| **Barking and Dagenham Council**  
**Development Control Board** | **Date:** 11 December 2017 |
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<table>
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<th><strong>Application No:</strong></th>
<th>17/01626/FUL</th>
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<td><strong>Ward:</strong></td>
<td>Village</td>
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| **Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution:** | A letter containing 8 signatures objecting to the proposed development has been received and the application is recommended for approval. |

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<th><strong>Address:</strong></th>
<th>Land adjacent To 95 Church Elm Lane, Dagenham</th>
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| **Development:** | Application for variation of condition 2 (Approved Plans) in respect of planning permission 16/00535/FUL: Erection double storey rear extension to new dwelling, front porch and alterations to front windows. |

| **Applicant:** | Mr P Mazreku |

<table>
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<th><strong>Summary:</strong></th>
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Planning permission 16/00535/FUL was granted on 12 July 2017 for “Demolition of existing extensions and erection of two storey 2 bedroom end of terrace dwelling” as an extension to the terrace on land adjacent to 95 Church Elm Lane.

This application seeks to vary condition 2 (Approved Plans) in respect of planning permission 16/00535/FUL. This is essentially an application under Section 73 of the Town and Country Planning Act 1990 (as amended) for minor material amendments to the development approved under planning permission 16/00535/FUL and should be considered in the context of the approved planning permission for the site.

The application proposes to add a two storey rear extension to the approved new dwelling which is currently under construction.

The proposed changes to the previously approved plans submitted under planning ref.16/00535/FUL consist of extending the rear wall of the property by 2.2 metres at ground floor level and by 3 metres at first floor level. The proposed two storey rear extension would project in line with an existing rear extension at adjoining property No.95 Church Elm Lane. A hipped roof would be retained.

The distance between the proposed development and neighbouring properties in Crane Close would be similar to that of other end terrace configurations at nearby Huntings Road, Manning Road, Blackborne Road, Haresfield Road, Harrison Road and Church Elm Lane. The proposal would not therefore be out of character with the built form of the area and, as a minimum of 12.5 metres would be retained between the rear façade of the Crane Close houses and the new house, it is considered that the impact on neighbouring amenity would be acceptable.

The proposed extension will increase the internal floor area from 70sqm previously approved under planning ref. 16/00535/FUL to 89.4sqm, as such the new dwelling would comfortably provide sufficient space for daily living.

The private amenity space for the new dwelling would be reduced from 55.4sqm with a
depth of 11.1 metres to 50.75sqm with a depth of 9 metres. The depth of the rear garden area would not be dissimilar to those of neighbouring dwellings in Crane Close and as such the reduction in size is considered acceptable.

The proposed two storey extension does not seek to create any additional bedrooms and the proposed car parking space in the front garden is still considered to be satisfactory.

Recommendation:

That the Development Control Board grant planning permission subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: ZAAVIA/95CEL/801 B, ZAAVIA/95CEL/802 C, ZAAVIA/95CEL/803 B, ZAAVIA/95CEL/804 C, ZAAVIA/95CEL/805 B, ZAAVIA/95CEL/806 B

   Reason: For the avoidance of doubt and in the interest of proper planning.

2. Details/samples of all materials to be used in the construction of the external surfaces of the development, shall be submitted for approval to the Local Planning Authority within one month of the date of this permission. The development shall be carried out in accordance with the approved details.

   Reason: To protect or enhance the character and amenity of the area in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

3. The dwelling hereby permitted shall comply with the requirements of Building Regulation M4(2) 'accessible and adaptable dwellings'. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

   Reason: To ensure that the house is accessible and adaptable in accordance with policy 3.8 of the London Plan.

4. A scheme of landscaping for the front garden of the new dwelling, including details of boundary treatment, materials and any planting species, shall be submitted for approval to the Local Planning Authority within one month of the date of this permission. The scheme shall make provision for one car parking space. The approved hard landscaping shall be carried out prior to the occupation of the development and thereafter permanently retained. Any soft landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or completion of the development, whichever is the sooner.

