

# REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

13 March 2024

REFERENCE: HW/HSE/24/00012

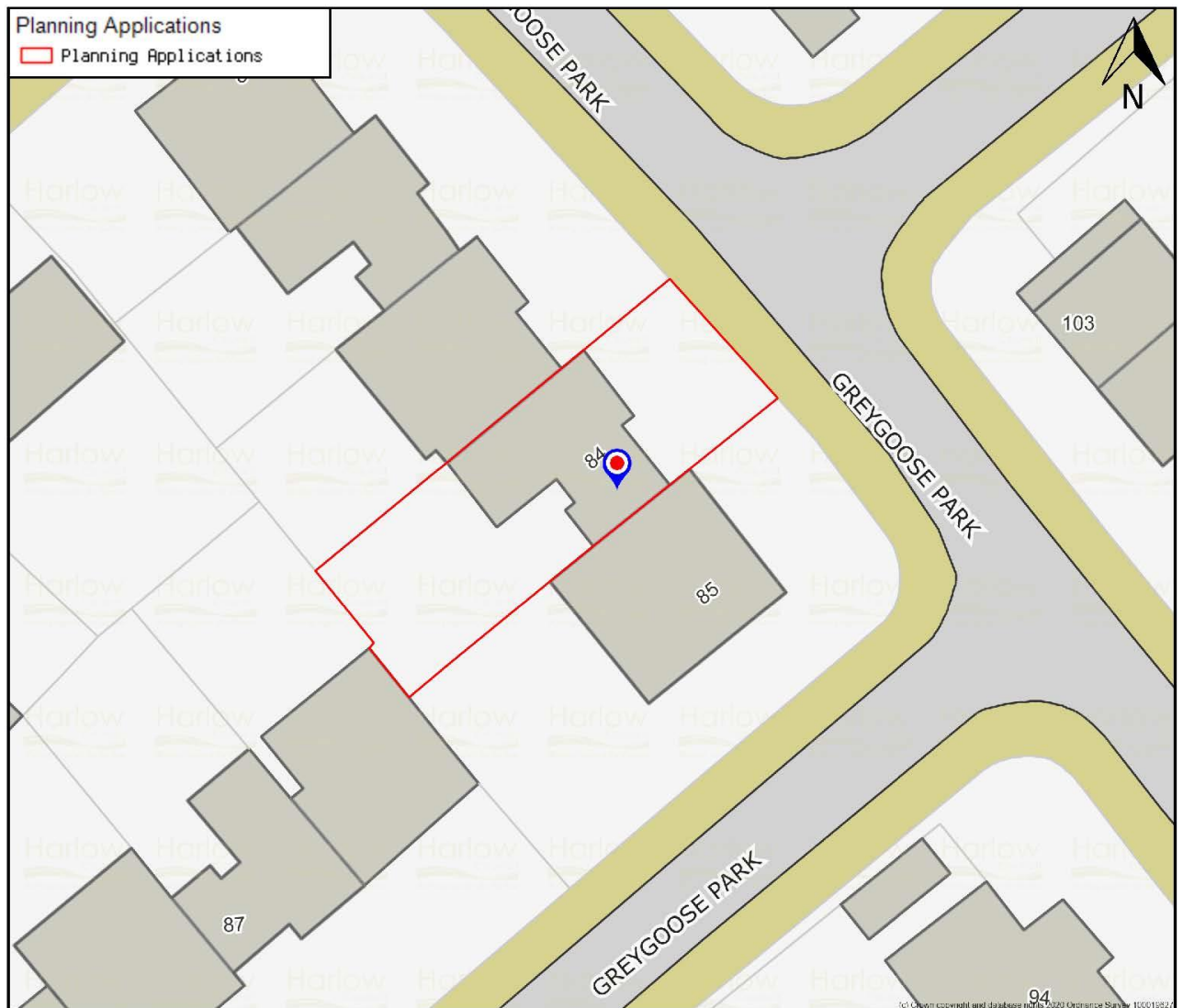
OFFICER: Chris Walter

APPLICANT: Mr S Benzid

LOCATION: 84 Greygoose Park  
Harlow  
Essex  
CM19 4JR

PROPOSAL: Construction of a two-storey side extension and proposed garage conversion (Amended Proposal Description)

## LOCATION PLAN



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

### **Application Site and Surroundings**

The application site relates to 84 Greygoose Park, a link-detached dwelling located within a residential area of Great Parndon. It shares a boundary to the north-west with No. 83, to the south-east with No. 85 and to the south-west with No. 86. The site is not located within a conservation area or close to any listed buildings.

