

DEVELOPMENT MANAGEMENT COMMITTEE
Wednesday 18 September 2019 at 7.30 pm
Council Chamber - Civic Centre

AGENDA

1. Apologies for Absence and Substitutions

2. Declarations of Interest

Councillors' declarations of interest (if any) in relation to any matters on the agenda.

3. Minutes (Pages 3 - 5)

4. Matters Arising

5. Written Questions

6. Procedure for Consideration of Planning Applications

At the discretion of the Chair, the following procedure will apply to the consideration of planning items:-

- * Planning Officer presents reports.
- * Comments invited from members of the public who have registered with the Governance Support Section (01279 446057) at least 24 hours in advance of the meeting, as follows:
 - 3 (maximum) against an application.
 - 3 (maximum) for an application.
 - each speaker is limited to 3 minutes (maximum).
- * Comments invited from the applicant/agent for a maximum of 3 minutes (who has also given at least 24 hours notice to the Governance Support Section) of their wish to speak.
- * Councillors' questions and clarifications.
- * Officers respond to the technical planning questions raised as directed by the Chair.
- * Councillors debate and make a decision.

7. HW/HSE/19/00207: 22 Sheering Road (Pages 6 - 15)

8. References from Other Committees

Any references received after the publication of this agenda will be circulated separately.

9. Matters of Urgent Business

Such other business which, in the opinion of the Chair, should be received as a matter of urgency by reason of special circumstances to be specified in the minutes.

**MINUTES OF THE DEVELOPMENT MANAGEMENT COMMITTEE
HELD ON**

3 July 2019

7.30 - 8.08 pm

PRESENT

Committee Members

Councillor Phil Waite (Chair)

Councillor Nancy Watson (Vice-Chair)

Councillor Jean Clark

Councillor Bob Davis

Councillor Jodi Dunne (substitute for Councillor Stefan Mullard)

Councillor Michael Garnett

Councillor Maggie Hulcoop

Councillor Sue Livings

Councillor Clive Souter

Officers

Hannah Criddle, Governance Support Officer

Mark Philpott, Development Manager

Tanusha Waters, Planning and Building Control Manager

12. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Michael Hardware and Stefan Mullard.

Councillor Jodi Dunne substituted for Councillor Stefan Mullard.

13. **DECLARATIONS OF INTEREST**

Councillor Clive Souter declared a non-pecuniary interest in agenda item 7 (4 Burnett Park) as a Sumners and Kingsmoor Ward Councillor.

Councillors Michael Garnett and Sue Livings both declared a non-pecuniary interest in agenda item 9 (74 Chippingfield) as Old Harlow Ward Councillors. Councillor Garnett also declared a non-pecuniary interest in agenda item 9 (74 Chippingfield) as the Harlow North County Councillor.

14. **MINUTES**

RESOLVED that the minutes of the meeting held on 5 June 2019 are agreed as a correct record and signed by the Chair.

15. **MATTERS ARISING**

None.

16. **WRITTEN QUESTIONS**

None.

17. **PROCEDURE FOR CONSIDERATION OF PLANNING APPLICATIONS**

RESOLVED that the procedure for the conduct of the meeting is noted.

18. **HW/HSE/18/00555: 4 BURNETT PARK**

The Committee received a report and application (HW/HSE/18/00555) on the planning permission for the erection of a single storey dwelling with associated car parking and landscaping and alterations to existing dwelling.

The Committee also received a supplementary report containing information which had been received after the publication of the agenda. The information advised that the agenda referred to the application as HW/HSE/18/00555, however, the correct planning application reference is HW/FUL/18/00555.

Presentations were heard from two objectors.

RESOLVED that planning permission is **GRANTED**.

19. **HW/HSE/19/00102: 5 UPPER HOOK**

The Committee received a report and application (HW/HSE/19/00102) on the planning permission for a two storey side and rear extensions.

