

**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE**  
**3 July 2019**

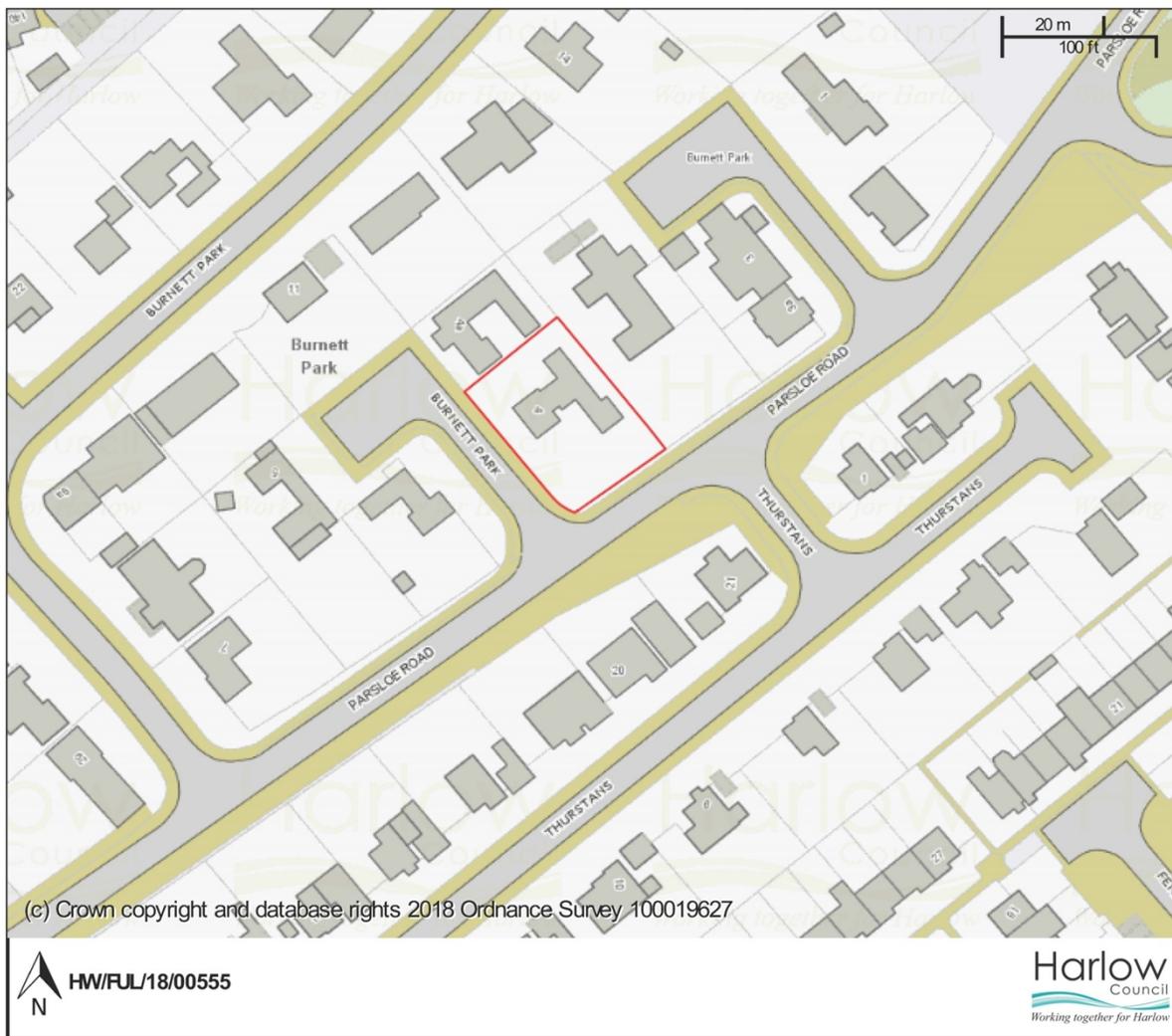
**REFERENCE:** HW/HSE/18/00555

**OFFICER:** John Harrison

**APPLICANT:** Mr K Pitt

**LOCATION:** 4 Burnett Park  
Harlow Council  
Essex  
CM19 4SD

**PROPOSAL:** Erection of single storey dwelling with associated car parking and landscaping, and alterations to existing dwelling.



**REASON FOR COMMITTEE:** More than two representations received which are contrary to officer recommendation.

## Application Site and Surroundings

Burnett Park is a relatively low density development on the north side of Parsloe Road containing a mixture of houses and bungalows. It comprises three cul-de-sacs off Parsloe Road, two short ones and one longer one which bends round to run parallel with Parsloe Road. 4 Burnett Park is on the eastern side of the middle cul-de-sac, one of the two shorter ones. No. 4, a bungalow, originally had a very large plot with a frontage of approximately 50 metres and a depth of 24 metres. A new bungalow, no. 4a, has been built on the northern part of the plot, leaving a frontage of approximately 34 metres. The bungalow which is of irregular shape is situated towards the northern end of the plot.

