



Planning Committee
17th June 2025

Application No	:	25/00229/FUL Full Application
Location	:	71 Ash Grove Chelmsford CM2 9JT
Proposal	:	Proposed ground floor infill and first floor rear extension
Applicant	:	Mr Dababrata & Joyita Chowdhury
Agent	:	Mr Asad Durrani
Date Valid	:	11th February 2025

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1. Executive summary

- 1.1. This application has been referred to the Planning Committee at the request of a local ward councillor because of their concern that the flank elevations of the proposed extension would cause harm to the character of the street scene, due to its scale, siting and design.
- 1.2. The site is an end terrace two-storey property located within Moulsham Lodge. As the site is within Urban Area, the principle of development is acceptable.
- 1.3. The scheme is for a part single, part two storey rear extension.
- 1.4. The site is visible from the South entrance to Ash Grove when approaching from Lucas Avenue. The extension would be visible but would be constructed of matching materials and be of a similar design to other existing extensions close by.
- 1.5. Due to the location of the extension and existing additions in the street scene, the scale, form and design of the proposal would suitably relate to the existing dwelling and the character of the area.
- 1.6. The extension would safeguard the amenity of all neighbouring properties.
- 1.7. The application is recommended for approval, subject to the conditions set out at the end of this report.

2. Description of site

- 2.1. No. 71 is an end terrace property located on the south side of Ash Grove, which is a crescent shaped road, close to its junction with Lucas Avenue.
- 2.2. Ash Grove is made up of runs of terraced properties, with similar character and design. Many properties already benefit from extensions.
- 2.3. No. 71 benefits from existing extensions and alterations including a single storey rear and two-storey side extension.
- 2.4. Due to the orientation of the property the rear elevation faces towards a garage block accessed from Lucas Avenue. The side of the house and rear garden adjoins the rear garden boundaries of Nos. 57 to 61 Lucas Avenue.
- 2.5. A brick-built substation lies adjacent to the property, between its flank wall and the end of the garden of No.57 Lucas Avenue.

3. Details of the proposal

- 3.1. The application seeks consent for a part single, part two storey rear extension.
- 3.2. The single storey element would replace a canopy structure that sits between the existing single storey rear extension and the western boundary. It would project 5m from the existing rear wall, an additional 1m deeper than the canopy structure. The roof would be flat with a maximum height of 2.7m to match the existing ground floor extension.

- 3.3. The two-storey element would extend above the new ground floor addition and would project 3m from the existing rear wall. The extension would be subservient and set down from the ridge. The roof would be hipped, with a maximum height of 6.7m.
- 3.4. The existing brick boundary wall would be removed, and the extension wall would be sited in its place. The remaining area of brick boundary wall would be replaced with timber fencing.
- 3.5. No windows would be included in the flank wall of the extensions or added to the existing flank wall and the views from the rear would not be materially altered.
- 3.6. The materials to be used in the construction of the extension would match the existing property.

4. Summary of consultations

- Public Health & Protection Services – No comments regarding this application
- Ramblers Association – No comments
- UK Power Networks (Network Planner) –
Comments received neither objecting to or supporting: -
Requirements of UK Power Networks if permission is granted
- Local residents – 3 x objections received from neighbouring properties concerning the following:
 - intrusion on privacy to property/garden
 - overlooking
 - reduction of natural light
 - overdevelopment of site
 - design and character not in keeping
 - flank elevation lacks articulation
 - drawings and description are misleading
 - condition request to re-instate the brick-built boundary wall in lieu of timber fence proposed

5. Planning considerations

Main Issues

- 5.1. Impact of the development on neighbouring properties.
- 5.2. The design of the proposed extension.

Impact on neighbouring properties

- 5.3. No 57 Lucas Avenue lies to the west and its rear garden boundary abuts both the substation and the rear garden of No. 71.

Relationship with No.57 Lucas Avenue

- 5.4. The two storey extension would project 3m back beyond the existing two storey elevation. The minimum back-to-flank wall distance set out in Appendix B of the Chelmsford Local Plan is 12.5m. The extension would not extend forward of the existing flank wall which lies approximately

15m from the rear of No.57. The existing and proposed relationship exceeds the privacy and proximity standards required of the Local Plan.

- 5.5. It is acknowledged that the development would be clearly visible from the neighbour's property however while a development may be visible from certain vantage points, the key consideration is whether the proposal results in harm to the amenity of neighbours.
- 5.6. The extension would be orientated to the east of the neighbour. The brick substation sits between the majority of the two storey part of the proposal and the neighbour's property. The extension would not result in an unacceptable loss of light due to its orientation and would not be materially overbearing to the occupiers of the neighbouring property due to the separation distance.
- 5.7. No windows are proposed in the flank wall which ensures no harmful overlooking would occur.
- 5.8. The relationship between the proposed development and No. 57 would be acceptable.

