



<b>Application Reference:</b>	<b>P0329.18</b>
<b>Location:</b>	<b>58 Heath Drive</b>
<b>Ward:</b>	<b>Romford Town</b>
<b>Description:</b>	<b>Part single, part two storey rear extension</b>
<b>Case Officer:</b>	<b>Cole Hodder</b>
<b>Reason for Report to Committee:</b>	<b>Reasons of probity. Submission has been made by a Member of the Council.</b>

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## **1 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 1.1 Whilst the proposed development would comprise of a built form that is not prevalent within the Conservation Area, whether the current proposals would materially harm the character of the subject dwelling is a matter of judgement. The additions sought following revisions would read as subservient features distinguishable from the form of the main dwelling. The absence of any material harm to neighbouring amenity weighs in favour of the proposals and as a matter of judgement staff consider the proposals to be within the margins of acceptability in planning terms. It is therefore the view of staff that there would not be sufficient grounds to substantiate a refusal.

## **2 RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission subject to conditions to secure the following matters:
- 2.2 That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

## **Conditions**

Time Limit 3 years  
Accordance with plans  
Material samples/details  
Flank window condition  
Balcony condition

## **Informatives**

Approval following revision  
Approval and CIL

### **3 PROPOSAL AND LOCATION DETAILS**

#### **3.1 Proposal**

- This application seeks permission for the construction of a part single, part two storey rear extension.

#### **3.2 Site and Surroundings**

- The site lies to the western side of Heath Drive and forms part of the Gidea Park Conservation Area. The site comprise a two storey detached property.
- There is hard standing to the front of the property with a garden to the rear of the property screened by a close boarded fence, mature shrubs/trees and a hedge along the southern boundary.
- The subject premises is not an exhibition house however is flanked by 57 Heath Drive (1911) and 60 Heath Drive (1934) which are both examples of exhibition properties.

- **Planning History**

3.3 The following planning decisions are relevant to the application:

P2041.04 - Part single, part two storey rear extension. Rear dormer window  
- Refused – Dismissed at appeal.

Whilst some of the issues raised by the appeal inspector are material in the consideration of the current proposals, staff are mindful that the decision of the inspector was made using what would now be considered outdated planning policy, prior to the implementation of LB Havering's LDF, SPDs and the National Planning Policy Framework (NPPF).

P0639.90 - Conservatory to rear – Approved

P0572.15 – Proposed single storey outbuilding – Approved

#### **4 CONSULTATION RESPONSE**

4.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

4.2 The following were consulted regarding the application:

4.3 Highways – No Objection  
Gidea Park and District Civic Society - Objection

#### **5 LOCAL REPRESENTATION**

5.1 A total of twenty neighbouring properties were notified about the application and invited to comment.

5.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses:            Four of which four objected.

##### **Representations**

5.5 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

##### **Objections**

- Impact on amenity (loss of light/overbearing impact)
- Harmful to GPCA
- Harmful to character
- Flood risk
- Harmful precedent

The amenity impacts associated with the proposals will be fully considered in the relevant section of this report, as will matters of character, appearance and impact upon the Conservation Area setting.

Whilst flood-risk is a valid consideration, the impacts associated with a domestic extension such as that proposed are not considered to weigh adversely against the proposals.

### **Non-material representations**

5.6 The following issues were raised in representations, but are not material to the determination of the application:

- No measurements on plans
- Noise and disruption during works

## **6 MATERIAL PLANNING CONSIDERATIONS**

6.1 The main planning issues raised by the application that the committee must consider are:

- The impact of the development on the character and appearance of the host building and the wider Conservation Area.
- The impact of the development on neighbouring occupiers in terms of residential amenity.

### **6.2 The impact of the development on the character and appearance of the host building and the wider Conservation Area**

- The application site is located in the Gidea Park Conservation Area and as such, the general consideration would be whether the new development would preserve or enhance its character and appearance. The property has been the subject of an earlier application, prior to current planning policy and guidance. The application was refused and the decision to refuse planning permission was subsequently upheld at appeal with the impact of the development on the character of the subject building and Conservation Area setting and amenity impacts the primary considerations
- The current proposals are materially different to the earlier submission. Furthermore the appeal decision was made using policies which have since been superseded. Therefore, whilst some of the views expressed by the planning inspector remain relevant, the historic appeal decision does not preclude against further additions to the subject dwelling in the opinion of staff.
- The statutory duty applied to planning authorities in the exercise of their planning functions in conservation areas is set out in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". This aim is reflected in Policy DC68. The Conservation Area comprises a number of houses which were constructed as part of the 1911 House and Cottage Exhibition and a further exhibition of Modern Homes in 1934. Over the years the Council has sought to preserve the character of the area firstly through the

designation as a Conservation Area in 1970 and later through the adoption of an Article 4 Direction to remove permitted development rights.

