

**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE**  
**7<sup>th</sup> July 2021**

**REFERENCE:**  
**HW/HSE/21/00212**

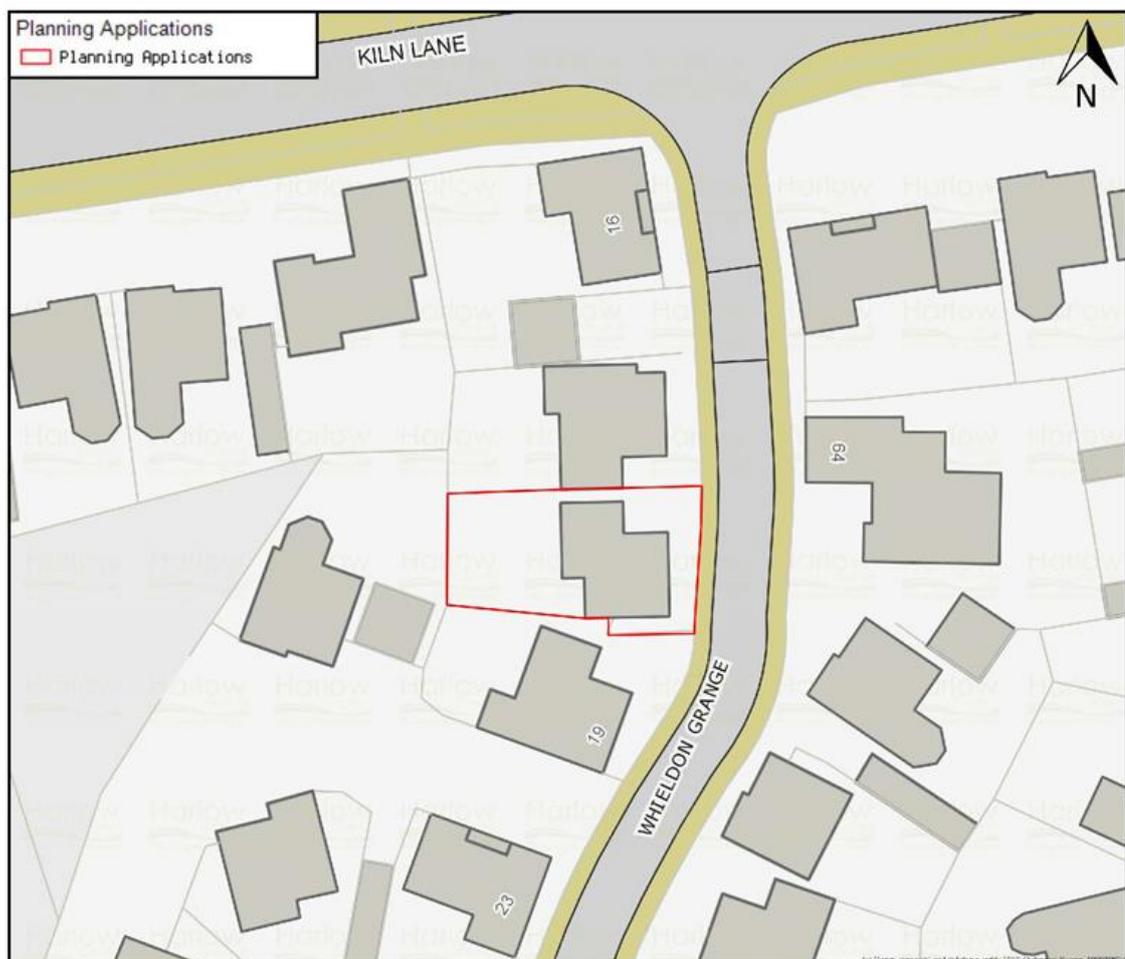
**OFFICER:** John Harrison

**APPLICANT:** Mr C Eilius Dennehy

**LOCATION:** 18 Whieldon Grange  
Harlow  
Essex  
CM17 9WG

**PROPOSAL:** First Floor Side Extension Over Existing Garage

**LOCATION PLAN**



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

## **Application Site and Surroundings**

The application property is a three-bedroomed detached house, located close to the junction with Kiln Lane. The property is the middle one of three houses on the west side of Whieldon Grange. These houses have a similar design when viewed from the front. . Though of the same basic design the three houses are finished in different materials and the one to the north, number 17, is handed, i.e. a mirror image, compared with the other two. They are built with gabled ends and a roof ridge running parallel to the road. In addition they have a prominent first-floor gabled feature on the front elevation which has an open area underneath which gives protection to the front door. The houses also have an attached garage, on the northern side in the case of 18 and 19 and the southern side in the case of 17.

