

**DEVELOPMENT MANAGEMENT COMMITTEE**  
**Tuesday 17 December 2019 at 7.30 pm**  
**Council Chamber - Civic Centre**

**AGENDA**

1. Apologies for Absence and Substitutions

2. Declarations of Interest

Councillors' declarations of interest (if any) in relation to any matters on the agenda.

3. Minutes (Pages 3 - 5)

4. Matters Arising

5. Written Questions

6. Procedure for Consideration of Planning Applications

At the discretion of the Chair, the following procedure will apply to the consideration of planning items:-

- \* Planning Officer presents reports.
- \* Comments invited from members of the public who have registered with the Governance Support Section (01279 446057) at least 24 hours in advance of the meeting, as follows:
  - 3 (maximum) against an application.
  - 3 (maximum) for an application.
  - each speaker is limited to 3 minutes (maximum).
- \* Comments invited from the applicant/agent for a maximum of 3 minutes (who has also given at least 24 hours notice to the Governance Support Section) of their wish to speak.
- \* Councillors' questions and clarifications.
- \* Officers respond to the technical planning questions raised as directed by the Chair.
- \* Councillors debate and make a decision.

7. HW/HSE/19/00363 - 34 Sheldon Close (Pages 6 - 15)

8. HW/FUL/19/00387 - 66A Shawbridge (Pages 16 - 22)

9. HW/FUL/19/00388 - 14 Pear Tree Mead (Pages 23 - 29)

10. References from Other Committees

Any references received after the publication of this agenda will be circulated separately.

11. Matters of Urgent Business

Such other business which, in the opinion of the Chair, should be received as a matter of urgency by reason of special circumstances to be specified in the minutes.

**MINUTES OF THE DEVELOPMENT MANAGEMENT COMMITTEE  
HELD ON**

13 November 2019

7.30 - 8.00 pm

**PRESENT**

**Committee Members**

Councillor Phil Waite (Chair)

Councillor Nancy Watson (Vice-Chair)

Councillor Jean Clark

Councillor Tony Edwards (substitute for Councillor Bob Davis)

Councillor Michael Garnett

Councillor Michael Hardware

Councillor Maggie Hulcoop

Councillor Sue Livings

Councillor Stefan Mullard

Councillor Clive Souter

**Officers**

Hannah Criddle, Governance Support Officer

Amanda Julian, Legal Service Manager

Mark Philpott, Development Manager

Tanusha Waters, Planning and Building Control Manager

42. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Bob Davis.  
Councillor Tony Edwards substituted for Councillor Bob Davis.

43. **DECLARATIONS OF INTEREST**

Councillor Jean Clark declared a non-pecuniary interest in agenda item 7  
as she is a patient at Addison House.

Councillors Tony Edwards and Phil Waite both declared a non-pecuniary  
interest in agenda item 7 as Toddbrook Ward Councillors.

Councillors Mike Garnett, Michael Hardware and Clive Souter all declared  
a non-pecuniary interest in agenda item 7 as Essex County Council  
Councillors.

44. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 16 October  
2019 are agreed as a correct record and signed by the Chair.

45. **MATTERS ARISING**

None.

46. **WRITTEN QUESTIONS**

None.

47. **PROCEDURE FOR CONSIDERATION OF PLANNING APPLICATIONS**

**RESOLVED** that the procedure for the conduct of the meeting is noted.

48. **HW/FUL/19/00291 - 15 - 29 WEST GATE**

The Committee received a report and application (HW/FUL/19/00291) on the planning permission for the demolition of existing building and redevelopment of the site to provide a mixed use development within a part 8 and part 12 storey building comprising 163 residential units, circa 390sqm of flexible commercial (Use Class A1-A5) floorspace, and ancillary communal amenity, car parking and cycle storage.

