

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0267.25

WARD: Emerson Park **Date Received:** 26th February 2025

ADDRESS: 29 Sylvan Avenue
Hornchurch

PROPOSAL: Part single, part two storey rear extension, conversion of integral garage to habitable use, loft conversion with roof enlargement, increase in ridge height with front and rear dormer windows, roof lights and with a front boundary wall and gates. Changes to the fenestration and re-modelling of existing two storey front projection including a gabled roof

DRAWING NO(S): 231129-10
231129-11A
231129-19E
231129-20E
231129-21H
231129-22
231129-23A
231129-30E

RECOMMENDATION: It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The subject premises comprise of a two-storey, detached dwelling finished in a mixture of face brick and painted render. Parking available on the driveway and in the garage to the front of the property with a hedge and low plinth wall. The site is located in Sector 6 of the Emerson Park Policy Area (EPPA). The surrounding area is characterised by two storey dwellings of various styles and designs.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a part single, part two storey rear extension, conversion of integral garage to habitable use, loft conversion with roof enlargement, increase in ridge height with front and rear dormer windows, roof lights and with a front boundary wall and gates. Changes to the fenestration and re-modelling of existing two storey front projection including a gabled roof

RELEVANT HISTORY

ES/HOR 618/53 - House & garage - Approved.

603/82 - Ground and first floor extension to existing domestic house - Approved.

P0035.24 Part single, part two storey rear extension, conversion of integral garage to habitable use, loft conversion with roof enlargement, increase in ridge height with front and rear dormer windows, roof lights and a single storey outbuilding with a front boundary wall and gates. Changes to the fenestration and re-modelling of existing two storey front projection including a gabled roof

Apprv with cons 15-04-2024

P0555.19 Single storey & first floor rear extensions, roof enlargement with front & rear dormers, two storey glazed front entrance and new boundary wall & gates to front garden

Apprv with cons 15-08-2019

CONSULTATIONS/REPRESENTATIONS

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

- Loss of privacy. Condition 10 of P0035.24, referring to the Juliette balcony needs to be enforced.

LBH Highways Department were consulted and comments have been provided which will be included in the parking and highways section of the report below.

RELEVANT POLICIES

- For ease of reference, the Residential Extensions and Alterations SPD will be referred as "SPD" with the Emerson Park Policy Area(EPPA) SPD being referred to "EPPA SPD".

LONDON PLAN:

Policy D1 London's form, character and capacity for growth

Policy D4 Delivering good design

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

The Havering and London Mayoral CIL payment is applicable as the proposal is for a extended dwelling and creates more than 100 square metres of additional floorspace. The gross internal floor area of the existing dwelling is 224.21 square metres and this can be deducted from the gross internal floor area of the extended dwelling. The dwelling would have a total of area of 362.92 square metres once extended. The difference equates to 138.51 square metres which is rounded up to 139 square metres.

The Mayoral CIL has a charging rate of £25 per square metre of net additional floor space of the proposed development and therefore the liability equals $139 \times £25 \text{ per sq.m} = £3,475$.

The Havering CIL has a charging rate of £125 per square metre of net additional floor space of the proposed development in Zone A. The proposal would be liable for Havering Community Infrastructure Levy contributions of CIL of £17,375 ($139 \times £125$) to mitigate the impact of the development.

The total CIL liability to be paid is £20,850 plus indexation.

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 for the previous application P0035.24 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.

This application is a re-submission of two previously approved applications P0555.19 & P0053.24. P0555.19 had lapsed prior to the submission of P0053.24. It was noted that P0555.19 was described as a single storey & first floor rear extensions, roof enlargement with front & rear dormers, two storey glazed front entrance and new boundary wall & gates to front garden.

The principle of substantial extensions to this property has been established by the previous consent P0035.24 and this application relates solely to the changes outlined below in relation to the previously approved scheme.

As mentioned, this application is a resubmission of a previously approved planning application P0035.24. The key issue in this case therefore is whether the revised proposal is acceptable. This application differs from the previously refused schemes in the following key areas:

1. The depth of the first floor rear extension has increased from approx. 2.11m to 3.5m.
2. The juliette balcony from the dormer has been replaced with doors and a balcony.
3. The balcony rail is set back from the rear elevations of the first floor rear extensions.
4. The height of the pitched roof of the first floor extensions have been increased for screening.
5. The position of the roof lights on the rear elevation have been relocated to a different position.
6. Size of the roof light on top of ground floor rear increased adjacent to No.31 Sylvan Avenue.
7. Pitch roof added to rear dormer instead of flat roof.

8. Floor to ceiling windows on front elevation adjacent to No.27 altered to smaller window.
9. First floor window on Proposed Left Side Elevation changed to two smaller windows with gap.
10. The proposed outbuilding does not form part of this application.