The garages have their roof ridges parallel to the road so the roof shape echoes that on the main house. The garages are set well back behind the main front wall of the houses with their front walls almost directly below the roof ridge of the houses, in the case of 18 a distance of 3.5 metres from the main front wall of the house and over 6 metres from the back of the pavement. Between 17 and 18's garages is a metre wide footpath which provides access to the two houses' rear gardens. Although it provides access to both gardens, it belongs to number 18 and the occupiers of number 17 have a right of way across it. This has been verified from 18's deeds.

The houses have relatively small rear gardens; the distance from the main rear wall of 18 to the rear boundary being 9 metres. There is, however, a single-storey element projecting from 18's rear wall, which lines up with the rear wall of the garage, i.e. the garage and this projecting element form an L-shaped part which "wraps around" the two-storey house.

Whieldon Grange is a relatively narrow road, being 4.5 metres in width and is the subject of a 20mph speed limit. The site is not in a Conservation Area and is not close to Listed Buildings.

## **Details of the Proposal**

The application is for a first-floor extension over the garage to provide an additional bedroom with an en suite behind. This would be 3 metres wide and 5.65 metres deep. The additional height resulting from the development would be 2.55 metres. The roof would have the same pitch and form as the existing garage roof and the house. The ridge would be set below the roof ridge of the house. There would be a large window at the front and a smaller one to serve the en suite at the rear. The application indicates that matching materials will be used.

## **RELEVANT PLANNING HISTORY**

There is no relevant planning history.

## **CONSULTATIONS**

### **Internal and external Consultees**

No Comment Received.

### **Neighbours and Additional Publicity**

Number of Letters Sent: 6

Total Number of Representations Received: 2

Date Site Notice Expired:  
Date Press Notice Expired:

## **Summary of Representations Received**

2 objections from the local residents are received. Their objection reasons are summarised as follows:

Concern about construction vehicles parking; they cannot park on the pavement and parking on the road will make it tight for other traffic; would not expect any vehicles to park outside own home, concerned about construction dust and dirt as spend a lot of time in their garden; would not be very nice during summer if work carried out then; loss of privacy in garden from workers overlooking. ,

Difficulties with traffic using Whieldon Grange will be exacerbated, risk to children using slope in road for cycles, skateboards, etc; road is a pedestrian throughfare for Henry Moore Primary School, students using the bus, Kiddi Caru Nursery and Harlow Common and pavement parking causes walking in the road, builderspaid strict attention to the design of their houses and the layout of their development, houses with 4 bedrooms have two parking spaces plus a garage, cars parked in front of 18 restrict access to their own driveway; roofline will be above what was intended spoiling the builder's original intentions; will be overbearing to no 17, likely loss of parking space during construction, blocking road and pavement during construction, difficulty leaving driveway during construction.

## **PLANNING POLICY**

The following polices of the Harlow Local Development Plan (2020) are relevant to this application:

PL1- Design Principles for Development  
PL2 - Amenity Principles for Development  
IN3 - Parking Standards

## **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)

## **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 issues to be

considered are the appearance of the proposal and impact on neighbours. As neighbours have raised issues of parking and construction impacts, it is also necessary to consider these.

