

**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE**  
**27 May 2020**

**REFERENCE:** HW/HSE/20/00037

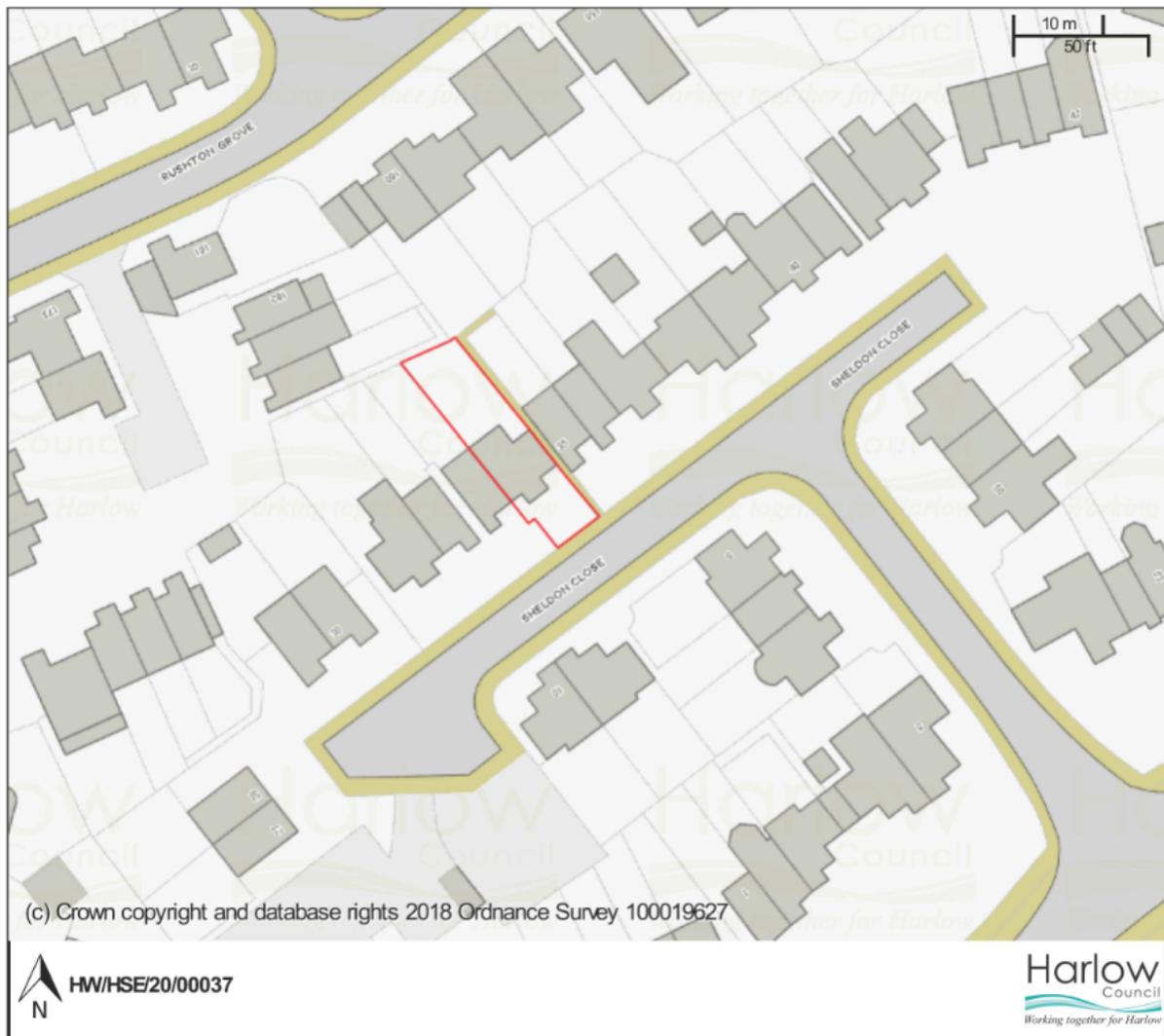
**OFFICER:** John Harrison

**APPLICANT:** Mr Chris Grant

**LOCATION:** 34 Sheldon Close  
Harlow  
Essex  
CM17 9QR

**PROPOSAL:** Single storey side and rear extension

**LOCATION PLAN:**



**REASON BROUGHT TO COMMITTEE:** More than two representations have been received which are contrary to the officer recommendation.

## 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. This does not extend along the full length of 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

The application is for an L-shaped single-storey flat-roofed rear extension. Behind the house itself it will be 2.9 metres deep, but as it “wraps around” the side of the house to the rear of the garage, its depth would be 5.51 metres to the rear of the garage. The application plans indicate the brick to be used on the extension and the patio doors to be inserted in the rear will match those of the existing house. A section of foundation has been dug behind the garage which appears to be to facilitate this proposed development.

A minor amendment has been made to the plans. An inaccurately shown dimension has been corrected. Neighbours have not been re-consulted on this minor change.

## RELEVANT PLANNING HISTORY:

### Planning Applications

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
HW/HSE/19/00061	Single Storey Rear Extension	GTD	12.04.2019
HW/HSE/19/00222	Two-storey rear extension	RF	31.07.2019
HW/HSE/19/00363	Two-storey rear extension	GTD	23.12.2019

## CONSULTATIONS:

### Internal and External Consultees

No Comment Received.