Various revised plans received during process with annotations being provided but also due distorted information on plans which were illegible. Neighbours not re-consulted as the revisions were sought for clarity.

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

DESIGN/IMPACT ON STREET/GARDEN SCENE

The application site falls within Sector 6 of the Emerson Park Policy Area (EPPA). This sector is particularly typified by medium and large dwellings in spacious well landscaped grounds. Infill development will be permitted in this sector provided it does not give a cramped appearance to the street scene and its massing and architectural style is in keeping with surrounding properties. Redevelopment of a number of properties or backland development generally result in increased density and reduced rear garden lengths, both of which are harmful to the special character of Sector 6, and such proposals will not normally be permitted.

In relation to new dwellings and extensions to existing dwellings and the resultant space between buildings, each case will be treated on its merits and with regard to the extent that architectural character, massing and existing landscaping are retained. In every case, the space that is retained between buildings should reflect the character of the street scene in the immediate surroundings.

The proposal seeks planning consent for a front boundary wall and gates. Neighbours were re-consulted during the process as the description on the application form only referred to the front boundary wall but did not include the gates. Neighbours were re-consulted for clarity.

The front boundary wall would have brick piers with a height of 2m and railings. The brick plinth in the middle would have a height of 0.6m with railings above to a cumulative height of 2m. The entrance gates on either side would have a height of 2m. Drawing 231129-23A shows the extent of the proposed boundary treatment to the front of the dwelling.

The front gates, brick piers and railings would be widely visible from the public highway and consideration must be given to the impact of the development upon the character and quality of the street scene.

Site inspection reveals that the majority of dwellings in the area have boundary treatments to the front of their dwelling of various styles and designs. The proposed railings as revised at 0.6m in height would not unacceptably impact on the character of the area.

Taking the above into consideration, it is considered that the the boundary treatment along the front boundary would not unacceptably impact on the street from a design point of view.

The change of use of the garage to an extended living room would involve the removal of the garage door. A new three pane floor to ceiling window would be added to the front of existing garage. Given that the materials used would match the existing dwelling, it is therefore considered

that there would be no adverse affect on the street scene environment.

The loft conversion will comprise of a new cropped or jirkenhead roof with front and rear dormer windows. The height of the roof will increase from approximately 7.47m to approximately 8.53m

The SPD outlines that "Roof extensions and alterations can change the appearance and character of the dwelling, particularly when alterations are made to the front elevation. Proposals to convert a hipped roof to a gable end roof to one house on a pair of semi-detached dwellings can result in unbalancing the pair. Where the Council has control over such proposals and hipped roofs form a characteristic of the house and/or street, a gable end will not be considered acceptable".

As the proposed alterations are to a detached property, it is considered that the proposed roof alterations would not unacceptably impact on the character of the surrounding area, mindful of the various styles and design of dwellings and extension within the Emerson Park Policy Area.

The proposed increase in the ridge height of the dwelling from approximately 7.47m to 8.53m to allow for a new roof and loft accommodation which is an increase of 1.06m. The roof height would be the same as No.31 and approximately 0.84m higher than No.27.

It is noted that there are number of properties being altered or have been altered within the street and the immediate area, as such it would be difficult to demonstrate the changes in ridge height and the provision of a new cropped or jirkenhead roof would have a detrimental impact on the street scene. No objections are raised to the changes in fenestration or provision on the new entrance door and materials being proposed from a visual point of view.

The proposed 1.5m wide front dormer windows would be wider than the 1.2m normally prescribed by the SPD guidelines, however, they would be contained within the roof space by being set below from the ridge, up from the eaves and in on either side so to be contained well within the roof space. No objections are raised from a visual point of view. A condition would be imposed for the front dormers to be tile hung to match the appearance of the roof.

In addition, no objections are raised from a visual point of view to the removal of openings and replacing/adding new windows to the side of the dwelling or to the roof lights on the rear elevation from a visual point of view.

Also, no objections are raised to the changes to the fenestration and re-modelling of existing two storey front projection including altering the roof to a gabled roof from a visual point of view.

The proposed single/two storey rear extension would be visible from the rear garden. The single storey rear extension would relate acceptably to the existing property when viewed from the rear garden environment.

The proposal part width first floor rear extension adjacent to No.27 Sylvan Avenue would provide a hip roof to match the existing hip roof on the other side adjacent to No.31. Both of the these roofs would be increased in height to provide screening for the proposed roof terrace area from the loft.