### **Appearance**

Policy PL1 of the Harlow Local Development Plan 2020 (HLDP) and Principle DG47 of the Harlow Design Guide SPD state that proposals for householder developments should respect the size, grain, height, materials, features and layout of the building to be extended. Extensions should be subordinate to the host property. The Design Guide also states that first-floor extensions on detached houses should be set in at least a metre from the side boundary to avoid a terracing effect

The proposed extension is considered to relate satisfactorily to the host dwelling; the windows on the extension lining up with those on the house itself and the extension's roof form echoing that of the house. There will be some erosion of the gap at first-floor level between 17 and 18. However, as the footpath between 17 and 18 is in 18's ownership and this footpath is exactly a metre wide, a metre gap would be retained. Because 17's boundary is with the northern side of the footpath, any first-floor side extension proposed on that house in the future would have to be at least a metre away from the footpath. Such an extension would be somewhat narrow and if one were proposed there would still be the two-metre separation required by the Design Guide between first-floor extensions. Thus, though there would be some loss of separation between 17 and 18 at first-floor level, it is not considered this would justify refusing the application. The proposal would therefore retain the gaps between properties and would be in accordance with the Design Guide.

One neighbour has criticised the height of the extension roof, but it is below the height of the main house roof so the extension appears subservient. The extension's roof height is therefore considered acceptable. The proposal is therefore considered to comply with the Design Guide and Policy PL1 of the Local Plan.

As this extension is on one side of the house, the only neighbour likely to be significantly affected in terms of loss of light or outlook or overlooking is the house to the north, number 17. The occupiers have not objected to the application. The house has a ground floor side-facing window which serves a cloakroom and another at first-floor level which serves the landing and stairs. These are not habitable rooms. Thus, though they would lose some light, this would not justify refusing the application. The extension does extend beyond 17's main rear wall, slightly less than two metres, and have a limited impact on their first-floor windows. This will be a very limited impact, however, because of the separation resulting from the footpath and 17's garage. Furthermore, the nearest first-floor windows serve bathrooms. Thus, the proposal would not affect any of 17's habitable rooms and therefore the proposal is considered to comply with Local Plan Policy PL2.

### **Parking**

The house has two parking spaces, one in the garage and one in front of the garage. The proposal increases the number of bedrooms in number 18 from three to four. The Essex County Council Parking Standards specify one space for single-bedroom dwellings and two spaces for those with two or more. Thus, there would be no breach of the standards. Furthermore, Whieldon Grange is a relatively narrow road designed to discourage fast driving and it is subject to a 20mph limit. Whilst parking on the road or pavement could cause some inconvenience it is not likely to result in major accidents. Given the proposal does not result in a breach of the parking standards and the restricting nature of the road, it would not be possible to justify refusing the application on the basis of parking provision and therefore a breach of Local Plan Policy IN3.

### **Construction Impacts**

Given the tight nature of the development and the narrowness of the road, some disruption will inevitably occur during construction. This, however, is a small-scale scheme and the construction period would be relatively short. Such issues arise with all minor building works, but it is not reasonable to refuse applications for them for such reasons. In this instance, however, the development is quite a tight one with houses close together and the road is relatively narrow. Furthermore neighbours have raised concerns about construction impacts. In this instance, unusually for a small-scale scheme, it is considered appropriate to impose a condition requiring the approval of a construction management plan. The applicant has agreed to this – this is a legal requirement as the condition requires the approval of a scheme before works commence. The scheme would cover all relevant aspects of working such as hours of operation, but what will be particularly important is it will need to control parking of construction and contractor's vehicles. It is envisaged they would only be brought to the site for loading and unloading and, once this has been completed, parked elsewhere.

## **Equalities Impact**

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The above duties require an authority to demonstrate that any decision it makes is reached “in a fair, transparent and accountable way, considering the needs and the rights of different members of the community and the duty applies to a local planning authority when determining a planning application.

Officers consider that the application does not give rise to any concerns in respect of the above.

## **CONCLUSIONS**

The proposal is considered to be acceptable in appearance terms and it does not significantly affect neighbours in terms of loss of light or outlook or overlooking. It complies with the Essex County Council Parking Standards. Thus, the proposal is considered to comply with Policies PL1, PL2 and IN3 of the Local Plan and approval is recommended.

## 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 No work shall start on site until a construction management plan has been submitted to and approved by the Local Planning Authority. All construction work shall be carried out in full accordance with the construction management plan.

**REASON: To minimise disruption to neighbours and obstruction of the highway in the light of policies PL2 and IN2 of the Harlow Local Development Plan (2020).**

- 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
967.01	--	Existing and Proposed Flr and Elevations	13.04.2021

## 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.