

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
22 August 2018

REFERENCE: HW/FUL/18/00189

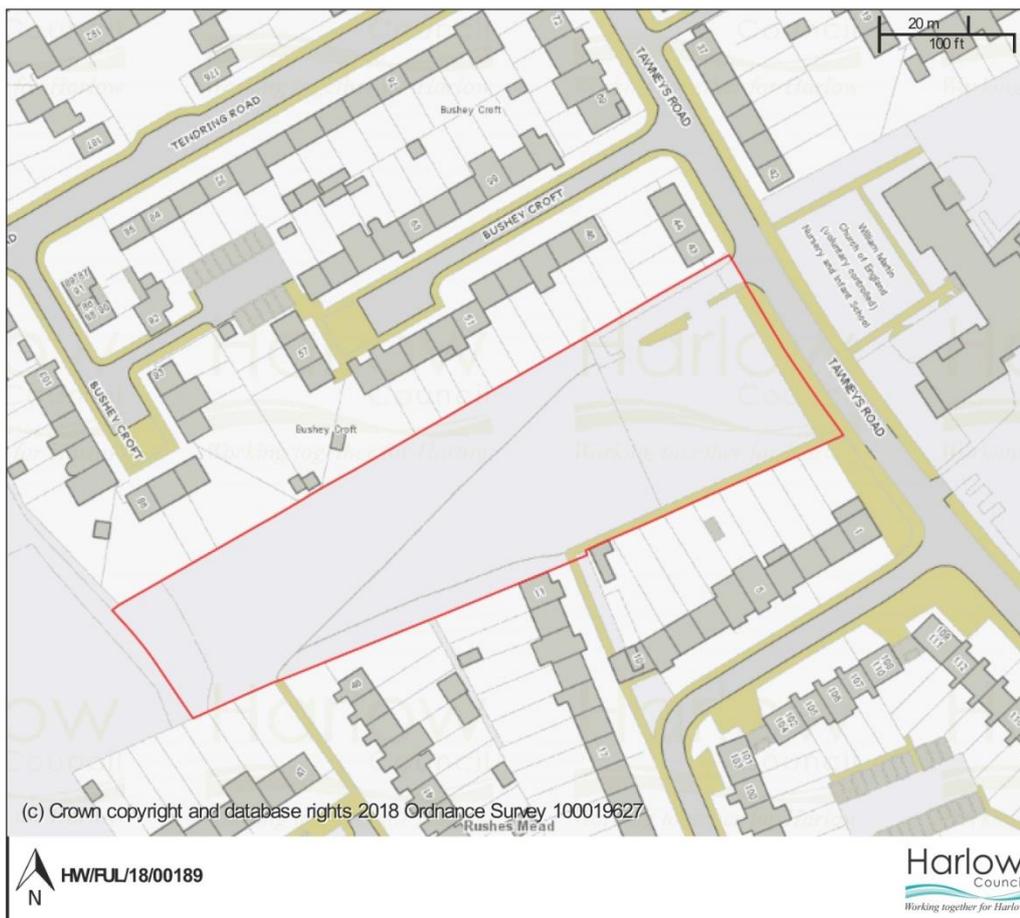
OFFICER: Ganesh Gnanamoorthy

APPLICANT: Harlow Council Regeneration Team

LOCATION: Land South of 43-56 Bushey Croft
Bushey Croft
Harlow
Essex

PROPOSAL: Development of 16 No. Affordable Homes Comprising 6 No. Two Bedroom and 10 No. Three Bedroom Houses on Land Between Bushey Croft and Rushes Mead

LOCATION PLAN:



REASON BROUGHT TO COMMITTEE: Council development and more than one objection received.

Application Site and Surroundings

The application site is a near-rectangular parcel of land, including an open green space to the west and an area of hardstanding used for informal parking to the east.

To the north of the application site are properties along Bushey Croft, to the east is Tawneys Road with William Martin Church of England School beyond, to the south is Rushes Mead and to the west is designated Green Wedge land.

The application site has an area of approximately 0.70 hectares, and is not located within a designated conservation area. There are no listed buildings within close proximity of the site.

Vehicular access to the car parking area is from Tawneys Road.

