

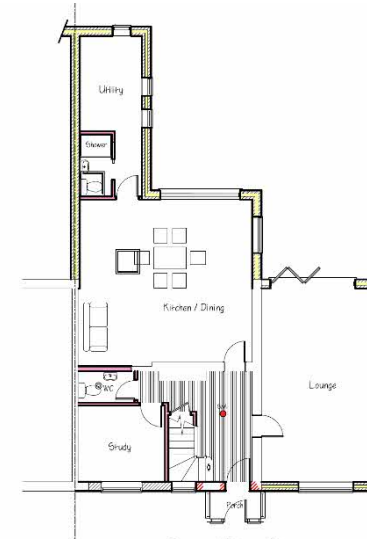
# Planning Statement

As previously approved 03/17/0687/HH

As now proposed



Ground Floor Plan



Ground Floor Plan

Application for: Revisions to 03/17/0687/HH to include first floor side gable window, pitched roof over rear extension with rooflight and pitched roof over outshot.

At site address: 36 Pye Corner, Gilston, Harlow, CM20 2RB

Statement prepared December 2023

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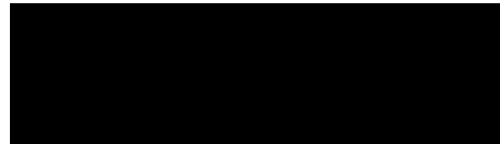
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## Background

This application is lodged with East Herts District Council for planning permission to retain extensions erected akin to 03/17/0687/HH. During construction changes to design occurred. These included a flank wall, loft level, gable window to the side extension, a pitched roof over the rear extensions including 2 x rooflight openings and an entirely pitched roof over the existing rear outshot. Changes to fenestration have also occurred.

This application seeks to retain the alterations described above but acknowledges the removal of an area of floorspace behaving as an 'infill' structure between the two storey side extension and the ground floor rear previously permitted (purple in figure 1). The area acknowledged as intended for removal is less than 12sqm in floorspace. Removal of this area, whilst not desirable, is being considered only as an alternative to avoid enforcement proceedings. This application therefore represents a 'fall-back' position for the applicant, should a second simultaneous application for retention of the works in their entirety not prove successful.

This application is accompanied by (1) plans of the property prior works, (2) the approved plans 03/17/0687/HH for comparison, (3) the plans of the dwelling as exists now and the (4) proposed plans.

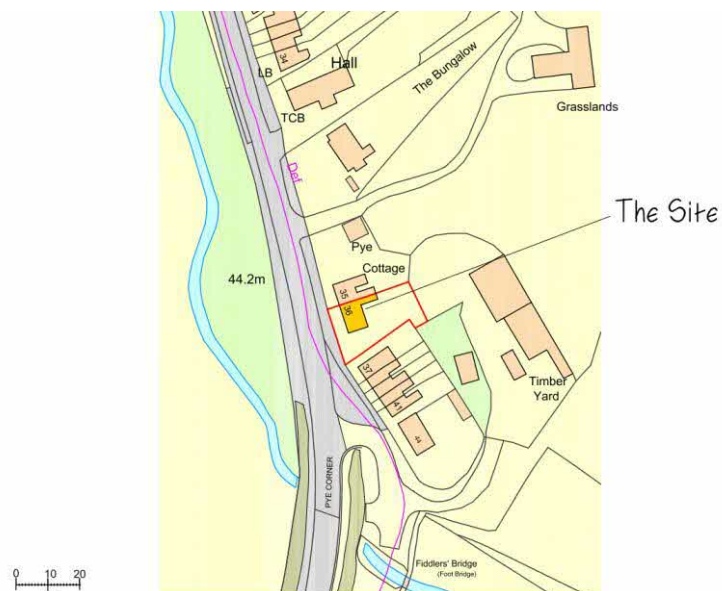
Figure 1: Infill area described as proposed for removal in purple



## Site Description

The application site is a two-storey semi-detached property within the East Herts District along Pye Corner. It is in the Metropolitan Green Belt but is not in a Conservation Area. Pye Corner is on the outskirts of Harlow, which lies to the south of the site, separated by an agricultural field and the River Stort before the rear of Harlow Mead Park commercial estate.

