

# REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

## 14 October 2020

**REFERENCE:** HW/HSE/20/00360

**OFFICER:** Sangeeta Ratna

**APPLICANT:** Kube Construction Ltd

**LOCATION:** 16 Kingsmoor Road  
Harlow  
Essex  
CM19 4HP

**PROPOSAL:** Two storey side & rear extensions

### LOCATION PLAN



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### REASONS BROUGHT TO COMMITTEE

Two objections have been received. However, officer recommends an approval.

### **Application Site and Surroundings**

The site is a two storey detached dwelling on the east of Kingsmoor Road. There are detached and semi-detached dwellings along this side of the road. The opposite side of the road is lined by established trees which screen the dwellings in Fir Park.

The site is not in a conservation area. The building on site is not listed. There exists a Grade II listed building at High House which is located some 60m north of the site on the same side of Kingsmoor Road.

The dwelling is located on the south boundary of the site. There exists an integral garage in the south corner of the dwelling. The north half of the first floor has a pitched roof and the south half part has a flat roof over.

### **Details of the Proposal**

The application seeks planning permission for the development of a first floor extension on an existing ground floor element to the rear, replacement of the flat roof element on the south at the first floor level with a hipped roof and replacement of a flat roof over the existing north flank at the ground floor level with a mono-pitched roof.

The proposed rear first floor extension would be 6.5m deep by 7.8m wide (to match the ground floor rear element). It would have a hipped roof over to match with the existing front. The replacement hipped roof over the south side would be 0.5m lower than the ridge of the existing roof.

There would be one proposed window in the north flank wall at the first floor level which would serve a bedroom. There would be two windows in the south flank wall at the first floor level which would serve non-habitable space. The existing door in the kitchen would be replaced with a patio door.

### **RELEVANT PLANNING HISTORY**

There is no relevant planning history.

### **CONSULTATIONS**

#### **Internal and External Consultees**

#### **Place Services - Historic Environment Team**

The building is not listed, however located the north along Kingsmoor Road is the Grade II listed building, High House. This is a seventeenth century timber framed and white weatherboarded house (list entry number: 1111720). Upon review of the submitted documents, I have no objection to the proposed. I do not consider the proposals to detract from the setting and significance of the listed building.

#### **Neighbours and Additional Publicity**

Number of Letters Sent: 5

Total Number of Representations Received: 2

Date Site Notice Expired: 4 September 2020

Date Press Notice Expired:

## **Summary of Representations Received**

Two objections have been received on grounds of the following concerns (in summary):

- Scaffolding and any boundary treatments which could be placed over the boundary lines and onto the driveway of No.17, obstructing access.
- Concerns regarding existing foundations and access to No.17.
- The proposed additional 2 storey extension would block out a considerable amount of natural light to No.17 (side and rear) and would over-shadow the adjoining properties due to the proposed height and size of the extension.
- The proposed extension would cause persistent noise nuisance and revoke the ability to continue working from home.
- The proposed 2x windows to right side would overlook front lounge of No17, and proposed 3x windows at rear of the property would overlook the front door, side patio and rear gardens of No.17/18, resulting in eliminating privacy.

## **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)

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

## **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, were consulted upon between 12 March and 31 May 2020. On the 8 September 2020: Harlow Council published a new report relating to housing need. A consultation on this report ran for 2 weeks until 25 September 2020. Subject to receipt of the Inspectors report, is anticipated the Plan will be formally adopted by the Council in Autumn 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.

### **Planning Assessment**

The main issues in consideration are the principle of development, impact on the setting of the Grade II Listed Building located in the vicinity, the character and appearance of the surrounding area, residential amenities of neighbours and parking.

#### **Principle of development**

The application seeks householder planning permission for the extension of an existing dwelling. Provided that the proposal accords with Policy BE6, BE1 and T9 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 the setting of the Grade II Listed Building**

The site is located in a residential area. It is not located in a conservation area. However it is located within the setting of a Grade II Listed Building at High House which is a seventeenth century timber framed house with white weatherboard finish.

Policy BE6 states that proposals for development must not adversely affect the setting in relation to grounds of a heritage asset, the surrounding area and wider views and vistas. Policy PL11 of the emerging Local Plan reiterates the same aim in relation to heritage assets.

The High house which is a Grade II Listed Building is located some 60m north of the site on Kingsmoor Road. There is one detached dwelling and a pair of semi-detached dwellings between the site and High House. Therefore there exists sufficient separation which ensures that the proposal would not affect the setting of high House.

The response from the Heritage Officer also confirms that they do not consider the proposals would detract from the setting and significance of the listed building. Therefore, the proposal would accord with Policy BE6 of the ARHLP.

### **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 SPD states that extensions which would be subservient to the original dwelling, would respect the size, grain, materials, features and layout of the building to be extended, as well as the surrounding buildings would be acceptable.

