

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
19 August 2020

REFERENCE: HW/HSE/20/00174

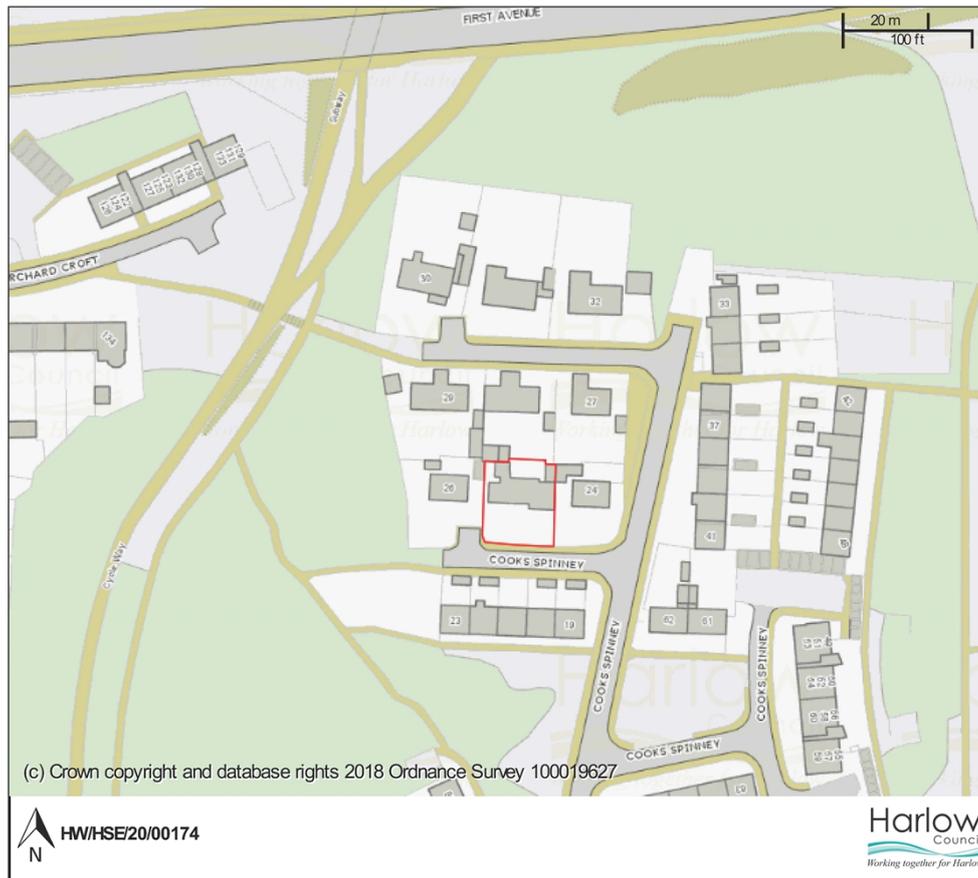
OFFICER: Sangeeta Ratna

APPLICANT: Mr Malcolm McClean

LOCATION: 25 Cooks Spinney
Harlow
Essex
CM20 3BJ

PROPOSAL: Two storey rear infill extension and raising of height of existing flat roof over rear extension by 0.15m

LOCATION PLAN



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REASON BROUGHT TO COMMITTEE:

Application is referred to committee by officers as two objections have been received. However, the officer's recommendation is for an approval.

PROPOSED DEVELOPMENT:

Two storey rear infill extension and raising of height of existing flat roof over rear extension by 0.15m

Application Site and Surroundings

The application site is a two storey detached dwelling located in a residential area. The property has previously been extended in the form of a two storey side extension and single storey rear extension. The garage to the original dwelling has become attached to the existing two storey side extension standing on the east boundary of the site. The single storey rear extension is located to the rear west corner of the dwelling. Both the garage and the single storey rear extension have a flat roof over. The extension and the garage have resulted in the rear amenity space of the dwelling to be a partially enclosed courtyard. There also exists a conservatory with a pitched roof over on the west flank wall of the original dwelling.

There is one dwelling on either side of the property on the north side of this part of Cook Spinney. The opposite side of the road is a two storey terrace which backs onto the site. The site and the two houses which flank the property each side would have been similar in appearance as originally built. However there have been extensions to these dwellings which have resulted in an inconsistent street scene.

Details of the Proposal

The application seeks planning permission for a two storey infill extension at the rear and re-roofing the existing single rear extensions with new flat roofs which would be 0.15m higher than the existing. The proposed two storey infill element would be located at the rear of the existing two storey side extension. It would be 1.3m deep by 3.7m wide with a pitched roof over. Its ridge would be lower than that of the main roof by 0.5m.

RELEVANT PLANNING HISTORY:

Application Reference Number: HW/PL/12/00113

Proposal: Single Storey Front Extension, 2 Storey Rear Extension & Garage Conversion.

