

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
6th July 2022

REFERENCE: HW/HSE/22/00002

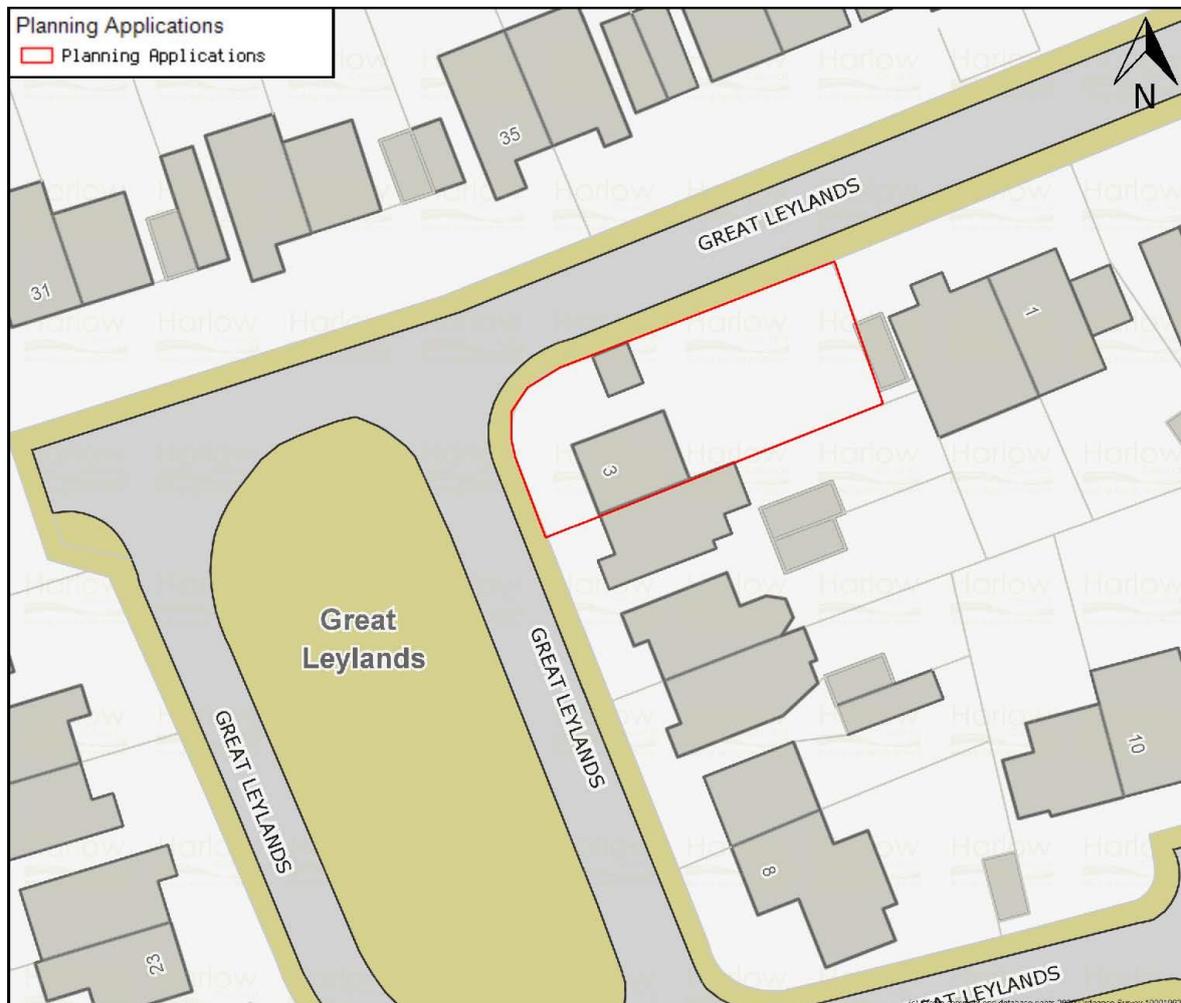
OFFICER: Gavin Cooper

APPLICANT: David Johnston

LOCATION: 3 Great Leylands
Harlow
Essex
CM18 6HR

PROPOSAL: Proposed single-storey rear extension, two-storey side extension, new front porch and internal alterations
(Amended Description)

LOCATION PLAN



REASON BROUGHT TO COMMITTEE – multiple objections have been received which are contrary to the officer recommendation.