A new house is under construction opposite, between 6 Burnett Park and Parsloe Road (HW/FUL/18/00532).

## Details of the Proposal

The application is to build a bungalow on the southern part of the plot – the plot would have a width of approximately 16 metres. An existing garage serving no. 4 on this part of the site would be demolished. The bungalow would be roughly t-shaped. The longer arm of the “t” would be at right angles to Burnett Park and towards the northern side of the plot with the shorter arm having a hipped roof and projecting towards Parsloe Road. The plans show a brick plinth with render above. The roof would be tiled. Two parking spaces would be provided in front of the new bungalow to serve it and two would be built in front of the existing one to replace the provision lost by removing the garage and hardstanding.

The application has been slightly amended by negotiation. As the application was originally submitted, the parking spaces for the new bungalow were less than the 5.5 metres length required by the parking standards. As the application was submitted, the front walls of the existing bungalow and the proposed one were in line. The proposed bungalow has now been moved slightly back to provide the parking spaces with sufficient depth. Also, there has been a minor correction to one of the plans – a canopy over a porch was missed on a side elevation. Neighbours have not been reconsulted on these as they are very minor changes.

## RELEVANT PLANNING HISTORY:

### Planning Applications

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
HW/FUL/18/00443	Erection of Single Dwelling With Associated Car Parking and Landscaping, and Alterations to An Existing Dwelling.	Withdrawn	29.11.2018

## CONSULTATIONS:

### Internal and External Consultees

#### HDC – Consultant Arborist

No objection, subject to a landscaping condition. The proposal does not impact upon any significant trees – some small conifers and laurel hedging will be removed.

## **HDC – Cleansing and Environment**

No comment received.

## **Essex County Council – Highways**

No objection: not contrary to the Highway Authority's Development Management Policies.

## **HDC – Environmental Health**

No objection: recommends condition relating to construction work to minimise construction nuisance.

## **Neighbours and Additional Publicity**

Number of Letters Sent: 15

Total Number of Representations Received: 3

Date Site Notice Expired: 7 February 2019

Date Press Notice Expired: 14 February 2019

## **Summary of Representations Received**

Local resident - three dwellings on one plot would be too high density, precedent for over development, out of character with Burnett Park as a whole, noise from traffic in proposed bedroom adjacent to Parsloe Road.

Local resident - own property would overlook proposed house's living accommodation.

Local resident - another building would crowd the site, setting a precedent, four parking spaces for two dwellings would be unsatisfactory, increased danger to "public pathway" users (It is not clear to what issue the last part of the objection relates).

## **PLANNING POLICY:**

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.

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.

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.

## **Harlow Local Development Plan – Pre-Submission Publication (2018)**

Harlow Council is in the process of submitting a new local plan for examination.

On 19<sup>th</sup> October 2018 the Harlow Local Development Plan Pre-Submission Publication (the “emerging Local Plan”) was submitted to the Secretary of State.

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).

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

## **PLANNING STANDARDS:**

National Planning Policy Framework (NPPF) (2019) - 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 Essex Design Guide (2005)

The Harlow Design Guide SPD (2011)

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

## **PLANNING ASSESSMENT:**

### **Summary of Main Issues**

#### **Principle of development**

Whether this proposal is acceptable in principle depends on whether it complies with policies H10 of the Adopted Replacement Harlow Local Plan and policy H2 of the emerging Local Plan. The criteria set out in these policies can be summarised as acceptable effect on the area's character, landscaping, acceptable impact on neighbours' amenities, adequate parking provision, not prejudicing the comprehensive development of adjoining land and, for the latter policy, also satisfactory refuse arrangements. These issues will be considered in turn. As the

dwellings on this estate are in separate ownership, it is unlikely this proposal would prejudice development of adjoining land.

### **Effect on area's character**

This is an issue which seems to be a major concern for the objectors. Allowing this proposal would result in the plot of no. 4 which originally contained one bungalow being developed with two additional bungalows. This does not necessarily mean the development is unacceptable as this was originally a very large plot 50 metres wide. The plot of no. 4a is 17 metres wide. Other plots with similar frontage widths are no. 2 which has a frontage of 15 metres, no. 3a which has a width of 14 metres and the new dwelling being built opposite 12 metres. With a width of 16 metres the proposed dwelling's plot size is comparable.