Application Status: Refused

Date Application Received: 03.04.2012

Date Application Decided: 24.05.2012

Application Reference Number: HW/PL/12/00310

Proposal: Demolish a single storey rear extension and existing rear garage. Convert integral garage into a habitable room. Construct a two story extension to the front, and side. Construct a single storey rear extension. Extend existing upper storey extension to th

Application Status: Refused

Date Application Received: 20.09.2012

Date Application Decided: 20.11.2012

Appeal – Dismissed (24.04.2013)

Application Reference Number: HW/PL/88/00163

Proposal: Two Storey Extension

Application Status: Granted

Date Application Received:

Date Application Decided:

CONSULTATIONS

Internal and external Consultees

No Comment Received.

Neighbours and Additional Publicity

Number of Letters Sent: 5

Total Number of Representations Received: 2

Summary of Representations Received

Two objections have been received on grounds of -

- Impact on character of surrounding area
- Impact on privacy
- Parking congestion
- Resulting relationship with the adjoining garage
- Impact on day light
- Proposed use of space as habitable in existing extension near to adjoining garage.

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.

Supplementary Planning Documents/Current Planning Guidance

The Harlow Design Guide SPD (2011)

Planning Practice Guidance (PPG)

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, was consulted on between March and May 2020. The Inspector is considering representations made to these modifications, before issuing his final report, but it is anticipated the Plan will be formally adopted by the Council in late 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.

Summary of Main Issues

The main issues in consideration are the principle of development, impact on the character and appearance of the surrounding area, residential amenities of neighbours and parking.

Principle of development

The site is located in a residential area. It is not located in a conservation area and is not related to a listed building. The application seeks householder planning permission for the extension of the dwelling. Provided that the proposal accords with Policy BE1 of the Adopted Replacement Harlow Local Plan (ARHLP) and the guidance in the Harlow Design Guide Supplementary Planning Document (SPD) the proposal would be acceptable in principle.

Impact on character and appearance of the surrounding area

Policy BE1 of the ARHLP states that proposals should not result in harm to the character and appearance of the area or the application dwelling. Policy PL1 of the emerging Local Plan reflects this.

The site has been extended in the form of a two storey side extension which has a pitched roof over. The proposed two storey rear infill extension would be located to the rear of this existing extension. At the proposed depth of 1.3m it would match the rear wall of the original dwelling at the first floor level.

The roof over the proposed extension (including that over the existing extension) would have a ridge level lower than that of the main roof. Therefore its appearance from the street scene would be subservient. The roof level of the existing single storey rear extension at site would be raised by 0.15m. The proposed infill extension or the raised height of the single storey rear extension would not be visible from the street scene. On this basis the proposal would not harm the character of the area and is considered to accord with Policy BE1 of the ARHLP.

Residential amenities of neighbours

The proposal would infill the north-east corner of the dwelling. At the proposed depth of 1.3m it would not cast any additional shadow or affect day light coming into the adjoining dwelling to the east.

The proposed two storey element and the raised roof over the existing single storey extension would be visible from the rear aspects of No 27, 28 and 29 Cook Spinney. However, the two storey element would align the existing rear wall of the main dwelling. Together with the said subservient roof it would not adversely affect the visual amenity of occupiers of neighbouring dwellings.

The raised height of the roof over the existing single storey rear extension also would not be considered to be substantial enough to affect the visual amenity of occupiers of neighbouring dwellings. Therefore the proposal is considered to accord with Policy BE1 of the ARHLP and the SPD.

Parking

The Adopted Parking Standard states a requirement of two off street parking spaces for a dwelling with more than two bedrooms. The proposal would not add to the existing number of bedrooms within the dwelling. There exists a drive which is 6m wide by 8m deep within the forecourt which has the potential to provide parking for two cars. On this basis no concerns are raised in relation to parking.

Response to consultation

The concerns expressed in the objections have been taken into consideration in the assessment. The proposal would not affect any residential amenities of neighbours as discussed above. Especially with the roof ridge over the proposed extension amended to be 0.5m lower than the main roof ridge there would be no adverse impact on day light or visual amenity of neighbours.

Matters relating to party wall would fall outside the remits of planning. However, an informative in this regard has been attached for the attention of the Applicant.

CONCLUSIONS

The proposal would not result in harm to the character and appearance of the surrounding area and would not adversely affect any residential amenities of neighbours. Therefore it would accord with Policy BE1 of the ARHLP and the SPD.

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. The development hereby permitted shall be constructed with finishing materials details of which are provided in the application form. Where alternative materials are to be used, no development shall commence before details of those alternative external facing materials have been submitted to and approved in writing by the Local Planning Authority.
REASON: In the interest of safeguarding the appearance of a site located at a visually prominent position and to accord with policy BE1 of the Adopted Replacement Harlow Local Plan, July 2006.}

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.
2. The acceptable construction hours are between 8:00hours to 18:30 hours Mondays to Fridays and between 8:00hours to 13:00hours on Saturdays. No construction works shall be carried out or plant operated outside of these hours.
3. The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to: carry out work to an existing party wall; build on the boundary with a neighbouring property; and in some circumstances, carry out groundwork's within 6 metres of an adjoining building. Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The building owner will need comply fully with the Party Wall Act.