RESOLVED that planning permission is **GRANTED**.

20. **HW/HSE/19/00023: 74 CHIPPINGFIELD**

The Committee received a report and application (HW/HSE/19/00023) for a single storey rear extension.

The Committee also received a supplementary report containing information which had been received after the publication of the agenda. The information included a further representation which had been received.

Presentations were heard from two people in support of the application.

Councillor Michael Garnett (seconded by Councillor Clive Souter) proposed an additional condition to restrict the building work times. The amendment was carried.

RESOLVED that planning permission is **GRANTED** subject to conditions in addition to the following:

- A** An additional condition to restrict building work times to 8am to 6pm Monday to Friday, 8am to 1pm Saturday and no building work to take place on Sunday's or Bank Holidays.

21. **REFERENCES FROM OTHER COMMITTEES**

None.

22. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
18 September 2019**

REFERENCE: HW/HSE/19/00207

OFFICER: John Harrison

APPLICANT: Mr T Lemay

**LOCATION: 22 Sheering Road
Harlow
Essex
CM17 0LS**

PROPOSAL: Rear extension of existing garage and conversion of roof space above garage to form games room

LOCATION PLAN:



REASON FOR COMMITTEE: Two objections have been received which are contrary to officer recommendation.

Application Site and Surroundings

Though given a Sheering Road address, the application property is actually situated in a short cul-de-sac off Sheering Road almost directly opposite the approach into Sheering Road from the roundabout on Gilden Way. The cul-de-sac serves four modern detached houses. The application property is a two and a half storey house with a detached double garage in the rear garden with access to it alongside the house. The garage has a hipped roof and is rendered with a tiled roof. It is built off no 22's eastern boundary. To the east is another modern house, 24 Sheering Road, which has a conservatory extension on the rear. To the west of no 22's garden is the rear boundary of 7 Churchgate Street. The property is located within the Churchgate Street Conservation Area, near its eastern boundary. There are listed buildings in the vicinity, namely 1, 4/6, 10/12, 13 and 15 Churchgate Street, 2-6 Godsafe and Millhurst, Sheering Road.

Details of the Proposal

The application is to extend the garage to the rear by 3 metres and substitute the hipped roof with a gabled roof (actually not fully gabled as there is a small area of roof slope at the bottom of the gables) with two west-facing dormers in the western roof slope to provide a games room. Windows would be inserted in the front and rear gables. The dormers would also have windows. The plans indicate the work will be carried out using matching render and tiles with the windows and personal doors painted softwood. The garage would end up being 6 metres x 9 metres with a height of approximately 6 metres. The proposal has been slightly amended at the suggestion of officers in that the dormers on the side of the garage have been moved further apart to reduce the apparent bulk of the proposal. Neighbours have been consulted on this minor change.

RELEVANT PLANNING HISTORY:

There is no relevant planning history.

CONSULTATIONS:

Internal and External Consultees

Heritage Officer - Essex County Council: Place Services

No objection subject to imposition of conditions to require the external materials to be approved, details of the new windows, doors, eaves, verges and cills to be approved and for rainwater goods to be black and metal.

Neighbours and Additional Publicity

Number of Letters Sent: 10

Total Number of Representations Received: 2

Date Site Notice Expired: 1 July 2019

Date Press Notice Expired: 4 July 2019

Summary of Representations Received

Near neighbour 1 - the leylandii trees shown on the plan have now been removed; dormers would overlook their property, so asks for rooflights instead; concerned could become a granny annexe.

Near neighbour 2 - do not object to the principle of the garage being extended or the roof being converted to a games room; feel the change to the roof and the insertion of full-sized window to the front and the side dormers will substantially change the building's nature and character; result will appear excessively bulky when viewed from own property, making garden feel excessively enclosed on that side; full-sized front window together with fully gabled front elevation and two large dormers will be intrusive additions to the cul-de-sac changing its character to one akin to a small dwelling, thus changing relationship between the properties; front and rear should retain hipped ends to reduce bulk and preserve the character of the existing building and its relationship to other cul-de-sac properties, side dormers further add to the bulk and should be replaced by conservation rooflights.