Figure 1: Site location plan



The cottage backs onto the Applicant's own timber yard, whereby the ground level drops significantly at the end of the garden, into the yard. At the yard boundary ground level steeply banks up to completely enclose the timber yard and properties beyond from wider view. The result being that the properties in Pye Corner would be completely obscured from the eastern side due to a significant variation in ground level of more than 5 metres and the landscaping in addition.

Figure 2: Wider Aerial View



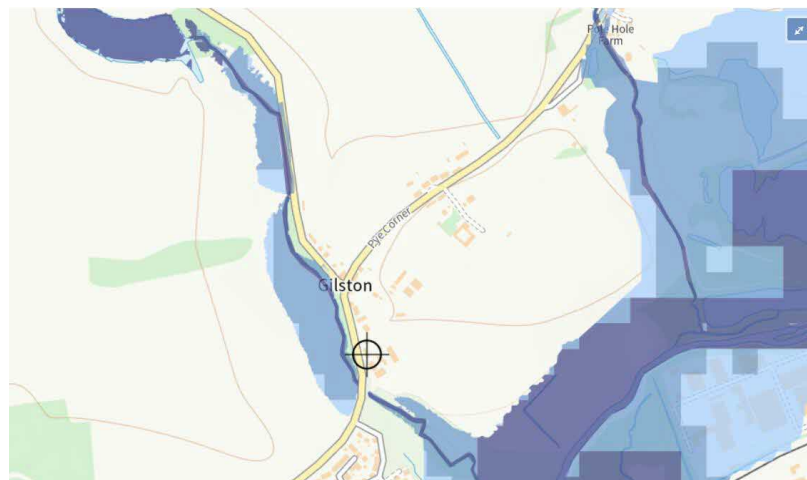


Figure 3: Rear of site and ground change



The image above shows the existing rear garden, the absence of a fence to the rear presently, before the timber yard and buildings erected at a reduced ground height, then in the background on the left you can see ground level banking upwards significantly to above the height of the buildings in the timber yard, before the provision of boundary fencing to the yard and the landscaped screen above. This is highly unusual to see such variation in ground level in this area.

Figure 4: Environmental Floodzone map



The application site is at very low risk of flooding.

Prior to the works to extend to the side and rear the dwelling was largely unaltered and retained many original details to the exterior. Prior to extending, the dwelling had a modest layout. The main building comprised two rooms at ground floor and two above, with the outshot providing utility, W/C and storage areas. A conservatory on the side added extra living space. The layout prior any works is indicated in figure 5 below.

Figure 5: Original Ground floor before any works.