Application Site and Surroundings

Great Leylands is a residential area comprising semi-detached dwellings siting on long plots. When compared to nearby developments, the Great Leylands estate is a relatively low density development with a spacious and open character. There is an island of greenery located in the middle of the estate.

The application relates to a two-storey semi-detached dwellinghouse. It forms a group of three similarly designed semi-detached pairs located on the east side of the central greenery island. The application property is the first house within this group, and sits on a corner plot at the start of a cul-de-sac within the residential area of Great Leylands. The application dwelling includes a front porch and has an existing outbuilding to the side. The front curtilage is hard surfaced and providing open front parking.

Details of the Proposal

This application seeks planning permission for a two-storey side extension, a single-storey side and rear extension, a replacement front porch, and other internal alterations. The existing outbuilding to the side would be removed.

The proposed two-storey side extension would be 4.1m in width, with a 0.525m setback on the front elevation. The side element would have a dual-pitched roof, which sits 0.25m below the exiting roof on the main house.

The proposed single storey rear extension would be 4.475m in depth and would be full-width of the house including the proposed side extension. It would have a lean-to slopping roof with the eaves and ridge at about 2.3m and 3.6m tall respectively. There would be four rooflights.

The proposed replacement porch would be similar in size to the existing one. The flat roof on the existing porch would be replaced by a hipped roof with maximum height at 3.6m.

The existing bay window on the front elevation would also be removed and replaced by a wide casement window.

RELEVANT PLANNING HISTORY:

Planning Applications

App Number	Proposal	Status	Decision Date
HW/HSE/20/00525	Proposed single storey rear extension, two-storey side extension, loft conversion and new front porch	Refused	23.12.2020
The application was refused for the following reason: <i>The proposed development by reason of its width, depth, scale, design, location and massing including front dormer windows would appear overly prominent and dominant within the streetscene and would not be subservient to the application dwelling or sympathetic with the design of the original dwelling or area, and would unbalance the semi-detached pair and would result in a terracing effect within the streetscene. The proposal would result in harm to the character and appearance of the application dwelling and area, contrary to policy PL1 of the Harlow Local Development Plan 2020 and the Harlow Design Guide SPD 2011.</i>			
HW/HSE/21/00403	Proposed single-storey rear extension,	Refused	10.09.2021

two-storey side extension, new front porch and internal alterations for additional kitchen, dining, lounge, bedroom, bathroom and utility space.		
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The application was refused for the following reason

'It is considered that the proposed development, by virtue of its mass, form, design and location, fails to demonstrate an appropriate subservient relationship with the host dwelling, and would unbalance the semi-detached pair. The proposal would therefore present as an incongruous extension dominating an otherwise neatly organised streetscene. Given its location, the proposal would also detract from character and appearance of the Great Leylands area, thereby undermining the way in which this residential estate is viewed and appreciated. The proposal therefore conflict with Policy PL1 of the Harlow Local Development Plan 2020 and the Harlow Design Guide SPD 2011'

CONSULTATIONS

Internal and External Consultees

N/A

Neighbours and Additional Publicity

Number of Letters Sent: 14

Total Number of Representations Received: 2

Date Site Notice Expired: N/A

Date Press Notice Expired: N/A

Summary of Representations Received

Six representations from three neighbours are received. They object to the application with the following concerns:

- The development would have an adverse effect on the character and appearance. There were similar applications for side extensions refused within the area
- The extension would become a de facto separate dwelling
- The development would be overbearing to the neighbours and blocking their views
- The proposal would reduce the size of the exiting driveway, resulting in on-street parking to worsen the existing parking problems of the area. This would result in highway safety issues and affect emergency vehicles access.
- The existing house is large enough and the applicant has no need for the proposed extensions. The applicant's incentive is for future profit.

PLANNING POLICY

Harlow Local Development Plan 2020

Planning law requires that proposals should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan for the site consists of the Harlow District Council (HDC) Harlow Local Development Plan 2020 (HLDP), Essex County Council (ECC) Essex and Southend-on-Sea Waste Local Plan 2017 and ECC Essex Minerals Local Plan 2014.

The part of the Development Plan applicable to the proposal is the HDLP. The HDLP is prepared in the context of the National Planning Policy Framework (NPPF) – see ‘Planning Standards’ below. It is important to note that this is a very recently adopted and therefore ‘up to date’ plan in terms of NPPF Para.12.

Policies of most relevance to the proposal are:

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

Several forms of ‘planning standard’ are relevant to the application. These standards complement Development Plan policies.

