



**Havering**  
LONDON BOROUGH

## Planning Committee

**25<sup>th</sup> August 2022**

<b>Application Reference:</b>	<b>P0159.22</b>
<b>Location:</b>	<b>67 Boscombe Avenue, Hornchurch</b>
<b>Ward:</b>	<b>St Andrews</b>
<b>Description:</b>	<b>Single Storey Rear Extension</b>
<b>Case Officer:</b>	<b>Kelvin Naicker</b>
<b>Reason for Report to Committee:</b>	<b>A Councillor call-in has been received which accords with the Committee Consideration Criteria</b>

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

- 1.1 The single storey rear extension would be acceptable and not have a detrimental impact on the rear garden environment.
- 1.2 Furthermore, the scale and sitting of the single storey rear extension is not judged to result in material harm to the neighbouring amenity.

### **2 RECOMMENDATION**

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

#### **Conditions**

1. SC04 – Time limit
2. SC10 – Matching materials
3. SC32 – Accordance with plans
4. SC46 – Standard Flank Window Condition
5. SC48 – Balcony condition

#### **Informatives**

1. Party Wall Act.

2. INF28 – Approval following revision

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

#### **Site and Surroundings**

3.1 The application site features a two storey semi-detached residential dwellinghouse.

It currently benefits from a single storey rear extension.

It is not a listed building, nor is located within a conservation area.

#### **Proposal**

3.2 Planning permission is sought for a single storey rear extension.

The host dwelling's existing rear extension measures approximately 4.50m wide, 3.90m deep and has an eaves height of 2.84m rising to a maximum height of 3.84m.

The proposed rear extension would measure approximately 5.50m wide, 5.25m deep and would have an eaves height of 2.81m rising to a maximum height of 3.90m.

A rear extension projecting approximately 6.30m deep was originally proposed as part of the application. However, concerns were raised about its impact on no. 65 Boscombe Avenue, who do not benefit from a rear extension that would have mitigated the impact of the proposed development on their amenity. The 6.30m deep proposal would have infringed upon a 45-degree notional line taken from the 4m point along the shared boundary with this neighbour. In light of this, it was advised that the scale and depth of the proposal be reduced so as for it not to infringe upon this 45-degree notional line taken from the 4m point along the common boundary with no. 65. The agent agreed to this amendment. Given that this modification to the scheme resulted in the proposals having a reduced impact on neighbouring properties (a reduction in the depth reduced the bulk, scale and mass of the development), it was not considered necessary to re-consult the neighbouring occupants about the amended proposals.

#### **Planning History**

3.3 No relevant planning decisions relevant to the application could be found.

### **4 CONSULTATION RESPONSE**

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

4.2 Consultation of Statutory Consultees were not required.

## **5 LOCAL REPRESENTATION**

5.1 A total of three 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:            2 of which, 2 objected

5.3 The following Councillor made representations:

Councillor Paul Middleton wishes to call the application in on the grounds that:

It is over development in the area. The building will remove light from the neighbours – it will not allow for the 45 degree angle of sunlight that has been enjoyed for over 40 years by at least one of the neighbouring homes.

### **Representations**

5.4 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

- The proposal would exceed guidance set out in the SPD
- Negative impact on outlook enjoyed by and daylight entering adjacent properties
- Would be out of scale in comparison to adjacent properties
- Would have a negative impact upon Fielders Sports Ground by setting a precedent for similar large extensions which overlook and are overlooked by an area considered a distinctive space.
- As subject site is situated next to areas that the Council considers part of the Historic Built Environment, namely Langtons Estate encompassing Fielders Field, it would have an impact on the borough's historic environment
- Setting a large precedent for domestic extensions would negatively affect the views, landscapes and character of the Langton conservation area
- Would be an overdevelopment of the site. Size of proposed extension will be equivalent to excess of 100% of the original floorspace.
- Severely block sunlight and daylight, sense of enclosure and overshadowing and create a tunnel effect
- Mechanical vent would cause problems associated with smells
- Refute statement on application form that parking during any building works would not be an issue
- Proposal would fail to comply with 45 degree rule

- ✚ It is worth noting that information including diagrams of the proposed extension's projected impact as well daylight level measurements were submitted by objectors during the application process.
- ✚ It is also worth noting that the presentation of this application at planning committee was deferred owing to a summary of objections to the scheme being tabled at committee. The failure of the proposal to comply with 45 degree rule was the only additional representation raised by neighbours, although this issue had already been addressed in substance in the next section of this report.

### **Procedural issues**

5.5 The following procedural issues were raised in representations, and are addressed below:

- Errors on drawings

OFFICER COMMENT: The officer visited the site. The submitted drawings are considered to broadly reflect the site.

- Crucial measurements are missing from the drawings; (i) maximum height of the enlarged part and (ii) the height to the eaves of the enlarged part

OFFICER COMMENT: It is noted that the eaves and maximum height of the proposed rear extension are not explicitly indicated on the submitted drawings. Nonetheless, it is considered that the information submitted is sufficient for the application to be assessed and a decision to be issued.

