



Havering
LONDON BOROUGH

Planning Committee

9th February 2023

Application Reference:	P1723.22
Location:	14 Wayside Close Romford
Ward	Marshalls & Rise Park
Description:	Proposed outbuilding to rear, ancillary to main dwelling, following removal of existing outbuilding.
Case Officer:	Aidan Hughes
Reason for Report to Committee:	A Councillor call-in has been received which accords with the Committee Consideration Criteria

1. BACKGROUND

- 1.1 This application was last brought to the 12th January Planning Committee. At that meeting, Members resolved to defer a decision on the application in accordance with Officers request to provide further details in relation to the location of the proposed outbuilding and where the overall height was going to be taken from, be it from the ground level of the garden or from the raised area to the rear of the garden which is accessed by two steps from the garden level.
- 1.2 The agent has provided revised plans following the deferral of the application. The main content of the report set out below is the same as that reported on 12th January 2023. No re-consultation was required as the revised plans were sought for clarity and transparency reasons and there was no change from the initial submission. The application was called-in to committee by the Local Ward Councillor on the grounds of the size and mass of the proposed building.
- 1.3 The revised plans confirm that the proposed outbuilding to be used for a gym/playroom with storage and w.c would be built at the main (lower) garden level and not the raised area which is accessed from the garden level by the two steps as shown on the photos.

2. SUMMARY OF KEY REASONS FOR RECOMMENDATION

It is considered that the proposed outbuilding would not unacceptably impact on the character of the immediate vicinity. The proposal is acceptably designed, would not unduly impact upon the street scene or the immediate garden scene. It is viewed that the proposal would not unacceptably impact on the amenity of the adjacent residents in terms of overshadowing, loss of light and loss of privacy. There is no impact on highway safety and off road parking guidelines are met.

3.1 RECOMMENDATION

3.1 That the Committee resolve to grant planning permission subject to suggested planning conditions:

3.2 That the Assistant Director Planning is delegated authority to issue the planning permission and impose conditions and an informative to secure the following matters:

Conditions

1. SC04 – Time limit
2. SC10C – Materials as per application form
3. SC32 – Accordance with plans.
4. SC33 – Incidental Use
5. SC34B – Obscure Glazed Flank Window with fanlight openings only
6. SC46 – Standard Flank and Rear Window Condition.

Informatives

1. INF28 – No negotiation required

4 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

4.1 The application site comprises of a detached residential two storey dwelling house with an attached garage. The front garden is block paved to provide off-street car parking. The property is not listed, nor is it within a conservation area. It is noted that there are trees within the rear garden but none are protected by a Tree Preservation Order. The surrounding area is residential in nature, containing mainly semi-detached and detached properties.

Proposal

4.2 The applicant is seeking planning consent for a proposed outbuilding within the rear garden to be used for a gym/playroom with storage and w.c, following the removal of the existing structures.

4.3 Planning History

P1006.00 – Single storey side/rear extension – Approved.
P0593.07 – Two storey side extension - Approved

5 CONSULTATION RESPONSE

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

5.2 Consultation of Statutory Consultees were not required.

6 LOCAL REPRESENTATION

6.1 A total of 5 neighbouring properties were notified about the application and invited to comment.

6.2 The number of representations received from neighbours in response to notification and publicity of the application were as follows:

No of individual responses: 1 objection

Representations

6.3 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:

- Inaccuracies on the Design Access Statement (DAS) which is misleading.
- Refers to property being a 3 bed semi-detached when it is a 4 bed extended detached property.
- The proposal replaces a gazebo and not an outbuilding as stated in the DAS.
- Resident considers the proposal to be too large and in particular its depth within the garden.
- The proposal will remove two large mature ash trees and a former Oak tree however it does not give any consideration of neighbouring properties trees.
- Concerned regarding the loss of the trees.
- The use of painted render does not match the Council's design guide.
- A contemporary design using high quality materials such as ash or cedar cladding.
- The front elevation indicates a mixture of glazing fenestration which is unusual which may indicate the internal sub-division.

- Potentially the proposal could be used for separate and permanent living accommodation.
- The proposal would set a precedent if the proposal is approved.
- To the rear of a garden is “French drain” which runs towards Raphael’s Lake.
- In high levels of rainfall, the ground becomes saturated until it naturally drains through into the substructure. The proposal would sit across this route which may hinder this function. The trees themselves play a part in mitigating this.