Near neighbour 2 (on amended plans) - amendments do not take into account major concerns, replacing twin garage doors with modern roller style double one does not match neighbouring properties and is at odds with this dwelling group's traditional style, requests condition restricting use to ancillary purposes.

PLANNING POLICY:

BE1:"Character and Identity" new and extended buildings should relate to their setting to strengthen, enhance, protect or create local character. Permission will be granted for new development providing: it is well connected to and integrated with the wider settlement; the height massing, layout, appearance and landscape makes an appropriate visual relationship with that of the form, grain, scale, materials and details of the surrounding area; building design is specific to the site and its context; it enhances the character, image and perception of the area when highly visible.

BE10:"Conservation Areas" new development within or affecting a Conservation Area will be granted consent subject to: it not harming the character or appearance of the Conservation Area; the scale, height, form, massing, elevation, detailed design, materials and layout respect the character of the Conservation Area; the proposed land use is compatible with the function and activities of the Conservation Area.

T9:"Vehicle Parking" parking shall be provided in accordance with the adopted vehicle parking standards. Justification is required for the amount of car parking proposed on an operational need and, if applicable, a Green Commuter Plan.

Harlow Local Development Plan Pre-Submission Publication (2018)

Harlow Council is in the process of having its new local plan being examined by an Inspector appointed by the Secretary of State.

Paragraph 216 of the NPPF sets out that weight may be given to relevant policies in emerging local plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given). The 'Harlow Local Development Plan Pre-submission Publication' (the 'emerging Local Plan') is the final version of the plan for consultation before it is submitted for examination. The consultation closed on 6th July 2018, the Examination started on 28th March 2019.

It is considered that the policies within the emerging Local Plan are consistent with the policies in the NPPF and that limited weight should be given to relevant emerging local plan policies at this stage. Relevant policies are discussed within the Planning Assessment section.

PLANNING STANDARDS:

National Planning Policy Framework (NPPF) (2019) - sets out the Government's key economic, social and environmental objectives and the planning policies to deliver them. These policies will provide local communities with the tools they need to energise their local economies, meet housing needs, plan for a low-carbon future and protect the environmental and cultural landscapes that they value. It seeks to free communities from unnecessarily prescriptive central government policies, empowering local councils to deliver innovative solutions that work for their local area.

Supplementary Planning Documents/Current Planning Guidance

The Harlow Design Guide SPD (2011)

PLANNING ASSESSMENT:

The key issues for consideration in the determination of this application are the principle of development, the design including the impact on the character and appearance of the area, including the Conservation Area, and the impact on neighbours.

Summary of Main Issues

Principle of development

As this is an application to alter a residential property in a residential area, the principle of the development is acceptable. As with most domestic extensions, etc, the issues to be considered are the appearance of the proposal and impact on neighbours.

Design and impact on the character and appearance of the area

In dealing with a planning application within a Conservation Area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Historic Buildings Consultant has raised no objections to the proposal.

The garage is only readily visible from public areas between the houses no 22 and 24 and only from within the cul-de-sac, not from Sheering Road. Though the bulk of the building would be increased, it is not considered it would be excessively bulky. The increased bulk would mainly be visible from the side where there are not significant public views, not from the front. Thus, though the gabling and addition of the dormers would make it more prominent it would not be excessively so. The height of the building would not be increased. This is an area with relatively large houses with large gardens and an outbuilding of this size is not considered out of character. Though the Harlow Design Guide recommends a maximum size of 26 sq metres for outbuildings and this would be larger, this recommendation is in the context of smaller new town houses, not larger properties with large gardens such as these. As the additional bulk of the building is only visible from the side and not readily from public viewpoints and the increase in size is comparatively limited, the proposal is considered acceptable in appearance terms.

