



Application Reference:	P0681.21
Location:	51 Springfield Gardens, Upminster
Ward:	Upminster
Description:	Part single and part two storey side and rear extensions.
Case Officer:	Seyi Enirayetan

Reason for Report to Committee:

- A Councillor call-in has been received which accords with the Committee Consideration Criteria.

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

The application proposes the erection of a two storey side extension that wraps around to the rear with a part two/part single storey rear extension. The current design is a revision of the initially submitted proposal. In contrast, the revision involves the setback of the first floor side extension, lowering of the ridge height and removal of the Pigeon loft outbuilding from the proposal. The proposal is not opposed in principle by any policies of the development plan, and the design is not considered to result in severe harm to the street scene, neighbouring residential amenity or other matters that could not be reasonably overcome by way of conditions and would warrant refusal of the application. It is not considered that the Council could reasonably defend an appeal against a refusal of the scheme due to the limited harm that the proposal would have on local character or residential amenity, and therefore the proposed development is acceptable subject to the suggested conditions.

2 RECOMMENDATION

That the Committee resolve to GRANT planning permission

2.1. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informative to secure the following matters:

Conditions

- 1) The development to which this permission relates must be commenced not later than three years from the date of this permission.

2) 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.

3) 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).

4) 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 extension (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.

Informative

Statement Required by Article 35(2) of the Town and Country Planning (Development Management) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraph 38 of the National Planning Policy Framework July 2021.

3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1. The application is seeking planning permission for:

The erection of a part two storey side and part two/part single storey rear extension.

Site and Surroundings

3.2. The application site is a two storey semi-detached, gable roof house located on the north side of Springfield Gardens. The property itself is of an "A frame" design with a substantial original feature gable to the front elevation which is mirrored with the attached neighbour. Viewed from the front, the property also presents a small gable roof dormer at first floor level and modest, single width garage to the side. Including the garage, there is parking for 2 vehicles. At the rear, the property has an unusual original two storey out-rigger which is similar to the attached property. Springfield Gardens is a residential street of mainly 2 storey dwellings of differing individual design and is neither within nor near to a conservation area. The site has no tree preservation orders or significant constraints.

Planning History

D0494.21 – Certificate of lawfulness for a single storey outbuilding to rear for ancillary uses – Awaiting decision.

4 CONSULTATION RESPONSE

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

4.2. No consultation was necessary for this type of consultation.

5 LOCAL REPRESENTATION

5.1. A total of 8 properties were notified of 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:	After consultation, a total of 5 no. representations were received, raising objections as well as comments on the application.
-----------------------------	--

Petitions received:	No petition received.
---------------------	-----------------------

5.3. There were no local groups/societies made representations.

5.4. The following Councillors made representations:

- The proposal was called in by Councillor Ron Ower to be determined at a planning committee meeting on the following grounds:
 - The proposed extension is overbearing and would lead to a significant loss of light to the neighbouring property number 53 Springfield Gardens. Also have concerns over the size of the proposed pigeon loft which is close to number 53 Springfield Gardens and at the rear properties in Sunnyside Gardens, Upminster.

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

5.6. The comments are summarised below:

- The double level side extension will encroach on house boundary line
- Loss of light
- Concerned about the size and position of the pigeon loft
- The birds will be flying across the garden and sitting on fence
- The pigeon loft will devalue property
- The proposed extension much larger than other recent extensions and therefore would be out of character with surrounding properties
- Extension will be overbearing
- Loss of privacy to house and garden
- Loss of outlook and sense of enclosure
- Party wall agreement yet to be received
- Noise and unhealthy nature of the pigeon loft being swamped by pigeons waste all over neighbouring garden.

5.7. OFFICER COMMENT: These issues are addressed within the body of the assessment as set out in section 6 below ('Material Planning Considerations'). The relevant section to the points above are indicated in the report, and precedes the relevant heading or paragraph.

5.8. It must be noted that officers can only take into account comments that concern relevant material planning considerations.

5.9. Neighbouring occupiers also raised objections concerning pigeon loft, party wall agreement and encroachment. It should be noted that the pigeon loft has been removed from the proposal and matters regarding party wall agreement are civil matters and is not a material planning consideration. The submitted proposed plans indicate that the proposals would not encroach the shared boundary of neighbouring properties.

6 MATERIAL PLANNING CONSIDERATIONS

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

- Issue 1 – Design – Whether the proposal is of an acceptable scale/bulk mass or represents to be out of character with the surrounding properties.
- Issue 2 – Amenity – Impact on light, outlook and privacy.