No.59 and 61 Lucas Avenue

- 5.9. The outlook from No 71 as a result of the extension would not be significantly altered. The views would not materially change from the first-floor bedroom window which currently faces towards the neighbouring gardens. This mutual overlooking is typical in a residential setting.
- 5.10. The extension would be suitably set away from the neighbours not to appear overbearing or create overshadowing. The neighbour relationships would remain acceptable.

No.69 Ash Grove

- 5.11. No 69 is attached to the east side of No 71. The extension would lie beyond the existing ground floor projection and therefore would not have a material impact on the relationship shared with the attached property. This relationship would remain acceptable.

Design

- 5.12. The proposed extension would be finished in matching materials which is appropriate in the context.
- 5.13. The ground floor element would only be partially seen due to its siting to the rear beyond the existing substation.
- 5.14. The first-floor element would be clearly visible from the approach from Lucas Avenue. The hipped roof would appear in keeping when viewed in the context particularly against the existing neighbouring two storey projections at Nos. 52a and 57 Lucas Avenue.
- 5.15. Extensions and alterations are typical in the Urban Area and the proposed extension would be set back from the road and would not be unduly prominent or intrusive and would not cause harm to the character of the area.
- 5.16. The existing flank wall does not benefit from any side windows and currently lacks articulation. The extension would not materially alter the external appearance of the dwelling.

- 5.17. Overall, the scale, form and design of the proposal would suitably relate to the existing dwelling and the character of Ash Grove and Lucas Avenue.

Other Matters

- 5.18. Concerns were raised regarding the accuracy of the drawings supplied amended plans were received during the lifetime of the application which are sufficient for the development to be understood and assessed against planning policies.
- 5.19. The applicant's description of the proposed development is sufficient, together with the planning drawings, for the development to be understood and assessed against planning policies.
- 5.20. UK Power Networks responded to the application confirming their requirements for the development if approved and constructed. An informative has been added so the Applicant is aware of their requirements.

6. Community Infrastructure Levy (CIL)

- 6.1. The application is not CIL liable.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

The development hereby permitted shall begin no later than 3 years from the date of this decision.

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.

Condition 2

The development hereby permitted shall be carried out in accordance with the approved plans and conditions listed on this decision notice.

Reason:

In order to achieve satisfactory development of the site

Condition 3

Notwithstanding the annotations shown on the approved plans, details of the proposed boundary treatments along the boundary with Nos.57 to 61 Lucas Avenue shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved boundary treatment details prior to first occupation of the development.

Reason:

To ensure that the development provides a visually acceptable boundary treatment in accordance with Policy DM23 and maintains an appropriate relationship with adjoining properties in accordance with Policy DM29 of the Chelmsford Local Plan.

Notes to Applicant

- 1 In order to cause minimum nuisance to neighbours, the applicant is strongly advised to follow guidelines for acceptable working hours set out by the Council's Public Health and Protection team.

Noisy work

- Can be carried out between 0800 and 1800 Monday to Friday
- Limited to 0800-1300 on Saturdays
- At all other times including Sundays and Bank Holidays, no work should be carried out that is audible beyond the boundary of the site

Light work

- Acceptable outside the hours shown above
- Can be carried out between 0700 and 0800; and 1800-1900 Monday to Friday

In some circumstance further restrictions may be necessary.

For more information, please contact Chelmsford City Council Public Health and Protection Services, or view the Council's website at www.chelmsford.gov.uk/construction-site-noise

- 2 The Party Wall Act 1996 relates to work on existing walls shared with another property or excavation near another building.

An explanatory booklet is available on the Department for Communities and Local Government website at

<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

- 3 There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from the Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Party Wall etc. Act 1996. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.

All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.

Should any diversion works be necessary as a result of the development then enquiries should be made to UK Power Networks Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

- 4 Many planning permissions are required by The Environment Act 2021 to provide Biodiversity Net Gain (BNG) and are subject to a statutory condition that requires a Final BNG plan to be submitted and approved by the local planning authority before work commences.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions apply.

Positive and Proactive Statement

The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework to promote the delivery of sustainable development and to approach decision taking in a positive way.

Plans to be listed on any Decision Notice:

- PL01 A – Location Map and Block Plan
- PL05 B – Proposed Ground Floor Plan
- PL06 B – Proposed First Floor Plan
- PL07 B – Proposed Roof Plan
- PL08 B – Proposed Rear Elevation
- PL09 B – Proposed Front and Flank Elevations
- PL10 B – Proposed Section

Appendix 2 – Consultations

Public Health & Protection Services

Comments
28.04.2025 - No further comments. 24.02.2025 - No PH&PS comments with regard to this application.