National Planning Policy Framework (NPPF)

The Development Plan is prepared taking account of the National Planning Policy Framework (NPPF) (as extant at the time - the NPPF is regularly updated; currently in its 2021 version) and the associated Planning Practice Guidance (PPG) (first published in March 2014 but also regularly updated with the NPPF).

Harlow and Gilston Garden Town (HGGT) is a designated ‘Garden Community’ under the Government’s Garden Communities Programme.

NPPF Para.72 provides the national policy context for Harlow and Gilston Garden Town (HGGT) as a location for *larger scale (housing) development*. Of particular note is the emphasis on; *existing or planned investment in infrastructure, the areas economic potential and the scope for net environmental gains..... plus; clear expectations for the quality of development and how this can be maintained (such as by following garden city principles)*.

The HGGT (Local Authorities) Partnership has published a series of documents that set the standards expected for developments in the Garden Town and are therefore relevant to this application.

HGGT Guidance

The HGGT Vision elaborates on the HGGT’s interpretation of *garden city principles* and sets expectations for high quality development to accord with the principles.

The HGGT Design Guide requires consideration of design quality in a *garden city principles* sense and draws attention to specific local issues.

The HGGT Transport Strategy (Draft) explains the transport infrastructure investment and travel behaviour change (encouragement of bus, walking and cycling) being planned.

Supplementary Planning Documents (SPD) /Other Guidance

The following local planning guidance is relevant to this application:

HDC Design Guide SPD (2011)

Design Guide Addendum SPD (2021)

ECC Essex Parking Standards Design and Good Practice (2009)

ECC Development Management Policies (2020 - living document with regular updates)

PLANNING ASSESSMENT

The main considerations for this application are the impacts on character and appearance, neighbour amenity and the impact on parking provision

Principle of Development

The application site is located within a residential area whereby alterations and extensions to dwellings would in principle be acceptable, subject to compliance with the relevant planning policies and supplementary planning documents.

It is important to note two previous applications HW/HSE/20/00525 and HW/HSE/21/00403 were refused on design and character grounds, which are material planning considerations in determining this application.

Compared to the most recent refusal HW/HSE/21/00403, the current proposal omitted the two-storey rear extension, and the proposed side extension is now setback from the front elevation. The current proposal also removes the bay windows on the front.

Character and Appearance

Policy PL1 of the HLDP and the Harlow Design Guide SPD states that proposals for householder developments should respect the size, grain, height, materials, features and layout of the building to be extended or altered.

The application property forms a group of three similarly designed semi-detached pairs on the east side of Great Leylands. The application site is on a prominent location due to its corner plot siting. It is one of the first houses in sight when approach the Purford Green, which is the only highway in and out of the Great Leylands area.

The proposal seeks to build a two storey side extension. A single storey extension would be located at the rear of the property and a pitched roof added to the existing front porch.

Following the previous two refusals, the proposal has been altered to provide a two storey side extension that does not extend past the rear building line and there would a 2m gap from the northern boundary. The reduction of the two storey element reduces significant bulk that was previously concerning due to its overdeveloped appearance. It is also set down 0.25m from the main ridge and stepped back 0.525m from the front elevation. The revised design would result in a proportionate addition that integrates well with the host dwelling and preserve the character and appearance of the surrounding area.

The original submission shows the proposed side extension would be 4.3m in width, which is the same as the previously refused scheme. Following discussions with the case officer and in response to the neighbour representations, the applicant submitted amended drawings which includes a reduction in the width to 4.1m.

Paragraph 4.12.17 of the Harlow Design Guide SPD states that side extensions should be of a width no greater than two-thirds of the width of the existing dwelling. The existing dwelling measures 6.15m in width. The proposed side extension at 4.1m wide would be $\frac{2}{3}$ of the width of the existing house, and therefore comply with this Design Guide requirement.

Paragraph 4.7 of the Design Guide Addendum SPD states that side extensions to corner properties must retain a gap of at least 1m between the extension and the side boundary.

The proposed side extension with a 2m gap from the side boundary would comply with this requirement.

It is therefore considered that the proposed two-storey side extension would be Design Guide compliance.

The rear extension would be a modest addition to the dwelling and the rear garden area can accommodate its size without it appearing cramped within the site. The extensions would mimic the main pitched roof design of the host dwelling and combined with the use of matching materials would integrate well with the existing dwelling.

