

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
17 December 2019

REFERENCE: HW/HSE/19/00363

OFFICER: Nicholas Fu

APPLICANT: Mr C Grant

LOCATION: 34 Sheldon Close
Harlow
Essex
CM17 9QR

PROPOSAL: Two-storey rear extension

LOCATION PLAN:



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REASON BOUGHT TO COMMITTEE:

More than two representations have been received which are contrary to officer recommendation, and the application has been called in by a Church Langley Ward Councillor.

Application Site and Surroundings

The application relates to a dwellinghouse located on Sheldon Close, which is a residential cul-de-sac within Church Langley and comprises mostly of semi-detached and terraced houses of similar design and scale.

The application property is a two-storey, semi-detached dwellinghouse. It has a single storey attached garage to the side of the house. The site is not within a conservation area or in close proximity to a listed building.

Details of the Proposal

Planning permission is sought for a two storey rear extension. This application is a resubmission of refused application HW/HSE/19/00222 for a 3m deep, two-storey, flat roof rear extension. The application was refused due to its incongruous flat roof design and the blocking of neighbour's access to daylight.

The proposed extension would be the full-width of the main house. The proposed 3m deep single storey element would have a flat roof which measures 3m in height. It is noted planning permission was granted earlier in the year for a single storey, 3m deep, flat roof rear extension (reference no. HW/HSE/19/00061).

The gabled roof of the proposed 1.5m deep first floor extension would follow and continue the existing gabled ridge and eaves lines of the host dwelling. The application form indicates the use of matching materials.

RELEVANT PLANNING HISTORY:

Application Reference Number: HW/HSE/19/00061

Proposal: Single Storey Rear Extension

Application Status: Granted Planning Permission

Decision Date: 12 April 2019

Application Reference Number: HW/HSE/19/00222

Proposal: Two-storey rear extension

Application Status: Refused Planning Permission

Decision Date: 31 July 2019

CONSULTATIONS:

Internal and external Consultees

None consulted.

Neighbours and Additional Publicity

Number of Letters Sent: 6

Total Number of Representations Received: 3

Date Site Notice Expired:

Date Press Notice Expired:

Summary of Representations Received

Representations were received from Councillor Carter and two local residents. They object to the proposed development for the following reasons:

- The proposed extension does not make an appropriate visual relationship with the surrounding area, out of keeping with the design and character of the host property and Sheldon Close. There are no other two storey extensions within the area, and this application would set a precedent for other large extensions.
- The proposed extension would have adverse impacts on the amenity of neighbouring properties, including overbearing, overshadowing and loss of daylight, and overlooking and loss of privacy.
- The proposed extension would have its roof eaves and gutters overhanging the neighbouring properties.
- There is possible encroachment of foundations across the boundary which would lead to damage to the properties and other underground utilities.
- The site has difficult construction access, which would lead to potential safety issues and conflicts with other road users.
- Construction would result in significant noise and disturbance, to the detriment of the living condition of neighbours.
- The proposal is a breach of restrictive covenants

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.

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

Harlow Council is in the process of submitting a new local plan for examination.

On 19th October 2018 the Harlow Local Development Plan Pre-Submission Publication (the "emerging Local Plan") was submitted to the Secretary of State.

Paragraph 48 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).

It is considered that the policies within the emerging Local Plan are consistent with the policies in the NPPF and that 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)

The Essex Parking Standards: Design and Good Practice (2009)

PLANNING ASSESSMENT:

The main issues of consideration for this application are the principle of development, the design and its impacts on the character and appearance of the surrounding area, impacts on neighbour amenity, and parking.

Principle of development

The application site is located within a residential area, where extensions to dwellings are in principle acceptable, subject to compliance with relevant policies and guidance documents.

The planning history of the application property is an important material consideration for the determination of this application. The design and dimensions of the single storey element of this application are identical to the planning permission HW/HSE/19/00061 granted earlier in the year. There are no reasons suggesting that the single storey extension would not be built. Therefore it is considered that the impacts arising from the single storey element should be accepted.

The previous permission HW/HSE/19/00222 for a 3m deep, flat roof two storey extension was refused. The current proposal has reduced the depth of the extension to 1.5m, and includes a gabled roof with the rooflines extending from the main roof of the original house.

Character and appearance of the area

Policy BE1 of the Adopted Replacement Harlow Local Plan (ARHLP) (2006) and the Harlow Design Guide SPD (2011) seek to ensure developments are of appropriate design, scale and material that respect the character of the site and surrounding area. Extensions to residential properties should be subordinate to the original dwelling and in keeping with the character of the surrounding area.

The rear garden of the application site is mostly surrounded by gardens of neighbouring properties. There is a passageway to the side, but this path only leads to the rear gardens of other properties. This path is also gated and locked, suggesting that it has very limited public footfall, if any at all. The proposed rear extension would not be readily visible on Sheldon Close.