The Committee also received two supplementary reports containing information which had been received after the publication of the agenda. The information included clarification on parking figures, recommended amendments to Conditions 2, 4, 12, and 17, and that, in addition to the requirements set out in the report, the legal agreement secure the provision of 5% affordable housing and a Sustainable Transport Corridor contribution with a clawback mechanism.

Presentations were heard from the applicant's agent.

Councillor Michael Hardware (seconded by Councillor Mike Garnett) proposed that, within the legal agreement, the affordable housing units are offered to Harlow residents or those with links to Harlow in the first instance. The amendment was carried.

**RESOLVED** that planning permission is **GRANTED** subject to the applicant entering into an appropriately worded Section 106 Legal Agreement and the Conditions and Informatives as detailed in the Committee Report but updated by the supplementary committee updates (12 November 2019 and 13 November 2019).

49. **REFERENCES FROM OTHER COMMITTEES**

None.

50. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE**  
**17 December 2019**

**REFERENCE:** HW/HSE/19/00363

**OFFICER:** Nicholas Fu

**APPLICANT:** Mr C Grant

**LOCATION:** 34 Sheldon Close  
Harlow  
Essex  
CM17 9QR

**PROPOSAL:** Two-storey rear extension

**LOCATION PLAN:**



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**REASON BOUGHT TO COMMITTEE:**

More than two representations have been received which are contrary to officer recommendation, and the application has been called in by a Church Langley Ward Councillor.

## **Application Site and Surroundings**

The application relates to a dwellinghouse located on Sheldon Close, which is a residential cul-de-sac within Church Langley and comprises mostly of semi-detached and terraced houses of similar design and scale.

The application property is a two-storey, semi-detached dwellinghouse. It has a single storey attached garage to the side of the house. The site is not within a conservation area or in close proximity to a listed building.

## **Details of the Proposal**

Planning permission is sought for a two storey rear extension. This application is a resubmission of refused application HW/HSE/19/00222 for a 3m deep, two-storey, flat roof rear extension. The application was refused due to its incongruous flat roof design and the blocking of neighbour's access to daylight.

The proposed extension would be the full-width of the main house. The proposed 3m deep single storey element would have a flat roof which measures 3m in height. It is noted planning permission was granted earlier in the year for a single storey, 3m deep, flat roof rear extension (reference no. HW/HSE/19/00061).

The gabled roof of the proposed 1.5m deep first floor extension would follow and continue the existing gabled ridge and eaves lines of the host dwelling. The application form indicates the use of matching materials.

## **RELEVANT PLANNING HISTORY:**

**Application Reference Number:** HW/HSE/19/00061

**Proposal:** Single Storey Rear Extension

**Application Status:** Granted Planning Permission

**Decision Date:** 12 April 2019

**Application Reference Number:** HW/HSE/19/00222

**Proposal:** Two-storey rear extension

**Application Status:** Refused Planning Permission

**Decision Date:** 31 July 2019

## **CONSULTATIONS:**

### **Internal and external Consultees**

None consulted.

### **Neighbours and Additional Publicity**

Number of Letters Sent: 6

Total Number of Representations Received: 3

Date Site Notice Expired:

Date Press Notice Expired:

## Summary of Representations Received

Representations were received from Councillor Carter and two local residents. They object to the proposed development for the following reasons:

- The proposed extension does not make an appropriate visual relationship with the surrounding area, out of keeping with the design and character of the host property and Sheldon Close. There are no other two storey extensions within the area, and this application would set a precedent for other large extensions.
- The proposed extension would have adverse impacts on the amenity of neighbouring properties, including overbearing, overshadowing and loss of daylight, and overlooking and loss of privacy.
- The proposed extension would have its roof eaves and gutters overhanging the neighbouring properties.
- There is possible encroachment of foundations across the boundary which would lead to damage to the properties and other underground utilities.
- The site has difficult construction access, which would lead to potential safety issues and conflicts with other road users.
- Construction would result in significant noise and disturbance, to the detriment of the living condition of neighbours.
- The proposal is a breach of restrictive covenants

### 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.

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.