### Neighbours and Additional Publicity

Number of Letters Sent: 4

Total Number of Representations Received: 2

Date Site Notice Expired: N/A

Date Press Notice Expired: N/A

### Summary of Representations Received

An immediate neighbour - overdevelopment of this style of building, no other extensions of similar proportion and character in the Close, disruption and noise during construction, apparent discrepancy on plans, disturbing and unsettling sequence of making planning applications.

An immediate neighbour - does not respect local context and street pattern and scale of surrounding buildings, would be out of character with the area, loss of light to pathway and dining area, parking, loss of green space, loss of privacy, loss of enjoyment of quiet and safe residential environment.

## **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 (2018)**

The new Harlow Local Development Plan is currently being examined by an Inspector appointed by 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 its 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') was submitted for examination in October 2018. The Examination started with public hearings which ran between March and April 2019.

In December 2019, the Inspector wrote to the Council with suggested modifications to the emerging Local Plan. The modifications are necessary in order to ensure the Plan is sound, that issues raised during the Examination have been considered, and that the Plan can, therefore, be formally adopted by the Council.

The detailed Main Modifications to the emerging Local Plan, will be consulted on between 12 March and 27 April 2020. The Inspector will then consider any representations made to these modifications, before issuing his final report, but it is anticipated the Plan will be formally adopted by the Council in summer 2020.

It is considered, therefore, that the policies within the emerging Local Plan are consistent with the policies in the 2012 NPPF, as it was submitted during the transition period between the 2012 and 2018 NPPF versions. Significant weight can, therefore, 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)  
Essex County Council Parking Standards (2009)

## **Summary of Main Issues**

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

### **Appearance**

The extension is a traditionally designed flat-roofed rear extension. It is considered acceptable in appearance and Design Guide compliant. Neighbours have commented that the proposal is overdevelopment and out-of-character with the area. In fact it is a relatively modest extension. A 3 metre deep extension on the rear of the house itself and a 3 metre deep extension behind the garage could be built as permitted development. The proposed extension is less than 8 sq metres larger than what could be built as permitted development. The extension is therefore considered to be of acceptable size.

### **Impact on neighbours**

The two immediate neighbours, 33 and 35, are most affected by this proposal. The impact on number 33 is marginally less than the extension approved under reference HW/HSE/19/00061 as that extension was 3 metres deep and this is 2.9 metres deep. The rear wall of the house itself at number 34 lines up with the rear wall of number 35. Thus, this extension would only project 2.9 metres to the rear of number 35 which is an acceptable distance. Loss of light to the footpath which provides rear access to 35 and 36 would not justify refusing this application. The proposal does not have undue impact on either neighbour in terms of impact.

One neighbour has expressed concern about loss of privacy. The extension has rear-facing patio doors which will provide a similar outlook to the existing rear-facing windows in number 34 and anyway overlooking will be prevented by the boundary fences along the rear gardens. A condition restricting the use of the flat roof to repair and maintenance use would, however, be advisable.

### **Other issues**

In their comments neighbours have raised issues relating to building regulations, Party Wall Act issues, possible damage to their own properties and possible poor quality construction. These are not material planning considerations and have not been reported as part of their comments.

Some concern has been expressed regarding the history of planning applications on this site and the fact the foundations for the extension have already been constructed. Whilst four planning applications have been made in less than a year on this property, there is no limit on the number of applications that a person can make and this cannot justify refusing an application. The fact the foundations have been constructed should not affect the outcome of the application.

Concern has been expressed about noise from construction and other construction impacts. For a small-scale proposal such as this, refusal for this reason would not be justified, particularly as it would be a relatively short-term project. Environmental health powers could be used if construction took place at anti-social times.

Concern has been expressed about parking for the proposed development. Number 34 has two bedrooms. The Essex County Council parking requirement for a house with two or more bedrooms is two spaces and these are provided; one in the garage and one in front of the garage. The proposal would not generate any increase in parking requirement therefore. There may be short-term problems with construction vehicles parking, but as with other construction impacts, these would not justify refusal.

As originally submitted the application plans had a dimension which was clearly inaccurate. This has been corrected.

## **CONCLUSIONS:**

This is an application for a relatively small domestic extension. It is on traditional and acceptable design. It does not unduly affect neighbours and there are no other objections to the proposal which would justify refusal. It is considered to comply with the Local Plan and the emerging plan. Thus, approval is recommended.

## **RECOMMENDATION:**

Granted 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 Access to the flat roof of the proposed extension shall be restricted to access for the purpose of repair and maintenance only.  
**REASON; To protect the privacy of the occupiers and adjoining properties.**
- 3 The development hereby permitted shall be carried out in accordance with the approved plans as shown listed in the table below.

<b>Plan Reference</b>	<b>Version No.</b>	<b>Plan Type</b>	<b>Date Received</b>
	--	Location Plan	27.01.2019
190206-G1	--	Existing Floor Plans	02.03.2020
190206-G2	--	Proposed Floor Plans	02.03.2020

190206-G3 Rev A	SECTION AND ELEVATION S	Existing & Proposed Site Sections	02.03.2020
190206-G4	SIDE (R) ELEVATION S	Existing & Proposed Elevations	02.03.2020

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

#### **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.