Carrying the roof slope across the bottom of the gable to effectively give a very shallow canopy is an unconventional feature but is not considered incongruous or otherwise inappropriate. This view is shared by the Historic Buildings Consultant at ECC.

One neighbour has requested that the garage should have two doors at the front instead of a larger double-width door. Whilst there is some merit in this suggestion, this alteration could be carried out as permitted development, so it would not be reasonable to insist on this.

To summarise, the proposal is considered to be acceptable given the context and therefore it does not harm the Conservation Area.

Impact on neighbours

The neighbours most likely to be affected by the proposal are 24 Sheering Road and 7 Churchgate Street. No 24 is between approximately 3 and 3.8 metres from the existing garage and the garage at present extends about a metre beyond the conservatory that has been added to no 22. No 24 is canted at a slight angle away from no 22. As Nos 22 and 24 have their rear elevations facing the south, the conservatory would lose some afternoon sun, but given the separation between the garage and no 24, the southwards orientation and the slope of the garage roof away from no 24, the proposal is considered acceptable. A condition preventing the insertion of windows or rooflights in the eastern slope would be necessary to safeguard amenity of no. 24.

Moving on to the impact on 7 Churchgate Street, whilst the dormers on the side face towards properties in Churchgate Street, they are 12 to 14 metres from the boundary which is considered sufficiently far not to cause excessive overlooking. A condition is not considered necessary to prevent the outbuilding being used as a granny annexe or similar more intensive use, given the distance the windows are from the boundary.

One neighbour has referred to leylandii trees which have been removed from the site. There is no record of consent having been granted for this, but leylandii are not generally suitable in urban gardens and there is not an objection to their loss in this context.

CONCLUSIONS:

The proposal is not considered to harm the character and appearance of the Conservation Area and does not have an undue impact on neighbours in terms of loss of light, overlooking, etc. It is therefore recommended that the application should be granted subject to conditions.

RECOMMENDATION:

That Committee resolve to GRANT PLANNING PERMISSION subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Prior to the commencement of development, samples of the new roof tiles to be used in the development hereby permitted shall be submitted to and approved in writing by the Local

Planning Authority. The materials used in the external surfaces of the building shall match the appearance of those of the existing building.

REASON: In the interest of visual amenity and to accord with policy BE1 and BE10 of the Adopted Replacement Harlow Local Plan, July 2006.

- 3 Prior to the insertion of the proposed windows, additional drawings showing details of the proposed new windows, doors, eaves, verges and cills to be used by section and elevation at scales between 1:20 and 1:1 have been submitted to and approved by the Local Planning Authority. Unless alternative details are submitted to and approved by the Local Planning Authority, any replacement to these shall be constructed to the approved design.

REASON: To ensure a satisfactory appearance for this building in view of its location within a conservation area in accordance with policies BE1 and BE10 of the Adopted Replacement Harlow Local Plan, July 2006.

- 4 All rainwater goods shall be black and metal and permanently maintained as such.

REASON: To ensure a satisfactory appearance for this building in view of its location within a conservation area in accordance with policies BE1 and BE10 of the Adopted Replacement Harlow Local Plan, July 2006.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no windows or rooflights shall be inserted in the east elevation or roof plane of the outbuilding unless planning permission has been obtained for them.

REASON: To protect the privacy of the occupiers of adjoining properties.

- 6 The development hereby permitted shall be carried out in accordance with the approved plans as shown listed in the table below.

REASON: For the avoidance of doubt and in the interests of proper planning.