### Harlow Local Development Plan – Pre-submission Publication

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

On 19th 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 Harlow Design Guide SPD (2011)

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

## **PLANNING ASSESSMENT:**

The main issues of consideration for this application are the principle of development, the design and its impacts on the character and appearance of the surrounding area, impacts on neighbour amenity, and parking.

### **Principle of development**

The application site is located within a residential area, where extensions to dwellings are in principle acceptable, subject to compliance with relevant policies and guidance documents.

The planning history of the application property is an important material consideration for the determination of this application. The design and dimensions of the single storey element of this application are identical to the planning permission HW/HSE/19/00061 granted earlier in the year. There are no reasons suggesting that the single storey extension would not be built. Therefore it is considered that the impacts arising from the single storey element should be accepted.

The previous permission HW/HSE/19/00222 for a 3m deep, flat roof two storey extension was refused. The current proposal has reduced the depth of the extension to 1.5m, and includes a gabled roof with the rooflines extending from the main roof of the original house.

### **Character and appearance of the area**

Policy BE1 of the Adopted Replacement Harlow Local Plan (ARHLP) (2006) and the Harlow Design Guide SPD (2011) seek to ensure developments are of appropriate design, scale and material that respect the character of the site and surrounding area. Extensions to residential properties should be subordinate to the original dwelling and in keeping with the character of the surrounding area.

The rear garden of the application site is mostly surrounded by gardens of neighbouring properties. There is a passageway to the side, but this path only leads to the rear gardens of other properties. This path is also gated and locked, suggesting that it has very limited public footfall, if any at all. The proposed rear extension would not be readily visible on Sheldon Close.

Through the gap between nos. 160 & 161 Rushton Grove, the proposal would be visible on Rushton Grove. However, this highway is more than 40m away from the application property,

thereby the proposed development would not result in any demonstrable impact to the character and appearance of Rushton Grove.

The proposed first floor extension, at 1.5m depth, would be modest in scale. It would therefore have limited impact on the overall character and appearance of the host property. The proposed first floor extension would have a rear gable which extends from the front gable of the main house. The proposed fenestration would be in the same positions and similar designs as the existing ones. The application form indicates the external finishes would be similar to the existing house. It is therefore considered that the proposed extension would be sympathetic to the design and appearance of the host property.

Some properties within the surroundings include single storey rear extensions/conservatories, but none have a two storey rear extension. Although the proposed extension would appear as a later addition to the dwellinghouse, taking into consideration its small scale, sympathetic appearance and limited visibility on Sheldon Close, the proposed extension is considered acceptable.

The proposed extension is considered acceptable in terms of design, and would not result in any detrimental impact to the character and appearance of the surrounding area. The proposal therefore complies with Policy BE1 of the ARHLP and the Harlow Design Guide SPD.

### **Neighbour amenity**

The proposed extension does not include any flank windows. The first floor rear window would relate to the same room, and would be in the same position as the existing window albeit being 1.5m forward. As the window would be moved forward, views of the most sensitive parts of the adjoining gardens, which are the areas closest to the neighbours' house, would be more limited. The first floor window would also remain sufficiently far away (18m) from the property at the rear. It is therefore considered that the proposed extension would not materially change the existing impact on neighbouring properties in terms of overlooking and privacy.

The properties on Sheldon Close have rather narrow profiles, some of which measure only 5m in width, including both neighbours of the application site (i.e. nos. 33 & 35). There are concerns from neighbours that the proposal would appear dominating and overbearing on the neighbouring properties.

The proposed 3m deep single storey extension has already been accepted by the previous permission granted under ref. HW/HSE/19/00061. Therefore impacts arising from it would not constitute a reasonable refusal reason for the current application. In any event the impacts from this element would be acceptable.

The proposed extension would be approximately 3.7m from the main house of no. 35. Given this separation and the limited depth of the proposed extension, it is considered that the impacts on this neighbour would be acceptable.