Ramblers Association

Comments
30.04.2025 - No Comment 04.03.2025 - No Comment

UK Power Networks (Network Planner)

Comments
<p>If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.</p> <p>Our engineering guidelines state that the distance between a dwelling of two or more stories with living or bedroom windows overlooking a distribution substation should be a minimum of ten metres if the transformer is outdoor, seven metres if the transformer has a GRP surround or one metre if the transformer is enclosed in a brick building. It is a recognised fact that transformers emit a low level hum which can cause</p>

annoyance to nearby properties. This noise is mainly airborne in origin and is more noticeable during the summer months when people tend to spend more time in their gardens and sleep with open windows.

A problem can also occur when footings of buildings are too close to substation structures. Vibration from the transformer can be transmitted through the ground and into the walls of adjacent buildings. This, you can imagine, is very annoying.

In practice there is little that can be done to alleviate these problems after the event. We therefore offer advice as follows:

1. The distance between buildings and substations should be greater than seven metres or as far as is practically possible.
2. Care should be taken to ensure that footings of new buildings are kept separated from substation structures.
3. Buildings should be designed so that rooms of high occupancy, i.e. bedrooms and living rooms, do not overlook or have windows opening out over the substation. Minimum distance for this should be at least 10m.
4. If noise attenuation methods are found to be necessary, we would expect to recover our costs from the developer.

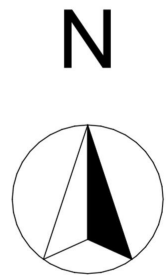
Other points to note:

5. UK Power Networks require 24 hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.
6. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.
7. No building materials should be left in a position where they might compromise the security of the substation or could be used as climbing aids to get over the substation surround.
8. There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.
9. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.

Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

Local Residents

Comments
<p>Representations received: – first floor extension is obtrusive and visually impacting, height and position directly on the boundary. Overbearing and oppressive structure that would create a 'hemmed in' sense of enclosure in part of the garden of our property. Materially harmful to the outlook enjoyed from the rear and garden. Overshadowing could limit the potential for trees to flourish and grow. Possible intrusion on privacy into my property/garden and reduction of natural light. Not in line with any other development in the immediate neighbourhood. Acceptance of inaccurate application drawings. Misleading description of development.</p> <p>Full copies of neighbour letters are available to read on the Council's website.</p>



LOCATION MAP scale 1:1250



BLOCK PLAN scale 1:500

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Scale: 1:1250, 1:500@A3

Date: APR 2025

Project Title:
PROPOSED DEVELOPMENT AT
71 ASH GROVE, CHELMSFORD,
CM2 9JT

Drawing Title:
**LOCATION MAP
& BLOCK PLAN**

Project no:

2411016

Drawing no:

PL01

Revision:

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All proposed materials to match existing materials by colour and texture

Any Side Window to be obscure glazing and, non openable below 1.7m



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Date: APR 2025

Project Title:
PROPOSED DEVELOPMENT AT
71 ASH GROVE, CHELMSFORD,
CM2 9JT

Drawing Title:
PROPOSED 3D

Project no:
2411016

Drawing no:
PL11

Revision:
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Proposed Rear Elevation 1:50

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Drawing Title:
**PROPOSED
ELEVATION**

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Drawing no:

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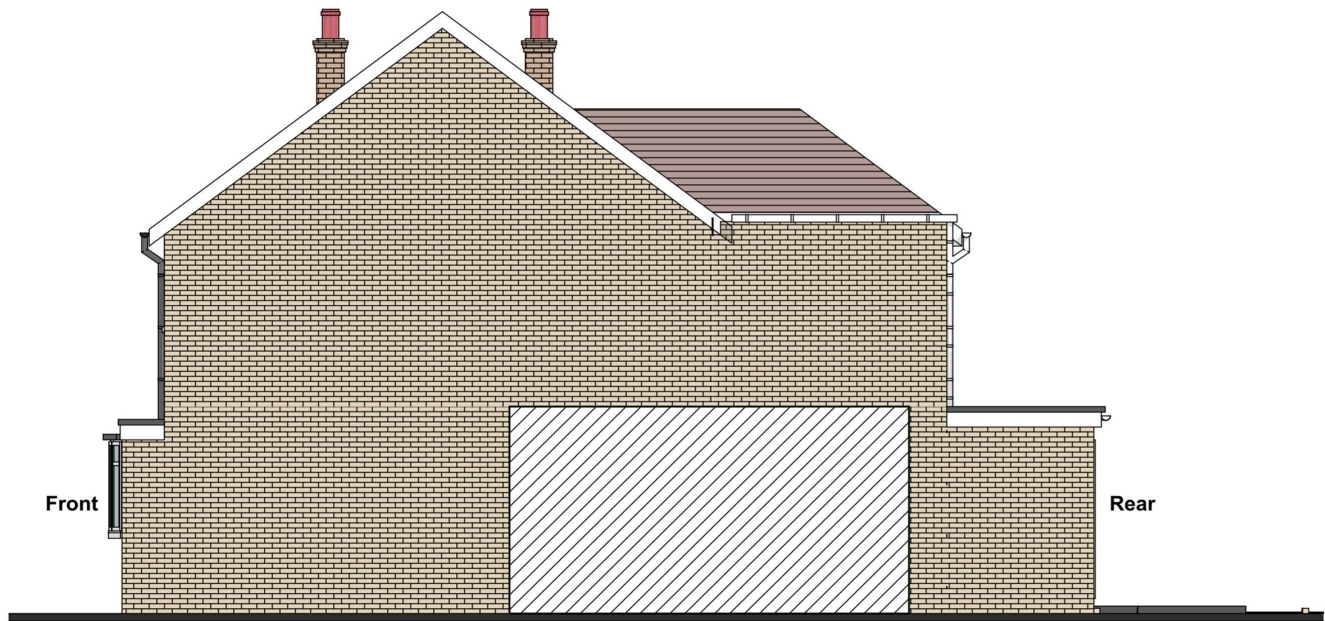
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All proposed materials to match existing materials by colour and texture

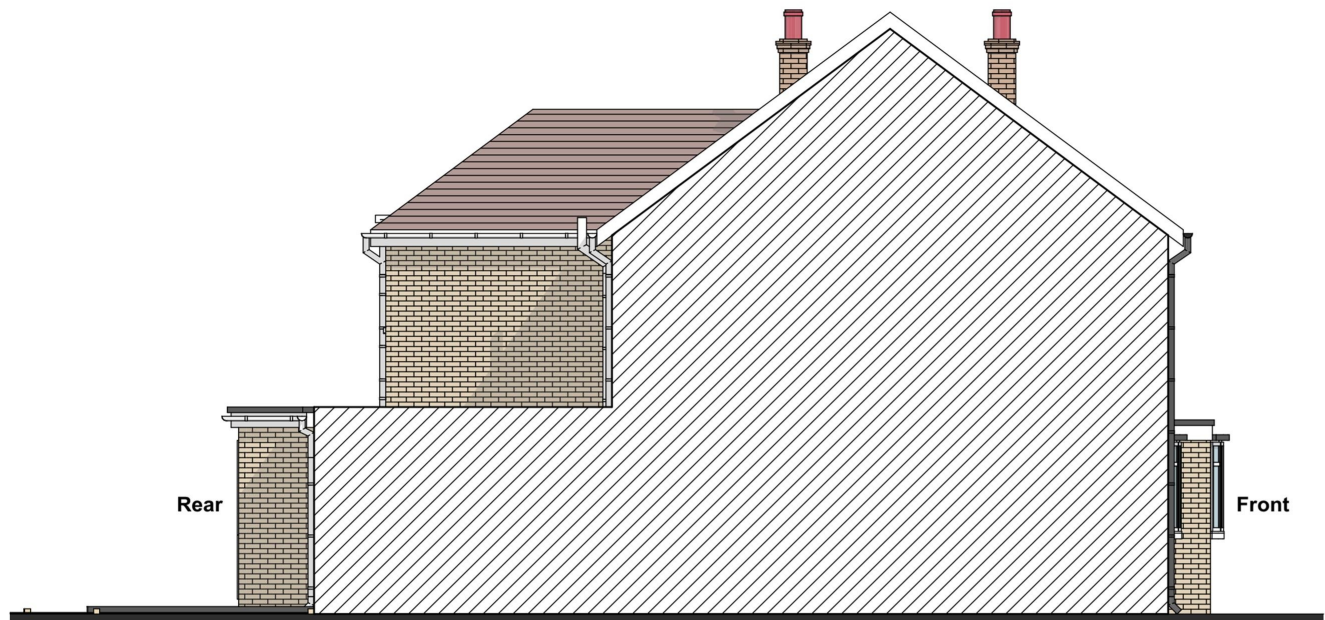
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Front Elevation 1:100
(No changes Proposed)



Proposed Flank Elevation 1:100



Proposed Flank Elevation 1:100

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Drawing Title:
**PROPOSED
ELEVATIONS**

Project no:

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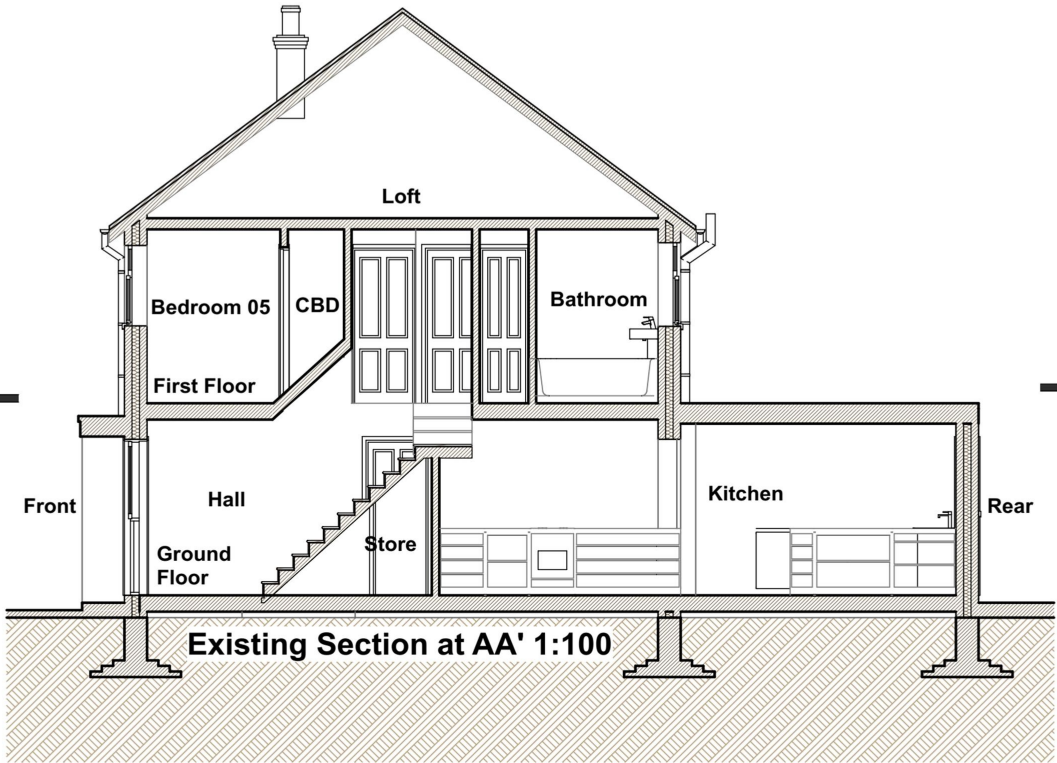
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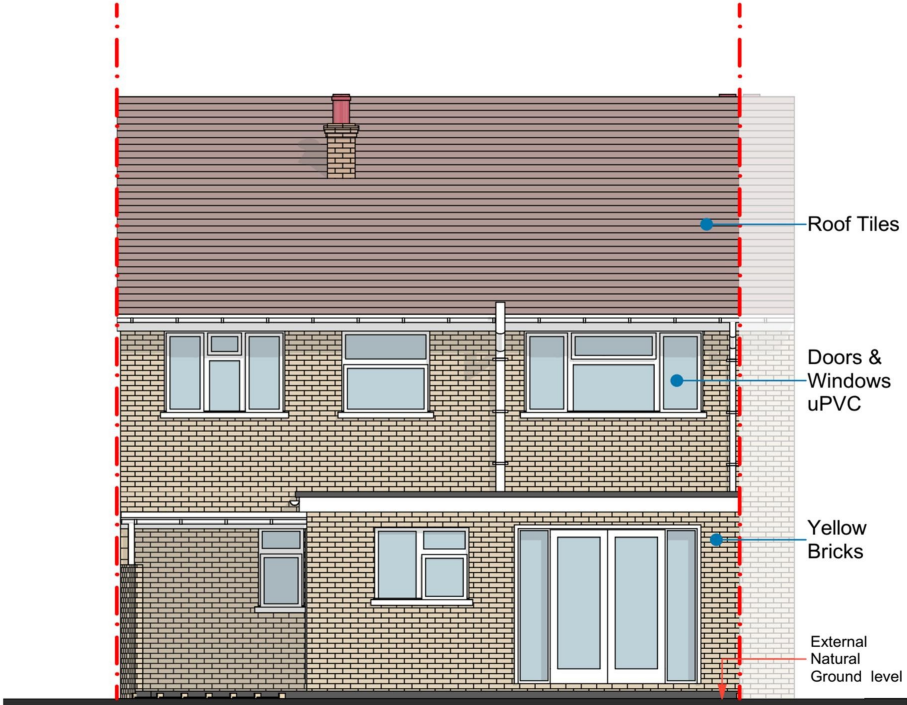
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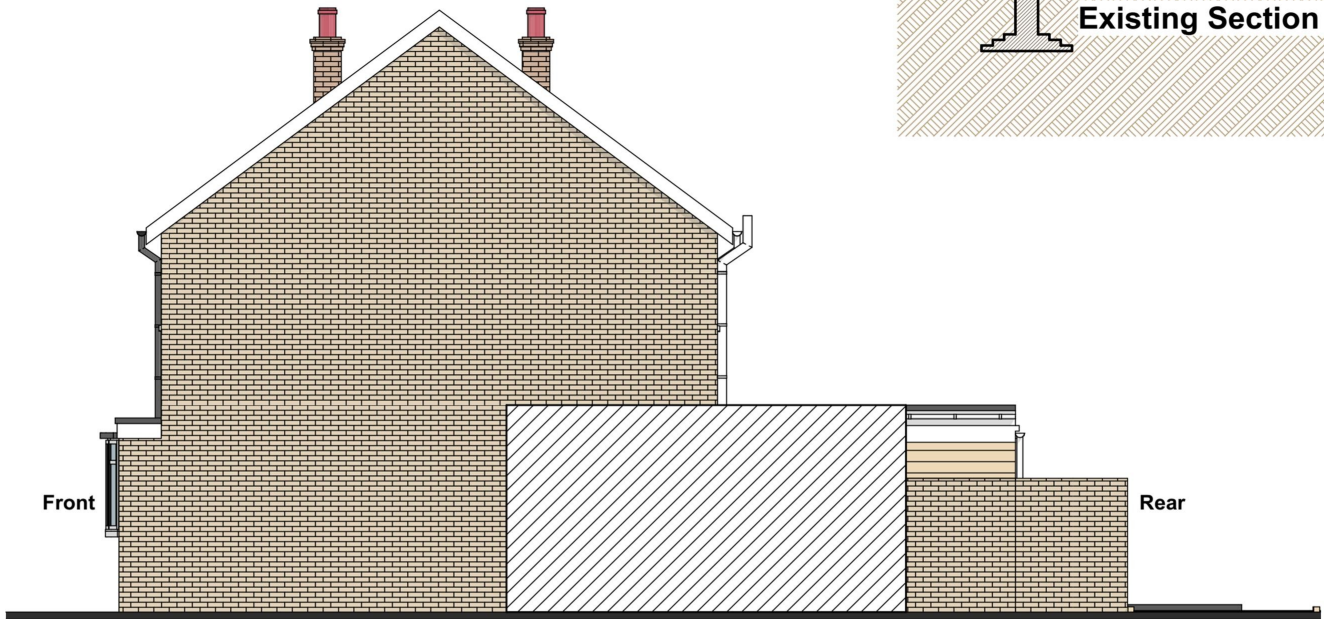
Existing Front Elevation 1:100