Plan Reference	Version No.	Plan Type	Date Received
14/051/A/001	--	Existing Block and Location Plans	30.05.2019
14/051/A/002	--	Existing Plans and Elevations	30.05.2019
14/051/A/003 A	--	Proposed Plans and Elevations	01.08.2019

INFORMATIVE CLAUSES

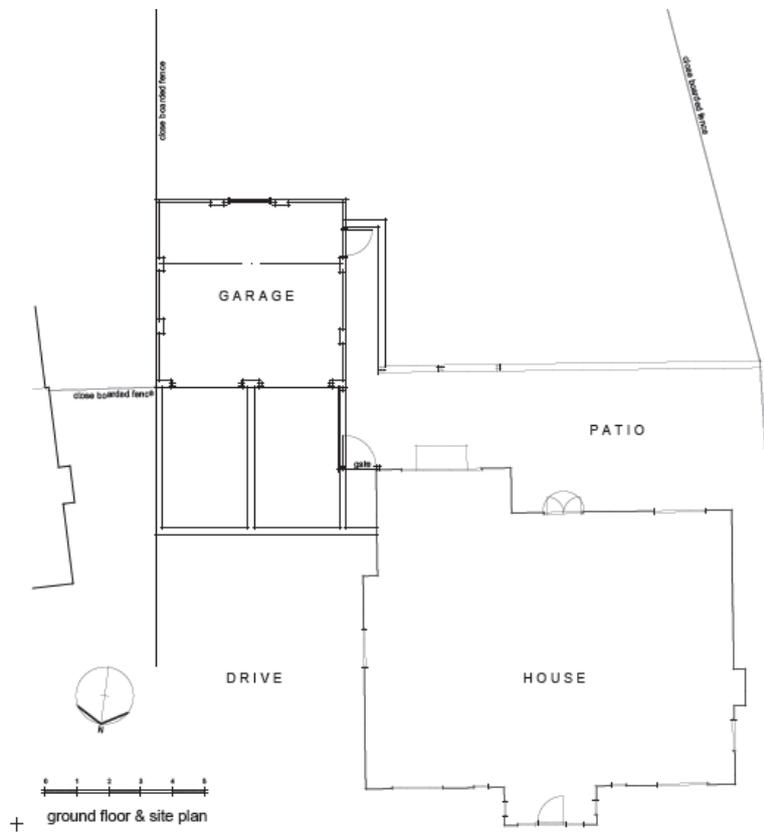
1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