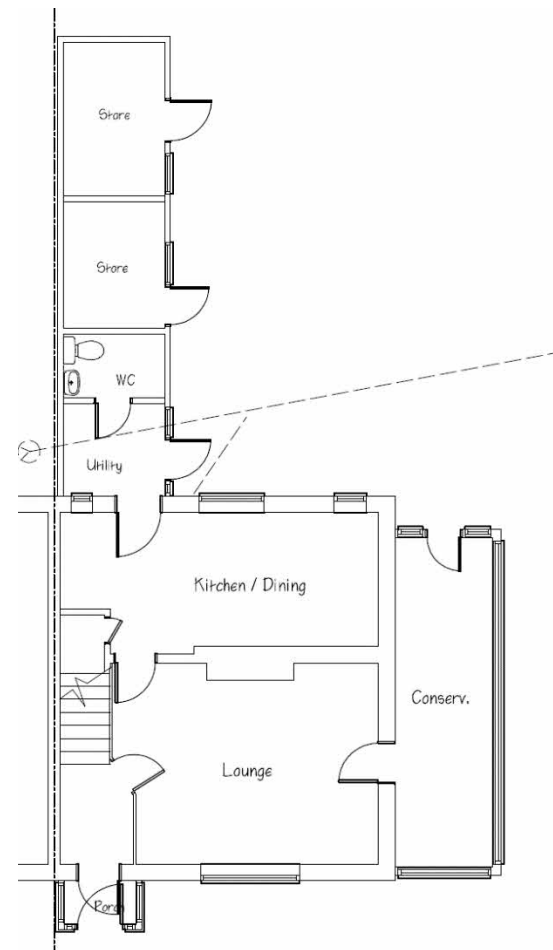
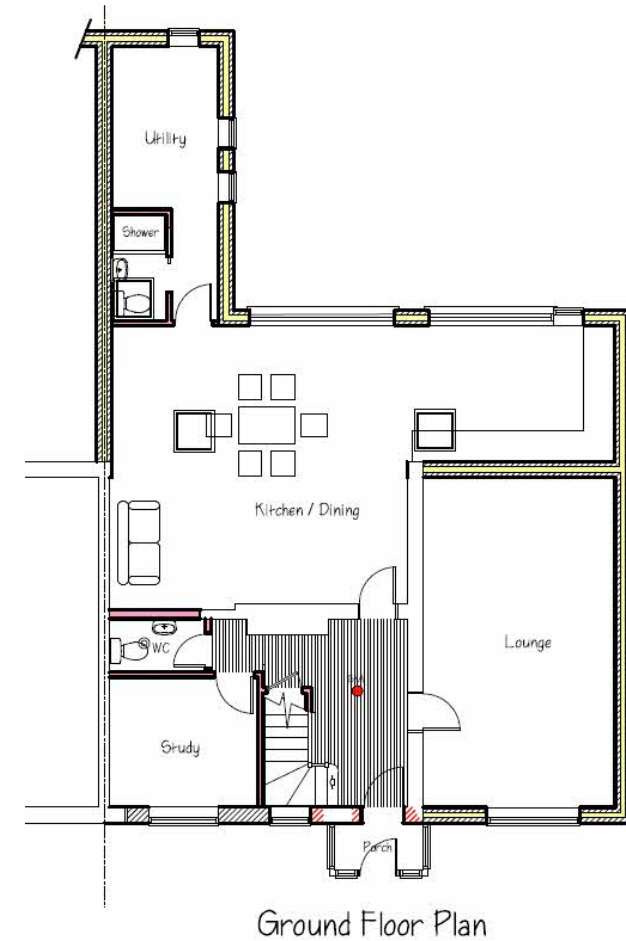
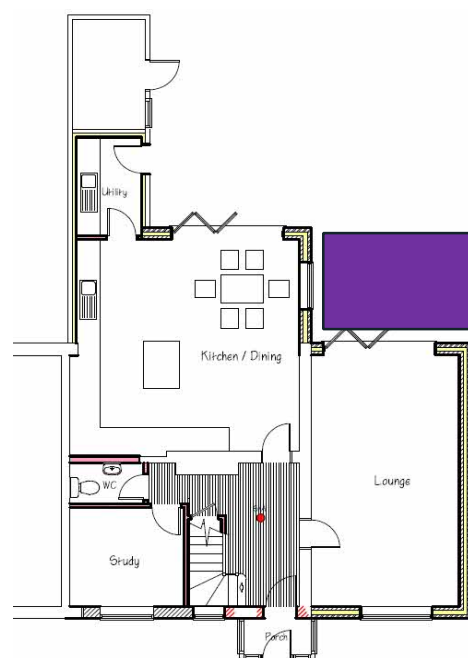


Figure 6: Ground floor as presently erected including 'infill' area

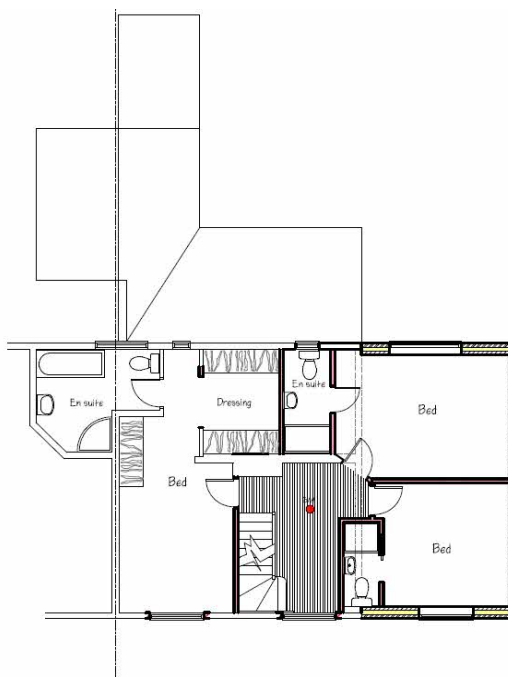


Application 03/17/0687/HH permitted works to the side and rear to facilitate meaningful additions to the property as follows;

