



Havering
LONDON BOROUGH

Planning Committee

24 April 2025

Application Reference:	P1362.24
Location:	1 Suffolk Way, Hornchurch
Ward:	Emerson Park
Description:	Variation of condition no. 2 of planning permission P0844.24 dated 13/09/2024 to allow for retention of door, installation of additional rooflights and alterations to internal layout (Retention of the existing outbuilding, with internal and external alterations, for use as an annexe)
Case Officer:	Kelvin Naicker
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

- 1.1 The development would be acceptable from a design standpoint and would not have a detrimental impact on the rear garden or surrounding street scene.
- 1.2 Furthermore, the scale of the development would not result in material harm to neighbouring amenity.

2 RECOMMENDATION

- 2.1 That the Committee resolve to GRANT planning permission subject to:

- 2.2 That the Director of Planning & Public Protection is delegated authority to issue the planning permission and impose conditions [and informatives] to secure the following matters:

Conditions

1. SC10C – Materials as per Application Form
2. SC32 – Accordance with Plans
3. SC46 – Standard Flank Window Condition
4. Annex Condition 1 – (Specifying that the garden shall not be subdivided at any time and nor shall there be any additional pedestrian or vehicular accesses into the site)
5. Annex Condition 2 – (Requiring any residential occupation of the building to be limited to immediate family members of the family occupying the main house at 1 Suffolk Way)

Informatives

1. INF29 – Approval (No Negotiation Required)
2. Party Wall

3 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

- 3.1 The subject site is located on the southern side of Suffolk Way and contains a double-storey semi-detached dwelling. The property is a corner property with a side facing Oxford Avenue.

The property is not listed nor is it within a conservation area.

Proposal

- 3.2 Planning permission was previously granted for the retention of the existing outbuilding with internal and external alterations for use as an annexe in 2024 (application reference: P0844.24).

Permission is now sought to vary condition no. 2 of planning permission P0844.24 to allow for the retention of a door facing Oxford Avenue, the installation of additional rooflights to the outbuilding and alterations to its internal layout. The application is made under section 73 of the Town and Country Planning Act (1990).

The outbuilding measures 5.55m wide, 9m deep and has a pitched roof with a maximum height of 2.5m.

The annex approved under P0844.24 had two roof lights, a door facing the rear elevation of 1 Suffolk Way and two windows facing Oxford Avenue with an internal layout that consisted of a bedroom, living and sitting area, shower room and storage.

The annex proposed under this application would have five roof lights, a door and two windows that face Oxford Avenue, two windows that also face the rear elevation of 1 Suffolk Way and an internal layout which features a bedroom, study, lounge and WC.

During the application process, the officer queried why permission was being sought for an annex with a door facing Oxford Avenue when permission had been previously granted for an annex with a door facing the rear of 1 Suffolk Way. The agent's response was that "There was already outbuilding there with a door already facing that direction. The granny annex only replaced that outbuilding and the client preferred to retain the door where it was already facing. It is still within the curtilage of the host building".

Google street view images from December 2008, November 2012 and October 2014 show that the application site previously had a garage with a front door that faced Oxford Avenue.

The application site was also previously the subject of an enforcement investigation (reference: ENF/214/24). That investigation related to the following issues:

- Use of new outbuilding as separate self contained dwelling
- Outbuilding at rear separated off by fence and has own entrance

The case was closed in January 2025 as planning permission was granted for the use of the outbuilding as an annex as part of P0844.24 and there were no conditions to discharge as part of that permission.

Planning History

- P0844.24 – Retention of the existing outbuilding, with internal and external alterations, for use as an annexe (Approved with Conditions)
- P0139.24 - Proposed two storey infill side extension, single storey rear extension, loft conversion with one rear dormer window and two front roof lights, front porch roof extended across the front elevation and associated works (Approved with Conditions)
- D0409.23 – Certificate of Lawfulness for proposed outbuilding in the rear garden with single storey rear extension (Planning Permission Not Required)
- D0241.23 – Certificate of Lawfulness for a loft conversion with rear dormer and roof lights to front. Single storey rear extension and erection of outbuilding to rear for use as office/storage (Planning Permission Not Required)
- P0804.23 – Part two storey, part single storey side/rear extension following demolition of existing conservatory, conversion of loft with rear

dormer and roof lights to front, and extension of front porch roof
(Refused, Appeal Dismissed)

4 CONSULTATION RESPONSE

- 4.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 4.2 No stakeholders from within the Council were consulted about the application.