The proposed front porch would be re-roofed with a hipped roof. This is an existing feature within the street scene and is considered to be acceptable.

Overall the size, location and design of the proposed extensions would be appropriate in this location and would preserve the character and appearance of the surrounding area. The proposal is in compliance with Policy PL1 of the HLDP 2020.

It is appreciated that the local residents are concerned about the overall scale and size of the proposal, but following the amendments it is considered that the proposal would comply with the relevant policy requirements such that a refusal on design grounds would not be justified.

There are concerns from the neighbour that the proposed extensions would be used as a separate dwelling. However, no separate entrance is shown on the proposed drawings. The proposed floor plans also show the internal layout of the extension highly integrated with the use of the existing dwelling. With the evidence available, it is considered unlikely that the proposed extensions would be used as a separate dwelling. In any event, such use would require a separate planning permission.

Impact on neighbours

Policy PL2 of the HLDP and the Harlow Design Guide SPD indicate that proposals should not result in detrimental impacts to neighbouring amenity.

The proposed two-storey side extension is located adjacent to the highway and would be more than 16m away from the neighbour on the other side of the road. It is also located on the 'far side' and more than 5.8m from the adjoining semi-detached neighbour at 4 Great Leylands, thereby not bisecting the 45 degree line taken from the mid-point of the nearest habitable room window on the first floor.

No side windows are proposed on either the single storey or two storey extension. The proposed first floor rear window will overlook the rear garden of the property and any views towards the adjacent property at 4 Great Leylands will be the same views from the existing first floor windows and would not be considered particularly intrusive.

The proposed single storey rear extension would be 4.475m in depth. Paragraph 4.11 of the Design Guide Addendum recommends that depth of the rear extensions should not normally exceed 4m. This is, however, subject to other considerations set out in the Addendum and the main Design Guide, including the loss of garden space and impact on privacy and light of neighbouring properties. Impact on these matters applies to all single storey extensions regardless of depth.

In this instance, given that the adjoining neighbour at 4 Great Leylands has an existing 3.6m deep single storey rear extension which is built up to the shared boundary, the proposed

extension would essentially be a 0.9m protrusion from this neighbour's perspective. This is not considered to cause detrimental harm in terms of overshadowing or overbearing impacts. The pitched roof has a maximum height of 3.6m, which also complies paragraph 4.10 of the Design Guide Addendum, which states that the acceptable maximum height of such extension is 4m.

It is considered that there would impact on neighbour amenities would not be significant to a degree which would justify a refusal.

Furthermore, the previous applications HW/HSE/20/00525 and HW/HSE/21/00403 were not refused on neighbour amenity grounds. When compared to the most recent refusal HW/HSE/21/00403, the current proposal has removed the two-storey rear element. The width of the two-storey side extension is reduced from 4.3m to 4.1m. The depth of the single storey rear extension is reduced from 4.5m to 4.475m.

Having regards that the current proposal is of a lesser and smaller scale than the previous application, it would not result in any additional harm on the living condition of the neighbours.

Parking

Policy IN3 of the HLDP and the Essex Parking Standards require that dwellinghouse of 2+ bedroom shall be provided with two off-street parking spaces.

The proposal would add a fourth bedroom to the property; however, the Essex Parking Standards (2009) requires that no additional parking for dwellings with 2 or more bedrooms. Therefore there is no requirement for additional parking provision despite the creation of a new bedroom. The proposal would be therefore in accordance with policy IN3 of the HLDP.

It should be also noted that the previous applications on the site were not refused on parking grounds. Given the policy context, it is considered that a refusal on parking would not be justified.

Equalities

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 proposed development is considered to be acceptable in terms of amenity and parking considerations. It is considered that the proposal, its set down roof form, set back from the front rear elevation, and omission of the first floor rear element, has sufficiently addressed the concerns raised in the previous refusals. The proposal is considered to be in compliance with the relevant policies within the HLDP and supplementary documents and is recommended for approval accordingly subject to conditions

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 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 PL1 of the Harlow Local Development Plan, December 2020.
- 3 No construction works involving heavy machinery shall take place on the premises outside the hours of 8am and 6pm on weekdays and 9am and 1pm on Saturdays nor at any time on Sundays, Bank or Public Holidays.
REASON: In the interests of the amenity of adjoining residents, in accordance with policies PL2 and PL10 of the Harlow Local Development Plan, December 2020.
- 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
2881/06/41	Rev 00	Existing and Proposed Plans	13.01.2022

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.