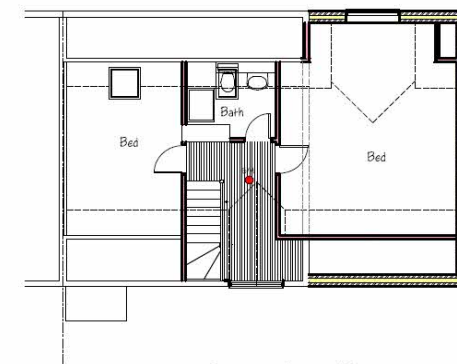
Figure 7: Previous approval 3/17/0687/HH (purple shaded area illustrating an area also erected at present referred to as an 'infill to be demolished' from figure 6).



Ground Floor Plan



First Floor Plan



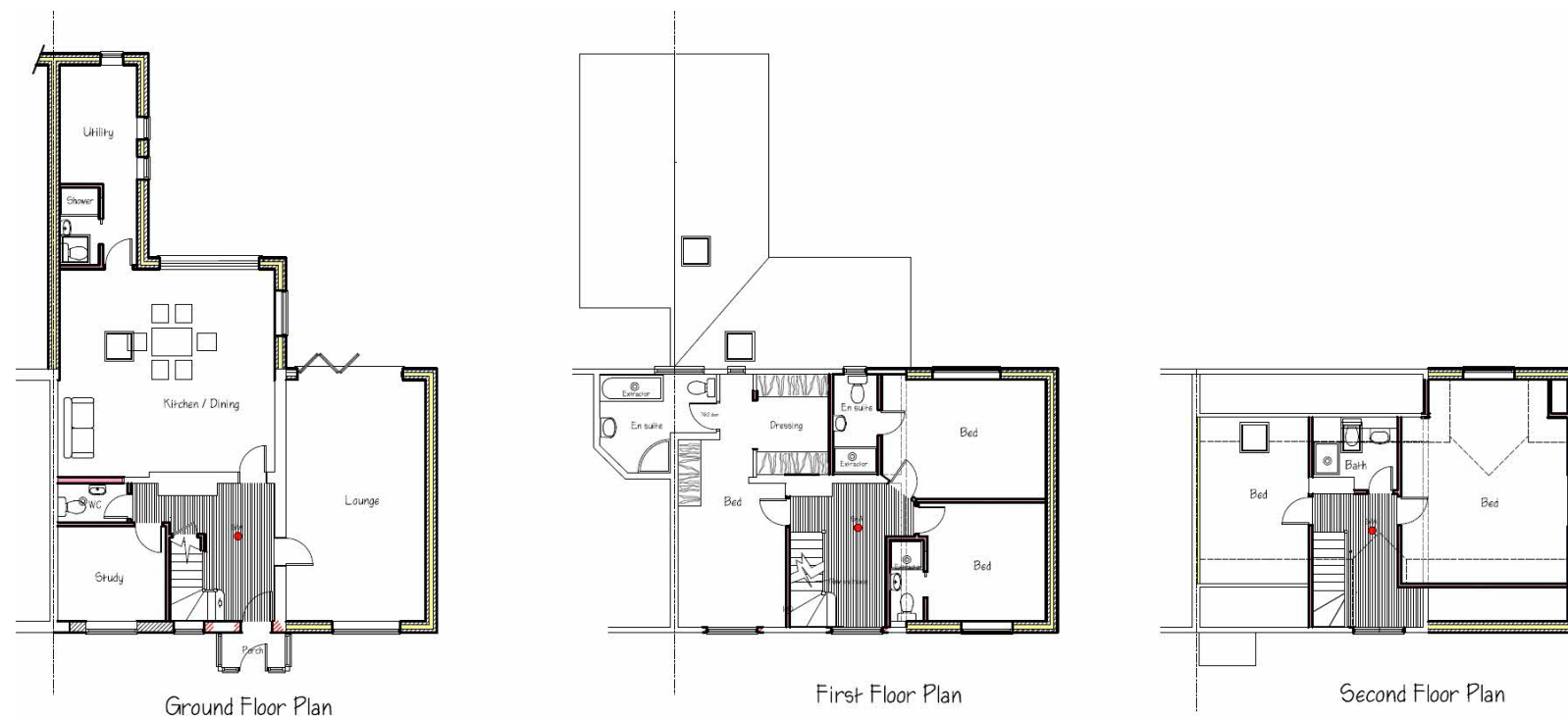
Second Floor Plan

These works were commenced, but concluded with an infill area incorporated at the ground floor as indicated by the purple shaded area above and shown in Figure 6.. This application assumes this area would be demolished and the proposals completed as illustrated in Figure 8 below.



Now proposed the similar layout is as follows;

Figure 8: As now proposed



The external revisions proposed include;

- at second floor, the window to the side gable,
- at ground floor, a singular 'L' shaped sloping roof, incorporating two roof lights and changes to the fenestration at the rear.

Figure 9: Previously approved rear fenestration



Figure 10: Rear fenestration now sought



## Site History

The following applications are considered relevant to this application

3/17/2457/HH	Amendment to previously approved plans (LPA ref. 3/17/0687/HH) for a two storey side extension and single storey rear extension, to include a further single storey rear extension.	Refused
<p>The proposed extension, cumulatively with previous additions to the dwelling, would disproportionately alter the size of the original building and would thereby constitute inappropriate development in the Green Belt. In addition to the harm by inappropriateness, other harm is identified in relation to loss of openness. The harm by inappropriateness, and the other harm identified, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal is therefore contrary to Policy GBC1 and ENV5 of the East Herts Local Plan second Review April 2007 and Section 9 of the National Planning Policy Framework.</p>		
