures about 3.7m wide and 9.2m deep. In relation to both sets of proposals, the ground floor of the side extension projects around 2.3m beyond the first floor and both are also designed with gabled roofs and with a first floor 1m set back from the front of the main dwelling. Therefore, due to the similarities between both proposals, the view taken about the impacts of the proposed extension on no. 77 Tuck Road as part of P0294.21 is deemed to be a material consideration.

As part of P0294.21, the Local Planning Authority (LPA) expressed concerns about the bulk and scale of the two storey side extension in relation to this neighbour's amenity, specifically that its position forward of the neighbouring dwelling at no.77 and its proximity to the boundary, would have an intrusive and unneighbourly impact. In the appeal of that application, the Inspector agreed with this view, stating that "there would be a greater sense of enclosure to the immediately neighbouring house at No. 77, somewhat overbearing to the approach to the front door, which is in the side elevation, and to the front of that house and its outlook. This amounts to a degree of harm that carries some weight."

The extension proposed under this application would be of a similar design to the one refused under P0294.21 and would have the same extent of projection beyond the front of the unattached neighbour. It is therefore considered that the previous concerns about the relationship of the extension to this neighbour identified by the LPA and The Inspector have not been addressed by the proposal. Consequently, the bulk and scale of the extension proposed is considered to be harmful to amenity of the unattached neighbouring occupants, due to the height, bulk and mass of the extension at the front of the site combined with its position forward of this neighbouring dwelling at no.77 and its proximity to the shared boundary all of which would have an intrusive and unneighbourly impact on these neighbours resulting in a sense of enclosure, loss of outlook and an

overbearing form of development.

It is acknowledged that the extension proposed would affect outlook from flank windows of the unattached neighbour. Based on the plans submitted as part of a refused planning application for this neighbouring property in 2020 (application reference: P0793.20), there is a ground floor kitchen flank window and first floor landing and bathroom flank windows that would be affected by the proposals. The windows to the landing and bathroom both serve non-habitable rooms however, and less weight is applied to the impact of extensions on such windows. Furthermore, the kitchen and bathroom flank windows are both secondary windows to those rooms, meaning it is envisaged both rooms would continue to receive light from their rear facing windows. However, for the reasons expressed above, the impacts of the extension on the unattached neighbour are considered unacceptable.

All other neighbouring properties are considered to be sufficiently separated from the proposals such that the developments proposed would not have a harmful impact on their amenity.

HIGHWAY/PARKING

No highway or parking issues are considered to arise from this proposal.

KEY ISSUES/CONCLUSIONS

The proposal is considered to be contrary to the above-mentioned policies.

A REFUSAL is therefore recommended.

RECOMMENDATION:

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

1 Reason for refusal - Streetscene

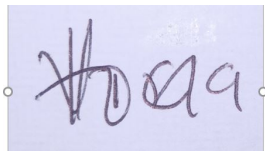
The proposed development would, by reason of its height, degree of front projection and proximity to the unattached shared boundary, result in an extension that would be harmful to the amenity of no. 77 Tuck Road due to creating an overbearing form of development and giving rise to a sense of enclosure and loss of outlook to these neighbouring occupants, contrary to Policy 7 of the Local Plan and the Residential Extensions and Alterations Supplementary Planning Document.

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 applicant via email on the 25th March 2025.

Authorising Officer:

A handwritten signature in dark ink on a light blue background. The signature is stylized, appearing to read 'V Collins'.

Victoria Collins

25th March 2025