   Reason: To safeguard and improve the appearance of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

Contact Officer
Ian Drew
Title: Development Management Officer
Contact Details: Tel: 020 8227 3067 E-mail: lan.Drew@lbbe.gov.uk
1. **Introduction and Description of Development**

1.1 Planning permission 16/00535/FUL was granted on 12 July 2017 for “Demolition of existing extensions and erection of two storey 2 bedroom end of terrace dwelling” as an extension to the terrace on land adjacent to 95 Church Elm Lane. Consultations were undertaken with 12 neighbouring houses and, as no replies were received, the application was determined under delegated powers.

1.2 This application seeks to vary condition 2 (Approved Plans) in respect of planning permission 16/00535/FUL. This is essentially an application under Section 73 of the Town and Country Planning Act 1990 (as amended) for minor material amendments to the development approved under planning permission 16/00535/FUL and should be considered in the context of the approved planning permission for the site.

1.3 The application proposes to add a two storey rear extension to the approved new dwelling which is currently under construction. The proposed development also includes the construction of a front porch and alterations to the front windows of the previously approved scheme.

2. **Background**

2.1 16/00001/FUL - Demolition of existing extensions and erection of two storey 2 bedroom end of terrace dwelling and formation of new front door with canopy over to existing house – Application Refused.

16/00535/FUL - Demolition of existing extensions and erection of two storey 2 bedroom end of terrace dwelling – Application Approved.

17/01625/CLU_P - Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of gable end roof, rear dormer window and two front rooflights – Pending Consideration.

3. **Consultations**

3.1 Neighbouring occupiers were consulted, 2 letters were received from neighbouring occupiers one of which contains 8 signatures from the residents of Crane Close objecting to the proposal on the following grounds;

- Development is not being built in accordance with previously approved plans
- The proposed development will overlook neighbouring properties in Crane Close resulting in an undue loss of privacy to the first floor bedrooms and rear garden areas of adjoining properties
- Overbearing impact on the occupants of No.10 Crane Close

**Officer Note:**
Officers have instructed the applicant to cease current construction work to the rear and roof of the property pending the determination of this application. Following concerns raised by neighbouring occupiers, officers have also informed the applicant that the gable end roof that was being constructed must be removed and a hipped roof instated in accordance with the previously approved plans.
4. Local Finance Considerations

4.1 The application is subject to both the Mayor of London and Council’s Community Infrastructure Levy and would generate a Mayoral CIL contribution of £2,293.13 and an LBBD CIL contribution of £1,002.68.

5. Equalities Considerations

5.1 The proposed new dwelling will provide suitable accessibility provision in accordance with Buildings Regulations M4(2) and should help enable future occupiers to remain living in the property regardless of age and/or disability.

6. Analysis

6.1 Principle of Development

6.1.1 The principle of the proposed new dwelling has already been agreed pursuant to Planning Permission 16/00535/FUL.

6.2 Design and Amenity

6.2.1 Policy CP3 of the Core Strategy and Policy BP11 of the Borough Wide Development Policies DPD set out the principles which should be applied to the design and layout of new development in order to achieve a good standard of design. Policy BP8 of the Borough Wide Development Policies DPD requires all developments to protect residential amenity by having regard to the local character of the area.

6.2.2 The proposed changes to the previously approved plans submitted under planning ref.16/00535/FUL consist of extending the rear wall of the property by 2.2 metres at ground floor level and by 3 metres at first floor level. The proposed two storey rear extension would project in line with an existing rear extension at adjoining property No.95 Church Elm Lane. A hipped roof would be retained.

6.2.3 Whilst the application property is a new build dwelling and the proposed development is therefore not strictly an ‘alteration or extension’, the guidance set out in the Council’s Residential Extensions and Alterations Supplementary Planning Document (SPD) is considered relevant on the basis of assessing the impact on the amenity of neighbouring occupiers.

6.2.4 The proposed rear extension will extend to within 1 metre of the eastern boundary at its narrowest point and to within 9 metres of the northern site boundary. The provision/reduction of private external amenity space is examined separately within this report.

6.2.5 Whilst there is no minimum set distance between properties prescribed by Council policy, a depth of 11-12 metres is generally considered acceptable. In this instance a minimum distance of 12.5 metres would be retained between the flank wall of the proposed extension and the rear wall of adjacent property No.10 Crane Close. A
distance of 18 metres would be retained between the proposed extension and the rear wall of No.15 Crane Close located to the north of the application site.