Details of the Proposal

The application seeks the development of 16 affordable homes comprising 6x 2-bedroom and 10x 3-bedroom houses on the application site. All properties would be two storeys in height.

The housing would be laid out in a series of five rectangular terraces of properties, three running north to south, and the other two east to west.

Thirty two car parking spaces would be allocated for the properties – two per dwelling. Vehicular access to the site would remain from Tawneys Road with a new access road running across the northern edge of the site.

41 demarcated, but unallocated, spaces are proposed in a similar position to the existing area of parking.

There are limited trees and landscaping on the site at present and the application proposes to retain all of the existing trees as well as planting some additional ones and adding some further landscaping.

RELEVANT PLANNING HISTORY:

There is no relevant planning history on this site.

CONSULTATIONS:

Internal and external Consultees

HDC – Consultant Arborist

No objection raised subject to the imposition of conditions relating to the provision, and agreement, of an arboricultural method statement, a condition regarding arboricultural supervision, and a landscaping scheme including specification and method statement.

HDC – Cleansing And Environment

No objections following amended plans.

HDC – Assets and Facilities Management

No comment received.

ECC – Highway Authority

No objection raised.

ECC – Sustainable Drainage Team

No comment received.

ECC – Place Services (Archaeology)

No objections raised.

ECC – Place Services (Infrastructure)

No objections raised, and no financial contribution required due to the size of the scheme.

Natural England

No objections raised.

Essex Wildlife Trust

No comment received.

Harlow Civic Society

Objects to the proposal due to the loss of open space.

Neighbours and Additional Publicity

Number of Letters Sent: 151

Total Number of Representations Received: 16

Date Site Notices Expired: 25 May 2018

Date Press Notice Expired: 31 May 2017

Summary of Representations Received

Sixteen letters of representation have been received. Fifteen of these object to the proposal with one supporting the scheme.

In addition, two petitions have been received which has a combined total of 170 signatures.

The concerns raised can be summarised as follows:

- Exacerbate parking stress and traffic levels

- Highways safety concerns, especially regarding the nearby school
- Increased pollution caused by additional cars
- Loss of open space
- Loss of greenery along the northern border
- Increased noise disturbance for existing residents
- Increased light pollution and loss of privacy
- Loss of light
- Poor standard of accommodation
- Strain on services such as schools, doctors, etc.

Where the concerns raised are considered to be material planning considerations they are addressed in the respective sections of the report below.

PLANNING POLICY:

H4: "House Types" new housing and conversions will be required to accommodate a range of dwelling types which reflect the housing need requirements for Harlow.

H5: "Affordable Housing" on site of 15 or more dwellings or more than 0.5 of a hectare affordable housing provision will be negotiated. 33% affordable housing is the baseline for such negotiations.

H6: "Affordable Housing" on sites where there is no RSL involved in the management of affordable housing, planning obligations will be used to secure successive occupants.

H10: "Existing Housing Areas" planning permission will be granted for infill development if: the proposal does not have an unacceptable adverse effect on the character of the locality, the appearance of the street scene or the amenities afforded to occupiers of adjacent dwellings; off street parking and access arrangements are acceptable and do not prejudice the potential for comprehensive development of adjacent land."

T9:"Vehicle Parking" parking shall be provided in accordance with the adopted vehicle parking standards. Justification is required for the amount of car parking proposed on an operational need and, if applicable, a Green Commuter Plan.

NE7: "Internal Open Space" Proposals for development on internal open spaces will only be permitted for: 1. Leisure and Recreation Uses; 2. Community Uses, including facilities for clubs and societies.

NE11:"Trees and Hedgerows" in considering applications for development affecting trees or hedges the following may be required: a survey of the site and trees and hedges concerned; oppose the loss of trees and hedgerows of amenity value and wildlife importance; serve TPO's to protect trees with public amenity value; may impose conditions to ensure the retention or replacement of trees and hedgerows of amenity value or wildlife importance and their protection during construction.

NE12:"Landscaping" major developments shall be accompanied by details of landscaping features and wildlife habitats and suitable landscaping schemes to mitigate against any impact, along with new landscaping.