3/17/0687/HH	Two storey side and single storey rear extensions	Grant permission subject to conditions
3/16/0537/HH	Two storey side extension including accommodation in roof and single storey rear extension	Refused
3/12/0710/FP	2 Storey side extension	Grant permission subject to conditions
3/02/2268/FP	New driveway/entrance from road.	Grant permission subject to conditions

# Policy Context

## Relevant Policies



National planning policies are set out within the National Planning Policy Framework 2023 (The NPPF).

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

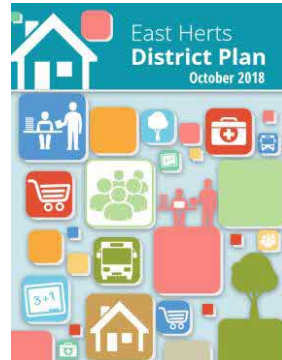
- a) Approving development proposals that accord with an up-to-date development plan without delay, or

- b) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
  - i. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, Section 12. (Achieving well -designed places) and Section 13 (Protecting Green Belt land) are of relevance.

## East Herts Local District Plan 2018



Local planning policies are set out within the East Herts adopted Local Plan 2018. The relevant policies from these documents are detailed below.

### GBR1: Green Belt

States that planning applications within the Green Belt will be determined in accordance with the provisions of the NPPF.

### NE3: Species and Habitats

New development should enhance biodiversity.

### DES3: Landscaping

Proposals should retain, protect and enhance existing landscape features with mitigation only where loss is unavoidable and justified.

### HOU11: Extensions and Alterations to Dwellings, Residential Outbuildings and Works Within Residential Curtilages

Requires that extensions and alterations be of scale, mass, form, siting and design that reflects character of existing dwelling with expectation that additions would usually appear subservient.

Offers further detailed design guidance for first floor side extensions, flat roof provisions and dormer windows.