Issue 1 - Design

6.2 Policy DC61 seeks to ensure that new development is of the highest standards of design which respects, and where possible maintains, enhances or improves the character and appearance of the local area. In particular the form, scale, massing, height of the surrounding neighbouring buildings, public amenity and detailed design.

The Residential Extensions and Alterations SPD states that, the symmetry of semi-detached houses and the spacing between pairs are important

considerations for side extensions. Side extensions should be subordinate to the existing dwelling to ensure they do not unbalance a pair of semi-detached properties, and to maintain the characteristic gap between neighbouring pairs of semi-detached houses. Guidance goes on to suggest that two storey side extensions should be set back at least one metre from the front wall of the dwelling at first floor level, to create a break in the roofline and facade, and avoid a terracing effect. The ground floor level should not project beyond the main building line on the front elevation and preferably should be set back by at least a brick course to provide a good junction between old and new materials.

The proposal includes a combined two storey side and rear extension. The side extension would be setback from the front building line by 1m and would be finished in a hipped roof design, which would match the main roof of the house but sit lower than the roof ridge line. It would be set-off the boundary with the non-attached neighbour and maintain a gap between the houses. The proposed side extension with the setback from the front building line and roof height lower than the main ridge would appear subordinate to the main dwelling and not significantly unbalance the semi-detached pair. The proposal is therefore considered to be policy compliant.

The Residential Extensions and Alterations SPD 2011 states two storey rear extensions should be set in from the common boundary by not less than 2 metres, and should project no more than 3 metres. 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. For this reason two storey extensions built up to the property boundary of the non-attached dwelling will not normally be acceptable.

The proposal involves the demolition of the existing rear outriggers and the erection of a staggered depth rear extensions. The depth of the proposed ground and first rear extension is consistent with Council guidelines. Whilst the design of the staggered first floor rear extension is one of its kind, it must be noted that other dwellings nearby have been extended in a variety of ways, thus the design would not disrupt the character of the locality, thereby officer consider that it would be difficult to sustain a refusal in the event of an appeal. On balance, the proposed part single part two storey rear/side extensions would not be harmful to the character of the garden scene.

The depth of the single storey extension would align with the guidance contained within the Residential Extensions and Alterations Supplementary Planning Document (SPD). As a general rule, the SPD states that 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 and not harmful to neighbouring amenity.

The proposed extension would be 4 metres in depth. Whilst it would span the full width of the dwelling, encompassing to the proposed side extension. The overall height at 3.10m is as a result of the parapet wall but would nevertheless exhibit subservience and would relate acceptably to the existing building and integrate appropriately with the character of the garden scene.

Issue 2 - Amenity

The attached neighbour is no. 53 Springfield Gardens. It is noted that Council guidance requires first floor rear extensions to be at a depth of 3m, to be set-in by at least 2m from the attached neighbouring boundary in order to ensure that a reasonable level of amenity is provided.

The proposed first floor rear/side extension will project 3m and is set-in from the attached neighbour's boundary by more than the required 2m separation distance and is therefore considered to be policy compliant. However, this neighbour has extended to the rear, but not full width at ground floor level. The original design of the subject dwelling and its attached neighbour provided a two storey rear projecting wing which resulted in a void to the pair in the centre. The neighbour has extended to the side and rear and followed the building line of the two storey outrigger. Given the location of the rear extension and the openings on the rear of this neighbour, the proposed two storey rear extension has the potential to result in a sense of enclosure and loss of light. It is noted however that these impacts arise largely because the neighbouring extension has been designed and built with this relationship to the application site, and as such less weight is usually afforded to impacts on neighbouring properties resulting from the manner in which they have previously extended.

In terms of the non-attached neighbour at No. 49 Springfield Gardens, it is noted that there is an existing flank window to this property at first floor level which serves a bedroom (it is the sole window for that habitable room). 45 degree line taken from the sill of the neighbour's window would not be broken, but the rear projection of the 2 storey extension would affect outlook rearwards from this window to some degree. It has not been possible to ascertain if this window was original or not as the property has been extended to the rear at first floor level. Also, having being in communication with the resident of 49 Springfield Gardens on 10 August 2021, it was confirmed that the room is rarely used and they are not concerned about loss of light to that room.

There is an existing single storey rear conservatory which will mitigate any severe impact caused to the rear garden of this neighbouring property. In

conclusion, it is considered that the impact to amenity the unattached neighbour would be within acceptable limits.

Financial and Other Mitigation

6.3 The proposal would not attract the Community Infrastructure Levy contributions as the new floor space created would be less than 100 square metres.

Conclusions

6.4 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.