### **Details of the Proposal**

Planning permission is sought for the construction of a two-storey side extension above the existing attached garage, measuring 9.4 metres in depth, 3.9 metres in width and 3.35 metres in height. It would be used to accommodate a series of internal alterations, including the addition of a fourth bedroom, en-suite and storage room.

It is also proposed that the existing integral garage would be converted into a home office and utility space.

### **RELEVANT PLANNING HISTORY:**

There is no relevant planning history associated with this property.

### **CONSULTATIONS**

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

No Comment Received.

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

Number of Letters Sent: 5

Total Number of Representations Received: 9

Date Site Notice Expired: N/A

Date Press Notice Expired: N/A

### **Summary of Representations Received**

Eight objections were received during the statutory consultation period, in addition to a representation from Cllr Carter. Their comments can be summarised as follows:

#### **Planning Objections**

- Character and Appearance: proposed 400mm gap between No. 84 and 85 is insufficient and would result in the inability to carry remedial works; gable end design would not be in keeping with the general neighbourhood; extension as proposed would effectively provide a future street scene of 'terraced' properties; if left unamended, the proposal would affect all properties on the estate, of the same design, any neighbour could do the same to their neighbour in the future, changing the whole original concept of the estate.
- Parking Impact: no provision made for the loss of off-street parking as a result of the garage conversion
- The garage conversion has not been highlighted in the proposal description.

- Parking Impact: no provision made for the loss of off-street parking as a result of the garage conversion

### **Non-Planning Objections**

- Negative effect on the value of neighbouring properties

Officer's Comments: The issues raised within these representations, including the impact of the proposal on the character/appearance of the area and parking, will be dealt within the appropriate sections of the report. Following correspondence between the case officer and agent, the roof design has been amended and there would be a one metre gap between the extension and side elevation of No. 85. For clarity, the proposed garage conversion has been added to the proposal description. Matters in relation to impacts on house values are not material considerations.

## **PLANNING POLICY**

### **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 2023 version) and the associated Planning Practice Guidance (PPG) (first published in March 2014 but also regularly updated with the NPPF).

### **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 Local Development Plan 2020 (HLDP), Essex and Southend-on-Sea Waste Local Plan 2017 and Essex Minerals Local Plan 2014.

Relevant HLDP policies are:

- PL1: Design Principles for Development
- PL2: Amenity Principles for Development
- N2: Impact of Development on the Highways Network including Access and Servicing
- IN3: Parking Standards

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

### **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 (adopted December 2021).
- Essex Parking Standards (2009)

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

HGGT Guidance

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.

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.

## **Summary of Main Issues**

### Principle of Proposed Development

The acceptability of the principle of the proposed development is dependent on its compliance with the relevant policies within the Harlow Local Development Plan (HLDP) 2020 and supplementary documents, as assessed below.

### Character and Appearance

Policy PL1 of the HLDP and the Harlow Design Guide SPD indicate that proposals should not result in unacceptable harm to the character and appearance of the application dwelling or area. Principle DG47 of 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. Extensions should be subordinate to the host property.

In design terms, the proposed two-storey side extension is of an appropriate size and height, with a roof that integrates well with the original dwelling. Its front building line would be set back from the principal elevation of the main dwelling by one metre, helping to reduce its visual prominence and ensure an appearance of subservience. As required by paragraph 4.12.22 of the Harlow Design Guide, the two-storey side extension would also be set one metre from the side of boundary of No.85, thereby maintaining the existing open design between the dwellings and helping to prevent the impression of a terracing effect.