Through the gap between nos. 160 & 161 Rushton Grove, the proposal would be visible on Rushton Grove. However, this highway is more than 40m away from the application property,

thereby the proposed development would not result in any demonstrable impact to the character and appearance of Rushton Grove.

The proposed first floor extension, at 1.5m depth, would be modest in scale. It would therefore have limited impact on the overall character and appearance of the host property. The proposed first floor extension would have a rear gable which extends from the front gable of the main house. The proposed fenestration would be in the same positions and similar designs as the existing ones. The application form indicates the external finishes would be similar to the existing house. It is therefore considered that the proposed extension would be sympathetic to the design and appearance of the host property.

Some properties within the surroundings include single storey rear extensions/conservatories, but none have a two storey rear extension. Although the proposed extension would appear as a later addition to the dwellinghouse, taking into consideration its small scale, sympathetic appearance and limited visibility on Sheldon Close, the proposed extension is considered acceptable.

The proposed extension is considered acceptable in terms of design, and would not result in any detrimental impact to the character and appearance of the surrounding area. The proposal therefore complies with Policy BE1 of the ARHLP and the Harlow Design Guide SPD.

Neighbour amenity

The proposed extension does not include any flank windows. The first floor rear window would relate to the same room, and would be in the same position as the existing window albeit being 1.5m forward. As the window would be moved forward, views of the most sensitive parts of the adjoining gardens, which are the areas closest to the neighbours' house, would be more limited. The first floor window would also remain sufficiently far away (18m) from the property at the rear. It is therefore considered that the proposed extension would not materially change the existing impact on neighbouring properties in terms of overlooking and privacy.

The properties on Sheldon Close have rather narrow profiles, some of which measure only 5m in width, including both neighbours of the application site (i.e. nos. 33 & 35). There are concerns from neighbours that the proposal would appear dominating and overbearing on the neighbouring properties.

The proposed 3m deep single storey extension has already been accepted by the previous permission granted under ref. HW/HSE/19/00061. Therefore impacts arising from it would not constitute a reasonable refusal reason for the current application. In any event the impacts from this element would be acceptable.

The proposed extension would be approximately 3.7m from the main house of no. 35. Given this separation and the limited depth of the proposed extension, it is considered that the impacts on this neighbour would be acceptable.

Previous application HW/HSE/19/00222 was refused, as the proposed 3m deep two storey extension would result in an unacceptable loss of daylight from the rear-facing windows of the attached neighbour no. 33. The current proposal reduced the depth of the first floor extension to 1.5m, and it would not intrude the 45 degree line taken from the mid-point of the neighbour's first floor window. Moreover, this rear elevation is north facing and no.33 is located slightly southwest of the application property. The proposed 1.5m deep first floor extension would not result in any significant loss of natural sunlight received by the rear-facing windows of this neighbour. It is therefore considered that impact to this neighbour would be acceptable.

The proposed extension is considered acceptable in terms of neighbour amenity, and would comply with Policy BE1 of the ARHLP and the Harlow Design Guide SPD.

Parking

The proposed development would not create any additional bedrooms. The hard surfaced area within the front curtilage is available for parking. It is therefore considered that the proposal would not result in any parking or highway safety implications, and in compliance with Policy T9 of the ARHLP and the Essex Parking Standards.

Neighbour representations

The concerns regarding design, character and appearance, and residential amenity have been discussed above.

It is acknowledged that development inevitably comes with construction noise and traffic. Nevertheless, given the small scale of the proposed development, these disruptions would be short-term. There are also relevant Environmental Health regulations to ensure works would be carried out in a considerable manner, such as construction hours. It would not be reasonable to refuse permission for this reason.

Some concerns have been expressed about how materials would be brought to the site. Materials could be brought to the site by either through their garage or the main house, or along the side passageway on the far side of the garage. This is for the applicant to determine but does not constitute a reason for refusal given the small scale of the proposed development.

The concerns regarding restrictive covenants, structural and construction safety and party wall issues are governed by separate regulations outside of the planning system. They are not material planning considerations for this application.

CONCLUSIONS:

It is considered that the proposed extension, by virtue of its design, scale and location, would not result in an adverse impact on the character and appearance of the surrounding area. It would have an acceptable impact to the residential amenity of neighbouring properties. The proposal would not result in any parking or highway safety issues.

The proposal is therefore considered to accord with Policies BE1 and T9 of the Adopted Replacement Harlow Local Plan (2006), the Harlow Design Guide SPD (2011) and the Essex Parking Standards (2009).

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 All new external work shall be carried out in materials of such colour or texture and with architectural detailing to match the existing facing work of the building.
REASON: In the interest of visual amenity and to accord with policy BE1 of the Adopted Replacement Harlow Local Plan, July 2006.

3 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
190206-FR2		Proposed Floor Plans	09.09.2019
190206-FR 3		Existing and Proposed Elevations	09.09.2019