BE1:"Character and Identity" new and extended buildings should relate to their setting to strengthen, enhance, protect or create local character. Permission will be granted for new development providing: it is well connected to and integrated with the wider settlement; the

height massing, layout, appearance and landscape makes an appropriate visual relationship with that of the form, grain, scale, materials and details of the surrounding area; building design is specific to the site and its context; it enhances the character, image and perception of the area when highly visible.

BE2:"Quality, Legibility and Public Realm" permission for major new development will be granted when: new buildings are designed as part of a group creating a sense of enclosure; public spaces should relate to the scale, appearance, location and function of the buildings around it; layout of buildings, routes and spaces are clearly related; fronts of buildings provide primary access and clearly define streets and public spaces; public spaces are distinguished from private areas; the ground floor encourages activity and interest that is appropriate to the location and character of the area; pedestrian, cycling and, horse riding routes are shown on the development layout and link to the existing network.

BE3:"Sustainable Development" development on previously developed land at a higher density than that existing will be supported providing; it is accessible by public transport or is in a sustainable location relative to proximity to supporting services and/or employment sites; does not result in over development; is compatible with the character of the area and urban design policies and guidance.

BE16:"Light Pollution" external lighting will not be granted if: it is unacceptably intrusive; its use would cause an unacceptable disturbance to the surrounding area; it causes danger to road safety; it is proven to have an adverse effect on sites of wildlife importance. Where permission is granted, means of reducing light spillage should be adopted.

BE17:"Noise Pollution" permission will be granted if noise sensitive developments are located away from existing noise sources and potentially noisy development are located in areas where noise will not be such a consideration, or adequate provision has been made to mitigate the adverse effects of noise likely to be generated and experienced by others.

PLANNING STANDARDS:

National Planning Policy Framework (NPPF) (2018) - 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)

Open Spaces, Sport and Recreation SPD (2007)

Affordable Housing SPD (2007)

The Essex Parking Standards: Design and Good Practice (2009)

Essex County Council's Adopted Development Management Policies (2011)

Essex County Council's Developers' Guide to Infrastructure Contributions: Revised Edition (2016)

Planning Practice Guidance (PPG)

Harlow Local Development Plan Pre-Submission Publication (2018)

Harlow Council is in the process of submitting a new Local Plan to the Secretary of State for examination.

Paragraph 48 of the NPPF sets out that weight may be given to relevant policies in emerging local plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given). The 'Harlow Local Development Plan Pre-submission Publication' (the 'emerging Local Plan') is the final version of the plan for consultation before it is submitted for examination. The consultation closed on 6th July 2018.

It is considered that the policies within the emerging Local Plan are consistent with the policies in the NPPF and that limited weight should be given to relevant emerging local plan policies at this stage. Relevant policies are discussed within the Planning Assessment section.

PLANNING ASSESSMENT:

The key issues for consideration in the determination of the application are: the principle of the development; layout, design and the character and appearance of the area; trees and landscaping; neighbour amenity; access, parking, highway safety and servicing; and ground and environmental matters.

Summary of Main Issues

Principle of development

The application site falls between two housing developments – Bushey Croft and Ruses Mead – and includes an informal area of green space which is considered to be Internal Open Space for the purposes of the Adopted Replacement Harlow Local Plan (ARHLP). Policies H10 and NE7 of the ARHLP are therefore relevant.

Policy H10 supports residential infill development subject to character, amenity, access and parking matters, unless development would prejudice the potential for comprehensive development of adjacent land. Policy NE7 restricts the use of Internal Open Spaces for those other than leisure and recreation and community uses and states that planning applications will only be considered for those developments which do not compromise the landscape principles of the town.

Policies H2 and PL5 of the emerging Local Plan broadly echo the intentions of policies H10 and NE7 respectively.

The proposal would constitute infill development, but as a self-contained parcel would not prejudice the potential for the comprehensive development of adjacent land. Although the proposal is not strictly for a community use, the provision of affordable housing would clearly provide benefits to the community.

The application provides a mixture of two and three bedroom houses all of which would be affordable. The range and type of the dwellings is a benefit of the scheme and accord with ARHLP policies H4 and H7.

The remaining criteria of policies H10 and NE7 mostly fall within the following sections of this assessment.

The provision of the whole scheme as affordable housing is a key material consideration weighing in favour of the scheme.