6.2.6 It is noted that in a recent appeal decision at 261 Grafton Road, Dagenham which related to a proposed two storey side and rear extension with a hipped roof, the Inspector was satisfied that the retention of a 10.5 metre distance between the flank wall of the proposed extension and the rear wall of an adjacent property was sufficient and subsequently deemed that the occupants of the adjacent dwelling would not experience a significant reduction in daylight or sunlight.

6.2.7 Furthermore it is noted that the proposed relationship between the proposed rear extension and the rear wall of No.10 Crane Close would not be dissimilar to that of other end terrace configurations at nearby Huntings Road, Manning Road, Blackborne Road, Haresfield Road, Harrison Road and Church Elm Lane.

6.2.8 At its narrowest point the proposed rear extension will extend to within 1 metre of the eastern site boundary, the same distance separates the flank wall of the new build dwelling and the eastern boundary. As such it is considered that the impact on the occupiers of No.s 9 and 10 Crane Close would be the same. It is noted that the occupier of No.9 Crane Close raised no objection to the original application ref.16/00535/FUL where a distance of 12.5 metres between properties was considered acceptable.

6.2.9 The plans submitted indicate the insertion of an additional ground floor window on the flank wall of the property serving a lounge/living area. The top of the proposed ground floor window will be positioned 2 metres above ground level and, given that the eastern boundary is marked by a 1.8 metre high close boarded timber fence, it is not considered that the additional window would result in any undue loss of privacy.

6.3 Internal Design

6.3.1 In accordance with the Technical Housing Standards – nationally described space standard, 4person 2 bedroom 2 storey dwellings require a minimum gross internal floor area of 79sqm, including 2.0sqm of built-in storage. The proposed extension will increase the internal floor area from 70sqm previously approved under planning ref. 16/00535/FUL to 89.4sqm, as such the new dwelling would comfortably provide sufficient space for daily living.

6.4 External Amenity Space

6.4.1 Policy BP5 of the Borough Wide Development Policies DPD seeks to ensure that new dwellings provide appropriate levels of external private and/or communal amenity space. In this instance, the minimum standard for a 2 bed house is 50sqm. In addition, Policy BP5 seeks a minimum rear garden depth of 12 metres.

6.4.2 The private amenity space for the new dwelling would be reduced from 55.4sqm with a depth of 11.1 metres to 50.75sqm with a depth of 9 metres. The depth of the rear garden area would be the same as the adjoining house at 95 Church Elm Lane and would not be dissimilar to those of neighbouring dwellings in Crane Close (some of which have depths of 7-8 metres) and as such a garden of this depth would not be out of character with the area.
6.5 Parking

6.5.1 The application site has a Public Transport Accessibility Level (PTAL) rating of 3 which represents moderate level of access to public transport links. Policy BR9 of the Borough Wide Development Policies DPD states that car parking standards set out in the London Plan will be used as maximum parking standards for new developments. The London Plan advises that for units of 1-2 bedrooms, less than 1 car parking space per unit should be achieved. The footnote to table 6.2 advises that developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit.

6.5.2 The original application ref. 16/00535/FUL provided 1 off-street parking space fronting the new dwelling with the loss of 1 existing parking space serving the donor property. Officers shared the view of the Transport Development Management Team that the use of the existing on street parking bay by the occupiers of No.95 Church Elm Lane was preferred to losing one car length in the CPZ bay outside the property (and the flexibility that this currently provides) in order to accommodate a new vehicular crossover.

6.5.3 The proposed two storey extension does not seek to create any additional bedrooms and as such would not increase existing car parking requirements which remain acceptable.

Background Papers

- Planning Application File
- Local Plan Policy

Core Strategy (July 2010)

Policy CP3 – High Quality Built Environment

Local Development Framework (LDF) Borough Wide Development Plan Document (DPD)

Policy BP5 – External Amenity Space
Policy BP8 – Protecting Residential Amenity
Policy BP11 – Urban Design
Policy BR9 – Parking

Supplementary Planning Document (SPD) for Residential Extensions and Alterations

Technical Housing Standards – nationally described space standard