## **6 MATERIAL PLANNING CONSIDERATIONS**

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

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

- The visual impact arising from the design and appearance of the building on the area.
- The impact of the development on neighbouring amenity
- Highways and parking issues

### **6.2 Visual impact arising from the design/appearance on the area**

- The Council's Residential Extensions and Alterations SPD advises that semi-detached houses can be extended from their rear walls by up to 4m, and should not exceed 3m in height if a flat roof is proposed. Guidelines go on to suggest that if a greater depth is required it should be within an angle of 45 degrees, taken from the 4m dimension on the property boundary.
- The guidance is reinforced by policy 7 (residential design and amenity) of the local plan, which seeks to ensure any development would be of an

acceptable design. The depth of the rear extension to the host dwelling as a result of the proposal - at 5.25m - would not meet guidelines set out in the SPD.

- Staff have given consideration to the depth and scale of the proposed extension. Whilst the proposal would be deeper than commonly found along Boscombe Avenue, the host dwelling benefits from a sizable rear garden, meaning that the extension would not dominate its rear garden scene. As there would be a considerable amount of rear garden space left as a result of the extension (over 18m), it is not considered that the proposal would represent an overdevelopment of the site. Given that the proposal is judged to not adversely affect the character of the property or the visual amenities of the rear garden scene, on balance therefore, its impact on the rear garden environment is considered acceptable.
- To the rear of the site is Fielders Sports Ground, situated within the Langtons Conservation Area. Given that the rear of the proposed extension would be some distance away from the back of the host dwelling's rear garden and from the footpath within Fielders Sports Ground, it is considered that it would not overlook or cause harm to the views, landscapes and character of the sports ground or Langtons Conservation Area.
- A matching materials condition will also be imposed to ensure that the appearance of the host dwelling and the character of the immediate area are safeguarded.

### **6.3 The impact of the development on neighbouring amenity**

- Policy 7 of the local plan also seeks to ensure any development would have an acceptable impact upon the amenities of the adjoining occupiers.
- In terms of the proposal's impact on the attached neighbouring property no. 69 Boscombe Avenue, staff note that it benefits from a single storey rear extension. Given the extension to this neighbour, the proposal would project approximately 2.50m beyond the rear of this neighbouring dwelling, which would be less than the 4m normally permissible by the SPD where a semi-detached neighbour has not previously extended. Therefore, although a 45-degree notional line taken from the 4m point along the common boundary between the host dwelling and this neighbour would be infringed upon by the proposed extension, it is considered that the impacts of the proposal's depth and height on the host dwelling's attached neighbour in terms of outlook, light, overshadowing and sense of enclosure would be within acceptable realms because the extension to no. 69 is judged to mitigate the impacts of the proposal on these neighbouring occupants.
- As for the impact of the proposed rear extension on the unattached neighbouring property no. 65 Boscombe Avenue, both this neighbour and the subject property are set in from their shared boundary, separated by a side access road over approximately 2.50m wide. A 45-degree notional line taken from the 4m point along the shared boundary between this neighbour

and the host dwelling would not be infringed upon by the proposal. This, in conjunction with the separation distance between the subject site means it is considered that the impact of the proposal on these neighbouring occupants in terms of loss of outlook and privacy would also be within acceptable realms.

- Orientation is also important and as the rear garden of this neighbour is east facing, it is considered that both the attached and unattached neighbours would continue to receive a satisfactory amount of sun and daylight during the day.
- No. 66 Boscombe Avenue and all other neighbouring properties are considered to be sufficiently separated from the proposal such that it would not cause a detrimental impact on their amenities.
- It is considered that any impacts arising from smells from the mechanical vents of the extension would not be so significant so as to warrant the refusal of the entire scheme.
- While no balcony has been proposed on the roof of the proposal, it is considered prudent to impose a condition restricting it from being utilized as a terrace or similar amenity space in order to prevent any unacceptable overlooking or loss of privacy to neighbouring properties. Also, to ensure that the extension would not result in a loss of privacy to or damage the environment of neighbouring occupants, staff consider it prudent to impose a condition which prevents windows or other openings being formed in the flank walls of this proposed development unless permission is sought and obtained from the Council first.

#### **6.4 Parking and Highway Implications**

- The proposed development would not affect off street parking. No highway or parking issues would arise as a result of the proposal. It is considered that any car parking issues caused as a result of building works that take place in relation to the proposal would not be so significant so as to warrant a refusal of the scheme.

#### **6.5 Environmental and Climate Change Implications**

- Given the limited scale of the proposals, no specific measures to address climate change are required to be secured in this case.

#### **6.6 Financial and Other Mitigation**

- The proposal would not attract Community Infrastructure Levy contributions to mitigate the impact of the development as the development would be less than 100 square metres.

#### **6.7 Equalities**

- The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- In this case, the application raises no particular equality issues.

### **Conclusions**

6.8 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.