

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
15 January 2020

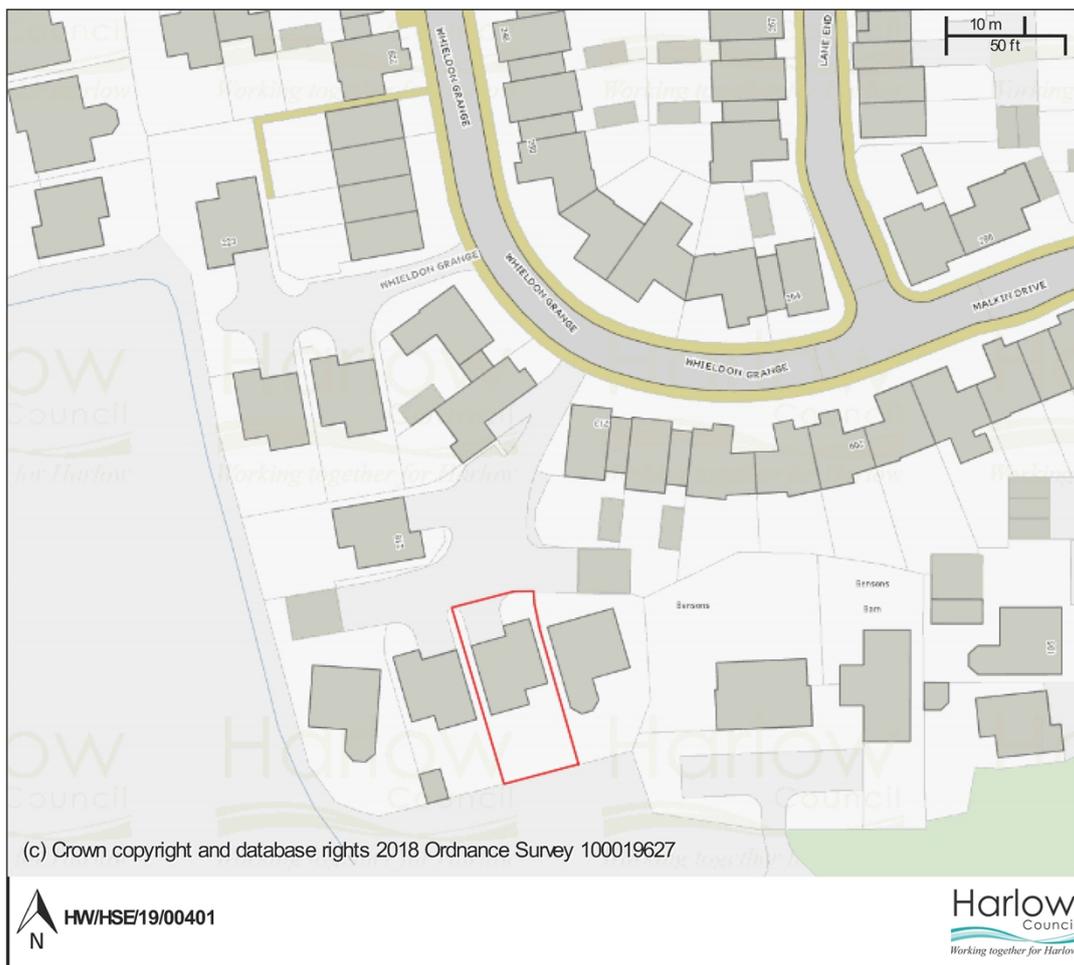
REFERENCE: HW/HSE/19/00401

APPLICANT: Mr D Williams

LOCATION: 215 Malkin Drive, Harlow, Essex, CM17 9HJ

PROPOSAL: Conversion of the integral garage into an office and single storey rear extension

LOCATION PLAN:



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

Application Site and Surroundings

The site includes a two storey detached property located in a residential estate. The area includes a mix of detached, semi-detached and terraced houses. The street scene varies with elevations that include Juliet balconies and integrated and detached garages.

The south facing rear boundary of the site abuts designated Green Belt and a Local Wildlife Site. It is also located within the setting of a Grade II listed building identified as Bensons.

Details of the Proposal

The application seeks planning permission for a single storey rear extension to the dwelling at 215 Malkin Drive and conversion of the integral garage to an office. The existing rear wall of the dwelling is stepped which the proposed extension would infill. It would be 3m wide by 2m deep. It would retain a 1m distance from the eastern side boundary. The extension would have a mono-pitched roof over it that would match the existing in pitch and materials, notwithstanding a 'cut out' flat roofed element which would enable an existing first floor window to be retained. An extractor fan would be introduced at ground floor level within the west flank wall and an existing door in the east flank wall would be infilled. A flue would be installed to the rear. The existing door to the garage would be replaced by a wall and a window to match the rest of the front of the house.

RELEVANT PLANNING HISTORY:

Application Reference Number: HW/LDCP/19/00306
Proposal: Single Storey Rear Extension
Application Status: Would Not Be Lawful Use/Development
Date Application Received: 29 July 2019
Date Application Decided: 23 September 2019

CONSULTATIONS:

Internal and external Consultees

ECC Heritage

No objection:

The application would not have any impact on heritage provided that the elevations match those considered under HW/LDCP/19/00306.

Officer Comment: the drawings match those considered for HW/LDCP/19/00306.

Highway Authority

No objection:

The access to this site is not via a highway. Additionally, the dwelling has provision for two parking spaces without the garage and therefore it complies with the Essex Parking Standards.

