

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1285.25

WARD: Upminster **Date Received:** 1st October 2025

ADDRESS: 45 Stewart Avenue
Upminster

PROPOSAL: Single storey rear extension and extension of garage to front

DRAWING NO(S): PL-6257-01AA
SA-02 Rev. 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 application site is occupied by a semi-detached property on the southern side of Stewart Avenue. The site offers a spacious rear garden and front driveway for off street vehicle parking. The surrounding area is characterised by detached and semi-detached residential properties. The site is located near Stewart Avenue Allotments found 70meters to the west of the site.

The property is not a listed building, is not located within a conservation area and is not the subject of any other designations relevant to the assessment of this application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a single storey rear extension and extension of garage to front.

RELEVANT HISTORY

P0458.25	Single storey rear extension and extension of garage to front Apprv with cons	02-06-2025
P0459.25	Single storey rear extension and extension of garage to front Refuse	02-06-2025
P0261.13	Single Storey Rear Extension. Change existing side extension flat roof to a sloping roof. Apprv with cons	17-05-2013

CONSULTATIONS/REPRESENTATIONS

Letters of notification were sent to neighbouring properties.

One response was received on the application. The comments made can be summarised as follows:

- 1.Consents on the impact of removal of internal walls and chimney breasts would have on her property.
- 2.Concerns that there are no measurements on the plans to scale off the distance from their property.
- 3.Loss of light and overbearing to their living room and patio area.
- 4.Party wall agreement.

Officer Response

Insofar as they relate to material planning considerations the representations received are responded to in the report below. However, no grounds have been raised which would represent a reasonable basis for a refusal of planning permission.

RELEVANT POLICIES

National Planning Policy Framework (2025)

National Planning Practice Guidance

London Plan (2021) policies: D1 - London's form, character and capacity for growth; D4 - Delivering good design; and T6 - Car parking

Havering Local Plan (2021) policies: Policy 7 - Residential design and amenity; Policy 24 - Parking provision and design; and Policy 26 - Urban design

Havering Residential Extensions and Alterations Supplementary Planning Document (SPD) (2011)

PRINCIPLE OF DEVELOPMENT

The principle of altering and extending the existing dwelling is considered acceptable and policy compliant, subject to the proposal appropriately addressing the relevant detailed planning considerations.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Local, London-wide and national planning policy and guidance seeks to ensure that new development is well designed. Good design is a key aspect of sustainable development, creates successful places in which to live and work and helps make development acceptable to communities. Development plan policies seek to ensure that new development is designed so that it

respects the distinctive identity and character of the site and area, is of a high architectural quality, provides site specific design solutions, reinforces and complements the streetscene, responds to local patterns of development and respects the visual integrity and established scale and massing of the site and wider area. It also supports the use of high-quality materials that integrate with surrounding buildings. The Havering Residential Extensions and Alterations SPD provides further guidance on how an appropriate design can be achieved.

It should be noted that planning approval has already been granted for single storey rear extension and front extension to the existing garage under ref. P0458.25.

The proposed rear extension would remain 4m deep beyond the shared boundary of no. 47, as approved. As such no objections are raised.

The extension would extend a further 2m deep beyond the existing un-attached side extension at no. 43 (compared to previously approved extended 900mm deep). It should be noted that the proposed current rear extension has been reduced in depth by 300mm when compared to planning application ref. P0459.25 on the shared boundary to the east. No previous concerns were raised on the depth of the extension to this neighbour, as such no further objections are raised.

It is found that the design, size, siting and scale of the development are such that it would not result in any significant harm to the character and appearance of the site, the streetscene nor the area more widely to a degree that would justify a refusal of planning permission. As such, the development is considered to be acceptable and compliant with the objectives of the relevant planning policy and guidance in these regards.

IMPACT ON AMENITY

Local, London-wide and national planning policy and guidance seeks to secure development which protects amenity. Policy 7 of the Havering Local Plan identifies that development should be of a high design quality that ensures the amenity and quality of life of existing and future residents is not adversely impacted. To protect amenity the Council will support developments which do not result in unacceptable overlooking or loss of privacy, outlook, daylight and sunlight. The Council will also support development which does not cause unacceptable levels of noise, vibration and disturbance. Further advice on how to achieve these objectives is provided in the Havering Residential Extensions and Alterations SPD.

It should be noted that previous concerns raised by the case officer in planning ref. P0459.25 on the impact to no. 47 have been addressed, as the extension has been reduced to 4m deep on the shared boundary to the west, compliant with SPD guidance for semi-detached properties. This has been demonstrated in previously approved application ref. P0458.25. It should also be noted as set out above, the proposed rear extension in terms of depth and overall height does not raised any new amenity issues to the neighbour to the east (when compared to all the previous planning applications on the site).

Given the above, it is considered that the design, size, siting and scale of the development proposed are such that it would not result in any impacts on the amenities of the site, neighbouring occupiers to the east and west nor the wider area to a degree that would justify a refusal of planning permission. The proposal is found to be acceptable and compliant with the objectives of the relevant

planning policy and guidance in these respects.

HIGHWAY/PARKING

Policy 24 of the Havering Local Plan sets out the appropriate parking standards for different parts of the borough and states that where a development proposal would result in a net loss of car parking spaces the applicant will be required to demonstrate that there is no need for them. It also identifies that the Council will support proposals which consider the location and layout of parking provision as an integral part of the design process, site parking close to people's homes in areas with natural surveillance and provide appropriate landscaping, that visually screens car parking to the front of dwellings. The design and layout of the development is not found to result in any significant parking or highways impacts, it is therefore acceptable and policy compliant in these regards.

OTHER ISSUES

Equality and Diversity:

The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. In considering this application and preparing this report officers have had careful regard to the requirements of the Equality Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's duties under this important legislation.

Other Matters:

The development is not liable for a payment under the Havering or Mayoral Community Infrastructure Levy regimes, as it is for an alteration to an existing dwelling and the quantity of new floorspace created is less than 100m². This application is exempt from Biodiversity Net Gain requirements as it is householder development.

KEY ISSUES/CONCLUSIONS

The proposal is found to be acceptable and compliant with the objectives of the relevant planning policies and guidance. The proposal would not significantly harm the character and appearance of the site, the street scene or the surrounding area. The proposal's residential amenity and highways impacts are also considered to be acceptable. As there are no other material planning considerations which would justify reaching a different conclusion, it is recommended that planning permission is granted subject to conditions.

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)

Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing property. This applies unless differences are shown on the drawings hereby approved or are required by other conditions on this permission.

Reason:-

To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy 26 of the Havering Local Plan (2021).

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, nor any Statutory Instrument which amends, removes or replaces that Order, no window or other opening (other than those shown on the submitted and approved plans) shall be formed in the flank walls of the development hereby permitted without the receipt of a specific planning permission for it from the Local Planning Authority.

Reason:-

To protect the amenities of neighbouring occupiers and ensure the development complies with policy 7 of the Havering Local Plan (2021).

INFORMATIVES

1 Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material planning considerations, including

planning policies and any representations which were received. It subsequently determined to grant planning permission in accordance with the National Planning Policy requirement that applications for sustainable development are approved where possible. A detailed analysis of the scheme is set out in the report on the application prepared by officers.

2 Party Wall

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.

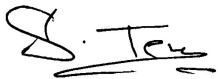
A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government.

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

3 Building Regs

You should also check whether the development requires separate Building Regulation consent. Information is available on the Building Control webpages and the team is available between 9am and 10am Monday to Friday via 01708 432700.

Authorising Officer:



Suzanne Terry

2nd December 2025