Development proposals should be in accordance with development plans taken as a whole and, with that and the above taken into account, it is considered that the proposal should be accepted in principle.

Design, layout and impact on the character and appearance of the area

The site occupies a prominent position along Tawney's Road. The retention of the car parking to the front of the site would ensure that the proposed dwellings are set back from the road by in excess of 20m. The terrace block nearest the road would sit parallel to it, ensuring a strong terraced appearance when viewed from the street.

This terrace would, to an extent, screen the subsequent terraces, providing a legible and low density appearance within the streetscene. Additional planting would further screen some of the terraces to the west from the streetscene.

The properties themselves would be two storeys in height which would be in keeping with the majority of the residential development in the immediate vicinity. Terraces of properties are also evident in the wider streetscene. The dwellings would have a New Town character with strong and simple gables, regular window layouts and front canopies, which are compatible with surrounding development.

The existing access road to the informal car parking area would be extended to serve the new dwellings, with spaces mainly perpendicular in one row to the road – ensuring that the views from Tawneys Road are not dominated by cars.

If planning permission were to be granted, a condition seeking samples of all materials to be used in the development prior to the commencement of work should be imposed so as to ensure that the development would have an acceptable appearance within the wider streetscene.

Subject to the condition recommended above, it is considered that the development would be of high quality and integrate well with the character of its surroundings. The proposal is therefore considered to be in accordance with ARHLP policies BE1, BE2 and the Harlow Design Guide SPD.

Trees and Landscaping

There are a number of existing trees and hedges on the site. The proposal would see the loss of the existing grassed area to the west of the site. The proposal retains all of the trees with an additional six trees proposed. Some hedgerow to the northern boundary would be lost to enable pedestrian access and new planting is proposed in alternative areas.

The Local Planning Authority's Consultant Arborist considers the proposal to be acceptable. The loss of part of the hedge is deemed to be not significant and can be offset by other planting within the site.

The Consultant Arborist has no objection, subject to a number of conditions to secure the acceptability of the final scheme. Conditions securing an arboricultural method statement and arboricultural supervision details are recommended to ensure that damage to existing vegetation to be retained is avoided whilst another condition requiring a full landscaping plan is also requested. This condition would ensure that the landscape treatments are acceptable.

The houses would feature open fronts and the terraces would front onto a local open space which would accord with the landscape principles of the Town.

Subject to conditions, there are no concerns regarding trees and landscaping. The application is considered to accord with ARHLP policies NE7, NE11 and NE12.

Neighbour amenity and living conditions

The proposed dwellings would be sited in excess of 24m away from the nearest properties along Bushey Croft, and more than 8m away from the dwellings at Rushes Mead.

These distances are far enough away to not cause loss of light issues.

Concerns have been raised regarding a loss of privacy and overlooking. The distance of the proposed properties from the existing dwellings, along with the 2-storey nature of the dwellings proposed, means that there would not be an unacceptable level of overlooking or loss of privacy to adjoining neighbours. The three proposed terraces that would sit horizontal to Tawneys Road would be approximately 4.00m to the flank boundaries of the properties along Rushes Mead. However, these terraces would have flank walls facing the existing properties and these would have no windows contained within them. A condition would be attached to ensure that this is maintained.

Concerns have been raised regarding increased noise and light pollution from the new dwellings. It is inevitable that there would be some generation of light and noise during construction and as a result of more people living in the area. However, the separation distances between the properties would ensure that this would not be unacceptable. A condition to control construction hours is recommended.

The proposal is considered to be acceptable with regard to neighbour amenity and living conditions and in accordance with ARHLP policies H4, H5, BE16 and BE17.

Access, parking, highway safety and servicing

Pedestrian access for the scheme would be gained to the front of the building via footpaths connecting to Tawneys Road. The removal of part of the hedgerow to the north of the site would provide a safe pedestrian access from the rear of properties at Bushey Croft to Tawneys Road.

Vehicular access would also be from Tawneys Road, utilising the existing access road. There would be a non-allocated car parking area fronting Tawneys Road with allocated spaces further west within the site.

The Highways Authority has been consulted on the application and they have raised no objections.

For the residential units, the Essex County Council Parking Standards require a total of 32 car parking spaces and 8 visitor spaces.