- When considering the merits of this application, consideration was given to the fact that there have been other examples of the installation of bi-fold doors on the rear elevation of residential properties in the Gidea Park Conservation Area. Staff consider that the bi-fold doors on the rear elevation of the single storey element of the proposals would be acceptable in this case. Single storey extensions of comparable depth and of a contemporary appearance have been permitted elsewhere within the Conservation Area in the period that has elapsed between the appeal decision and current application. The Residential Extensions and Alterations Supplementary Planning Document (SPD) (2011) states that as a general rule, houses can be extended from the rear wall of the original dwelling by up to 3 metres 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.
- The proportions of the addition and roof form have been revised since submission to reduce scale, bulk and mass. Whilst the form of a crown roof is not prevalent within the Conservation Area, the subject dwelling is not unfamiliar with this roof form as it benefits from an historic side extension with crown roof feature. Seen in the context of the historic development the current development proposals would not appear entirely alien.
- The additions would be highly visible and capable of being viewed from the adjacent roadside, the rear elevations of those properties fronting Heath Drive highly prominent. The earlier appeal decision asserted that whilst the rear garden area of the subject dwelling did not abut any public areas that it, along with the rear garden of adjacent properties contributed to the open and sylvan character of the area. Whilst the revisions provided by the applicant would lessen the perception of bulk, the proposed addition would nevertheless move away from the predominant rear building line which could be viewed negatively.
- The appeal inspector in resolving to dismiss the earlier appeal attributed weight to the setting and appearance of 57 Heath Drive and the scale bulk and mass of the addition partially obscuring views of the property to the north, no. 60 Heath Drive. This in part appeared to be the driving factor in dismissing the appeal. In view of the reduced form of the addition and increased separation from the northern boundary and more central siting of the first floor addition, those issues would appear to be addressed. The appeal inspector concluded that the absence of two storey additions had a positive effect on the area and rightly considered that if the appeal proposal were to be found acceptable at that time, that it would make any “further extensions more difficult to refuse and lead to an unacceptable cumulative change to the character and appearance of the Conservation Area”. The rationale behind the inspector’s preclusion against two storey additions is acknowledged, however in the time that has elapsed since the

appeal decision in 2006 it is increasingly becoming more difficult to justify a decision to refuse planning permission on this basis, particularly when in that interim period other examples of comparable development now exist.

- Staff consider that the scheme is within the margins of acceptability and that any resultant harm to the character of the subject premises and wider Conservation Area setting would be less than substantial. The proposals would therefore broadly align with the requirements of Policy DC68 of the LDF. In view of the revisions provided, it would appear difficult to substantiate a decision to refuse planning permission.

### **6.3 The impact of the development on neighbouring occupiers in terms of residential amenity.**

- Policy DC61 states that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.
- The impacts of the development have been fully considered by staff and found to comply with the guidance contained within the Residential Extensions and Alterations SPD. It is considered that the development proposed would not result in a significant loss of amenity to neighbouring properties. The main consideration in terms of residential amenity relates to the impact on daylight and outlook of the occupants to the north and south of the proposals.
- The depth of the single storey element would align with the guidance contained within the Residential Extensions and Alterations SPD. Revisions provided by the applicant set the flank wall of the addition in from the shared boundary with the neighbour to the north which is noted to further improve the acceptability of this relationship.
- Due to the position of the subject property due north of the neighbour to the south, it stands to reason that any loss of light/potential overshadowing would be negligible. The primary concern would relate to a perceived loss of outlook/overbearing impact. On the basis that the single storey element would be of a depth that would not conflict with the guidance contained within the Residential Extensions and Alterations SPD it is difficult to envisage the Council resisting the relationship shown.
- Turning to the first floor element of the extension, visual amenity aside which at its core can be viewed subjectively, the addition would be adequately separated from the northern and southern shared boundaries so as to mitigate any potential harm arising from loss of outlook. In view of the depth of the addition at first floor level complying with the guidance set out within the Residential Extensions and Alterations SPD staff do not consider that there are grounds to refuse permission as no quantifiable harm has been demonstrated.

- The appeal inspector concluded previously that there would be no meaningful loss of light/overshadowing however concluded that the addition would unacceptably detract from the living conditions of the occupiers of 57 Heath Drive. The current proposals show an addition of greater depth than that previously considered at single storey level however having regard to current guidance, staff consider that any loss of light/outlook from this neighbour could not be demonstrated to be materially harmful. Fenestration immediately adjacent to the shared boundary with the site does not serve a primary room. With regards to the first floor element the rear projection would be located centrally, well separated from either flank of the main dwelling and thus, visual impacts aside, the amenity considerations associated are not outside of acceptable parameters.
- No.57 is noted to benefit from a grant of planning permission for a single storey extension (P0057.18) which would mitigate further the impacts of the development. However at the time of site inspection it did not appear that the permission had been implemented. Nevertheless, the absence of neighbouring development does not hinder the current proposals which would be acceptable and in the opinion of staff comply with the Residential Extensions and Alterations SPD.
- It is not considered that the proposed extension would unduly impact on the residential amenity of the neighbouring properties in accordance with policy DC61.

## **Conclusions**

6.7 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.