Previous application HW/HSE/19/00222 was refused, as the proposed 3m deep two storey extension would result in an unacceptable loss of daylight from the rear-facing windows of the attached neighbour no. 33. The current proposal reduced the depth of the first floor extension to 1.5m, and it would not intrude the 45 degree line taken from the mid-point of the neighbour's first floor window. Moreover, this rear elevation is north facing and no.33 is located slightly southwest of the application property. The proposed 1.5m deep first floor extension would not result in any significant loss of natural sunlight received by the rear-facing windows of this neighbour. It is therefore considered that impact to this neighbour would be acceptable.

The proposed extension is considered acceptable in terms of neighbour amenity, and would comply with Policy BE1 of the ARHLP and the Harlow Design Guide SPD.

### **Parking**

The proposed development would not create any additional bedrooms. The hard surfaced area within the front curtilage is available for parking. It is therefore considered that the proposal would not result in any parking or highway safety implications, and in compliance with Policy T9 of the ARHLP and the Essex Parking Standards.

### **Neighbour representations**

The concerns regarding design, character and appearance, and residential amenity have been discussed above.

It is acknowledged that development inevitably comes with construction noise and traffic. Nevertheless, given the small scale of the proposed development, these disruptions would be short-term. There are also relevant Environmental Health regulations to ensure works would be carried out in a considerable manner, such as construction hours. It would not be reasonable to refuse permission for this reason.

Some concerns have been expressed about how materials would be brought to the site. Materials could be brought to the site by either through their garage or the main house, or along the side passageway on the far side of the garage. This is for the applicant to determine but does not constitute a reason for refusal given the small scale of the proposed development.

The concerns regarding restrictive covenants, structural and construction safety and party wall issues are governed by separate regulations outside of the planning system. They are not material planning considerations for this application.

### **CONCLUSIONS:**

It is considered that the proposed extension, by virtue of its design, scale and location, would not result in an adverse impact on the character and appearance of the surrounding area. It would have an acceptable impact to the residential amenity of neighbouring properties. The proposal would not result in any parking or highway safety issues.

The proposal is therefore considered to accord with Policies BE1 and T9 of the Adopted Replacement Harlow Local Plan (2006), the Harlow Design Guide SPD (2011) and the Essex Parking Standards (2009).

### **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.**

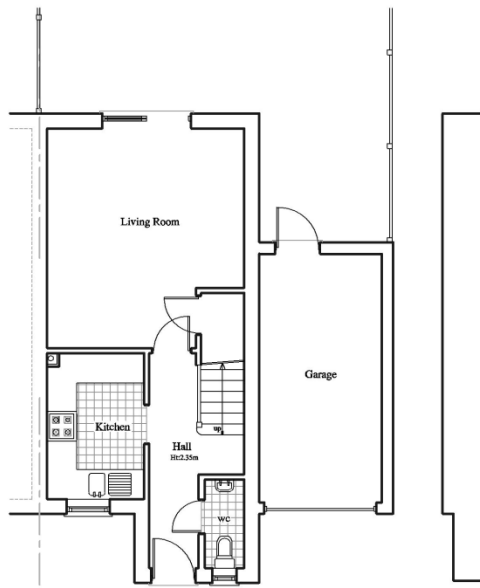
- 2 All new external work shall be carried out in materials of such colour or texture and with architectural detailing to match the existing facing work of the building.