It should also be noted that other applications for two-storey side extensions of a similar design and scale to that proposed have also been approved within the local area, including at Nos. 83, 93, 97, 105 and 113 Greygoose Park. As such, the surrounding extensions have become a part of the character of the area and have weight in the consideration of this application.

To accommodate the garage conversion, the existing garage door would be replaced with a new window. The submitted drawings indicate that the replacement fenestration would be of an appropriate scale and design. Whilst it is noted that comments have been made from objectors that the description does not include reference to the conversion of the garage, the

plans do make this part of the development clear to interested parties. Notwithstanding such, permitted development rights for garage conversion have not been removed and as such this part of the proposal does not require planning permission and can be undertaken without any recourse to the local planning authority.

It is therefore not considered that the proposal would result in unacceptable harm to the character and appearance of the application dwelling or area and is in general compliance with policy PL1 of the HLDP and the Harlow Design Guide SPD and Addendum.

### Neighbouring Amenity

Policy PL2 of the HLDP, and the Harlow Design Guide, aim to ensure that developments do not adversely affect adjacent residents, taking into consideration impacts on access to daylight and sunlight, overshadowing, privacy and overlooking.

The proposed two storey side extension would be screened from No. 83 by the application dwelling, and it would not result in an unacceptable impact on outlook, light or create a visually overbearing impact on the occupiers of No.85. Its fenestration would overlook the highway and application site's rear garden and be set away from the shared boundaries. No unacceptable overlooking or privacy concerns impacts would arise from this element of the proposal.

Given its scale and nature, the proposed garage conversion would not overbear, overshadow or result in any loss of light or privacy for neighbouring amenity. The proposed window would overlook the front driveway.

The proposal would not result in unacceptable impacts to neighbouring amenity, in compliance with policy PL2 of the HLDP and the Harlow Design Guide SPD.

### Parking and Highways

Policies IN2 and IN3 of the Harlow Local Development Plan 2020 indicate that development should not have an unacceptable impact on highway safety and congestion and be in accordance with the Essex Parking Standards 2009.

The Essex Parking Standards (2009) requires any dwelling with more than two bedrooms should have two off-street parking spaces. The proposal would result in the loss of the garage, and one available parking space, leaving the property with one parking space along the existing driveway to the front. Nevertheless, there are no parking restrictions within Greygoose Park, with plentiful on-street parking within the surrounding area. It is not considered that one additional car parking on the street would significantly impact parking and the highway. Furthermore, several dwellings within Greygoose Park benefit from integral garages and the site is situated in a relatively sustainable location, less than a mile away from Staple Tye Shopping Centre and bus stops.

It is also noted that the proposed garage conversion could fall under permitted development (not requiring planning permission) and significant weight is given to this.

Taking this into account, the proposal would not result in unacceptable long-term impacts to parking or highway safety, in compliance with policies IN2 & IN3 of the HLDP and the Essex Parking Standards 2009.

## 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 proposal would not result in unacceptable harm to the character and appearance of the application dwelling or area, neighbouring amenity or parking/highway conditions. It is therefore in compliance with the relevant policies within the HLDP and supplementary documents and is recommended for approval accordingly.

## **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 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 Acceptable construction hours are between 8:00 to 18:00 on Mondays to Fridays and 8.00 and 13.00 on Saturdays. No construction work should take place or plant operated outside these hours.  
**REASON: In the interests of neighbouring amenity, in accordance with policy PL2 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.**

<b><u>Plan and Document Reference</u></b>	<b><u>Date Received</u></b>
CM194JRPP1 Rev 1 Existing & Proposed Ground Floor Plans	15.02.2024
CM194JRPP2 Rev 1 Existing & Proposed First Floor Plans	15.02.2024
CM194JRPP3 Rev 1 Existing & Proposed Roof Plans	15.02.2024
CM194JRPP4 Rev 1 Existing & Proposed Front & Rear Elevations	15.02.2024
CM194JRPP5 Rev 1 Existing & Proposed Side Elevations	15.02.2024
Existing Block Plan	10.01.2024
Proposed Block Plan	10.01.2024
Site Location Plan	10.01.2024

### **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.

Elizabeth Beighton  
 Development Manager

Contributing Officer  
 Chris Walter