The proposal includes 32 car parking spaces for the dwellings and 41 unallocated spaces (which could be used by visitors and others in the area).

The parking spaces would be of the preferred sizes and laid out in a logical manner.

Concerns have been raised with regard to the safety of children using the school opposite the site. The proposed access is the same as the existing access serving the informal parking to the front of the site, and Essex County Council's Highways Officer has raised no objections.

The Council's Streetscene Manager had originally raised concerns with regard to the location and accessibility of the bins. Revised plans were subsequently submitted and the objection has been withdrawn. As such the development is considered to be acceptable with regards to waste servicing.

The scheme is considered to be acceptable in terms of access, parking, highway safety and servicing and in accordance with ARHLP policy T9.

Ground and environmental matters

Essex County Council's Sustainable Drainage Team (SUDS) have been consulted on the proposal and no response has been received. It is not considered that the proposed arrangement would result in displacement of water onto adjoining land, with permeable block paving proposed and rear gardens adjacent to the majority of the site boundary.

Essex County Council Archaeology raise no objection to the proposal.

A robust ecological report has been submitted with the application. The report concludes that the site is of low value to wildlife, and there are no instances of protected species being on site. With the above in mind, there are no wildlife concerns.

The application is therefore considered to be acceptable with regards to ground and environmental matters, in accordance with ARHLP policies CP12, NE15 and NE20.

Planning obligations

A provision of 33% affordable housing provision on site would be typically required for a development of this scale, in accordance with ARHLP policy H5.

The proposal is for 100% affordable housing and so complies with this requirement.

In light of the above assessment, it is considered appropriate that a condition be attached to secure the affordable housing provision.

No other planning obligations would be required.

Other matters

Concerns have been raised about the loss of recreation/informal play space.

The proposal would result in the loss of an open space. However, the provision of sixteen affordable homes is considered to significantly outweigh the loss of this space. The space is not used for formal sport or recreation, and there are a large number of green open spaces in close proximity including an area of open and accessible green wedge to the west of the site.

CONCLUSIONS:

The application would increase the supply of affordable housing within Harlow. The proposal would have a high quality design and layout. An extensive landscape scheme would be provided. No concerns are raised regarding neighbour amenity, access, parking, highway safety, ground condition or environmental matters.

The scheme is supported by the National Planning Policy Framework and is in accordance with the Adopted Replacement Harlow Local Plan.

The application is therefore recommended for approval, subject to the following conditions.

RECOMMENDATION:

That Committee resolve to: GRANT 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 development shall take place until samples of all external facing materials (including roofing, windows, doors, and rainwater goods) have been submitted to and approved in writing by the Local Planning Authority. The relevant works shall be carried out in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with policy BE1 of the Adopted Replacement Harlow Local Plan 2006.

- 3 No development shall take place on site, including site clearance, tree works, demolition or any other works, until an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority.

The AMS shall be in accordance with current BS5837 recommendations. The AMS shall include a detailed Tree Protection Plan showing the positions and dimensions of protective fencing (including temporary ground protection and arboricultural supervision) to safe guard all retained vegetation. The AMS shall include details such as level changes, demolition and construction techniques, location of services and drainage, design detail of structures, foundations and the control of potentially damaging operations such as burning, storage and handling of materials and access and parking of vehicles during construction.

The AMS shall be undertaken in accordance with the approved details.

REASON: To ensure that damage to vegetation identified for retention is avoided, in compliance with policy NE11 of the Adopted Replacement Harlow Local Plan 2006.

- 4 A detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented during the next planting season following completion of the development. The scheme shall include all hard and soft landscaping and details of boundary treatments. A specification of all materials shall be supplied within a detailed method statement which shall include site preparation, planting techniques, aftercare and a programme of maintenance for a period of 3 years following completion of the scheme.

REASON: To ensure satisfactory landscape treatment of the site in the interests of visual amenity and to prevent hazards caused by water flowing onto the highway, in accordance with policy NE11 of the Adopted Replacement Harlow Local Plan 2006.

- 5 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

REASON: To ensure that appropriate parking and turning is provided in accordance with policy T9 of the Adopted Replacement Harlow Local Plan 2006.

- 6 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no openings permitted by Schedule 2, Part 1, Class A shall be inserted into the southern facing flank elevations of plots 4, 11 and 14 above ground floor level.