**REASON: In the interest of visual amenity and to accord with policy BE1 of the Adopted Replacement Harlow Local Plan, July 2006.**

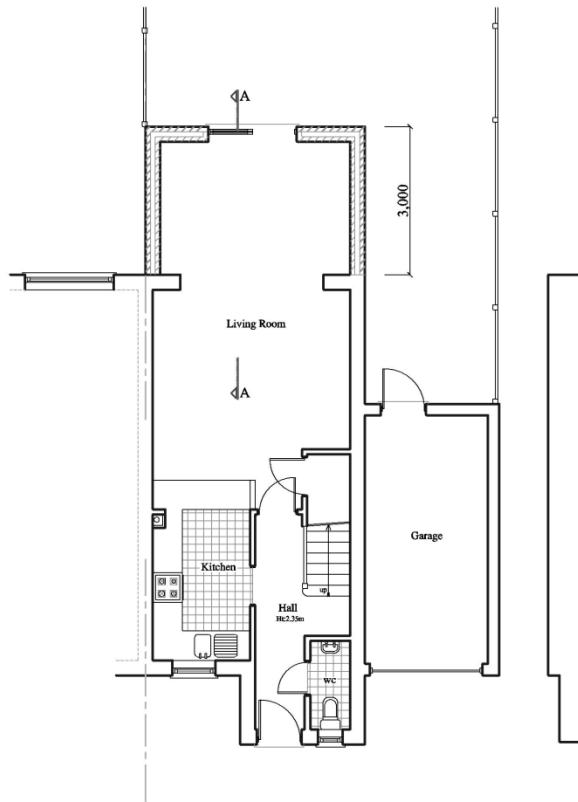
- 3 The development hereby permitted shall be carried out in accordance with the approved plans as shown listed in the table below.

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

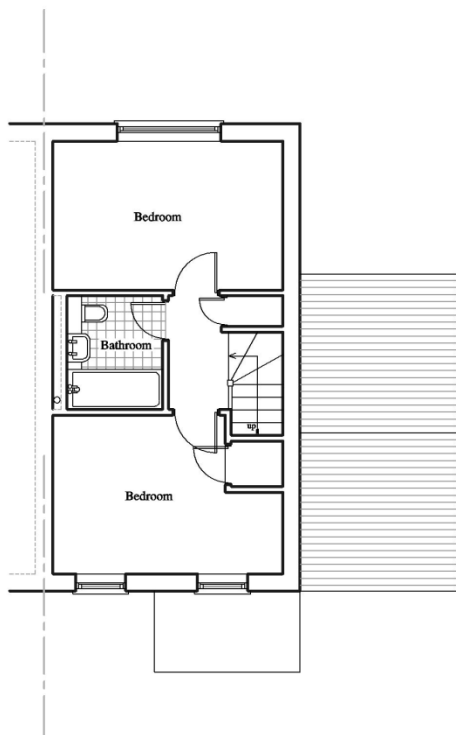
<b>Plan Reference</b>	<b>Version No.</b>	<b>Plan Type</b>	<b>Date Received</b>
190206-FR2		Proposed Floor Plans	09.09.2019
190206-FR 3		Existing and Proposed Elevations	09.09.2019