## Planning Appraisal

The following matters are relevant to the determination of this Planning Application:

- Principle of development in the Green Belt
- Design
- Residential amenity
- Parking
- Landscaping

### Principle of Development in the Green Belt

The NPPF and Policy DM4 of the emerging Local Plan are clear in that extensions and alterations to a dwelling in the Green Belt are considered exception to Green Belt restrictions. “Provided. That it does not result in disproportionate additions over and above the size of the original dwelling” (paragraph 149(c) of the NPPF). At the time of consideration of the previous application (3/17/0687/HH) the Council was applying the pre-submission version of the Local Plan to determinations and had attributed some weight to the policies contained within.

When determining application 3/17/0687/HH the previous Officer confirmed an increase in floor area of 69% as proposed by

the former scheme. Once the existing infill area is removed, the proposals as set out on the proposed drawings are commensurate with the previously approved scheme in respect of mass and built form. When previously assessed under 03/17/0687/HH the quantum and layout of development was identified as inappropriate but mitigated by other circumstances, namely the balancing effect with the attached neighbour achieved by the proposed additions. This application does not significantly differ from that previously considered, therefore it is anticipated that this balancing of other mitigating circumstances will conclude similarly that the harm arising by the in principle inappropriateness, is mitigated by the visual benefits to local character from balancing the appearance of the semi-detached pair. The Officer previously concluded that the associated visual enhancement arising from the proposals mitigated the limited harm to openness.

When determining previous applications there has surprisingly been no mention of the significant ground level change. The effect of the ground level variation and the surrounding retaining walls is that views of the additions from the rear and neighbouring properties are extremely limited, meaning the visual interpretation of openness of the site locally is very limited. This is also a mitigating circumstance that should be attributed weight.

### Design

The proposed revisions to design improve the fenestration and remove flat roof elements from the scheme. Policy HOU11 under Clause(c) clearly expresses only a limited number of circumstances where flat roof additions will be accepted. Thus it is anticipated that whilst not expressly prohibited to have flat roof additions at the rear, the removal of flat roofs should be considered a design enhancement.

In respect of fenestration changes, these are modest, minimal, to the rear and include revisions to number of openings and locations. These are not anticipated to be harmful to either openness, neighbouring amenity or local character.

### Residential Amenity

The proposals are well separated from neighbouring properties by either existing structures subject to works or significant height retaining walls, or vast ground level change. In the context of the boundary treatments and the very varied ground levels, the proposal changes would have no meaningful impact on neighbouring living conditions.

Previous applications have raised concerns regarding the impacts on neighbouring privacy arising from flank windows. This can be mitigated by condition requiring the window to be obscure glazed.

### Parking

The proposals result in no change to parking provision from issues previously considered, therefore no harm is identified.

### Landscaping

The proposals result in no change to landscaping provision, as such the proposals remain to accord with policy requirements.

## Summary and Conclusions

The application seeks permission to make alterations to 36 Pye Corner in a manner akin to 03/17/0687/HH. Namely a two-storey side extension, single storey rear extensions and changes to fenestration.

The proposals seek to revise windows on the extensions and roof forms at the ground floor rear. These alterations are modest in nature and are not considered to result in impacts that differ significantly from the proposals previously benefitting from consent. In this context it is hoped the Council will allow the changes.

This application assumes an existing small infill area less than 12 sq. m would be demolished and not remain. This is only proposed should all other alternatives fail. With the loss of the infill and other matters satisfying the relevant policies as per the previous permission it is hoped Officers will support this application.

Conditions suggested are as per those affixed to 3/17/0687/HH;

- 1) Development in accordance with approved plans (namely the proposed elevations and block plan);
- 2) Matching materials;
- 3) Provision of frosted finish or obscure glazing to the flank gable window; and
- 4) That the works be completed within 12 months of the decision. This period would allow the consideration (and Appeal if necessary) of the simultaneous submission for retention of the alterations in their entirety including the infill area, and should this not prove successful, for the removal of the area as proposed herein. Any lesser period would be unlikely to facilitate an Appeal and demolition process to take place, thus the simultaneous submission and its determination should form a material consideration for the purposes of compliance with conditions.

Should Officers wish to discuss any element of the application of the Appeal, please do contact the Agent.