The proposed first floor rear extension would not be in obvious views available from the street scene as it would be located to the rear of the two storey front part of the existing dwelling.

The replacement hipped roof on the south would appear subservient to the main existing dwelling. In comparison to the existing flat roof, it is considered that the proposal would enhance the appearance of the dwelling within the street scene due to its sloping form which better reflects the pitched roof of the main part of the house.

Therefore the proposal would accord with Policy BE1 and the guidance in the Design Guide SPD.

### **Residential amenities of neighbours**

Principle DG47 and DG48 of the SPD aim to protect the residential amenities of neighbours in terms of privacy, daylight and overshadowing.

The lay-out of the adjoining dwellings within their respective sites on either side of the application site is staggered.

The dwelling at No 15 on the north of the site is located 5m (separation distance between flank walls of the adjoining dwellings) to the north and 8m to the rear of the rear wall of No 16. There exists a window in the existing rear elevation of No 16 which serves a bedroom and is at some 8m to the front of No 15. The proposal would reduce the 8m distance to 2m. However, owing to the staggered lay-out and the separation distance between the flank walls the proposal would not result in any overlooking into the neighbouring dwelling at No 15. Rather the existing situation which allows substantial overlooking between windows serving habitable spaces in the said dwellings would be improved as a result of the proposal. The proposed new window in the north flank wall at the first floor level serving a bedroom would look onto the forecourt of No 15. The forecourt is not a private space and therefore it would not harm the privacy of this neighbour.

There exists a 1.8m high close-boarded fence along the north boundary. The replacement patio door on the ground floor in the north flank wall would look out onto this fence.

The adjoining neighbouring dwelling at No 17 on the south of the site has no windows at the first floor level in the north flank wall which faces the site. The front face of No 17 overlaps the existing dwelling by way of their staggered lay-out. Therefore, the proposed windows within the first floor rear elevation would not result in breach of privacy of the neighbour at No 17. The proposed windows in the south flank wall would not serve habitable spaces. A planning condition for these windows to be obscure glazed and non-opening below 1.7m is suggested in order to ensure the privacy of this neighbour.

The proposed rear extension would cast a shadow on its north which would be contained within the forecourt of No 15.

On this basis the proposal would not unduly harm any residential amenities of neighbours and would therefore accord with Policy BE1 of the ARHLP and the Design Guide SPD.

### **Parking**

Policy T9 of the ARHLP in the Adopted Parking Standard states a requirement of two off street parking spaces for a dwelling with more than two bedrooms. The existing dwelling has three bedrooms. The proposal would add two making this a five bedroom dwelling. The garage and two parking spaces within the forecourt would be retained. Therefore the existing parking arrangement for three parking spaces exceeds the requirement of two spaces set by Policy T9 and the associated Vehicle Parking Standards.

### **Other matters**

The comments received from neighbours are acknowledged. The proposal, based on the assessment above would not affect the privacy and day light amenity of neighbours. It would not result in overshadowing of adjoining properties. Party wall matters fall outside the remit of planning. Disturbance during construction is a short term impact. An informative has been suggested to guide the applicant to suitable construction working hours.

### **Conclusion**

The proposal would not harm the setting of the Grade II Listed Building at High House. The proposed replacement hipped roof would result in a subservient appearance within the street scene. There would be no adverse effect as a result of the proposal on the residential amenities of neighbours. The existing parking provision of site would be in accordance to the Adopted Parking Standard for the purpose of the proposed extension. Therefore the proposal accords with Policy BE1, BE6 and T9 of the ARHLP and the guidance of the Design Guide SPD.

### **RECOMMENDATION**

That the 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 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Class A of the Town and Country Planning (General Permitted Development ) Order 2015 (including any Order revoking or re-enacting that Order, with or without modification) the window proposed within the south elevation at the first floor level of the development hereby approved shall be obscure glazed and non-opening below 1.7m from the finished level of the pertaining floor. Thereafter the said window shall be retained and maintained in this form at all times.  
**Reason: To enable the Local Planning Authority to retain adequate control over such details in the interest of the amenity of adjoining residential properties.**
- 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
	--	Location Plan	29.07.2020
	--	Block Plan	29.07.2020
16-01	Rev A	Existing Floor Plans	25.09.2020
16-02	Rev A	Proposed Floor Plans	25.09.2020
16-03	Rev A	Existing & Proposed Front & Side Ele	25.09.2020
16-04	Rev A	Existing & Proposed Rear & Side Ele	25.09.2020

## INFORMATIVE CLAUSES

1. Acceptable construction hours are between 8.00 and 18.30 on Mondays to Fridays and 8.00 and 13.00 on Saturdays. No construction work should take place or plant operated outside these hours.
2. 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.