The roof proposed rear dormer window has been altered from a flat to pitch roof on this application to provide some space from the ridge. Although large, it would be nestled within the twin hipped roof of existing and proposed first floor extensions, resulting in the dormer being located within the

middle of the extended dwelling and set in from either side. The dormer would be marginally set below the extended ridge and be built of the eaves, however, the dormer would be screened on either side by the twin hipped roofs which would be increased in height. No objections are raised, mindful of size of the dormer approved as part of P0555.19 & P0053.24.

The proposal would be of an acceptable design and in all, the development will not unduly impact upon the street scene or rear garden environment.

Mindful that the principle of substantial extensions to this property has been established by the previous consent P0035.24, it is considered that the changes outlined above in relation to the previously approved scheme would not unacceptably impact on the amenity of the adjacent neighbours.

IMPACT ON AMENITY

Consideration has been given to the impact of the proposal on the side properties, primarily in respect of privacy and overshadowing to No.27 and No.31 Sylvan Avenue.

The proposed change of use of the garage to a habitable room would involve the removal of the garage door and the installation of a new window.

The window of the garage conversion, front dormer windows and the new glazing to the front bay feature creating the new entrance door 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.

It is considered the proposed front boundary treatment would not adversely impact upon the amenity of the neighbouring properties.

The single rear extension would have a depth of 4m with the depth of the first floor infill rear extension being increased from approximately 2.1m to 3.5m. The pitched roof over the existing and proposed first floor rear extensions/projections would be increased to provide screen for the terraced area from the loft.

The proposed single storey rear extension would set in from the boundary on either side. The neighbouring dwelling at No.27 Sylvan Avenue projects further back into plot compared to the application dwelling. An overall projection beyond the rear elevation of No.27 at ground floor level of approximately 1.47m 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 separation distance between the flank wall of the ground floor rear extension and the boundary with No.31 as shown drawing 231129-30E would mitigate the impact of the depth and height of the proposed ground floor rear extension.

The proposed roof lights on top of the proposed ground floor rear extension would be sufficiently removed from the sides of the extension, not to unacceptably impact on the adjacent neighbours.

The proposed first floor rear extension and roof alteration would project beyond the rear elevation of

No.27 Sylvan Avenue by approximately 0.75m, however, the first floor habitable room window would be set away from the boundary and the neighbouring ground and first floor rear building line would mitigate this part of the proposal and therefore it is considered that the first floor rear extension would not unacceptably impact on No.27 due to its limited projection beyond No.27 at first floor level. It is noted that No.27 has some flank windows facing the application site.

Council records indicate that the ground floor windows would serve from front to rear a study, dining room and breakfast room with the first floor flank window an en-suite. The ground floor study to the front and the breakfast room flank windows would be secondary light sources as additional light would be provided from the front and rear elevations. The first floor flank window would serve an en-suite. Less weight would be applied to the impact on these windows as they are secondary light sources or serve a non habitable area.

However of a greater concern, is the potential impact on the dining room window at No.27 and therefore care need to be exercised in assessing the impact of this window and the additional harm above the existing conditions.

It should be noted that the original dwelling house on the site of No.27 was demolished and rebuilt under planning reference P1420.09 with the new dwelling being brought closer to the boundary adjacent to the application site. The new dwelling was designed with the dining room with close proximity to the boundary at the time of the dwelling's construction and the application dwelling at No.29 would have impinged a 45 degree line from this habitable room window.

It is noted that the height of the gabled end adjacent to No.27 has been increased from approximately 6.96m to approximately 7.34m between the previously approved application P0555.19.

In addition, when considering any application in respect to amenity, orientation is particularly important and extension may be acceptable where they are proposed to the north of the adjoining property, in this instance, the roof enlargement would lie to the north east of No.27.

Furthermore, the Residential Extensions and Alterations SPD outlines that in cases where neighbouring properties have been previously extended to the side with extensions incorporating primary flank windows to habitable rooms which is the case of the new dwelling at No.27, each application will be determined on its particular merits but with generally less weight being afforded to any loss of light or other amenity arising from the development.

The installation of flank windows on or close to the boundary are discouraged, as these windows claim light from exclusively outside of the site over land which a resident has no control. In such circumstances, the Local Planning Authority cannot undertake to safeguard the entry of light to the flank windows on the neighbouring dwelling, mindful that its a replacement dwelling and not the original one which was on site.

In all and taking the above factors into consideration, it is considered that the proposed roof enlargement and first floor rear extension would be within the realms of acceptability.

The first floor rear extension would be located on the south west side of the dwelling. It is not envisaged that this part of the proposal would have any impact on the amenity of the neighbour at No.31 Sylvan Avenue as they are located to the north east and the separation distance would

mitigate any potential impact as the proposal would be located on the opposite side of the dwelling.