6.4 The proposal was called in by Councillor Robby Misir to be determined at a planning committee meeting on the following grounds:

- Size and mass of building

7 MATERIAL PLANNING CONSIDERATIONS

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

- Design and the impact on the street / garden scene
- Impact on the amenity of the residents of the neighbouring properties
- Impact on the highway and parking
- Environmental and Climate Change Implications

7.2 **Visual impact arising from the design/appearance on the area.**

- The Residential Extensions and Alterations Supplementary Planning Document and Havering Local Plan Policies 7, 24 and 26 are material to the assessment of this application.
- The proposed outbuilding within the rear garden would be used for a gym/playroom with storage.
- It is evident that the proposed outbuilding would be visible when viewed from the rear gardens and rear facing windows of the properties in Wayside Close and from the properties at the side and rear within Lake Rise and Rosemary Avenue and therefore particular care needs to be exercised. In this respect guidance set out in paragraph 9.5 of the Residential Extensions and Alterations SPD states that:-
 - "The outbuilding should be subordinate in scale to the existing dwelling and to the plot. In assessing proposals, the Council will consider factors such as the scale, height, proximity to boundaries, roof design, finishing materials and prominence in the street scene or rear garden environment. As with all extensions, outbuildings

should not detract from the character of the area and should be unobtrusively located to the side and rear of the existing dwelling".

- Paragraph 9.6 goes on to say
 - "The design of outbuildings should reflect their intended use. Outbuildings should not cause undue loss of light to neighbouring properties or adversely affect the living conditions of neighbouring properties".
- The proposed outbuilding will be set off the side boundaries by 0.75m with the proposal being set off the rear boundary by 0.8m. The submitted plans show that the outbuilding would measure 10.7m wide and 7m deep with a hip roof that would have an eaves line of 2.8m rising to an overall height of 3.8m. The revised plans received following the deferral show that the height is taken from the main garden level. It is considered that the proposed outbuilding, given the overall size of the garden (approximately 38m deep) and location at the far end of the garden, would not unacceptably impact on the rear garden and is considered to be within the realms of acceptability. No objections are raised from a visual point of view.

7.3 Impact on the amenity of the residents of the neighbouring properties

- Consideration has been given to the impact of the proposal on the neighbouring properties, primarily in respect of overshadowing, loss of light and loss of privacy.
- Following the deferral of this application, the revised plans confirmed the raised surface in which the decked area and gazebo is located on will be removed and the proposal would be constructed from the ground level of the garden and not the raised area.
- The proposed outbuilding would be used for a gym/playroom with storage and would be located at the bottom of the garden, away from the properties on Wayside Close, Rosemary Avenue and Lake Rise. The roof of the outbuilding would have an eaves line of 2.8m and it would be hipped away from the boundaries on either side to minimise the overall height of 3.8m.
- It is considered that the proposed outbuilding would not unacceptably impact on the amenity of the adjacent neighbours through loss of outlook, light or undue overshadowing.
- In considering any planning application, the Council are required to assess the application as currently submitted for a gym/playroom with storage. Concerns have been raised that the outbuilding would be "used for separate and permanent living accommodation" however, that is not proposed and the application can only be assessed on the details submitted.

- It is considered that the proposal would not result in any undue overlooking or loss of privacy from the proposed development.
- 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.
- To safeguard the privacy of the adjacent neighbours, three conditions would be imposed to ensure that no opening would be added to the sides or rear elevations of the outbuilding, the flank window to the bathroom would be obscured glazed and fixed shut apart for an open-able fanlight and that the outbuilding will only be used for incidental purposes unless specific permission is obtained in writing from the Local Planning Authority.
- Overall, the development is considered to fall within the guidelines in the Supplementary Planning Guidance (Adopted 2011) for householder extensions and the proposal is not deemed to be unneighbourly.

7.4 Impact on the highway and parking

The application site is within a PTAL area of 1a. As per Policy 24 of the Havering Local Plan for a site within a PTAL 0 - 1 that has 3 bedrooms, the site only needs to provide a minimum parking provision of 1.5 spaces per dwelling. The application site is able to accommodate potentially three vehicles, two on the drive and one in the garage. As a result, no highway or parking issues would arise and the proposal would comply with Policy 24.

7.5 Trees and Landscaping

Four trees will be removed to make way for the proposal. It is noted that the trees are not protected by Tree Preservation Order within the site or the adjoining land and therefore the trees can currently be removed without requiring planning consent. Although the trees are mature, the trees are not considered to be particularly visible from public views which is one of the main criteria for considering whether trees should be protected. Issues regarding damage to neighbouring trees are not considered to be a particular issue in this case given that they are unlikely to be seriously affected.

7.6 Environmental and Climate Change Implications

A concern has been raised regarding drainage. It should be noted that, under permitted development, up to half the rear garden could be occupied by buildings and the whole by hard surfaces without any requirements in relation to drainage. A building of the size proposed would not likely create significant drainage issues. No specific measures to address climate change are required to be secured in this case.

7.7 Financial and Other Mitigation

Given the limited scale of the proposals, no specific measures to obtain financial agreements are required to be secured in this case.

7.8 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

The application, in this case, raises no particular equality issues.

7.9 Conclusions

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.