REASON: To protect residential amenity in accordance with policy BE1 of the Adopted Replacement Harlow Local Plan 2006.

- 7 No demolition or construction work shall be undertaken outside of the hours of 07.00 to 19.00 Monday to Friday and 08.00 to 13.00 on a Saturday. No work shall be carried out on a Sunday or public/bank holiday.

REASON: In the interest of protecting nearby residential amenity, in accordance with policy BE17 of the Adopted Replacement Harlow Local Plan 2006.

- 8 No development shall commence until details of the sixteen affordable houses to be provided have been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved details.

REASON: In the interests of securing affordable housing, having regard to policy H5 of the Adopted Replacement Harlow Local Plan 2006.

- 9 The development hereby permitted shall be carried out in accordance with the approved plans as shown listed in the table below.

Plan Reference	Version No.	Plan Type	Date Received
16/072/A/001	A	Location Plan/Existing Site Plan	19.04.2018
16/072/A/002	G	Proposed Site Plan	19.06.2018
16/072/A/003	B	Proposed Plans and Elevations	19.04.2018
16/072/A/004	B	Proposed Plans and Elevations	19.04.2018
16/072/A/005	B	Proposed Elevations	19.04.2018

REASON: For the avoidance of doubt and in the interests of proper planning.

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.
2. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:
SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, Essex, CM13 3HD.

PLANS:

Location plan

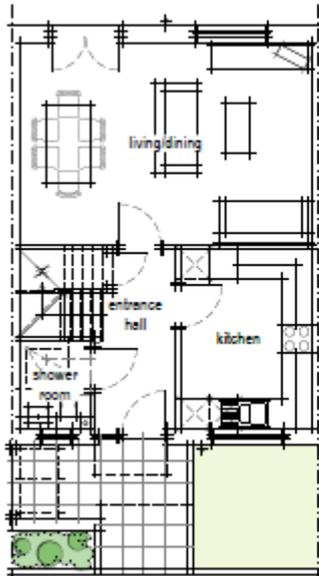


Proposed site plan

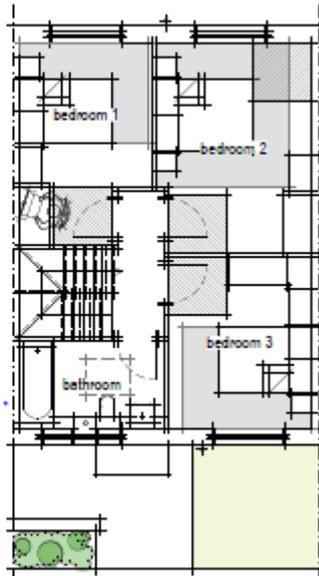
- 2 bed room building
- 3 bed room building
- accessible parking
- landscaped garden
- parking
- tree



3-bed house type



ground floor plan



first floor plan

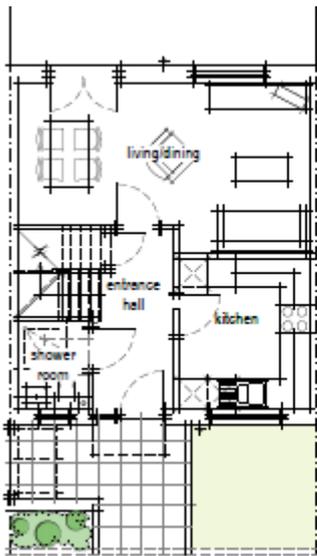


front elevation

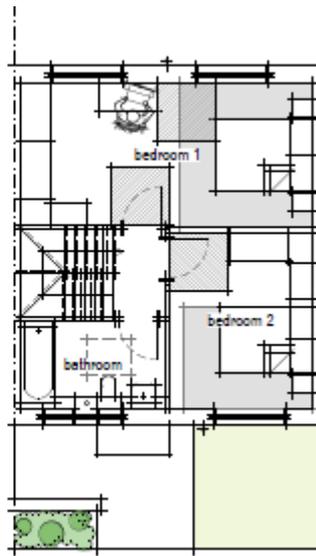


rear elevation

2-bed house type



ground floor plan



first floor plan



front elevation



rear elevation