The separation distance between the roof alteration and No.31 Sylvan Avenue would mitigate the any potential impact arising from this part of the development.

Finally, it is considered that the proposal would not result in any undue overlooking or loss of privacy above and above existing conditions, particularly as there the first floor windows and dormer windows of neighbouring properties already overlook the rear garden areas of surrounding residential properties.

On this re-submission, the proposal has reverted back to providing a balcony between the two twin hipped roof from the study in the loft instead of a juliette balcony. The agent on this submission has increased the height of the pitched roof of the existing and proposed first floor rear extensions/projections to try an overcome the previous concerns regarding a loss of privacy to adjoining neighbours.

Furthermore, the balcony/terraced area would be set back from the rear elevations of the first floor extension so there is not the possibility to overhang and provide view into the most private part of the neighbouring gardens. The plans provided reflect this.

Given these circumstances and mindful of the general presumption in favour of development, Staff consider any impact upon this neighbour 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.

To safeguard the privacy of the adjoining neighbours, two conditions have been imposed 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 addition, a further condition would be imposed for the new flank windows adjacent to No.27 Sylvan Avenue to be obscured glazed and fixed shut apart for open-able fanlights. This condition has been imposed due to the location of these windows the neighbouring property. The new flank windows would be to the proposed study and en-suites.

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.

Although, the proposal would remove the use of the garage, photographic evidence shows that the parking arrangements can provide a minimum of two parking spaces can be provided.

The proposal also incorporates front gates, brick piers and railings facing Sylvan Avenue. The Highways Department has commented that it is advised that, at the vehicular access point, fencing

should not exceed a height of 0.6 meters to ensure unobstructed visibility for car drivers, facilitating a full view of pedestrians on the adjacent footway. Furthermore, please include a condition requesting a demolition and construction method statement prior to the commencement.

Plans have been revised during the planning process reducing the height on the plinth wall in between to 0.6m. The front elevation does seem to indicate that the vegetation would be retained to the rear. It is considered that it would be too onerous to impose a condition requesting a demolition and construction method statement prior to the commencement for this householder development.

Consideration has been given to off-street parking provisions but this remains within the requirements of the local plan and also been given to the new fence/wall/gate at the front boundary. However, this does not exceed 0.6m and is therefore considered acceptable.

It is acknowledged that there are various styles of boundary treatment along Sylvan Avenue some of which utilise a visibility splay and other which have historic and the LPA have no records. It is considered that it would be difficult to substantiate a refusal on appeal. No objections are therefore raised.

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 SC14A (Visibility splay)

The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the

proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay. In addition, as per the agent's e-mail of the 23rd April 2025, the proposed boundary gates will open onto the applicant's property and not onto the public highway

Reason:-

In the interests of highway safety.

4 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.

5 SC34B (Obscure with fanlight openings only)

The proposed ground floor flank window serving the study and the first floor flank windows serving the en-suites as shown on drawing no. 231129-20E & 231129-21H shall be permanently glazed with obscure glass not less than level 4 on the standard scale of obscurity and shall thereafter be maintained and permanently fixed shut and thereafter maintained, with the exception of any top hung fanlight(s).

Reason:-

In the interests of privacy.

6 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.

7 SC48 (Balcony condition)

The roof area of the extensions hereby permitted shall not be used as a balcony, roof garden or similar amenity area apart for the area shown from the loft study as shown on drawings nos. 231129-19E, 231129-20E & 231129-30E 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.

8 Front Dormer Window Finish

Notwithstanding the details shown on drawings 231129-21H, 231129-22, 231129-23A accompanying the application, the face and cheeks of the front dormer windows shall be tile hung to match the appearance of the roof of the existing dwelling unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with Policy 26 of the Havering Local Plan.

INFORMATIVES

1 Approval and CIL

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). The Mayoral CIL levy rate for Havering is £25/m² and is chargeable for each additional square metre of residential gross internal (GIA). Based upon the information supplied with the application, £3,475 would be payable due to result in a new residential property with 139m² of GIA, however this may be adjusted subject to indexation.

The proposal is also liable for Havering Council's CIL. Havering's CIL charging rate for residential is £125m² (Zone A) for each additional square metre of GIA. Based upon the information supplied with the application, £17,375 would be payable, subject to indexation.

These charges are levied under s.206 of the Planning Act 2008. CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website. You are also advised to visit the planning portal website where you can download the appropriate document templates at <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

2 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 V Atsu (Agent) by phone and e-mail. The revisions involved adding annotations to the drawing showing balcony rail & terrace area. The amendments were subsequently submitted on 24/04/25 & 25/04/25.

Authorising Officer:

Neil Goate

25th April 2025

NWA