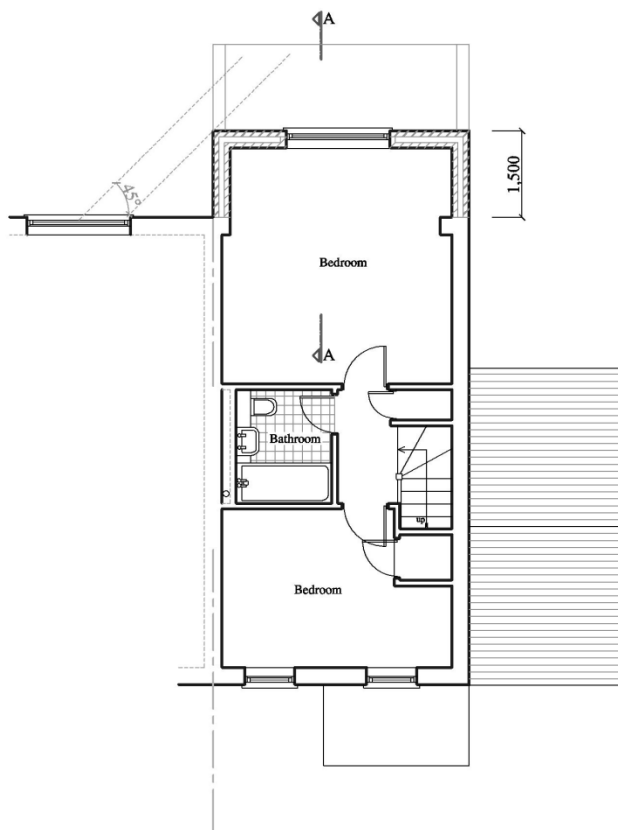
EXISTING GROUND FLOOR



PROPOSED GROUND FLOOR



EXISTING FIRST FLOOR



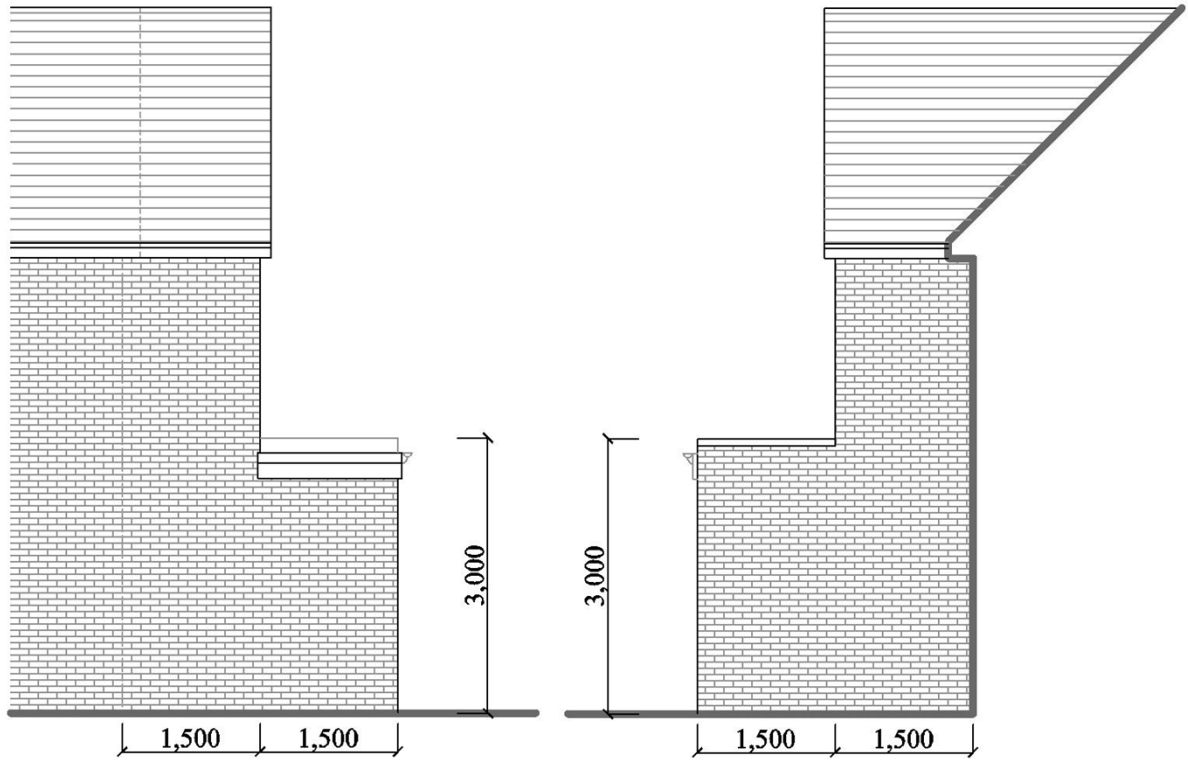
PROPOSED FIRST FLOOR



**EXISTING REAR ELEVATION**



**PROPOSED REAR ELEVATION**



**PROPOSED  
SIDE (R) ELEVATION**

**PROPOSED  
SIDE (L) ELEVATION**

**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE**

**REFERENCE:** HW/FUL/19/00387

**OFFICER:** Sangeeta Ratna

**APPLICANT:** Mrs W Makepeace

**LOCATION:** Land North-east Of 66A Shawbridge  
Shawbridge  
Harlow  
Essex

**PROPOSAL:** Installation of 12 car parking spaces including 1 disabled car parking space

**LOCATION PLAN:**



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**REASON FOR COMMITTEE:**

The application has been made by Harlow Council and 6 representations have been received from neighbours.