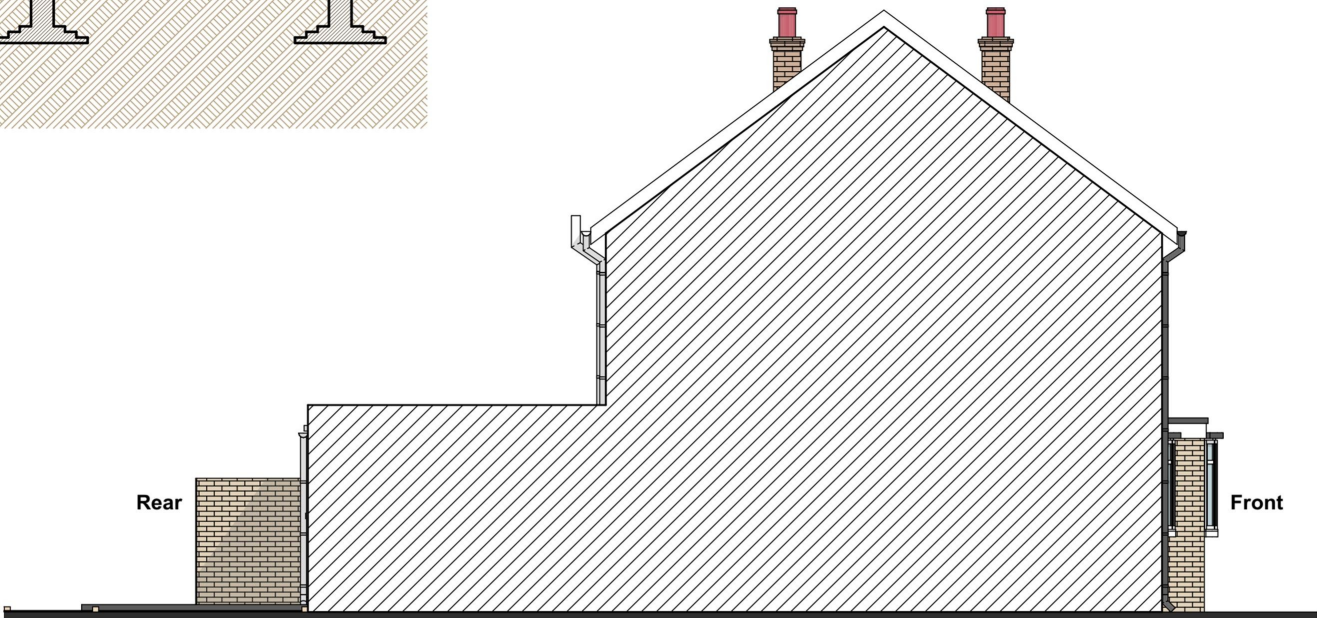
Existing Section at AA' 1:100



Existing Rear Elevation 1:100



Existing Flank Elevation 1:100



Existing Flank Elevation 1:100

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Drawing Title:
**EXISTING SECTION
& ELEVATIONS**

Project no:

2411016

Drawing no:

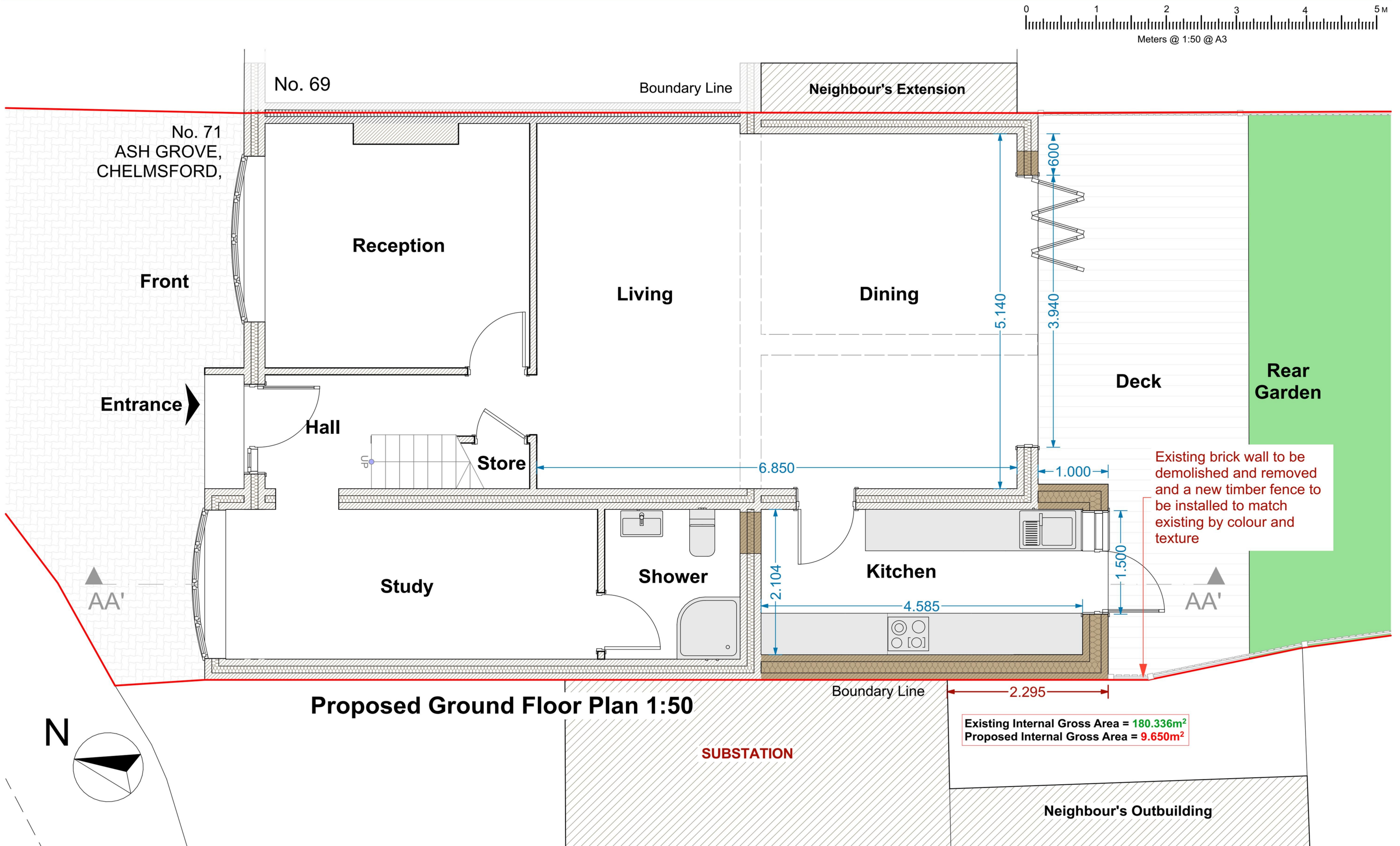
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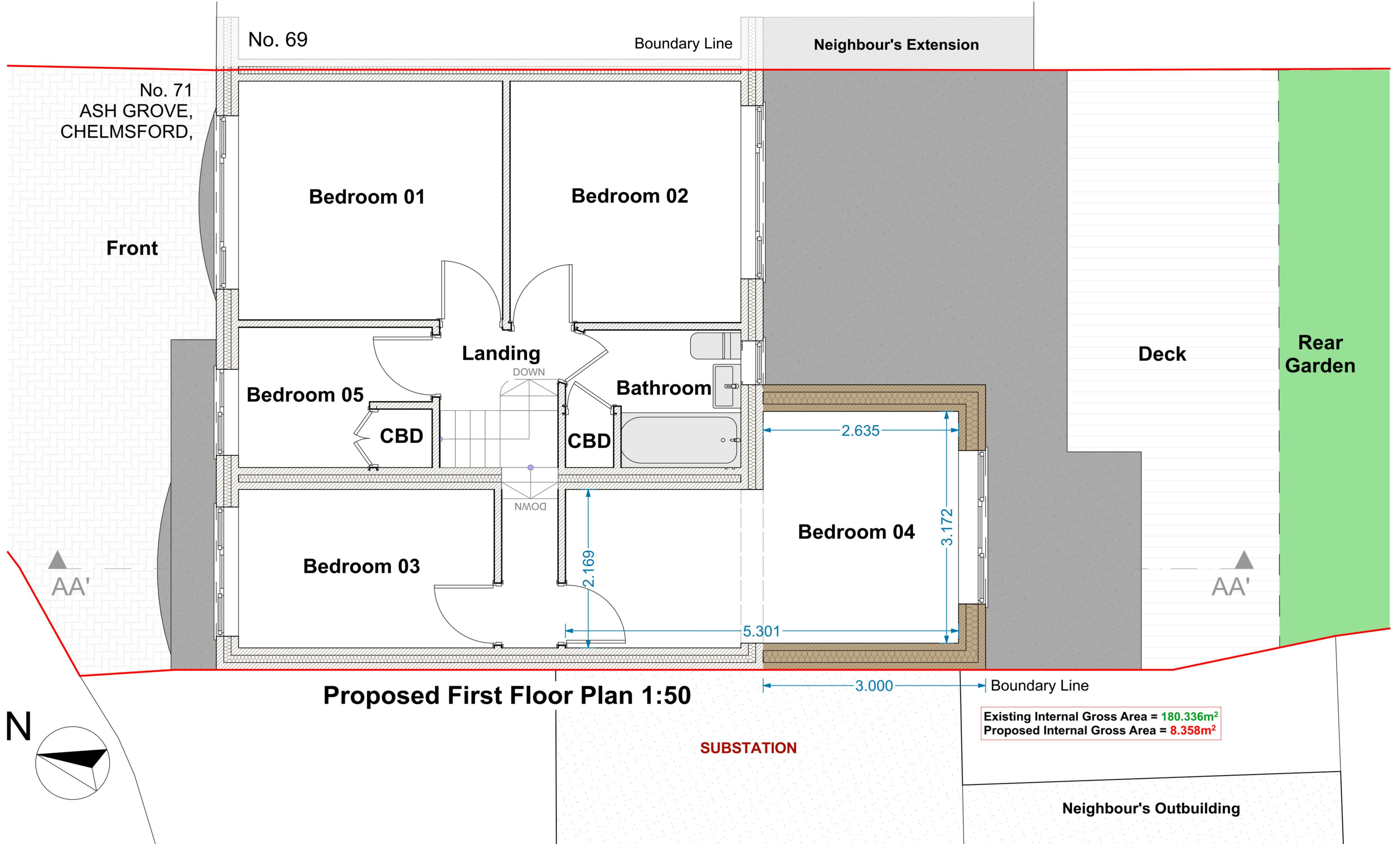
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PROPOSED PLAN

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0 5 10 20 Metres

1:600



Planning Committee
25/00229/FUL

Planning & Development Management
Directorate for Sustainable Communities

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