



Havering
LONDON BOROUGH

Planning Committee
8th February 2024

Application Reference:	P1729.23
Location:	83 Haynes Road, Hornchurch
Ward	Squirrels Heath
Description:	Variation of Condition No. 2 of Planning Permission ref: P1494.21 dated 10/05/2022 to permit amended plans (2 x two storey, 4-bed, detached dwellings with associated parking and amenity space, involving demolition of existing dwelling and garage) to include a proposed second floor to include new bedroom, new window to rear elevation and velux window.
Case Officer:	Aidan Hughes
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

It is considered that the proposal 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 concluded that the proposal would not unacceptably impact on the amenity of the adjacent residents in terms of a loss of privacy. There is no impact on highway safety and off road parking guidelines are met.

2 RECOMMENDATION

- 2.1 That the Committee resolve to grant planning permission subject to suggested planning conditions:
- 2.2 That the Director of Planning is delegated authority to issue the planning permission and impose conditions and an informative to secure the following matters:

Conditions

1. Accordance with plans
2. Materials
3. Parking provision & layout
4. Balcony condition.
5. Flank window condition.
6. Landscaping.
7. Hard Surface Porus/Run-off - application site
8. Boundary Treatment
9. Cycle storage.
10. Refuse & recycling.
11. Removal of Permitted Development Rights.
12. Water Efficiency.
13. Minor Space Standards
14. Hours of construction

Informatives

1. INF28 – No negotiation required.
2. INF33 – CIL and Approval

3 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

- 3.1 The application site comprises of a recently constructed detached residential two storey dwelling house with an attached garage with internal works being undertaken to enable occupation. The front garden is being block paved to provide off-street car parking. The property is not listed, nor is it within a conservation area. The surrounding area is residential in nature, containing single and two storey dwellings of various styles and designs.

Proposal

- 3.2 The applicant is seeking a Section 73 application (variation or removal of a planning condition) to vary condition no. 2 of Planning Permission ref: P1494.21 dated 10/05/2022 to permit amended plans (2 x two storey, 4-bed, detached dwellings with associated parking and amenity space, involving demolition of existing dwelling and garage) to include a proposed second floor to include new bedroom, new window to rear elevation and velux window.

Condition 2 requires that the development be carried out in accordance with the approved plans.

- 3.3 The principle of the development has already been accepted by the appeal decision APP/B5480/W/21/3286031 for planning application P1494.21 made by the Planning Inspectorate on 10th May 2022. Therefore it is only for Members to consider the impact of the changes compared to the approved scheme, to include a proposed second floor to include new bedroom, new window to rear elevation and velux window solely.
- 3.4 It is noted that the works had been undertaken prior to the submission of the application as the application was invited by the Planning Enforcement following a complaint being received.
- 3.5 **Procedural Note** - It should be noted that internal changes can be undertaken without planning consent normally. However, as the property has not been completed or inhabited prior to the additional changes taking place as a procedural matter, the agent was requested to revise the application forms from a householder application to Section 73 application to vary the original consent. Neighbours were not re-consulted as the proposal under consideration would remain the same which would be for the second floor to include new bedroom, new window to rear elevation and velux window.

4. **Planning History**

P1494.21 – 2 x two storey, 4-bed, detached dwellings with associated parking and amenity space, involving demolition of existing dwelling and garage – Refused & Allowed on Appeal under APP/B5480/W/21/3286031.

P0142.22 – Two storey, 4-bed, detached dwelling with associated parking, amenity space, and dropped kerb to front, involving demolition of existing dwelling and garage – Withdrawn.

Q0026.23 - Discharge of conditions 3,4,7,8,9,10,11,13,14 from P1494.21, as part of appeal reference APP/B5480/W/21/3286031 Conditions(s).

P1540.23 - Proposed second floor to include new bedroom, new window to rear elevation and velux windows – Withdrawn.

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 7 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: 2 objections

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:

- Loss of privacy, if approved could second floor window be obscured glazed.
- This site has already been over developed with 2 houses against the will of the council and local residents, one larger dwelling would have been far more suitable.
- The high windows will have an over bearing and overlooking effect in to the properties of Haynes road and along Rowan walk. Both Rowan walk and Haynes road are fairly narrow roads and do not have the parking capacity for 2 x 5 bedroom houses.
- It can become quite dangerous crossing the narrow road when so many cars have been parked at the junction while construction work was taking place and with 2 x 5 bedroom houses the issue will be amplified indefinitely.

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

- Over-looking.

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 changes from the previously approved scheme are to provide a second floor to include new bedroom, new window to rear elevation and velux window.
- It is evident that the proposed external changes would be visible when viewed from the rear gardens, street scene from Rowan Walk and from the side and rear facing windows of the properties in Rowan Walk as well and therefore particular care needs to be exercised.
- No objections are raised from a visual point of view to the installation of the roof lights or the inclusion of the new window to the second floor within the gabled end feature. Although visible, the changes integrate well to the new dwelling and do not add any additional bulk to the building. The changes do not look out of place.

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.
- Revised plans were provided during the planning process as roof lights were removed that were no longer shown on the plans as initially submitted. Neighbours were not re-consulted as the impact was being lessened.
- There would be no external changes apart for the inclusion of the new window in the gabled feature to provide light to the second floor room and the provision of a roof light as indicated on the submitted drawings.
- As such, these changes would not create any overshadowing or a loss of light. However, the Council will need to consider the privacy concerns from the installation of the new window at second floor level.
- It is considered that the proposed changes would be well removed from the neighbours to the east, south east, south west and west not to unacceptably impact on their privacy.
- No.81 Haynes Road would be the property most affected by the proposal particularly from the second floor window.
- In respect to the second floor window, it is noted that this window would have views over the rear garden of No.81 Haynes Road and their

conservatory, where the previously approved first floor windows would either be screened by the pitched roof of the garage of No.81 and the window further away from the boundary would only have oblique view due to spacing from this window to the boundary.

- It is noted that the proposed second floor window would provide some views and would result in an increased degree of over-looking. However, such relationships in suburban areas are not uncommon, particularly when residents add dormer windows at second floor level under permitted development. Furthermore, the degree of overlooking is such that it is considered that it would not result in material harm to neighbouring property which would be sufficient to justify a reason for refusal or defend a refusal at appeal.
- Overall, the proposed changes are considered to be within the realms of acceptability and no objections are raised.

Impact on the highway and parking

- 7.4 The application site is within a PTAL area of 1b. As per Policy 24 of the Havering Local Plan for a site within a PTAL 0 - 1 that has 3 plus 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.

Concerns have been raised within the representation with respect to location of the parking but this was deemed acceptable by the Planning Inspector as part of the appeal and therefore cannot be re-considered as part of this application. As a result, no highway or parking issues would arise and the proposal would comply with Policy 24.

Environmental and Climate Change Implications

- 7.6 No specific measures to address climate change are required to be secured in this case.

Financial and Other Mitigation

As works are not fully completed on site prior to the submission of this application, the creation of the proposed second floor to include new bedroom would be CIL liable and would be charged in conjunction with the initial CIL demand for planning application P1494.21 which was allowed on appeal.

The second floor accommodation would add an additional 48.13 square metres which is rounded up to 49 square metres and the amount chargeable for Havering and Mayoral CIL implications are as follows.

Havering CIL - £6,125

Mayoral CIL - £1,225

Equalities

7.8 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.

Conclusions

7.9 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.