Neighbours and Additional Publicity

Number of Letters Sent: 4

Total Number of Representations Received: 2

Date Site Notice Expired: 15 November 2019

Date Press Notice Expired: 15 November 2019

Summary of Representations Received

Two objections have been received. Both raise concerns on grounds of parking congestion which would be exacerbated due to the conversion of the garage to an office. One of the objections also raises concerns regarding anticipated health issues from emissions from the flue (that was originally proposed to be) on the west flank wall and noise and odour nuisance from the extractor fan in the west flank wall.

Officer comment: The plans were amended to move the flue to the rear of the building. The extractor fan is still proposed in the west flank wall. Neighbours have not been re-consulted on this amendment as the objector that raised issues with the flue and extractor fan confirmed in their original comments that, whilst they suggested the flue is repositioned to the back of the application dwelling, this would still bring the flue closer to their property. In addition, if they were found to be development, the flue and fan would constitute permitted development under the provisions of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015.

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.

BE6 - "Listed Buildings" proposals for the extension or alternation of any listed building, alteration of its setting, conversion or change of use should not adversely affect or harm any of the following: the character that forms its value as being of special architectural or historic interest; particular physical features that justify its protection; its setting in relation to its grounds, the surrounding area, other buildings and wider views and vistas.

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.

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 Practice Guidance (PPG)

PLANNING ASSESSMENT:

Summary of Main Issues

The main issues in consideration are the principle of development, impact on character and appearance of the area including the setting of the Listed Building and the residential amenities of neighbours, including access, parking and highway safety.

Principle of development

This proposal to extend a dwelling within a residential area is acceptable provided it complies with relevant planning considerations as set out below.

Character and Appearance, including the Setting of the Listed Building

The proposed replacement of the garage door with a wall and window to match the existing materials of the dwelling constitute minor alterations which would be compatible with the appearance of the dwelling and the character of the wider area, which features a range of dwelling types including those without integral garages. In addition, the single storey rear extension would not be visible from public vantage points within the Church Langley residential area.

The Council has a duty to consider the desirability of preserving or enhancing the setting of Listed Buildings. The ECC Heritage Officer confirms that the proposal would not affect the setting of the Listed Building at Bensons. 214 Malkin Drive is between the site and the building at Bensons. No. 214 has been extended in the form of a rear conservatory. The proposed extension would be screened by that conservatory and would not be obviously visible from the Listed Building, appearing part of the wider Church Langley development. The changes proposed to facilitate the conversion of the garage would not be visible from the Listed Building at Bensons.

Therefore the proposal would not be detrimental to the character and appearance of the dwelling or its surroundings, or the setting of the Listed Building, and would accord with policies BE1 and BE6 of the Adopted Replacement Harlow Local Plan (2006) and the Harlow Design Guide SPD (2011).

Amenities of neighbours

The rear boundary of the site abuts the designated Green Belt boundary. The rear garden is south facing. The proposed rear extension would infill the south-east corner of the dwelling. Owing to this orientation it would not affect any privacy or day light amenities of neighbours.

An extractor fan would be introduced in the west flank wall at ground floor level, to serve the utility area. Its purpose would be to avoid damp in the utility area. Therefore it would not cause odour nuisance to the neighbour. The proposal has been amended to relocate the flue to the rear of the application dwelling. Both the flue and the extractor fan arguably do not constitute development and, in any event, could be inserted into the house via permitted development

rights. The Council therefore has no control over the flue or the extractor fan and it is not considered reasonable to refuse the application for any potential associated impacts.

The proposal is considered be acceptable in terms of neighbour amenity and complies with the guidance in the Harlow Design Guide SPD (2011).

Access, Parking and Highway Safety

The conversion of the use of the garages within Malkin Drive is restricted by a planning condition to be retained for the purpose of parking. The forecourt measures 10m wide by 5.5m deep and provides a space clear from soft landscaping that would measure 5m wide by 5.5m deep. The Highway Authority has confirmed that the forecourt of the site is capable of accommodating two car parking spaces. In addition, a site visit by the Planning Officer revealed that three cars were actually parked in the forecourt. The Parking Standards state a requirement of two car parking spaces for this size of dwelling. The proposal would not increase the number of bedrooms within the dwelling. On this basis the conversion of the garage is not considered detrimental to parking for neighbours. The Highway Authority has not raised any concerns regarding access or highway safety and there are no substantive reasons to go against this expert advice.

The proposal is therefore considered to be acceptable in terms of access, parking and highway safety, in accordance with policy T9 of the Adopted Replacement Harlow Local Plan (2006) and the Vehicle Parking Standards (2009).

CONCLUSIONS:

The proposal would be acceptable in terms of the resulting appearance of the dwelling and the surrounding area. It would not affect the Listed Building as has been confirmed by the ECC Heritage Officer. The forecourt provides space for parking which meets the requirements of the Vehicle Parking Standards. The development would not materially affect any residential amenities of neighbours. It is therefore compliant with relevant policies as discussed above.

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 office as shown on the approved plans shall be used for purposes incidental to the use of the main dwelling and retained for such purposes at all times.
REASON: In order to protect the residential amenities of neighbouring dwellings in accordance with the Harlow Design Guide SPD (2011).

- 4 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
923 SK.1	--	Proposed Front Elevation	29.11.2019
923 SK.3	--	Existing Ground Floor Plan	25.09.2019
923.01	Rev B	Existing and Proposed Flr and Elevations	29.11.2019

INFORMATIVE CLAUSES

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address these concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.