HW/HSE/19/00207 – Plans

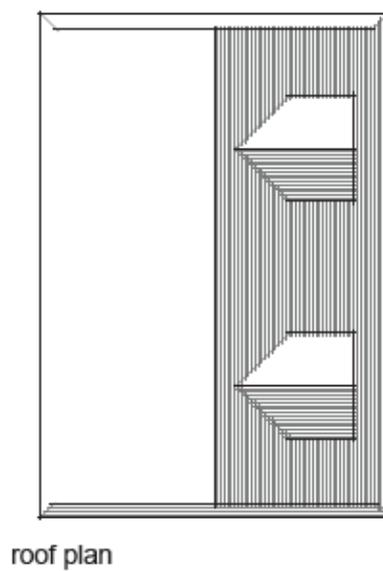
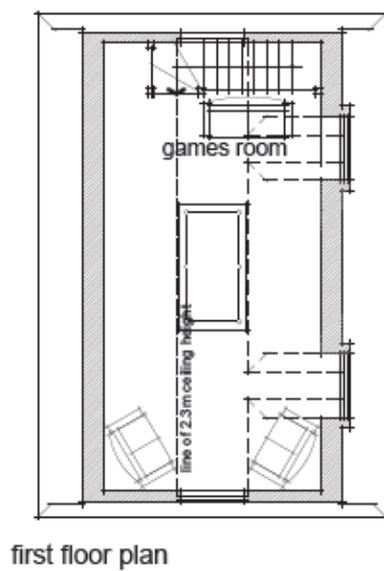
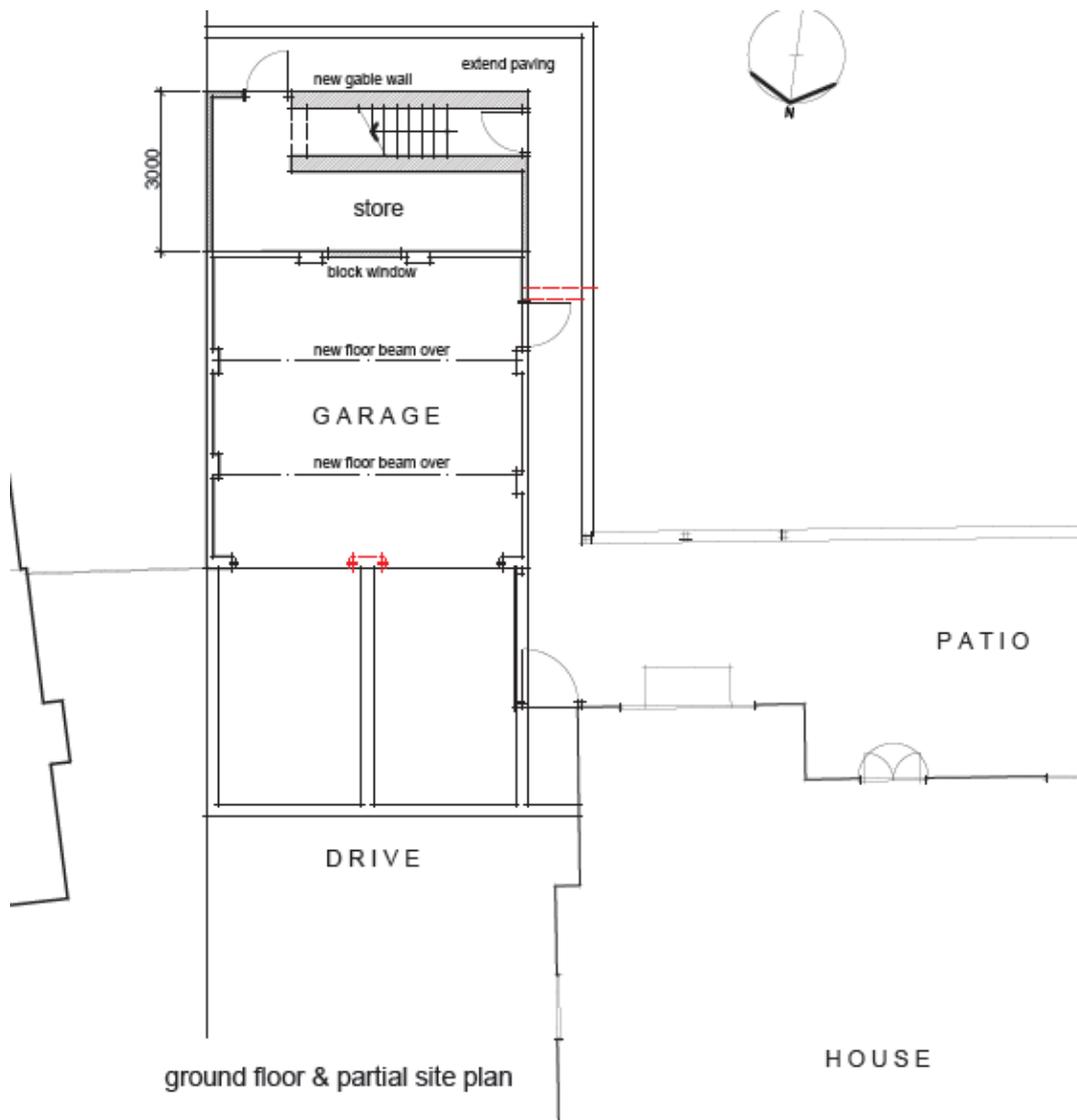
Block Plan