Given that nos. 4 and 4a, the dwellings on this side of the road, are bungalows, another bungalow would be appropriate for this site, rather than a house. The proposed plans include a streetscene showing the relationship between the proposed bungalow and no. 4. This is considered to show that the relationship is satisfactory. The design of the proposed bungalow is somewhat traditional whereas many of the properties in Burnett Park are of more contemporary design, but the proposal is nevertheless considered of appropriate appearance, being a bungalow as the other properties on this side of the road are, being of similar scale, being set a similar distance from Parsloe Road as other properties in Burnett Park and because Burnett Park already features dwellings of varying styles.

### **Landscaping**

The small conifers and laurel hedging on site which are proposed to be removed clearly would not warrant a tree preservation order. Nevertheless, they contribute to the street scene and within this context it is considered reasonable to impose a landscaping condition to require some replacement planting provision. This would offset the landscaping to be removed.

### **Impact on neighbours**

The land behind the site is garden land of 2 Burnett Park, so the only neighbour likely to be significantly affected is no. 4 itself and this is, of course, the applicant's house. The impact on this is acceptable. The proposed dwelling is approximately 13 metres from no. 2 at its nearest points and a metre from no. 4.

There would be no boundary treatment between the proposed bungalow and no. 4 and a kitchen window is proposed in the side elevation facing no. 4. As the window would not be a habitable room and is roughly opposite the entrance to no. 4, this is considered acceptable, however, it is considered appropriate to impose a condition to prevent any further openings being inserted into the north-west elevation under permitted development rights, to safeguard the amenity of no. 4.

One resident of Thurstans, on the opposite side of Parsloe Road has said they will be able to look into the new bungalow. The separation distance is over 20 metres with the road between the properties, so there would not be significant overlooking.

Another resident has expressed concern the bedroom near Parsloe Road will be adversely affected by traffic noise. Whilst Parsloe Road does take some traffic, it is not particularly busy and it is not unusual to have bedrooms close to main roads. Other dwellings are similarly located near to Parsloe Road.

Environmental Health has recommended controls relating the construction process. A condition to control the construction hours is considered to be appropriate to safeguard neighbouring amenity.

### **Parking**

The proposal makes provision for two parking spaces for the existing and proposed bungalows which meets the parking standards. The Highway Authority has no objections to this application and the proposal is acceptable in road safety terms.

### **Refuse arrangements**

The application plans show a suitable location for bin storage. Refuse collections will be carried out as part of the usual Burnett Park collections.

### **CONCLUSIONS:**

The proposal is considered to be an appropriate infill proposal. It does not significantly affect any neighbours and is acceptable in other respects. It is therefore recommended that the application should be approved.

### **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 No above ground construction work shall take place until samples of the external finishes to be used in the construction of the proposed bungalow have been submitted to and approved in writing by the Local Planning Authority. The bungalow shall then be constructed using the proposed materials.

**REASON: To ensure a satisfactory appearance for the proposed bungalow in accordance with policy BE1 of the Adopted Replacement Harlow Local Plan.**

- 3 No above ground construction work shall take place until a landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. This shall include a detailed method statement which shall include site preparation, planting techniques and aftercare. The landscaping scheme shall be implemented within the next planting season following the first occupation of the proposed bungalow. It shall then be maintained for a period of five years during which time any plants that die or become diseased or damaged shall be replaced and any replacement plants that die or become diseased or damaged shall similarly be replaced.

**REASON: To ensure adequate provision of landscaping for the site in accordance with policy NE11 of the Adopted Replacement Harlow Local Plan.**

- 4 Prior to the first occupation of the proposed bungalow the parking spaces shown on the approved plans to serve the existing and proposed bungalow shall be constructed as shown on the approved plans. They shall thereafter be permanently maintained for parking in connection with the respective dwellings.

**REASON: In the interests of road safety and the free flow of traffic and to comply with policy T9 of the Adopted Replacement Harlow Local Plan.**

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no new openings shall be inserted in the north-west (side) elevation of the proposed dwelling unless planning permission has been obtained for them.

**REASON: To prevent undesirable overlooking of the adjoining property in accordance with policy H10 of the Adopted Replacement Harlow Local Plan.**

- 6 No construction works or any other associated works, including any machinery operations, in connection with the development shall take place outside the hours of 0800 -1800 on weekdays and 0800 -1300 on Saturdays, nor at any time on Sundays or Bank Holidays.

**REASON: In the interests of the amenity of adjoining residents in accordance with policy H10 of the Adopted Replacement Harlow Local Plan.**

- 7 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>Plan Reference</b>	<b>Version No.</b>	<b>Plan Type</b>	<b>Date Received</b>
BRD-18-071-001	--	Existing Plans and Elevations	19.12.2018
BRD-18-071-002	Rev B	Proposed Site Plan	09.04.2019
BRD-18-071-003	Rev A	Proposed Plans and Elevations	20.06.2019

## **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.