

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0133.25

WARD: Marshalls & Rise Pk **Date Received:** 31st January 2025

ADDRESS: 25 Ashmour Gardens
Romford

PROPOSAL: Proposing a two storey side extension, part two storey rear extension and a single storey rear extension, porch extension with conversion of garage.

DRAWING NO(S): 1 REV 1
2 REV 1
3 REV 1
OS Map - Scale 1:500
OS Map - Scale 1:1250

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 property is a two storey semi-detached dwelling located on the north side of Ashmour Gardens. The semi-detached dwellings are characterised two storey front bay windows with broad gabled roofs above them. The application property possesses a side garage, whilst the adjoining dwelling has undergone works involving the introduction of dormer which emerges through a cat slide roof above the garage. The application area is predominantly residential in character with similar semi-detached properties.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a proposing a two storey side extension, part two storey rear extension and a single storey rear extension, porch extension with conversion of garage.

Although not mentioned on the application form, the submitted plans show a front porch extension similar to that approved as part of P1911.19. Neighbours were re-consulted with a revised description for clarity.

The principle of extensions to this property for the development has been deemed acceptable following the approval of P1911.19.

RELEVANT HISTORY

P0581.20	Two storey side extension and part two storey rear extension and a front Porch. Refuse	24-06-2020
P1911.19	Part two Storey, part single Storey side extension, single storey rear and front porch extension. Apprv with cons	13-03-2020
P1443.19	Proposed a part two-storey/part single storey side and rear extensions. Front porch extension. Refuse	05-12-2019
P0744.19	Proposed two-storey and part single storey side extension, single storey rear and front porch extension. Apprv with cons	06-09-2019
P0392.19	Existing garage at the side to be demolished. Proposing a two-storey side extension, part two-storey/part single storey rear extension. Front porch extension and loft conversion to include dormer and 2 no. rooflights to rear and 3 no. rooflights to front. Refuse	10-05-2019

CONSULTATIONS/REPRESENTATIONS

Neighbours were consulted regarding the application with five representations being received, with multiple ones received from the same neighbours with their comments summarised below.

- Sheer scale of the development, the depth of the proposed rear extension.
- Loss of light and privacy.
- The size and extent of this development seems unreasonable.
- Garden is too small for double storey extension.
- Noted plans revised and rear extension smaller.
- Noise and disturbance from significant length of time of construction works.
- Multiple application on site, property has been rented out since it was purchased & up for sale.
- House of multiple occupancy (HMO).
- Devaluation of neighbouring properties.

The comments regarding the design will be considered below with the loss of light, privacy and overshadowing will be assessed under the impact on amenity section of the report.

The application has been submitted as a householder proposal and will be assessed on its individual planning merits. The Council are unable to prevent applicants from submitting planning applications and the proposal needs to be assessed accordingly in line with guidance. The consent for the previously approved application P1911.19 has now lapsed and a further application needs to be submitted to extend the consent.

Issues relating to the use of the property for multi-occupation and any associated issues relating to anti-social behaviour, noise and disturbance are not relevant to consideration of this application. Any allegation that the property being used a HMO would need to need to be reported to Planning Enforcement to be investigated separately.

The Council are unable to take into consideration concerns regarding damage to neighbouring properties from the proposal. Should the application be approved it is suggested that neighbours seek advice from a party wall surveyor as this is a civil matter.

The disruption from and stress caused by the building works, construction noise and the devaluation of neighbouring properties are neither material planning considerations and therefore cannot be taken into account in the assessment of the application. Any building works undertaken outside of the normal construction hours should be reported to Public Protection as a noise related issue.

The application has been submitted as a householder proposal and will be assessed on its individual planning merits.

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 Local Plan (2016-2031)

Policy 7 (Residential design and amenity).

Policy 24 (Parking provision and design).

Policy 26 (Urban Design).

Policy 34 (Managing Pollution).

LDF

SPD04 - Residential Extensions & Alterations SPD

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The application is not CIL liable.

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.

This application is a resubmission of a previously approved planning application P1911.19 which has lapsed. The initial submission differed from the previously approved scheme in the following

key areas:

- The first floor side extension projects forward of the recessed wall at the front of the dwelling.
- The depth of the ground floor rear extension would be 6m.

Negotiations were undertaken during the planning process for the plans to be revised so the first floor rear extension was similar to that approved as part of P1911.19 meaning the first floor side extension aligning with the recessed wall at the front of the dwelling and the ground floor rear extension being reduced from 6m to 4.5m. Neighbours were re-consulted for clarity in respect to the front porch which was not on the description, although shown on the submitted plans.

Revised plans were sought for clarity due to an anomaly on the drawings where the roof pitch of the first floor side extension did not match the roof of the original dwelling. This matter was resolved with revised plans. Also, revised plans were received where the width of the first floor rear extension was reduced to 4.412m. In addition, annotated measurements were added in respect to the first floor rear extension. Also, clarity in respect to the roof light on the side elevation as it was not shown on all drawings and in respect to plan numbers. . Neighbours were not re-consulted as the impact was lessened and details 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 principle of the development has already been accepted by the original approval P1911.19. Since the previous consent has been given, the Council has adopted a new Local Plan however, the SPD remains the same.

Concerns were raised regarding the projection forward of the first floor side extension and the depth of the proposed ground floor rear extension. Changes were undertaken during the planning process to reduce the impact on the street and rear garden environment by reducing these extensions.