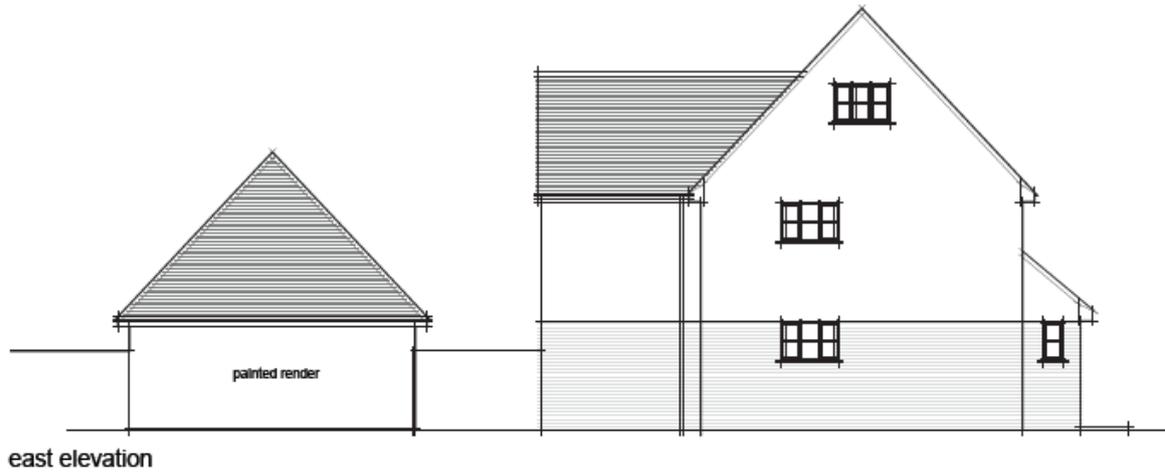
Existing Site Plan



Proposed Site Plan and Floor Plans



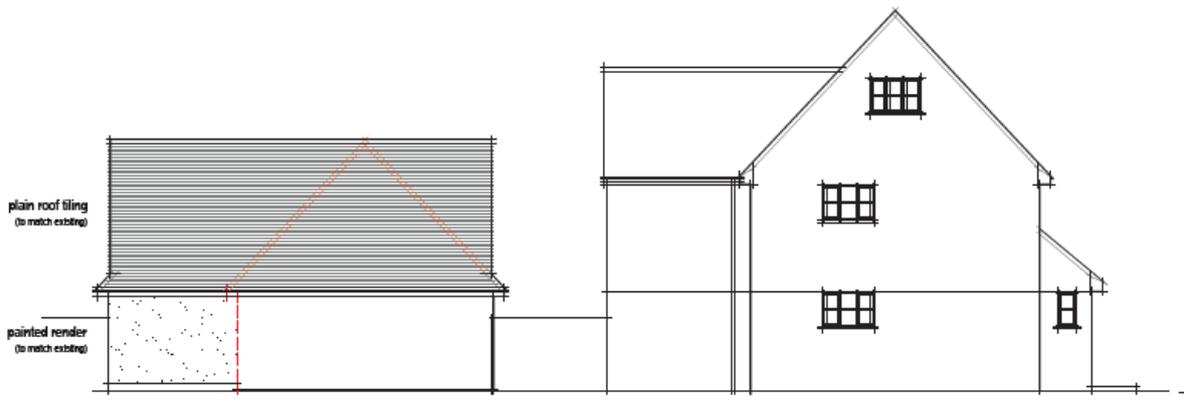
Existing Elevations



Proposed Elevations and Section



north elevation



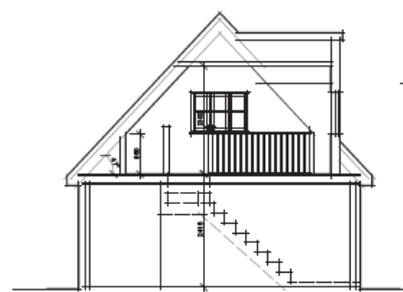
east elevation



south elevation



west elevation



indicative section