5 LOCAL REPRESENTATION

- 5.1 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 Laurance Garrard called the application in for the following reasons:

- Concerns regarding the positioning of the main access for the annexe facing the road
- Concerned that outbuilding would be used as a separate dwelling not associated with main property

Representations

- 5.4 The following issues were raised in representations that are material to the determination of the application. They can be summarised as follows and are addressed in substance in the next section of this report:

Objections

- Concerned structure would be rented out
- Concerned about overlooking and comings and goings to property

6 MATERIAL PLANNING CONSIDERATIONS

- 6.1 The main planning issues raised by the application that the committee must consider are:
- The visual impact arising from the changes to the design and appearance of the annex on the surrounding area
 - The impact of the changes to the annex on neighbouring amenity
 - Highways and parking issues

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

With regards to annexes, the Council's Residential Extensions and Alterations Supplementary Planning Document (SPD) advises that "the size and scale of the accommodation to be provided should be proportionate to the main dwelling".

The outbuilding itself is finished in a white cladding material which does not match the materials of the host dwelling nor the adjacent neighbours. However, it is noted it does somewhat match the finishes of the white uPVC material of the fenestrations of the adjacent neighbours.

While the annexe would be in view of the street scene there are additional mitigating circumstances. The annexe itself is setback from the public highway while there is a large wooden side boundary treatment meaning the vast majority of the annex is obscured from view. There is only approximately 50cm-70cm of the outbuilding which lies above the fencing which is visible. The building, due to its limited height does not dominate the rear garden scene. Nor is it considered that the additional rooflights proposed to the structure would have an adverse impact on its character and appearance from within Oxford Avenue or the rear garden of 1 Suffolk Way. There are no objections to an annex with a window facing the street from a visual standpoint.

On balance, and having given weight to the above, officers do not consider that the continued presence of the annexe would be so harmful to the character of the immediate area that it would warrant refusal on design/character grounds.

The original permission included a condition requiring the materials of the annex to be finished in accordance with the details provided on the application form to ensure that the appearance of the host dwelling and the character of the immediate area are safeguarded. This condition will be also imposed were consent to be granted for this scheme.

6.3 The impact of the development on neighbouring amenity

Consideration has been given to the impacts of the outbuilding on neighbouring amenity.

The outbuilding is located up along the shared boundary with no. 2 Suffolk Way. It is not considered that the annex causes an unacceptable impact to the amenity of these neighbouring occupiers as it is situated towards the bottom of the rear garden environment and has a relatively low height.

The outbuilding is also located along the common boundary with no. 24 Oxford Avenue. It projects beyond the rear of this neighbouring property but given the extent of this projection is marginal (approximately 1.4m) coupled with the low eaves height of the structure, it is not deemed to have an unacceptable impact on their amenity. The outbuilding benefits from four windows, two of which face

the rear garden environment of the application site. Given the boundary treatment along the shared side boundary with the attached neighbour, it is considered unlikely that these windows would result in harmful overlooking or loss of privacy to this neighbour. The other two windows face the street; Oxford Avenue, a public area and so are not envisaged to give rise to loss of privacy or overlooking to surrounding neighbours.

To prevent a loss of privacy, a condition will be imposed requiring the flank window of the proposed outbuilding to be obscured and preventing no window or other opening being inserted in the flank walls of the dwelling unless permission is first obtained from the Local Planning Authority as per condition three imposed on the original permission.

The outbuilding would contain a bedroom, study, lounge and WC. With regards to its use, the supporting statement submitted as part of the application indicates that the annex would be occupied by an elderly person who will be a dependent of the occupiers of the main house. Officers have considered whether these arrangements are likely to cause conditions that would be detrimental to neighbouring amenity. It is judged that, given the annexe would be occupied by a dependent of the occupiers of the main house and would not be occupied independently of the main dwelling, levels of activity would be within acceptable realms and not incompatible with that to be found within a residential rear garden setting. As such, it is judged that the use of the outbuilding would not result in material harm to neighbouring amenity.

To ensure the annex would remain ancillary to the main dwelling and to prevent it from being used as a separate dwelling, conditions will be imposed preventing the garden from being subdivided and any occupation of the annex being limited to family members of the occupants of 1 Suffolk Way only as per conditions four and five imposed on the original permission.

Given these circumstances and mindful of the general presumption in favour of development, officers do not consider the proposal to be unneighbourly.

6.4 Parking and Highway Implications

No highway or parking issues would expect to arise as a result of the proposal provided the annex is not used incorrectly in breach of any approved planning permission.

6.6 Environmental and Climate Change Implications

The proposed developments do not raise issues relating to the environment or climate change.

6.7 Financial and Other Mitigation

This application is not CIL liable because the floor space created by the development would not exceed 100 square metres.

6.8 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

In this case, the application raises no particular equality issues.

Conclusions

- 6.9 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.