Although not mentioned within the description, it is considered that the proposed front porch extension would unacceptably impact on the street scene. The revised part single part two-storey side extension would not have a detrimental impact on the street scene as this was deemed acceptable as part of the previous approved application P1911.19.

The revised proposed single storey rear extension would take up the full width of the property boundaries with a projection of 4.5m at a maximum height of 3m would relate acceptably to the existing dwelling and no objections are raised from a visual point of view.

The proposed first floor rear extension would be set in from either boundary and have a depth of 3m with a hip roof to comply with guidance. No objections are raised from a visual point of view to the proposed single/two storey rear extension as it would only be visible from the rear garden.

It is considered the proposal as revised would relate acceptably to the existing property and the proposal would not unduly impact on the street scene or the rear garden environment. 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 on the neighbouring dwelling in terms of loss of light and loss of privacy.

The proposed porch would be mitigated by the attached neighbour's front porch and on the other side by the separation distance to No.27.

No.23 Ashmour Gardens is the other half of the semi-detached pair and lies to the north west of the application dwelling.

The single/two storey side extension would be located on the south east 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.23 as this part of the proposal would be located on the opposite side of the dwelling.

The proposed ground floor rear extension as revised would be mitigated the neighbouring rear extension at No.23 Ashmour Gardens. The overall projection beyond No.23's extension 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 depth of the first floor rear extension at 3m complies with Council guidelines and it would be set off the common boundary by approximately 2.3m. It is noted the proposed first floor rear extension would not infringe upon a notional line taken from common boundary with No.23 Ashmour Gardens 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.

As a result, it is considered that the proposed development would not unacceptably impact on the amenity of the adjacent residents at No.23 Ashmour Gardens.

No.27 Ashmour Gardens lies east of the application dwelling. The garage of application dwelling and No.27 separate the properties currently.

As previously mentioned, the impact of the two storey side extension was deemed acceptable as part of the previous consent and it was acknowledged that the neighbouring property at No. 27 Ashmour Gardens has a some flank window adjacent to the application site which served a landing, a bathroom/w.c and high level kitchen window at ground floor level. Less weight would be applied to the impact on these windows as they would be considered to serve a non-habitable area or be a secondary light source in the instance of the high level kitchen window as additional light is provided via the glazed door on the rear elevation. Furthermore, it is acknowledged that the neighbouring property at No.27 has no extension to the rear of the their dwelling

The 4.5m deep ground floor rear extension was approved as part of the previous applications, mindful that the height complied with Council guidelines and the additional depth of the rear extension be deemed acceptable due to the position of the garden shed on the boundary with No.27 and the separation distance between the properties.

The proposed first floor rear extension has been set in from the boundary with No.27 Ashmour Gardens by 2m. An equivalent degree of amenity should be secured for the neighbouring dwelling on the non-attached boundary both in terms of the existing house and rear garden and in terms of the ability to build an extension in line with this SPD.

The depth of the first floor rear extension complies with Council and would be set off the common boundary by 2m. It is noted the proposed first floor rear extension would not infringe upon a notional line taken from common boundary with No.27 Ashmour Gardens 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.

As a result, it is considered the proposed first floor rear extension would not unacceptably impact on the amenity of the adjacent residents at No.27 as it would be policy compliant and it was deemed acceptable as part of planning application P1911.19.

It is considered that it would be difficult to substantiate a refusal on appeal in respect to a loss of light or overshadowing from the first floor rear extension as this part of the proposal is policy compliant. Similarly, it is considered that it would be difficult to substantiate a refusal on appeal on a loss of privacy from the first floor rear extension or the development in whole, particularly as there the first floor windows of neighbouring properties and the application dwelling 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 that any impact upon the adjacent neighbours to be modest and within that envisaged as acceptable within guidelines

To safeguard the privacy of the adjoining neighbours, three conditions have been imposed to ensure no openings will be added to side of the proposed extensions, for the flat roof of the single storey rear extension not to be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority and for the roof light on the side of the two storey side extension, to be non-open able and obscured glazed unless the open-able part is 1.7m above the finished floor level.

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

Although, the use of the garage would be lost as part of the proposal. It is noted that the garage is too narrow to park a motor vehicle and therefore it is considered that the remaining parking will be acceptable.

KEY ISSUES/CONCLUSIONS

The principle of extensions to this property for the development has been deemed acceptable by the previous consent. The application 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 SC45 (Standard Porch Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no porches shall be erected to the front or side of the extension hereby permitted, without the express permission in writing of the Local Planning Authority.

Reason:-

In the interests of amenity and to enable the Local Planning Authority to retain control over future development.

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 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.

6 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.

7 Roof light

The roof light inserted on the roof slope adjacent to No.27 Ashmour Gardens, Romford as shown proposed side elevation and proposed first floor plan as shown on drawing No.2 REV 1 shall be obscure-glazed, and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Reason - In the interest of privacy and to protect the amenity of the adjacent neighbours.

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 Konakli (Agent) by e-mail and phone. The revisions involved setting the first floor side extension back at the front of the dwelling to align with the recessed wall and to reduce the depth of the ground floor rear extension from 6m to 4.5m as previously approved. Also, roof pitch of first floor side was revised to be the same as pitch of the original dwelling and the width of the first floor rear extension was reduced to 4.412m. Annotated measurements added to drawing in respect to first floor rear extension, clarity in respect to roof light as it was not shown on all the drawings and in respect to plan numbers. The amendments were subsequently submitted on 04/04/25, 09/04/25, 29/04/25 & 30/04/25.

Authorising Officer:



Raphael Adenegan

30th April 2025