

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0367.25

WARD: Elm Park **Date Received:** 19th March 2025

ADDRESS: 22 Stephen Avenue
Rainham

PROPOSAL: Part retrospective application for single storey side extension, proposed single storey rear extension with alterations to fenestration

DRAWING NO(S): 19/574/002
19/574/004
19/574/005
19/574/006 Revision A

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 semi-detached dwelling finished in painted render. Parking available on the driveway to the front of the property. The surrounding area is characterised by two storey dwellings..

DESCRIPTION OF PROPOSAL

Planning permission is sought for a part retrospective application for single storey side extension, proposed single storey rear extension with alterations to fenestration

RELEVANT HISTORY

ES/HOR 98/52 - Houses - Refused & Allowed on Appeal

ES/HOR 1512/53 - Road layout - Approved.

ES/ROM 1558/54 - Houses - Approved.

290/A/55 - Houses

L/HAV 627/67 - Private motor garage - Approved.

1484/80 - Extension to rear of house - Approved.

2081/80 - Extension to rear of house - Approved.

Y0098.24 Single storey rear extension with an overall depth of 6m, a maximum height of 3.25m, and an eaves height of 3m. (PRIOR APPROVAL)

Pr App Not Req'd 21-05-2024

P0454.22	Chimney removal up to first floor ceiling, remaining chimney secure with brackets.
Withdrawn - Invalid	13-04-2022

CONSULTATIONS/REPRESENTATIONS

No representations were received in response to the neighbour notification.

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).

LDF

SPD04 - Residential Extensions & Alterations SPD

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposal includes the creation of less than 100sqm of residential Gross Internal floor Area (GIA) and is therefore not liable for CIL payments.

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 following notification that prior approval was not required for a single storey rear extension with an overall depth of 6m, a maximum height of 3.25m, and an eaves height of 3m. (PRIOR APPROVAL) under reference Y0098.24.

The assessment of a prior approval application and a planning application are assessed in two different ways. The prior approval needs to comply with permitted development guidelines and this

householder planning application is to construct a 6m deep extension to the rear of the existing dwelling. The house has already been extended to the rear and therefore this application wishes to combine the rear extension allowed as part of Y0098.24 adjacent to No.24 Stephens Avenue with another rear extension adjacent to No.20 Stephen Avenue.

Furthermore, it should be noted that no Certificate of Lawfulness was submitted following the applicant/agent being advised that prior approval was not required for Y0098.24. The decision letter outlines that a Certificate of Lawfulness should be submitted to ensure that the proposal meets with the other parameters within Class A.

Revised plans were submitted during the course of the application for the clarity. The revisions involved showing the boundary line on the proposed front and rear elevation to ensure that the guttering to the side extension to be retained did not encroach onto the side access onto land outside of the applicant's ownership. Agent provided revised plans and advised that there was no encroachment. The Council do not hold land registry details so an informative will be added to the decision notice in respect to this matter.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The single storey side extension to be retained as part of the retrospective part of the application aligns with the front project forward of the dwelling house. It is Council policy that single storey front extensions should not normally project more than 1m in depth from the main front wall of the original dwelling.

The application dwelling is a semi-detached property and the porch and side extension would align and would have a depth of approximately 1.14m. Inspection of the site and surroundings reveals that there are numerous front extensions and porches nearby of various styles and designs.

In this context, it is considered that the proposed side extension which aligns with the front porch would not have an have unacceptable impact on the character with the immediate vicinity.

The single storey rear extension would be visible from the rear garden area as the proposal would be screened from the street scene by the application dwelling and the neighbouring properties on either side. Oblique views would be provided from the street at the front by the access road between the properties at No.20 Stephen Avenue and the application dwelling.

The proposed roof lights on top of the ground floor rear extension would not project above the roof and therefore would not impact on the rear garden environment.

The SPD outlines as a general rule, houses can be extended from the rear wall of the original dwelling by up to 3m in depth for a terrace house and up to 4 metres in depth for a semi-detached or detached dwelling. This is to ensure the extension is subordinate to the original dwelling. Any greater depth required should be within an angle of 45 degrees, taken from the 3m or 4m dimension on the property boundary, in order to ensure a reasonable level of amenity is afforded to neighbouring properties".

The proposal intends to add a full width rear extension to a depth of 6m with a flat roof to the rear building line which currently existing. It is noted that there is a staggered building line between Nos.

20 & 22 Stephen Avenue.

It is considered that the proposal would be of an acceptable design and will not unacceptably impact on the street scene or rear garden environment 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 to Nos.20 and 24 Stephen Avenue.

The single storey side 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 attached neighbour at No.24 Stephen Avenue as they are located to the north east and this part of the proposal would be located on the opposite side of the dwelling.

The separation distance created by the side access would mitigate any potential impact from the side extension on the adjacent neighbours at No.20 Stephen Avenue.

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

No.24 Stephen Avenue lies to the north east of the application. The proposed 6m deep extension would be constructed along the boundary with this neighbour. It is noted that No.24 Stephen Avenue has no extension to the rear of the dwelling and therefore it could be considered that the depth and close proximity of the proposal to the boundary would unacceptably overbear and dominate the outlook and amenity of this neighbour at No.23.

However, it is noted that the 6m deep rear extension could be constructed in stages, resulting in building the prior approval application Y0098.24 adjacent to No.24 Stephen Avenue first and then the section adjacent to No.20 Stephen Avenue. The Council would have no control over this mindful that the 6m deep adjacent to No.24 did not require prior approval as no objections were received.

Each application is determined on its individual merit and the legislation pertaining to the relevant application type. Although the proposal is contrary to Council guidelines within the SPD no representations were received for either this current application or the prior approval application Y0098.24.

Mindful that the proposal could be constructed in stages, no objections are raised.

No.20 Stephen Avenue lies to the south west of the application site and projects further forward of the application due to the staggered building line. The proposal will be built up to the boundary with the side access which separates the application site and No.20 Stephen Avenue.

However, the separation distance created by the access road between the application dwelling (No.22) and the detached neighbour at No.20 Stephen Avenue would mitigate the impact of the development beyond normal guidelines.

The separation distance between these properties and in addition, it is noted that the application

dwelling lies to the north east of No.20 Stephen Avenue and therefore no loss of sunlight would arise.

It is considered that the proposed development would not unacceptably impact upon the adjacent neighbours at No.20 Stephen Avenue.

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

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 be acceptable for the reasons outlined above and when combined with the safeguarding measures being imposed.

HIGHWAY/PARKING

The application site is within a PTAL area of 1b and therefore Policy 24 of the Havering Local Plan is applied. For a site within Outer London PTAL 0-1 that has 3 bedrooms, the site needs to provide a minimum parking provision of 1.5 spaces per dwelling which is rounded up to two spaces.

Photographic evidence shows that the site can provide two parking spaces already to the front of the dwelling on the existing drive. No highways or parking issues would arise as a result of the proposal.

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 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.

2 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.

3 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.

4 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 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 Cityscape (Agent) by phone and e-mail. The revisions involved showing the boundary line on the front & rear elevations to ensure that there is no encroachment onto the side access. The amendments were subsequently submitted on 16/05/25.

Authorising Officer:

A handwritten signature in black ink, appearing to read 'Raphael Adenegan', written in a cursive style.

Raphael Adenegan

19th May 2025