## **APPLICATION SITE AND SURROUNDINGS:**

The site is an open piece of land located in a residential area. It is located at the north end of Shawbridge and benefits from an additional access from Holly Field.

Its south-east boundary abuts the rear boundaries of dwellings at No 63 and 64 Shawbridge and its south west boundary abuts the side (north-east) boundary of No 66a Shawbridge.

A site visit revealed that the site is used for parking of vehicles on the central concrete paved area

The site is not in a conservation area and there are no listed buildings in the surroundings.

## **Details of the Proposal:**

The proposal seeks planning permission for the provision of twelve parking spaces on the site, one of which would be a disabled parking space.

Each parking bay would be 2.8m wide by 5.5m deep except for the disabled bay which would be 3.9 m wide by 5.5m deep.

The existing tree to the west of the vehicular access into the site will be retained and a new tree would be planted on the eastern side of the access.

## **RELEVANT PLANNING HISTORY:**

There is no relevant planning history.

## **CONSULTATIONS:**

### **Internal and external Consultees**

#### **Essex County Council - Highways**

No objection.

### **Neighbours and Additional Publicity**

Number of Letters Sent: 32

Total Number of Representations Received: 6

Date Site Notice Expired: 4 November 2019

Date Press Notice Expired:

### **Summary of Representations Received**

One of the six representations is in objection to the proposal on grounds of noise and fume nuisance from vehicles being parked in close proximity of a dwelling, loss of privacy and security. This objection includes a suggestion to re-locate the parking provision onto a lay-by in the near vicinity.

Five comments have been received in support of the proposal but raising concerns as follows:

- The proposed lay-out does not make use of the site to its full potential due to the disused space towards the south boundary of the site. Widening each space could avoid the disused space at the same time providing advantage of wider bays.
- The lack of information in relation to the existing tree on site, and whether the proposed new tree to be planted would intrude sight lines at the junction of Shawbridge and Holly Fields.
- Whether the proposal would be managed so that it is not misused to store broken down or untaxed vehicles as has been experienced by local residents.
- One concern also requests provision of adequate parking bays for use by larger vehicles that take up more than one space if parked on street.

Officer comment: An amended plan has been submitted which provides bigger parking bays changing the dimensions of each from 2.5m by 5m to 2.8m by 5.5m and the disabled parking to be 3.9m wide addressing the first bullet point above. Residents have been re-consulted on the amended proposal.

## **PLANNING POLICY:**

### **Adopted Replacement Harlow Local Plan 2006**

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.

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 Spaces" proposed development on internal open spaces will only be permitted for: leisure and recreation; community uses, including associated facilities.

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

Harlow Council is in the process of its new local plan being examined by an Inspector appointed by the Secretary of State.

Paragraph 216 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, the Examination started on 28th March 2019.

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 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 Parking Standards: Design and Good Practice (2009)  
Planning Practice Guidance (PPG)

## **PLANNING ASSESSMENT:**

The main issues in consideration of this application are the principle of development, its impact on the character and appearance of the area, neighbour amenity and pedestrian and highway safety.

## **Summary of Main Issues**

### **Principle of development**

There exists a concrete paved area in the centre of the site where vehicles are parked randomly. The area in general has been experiencing parking congestion especially because not all dwellings in the near vicinity have parking space within their curtilage. The proposal would provide parking spaces for local residents. It would address the said issues, and this is considered to weigh in favour of the scheme.

The proposal is on land that constitutes Internal Open Space and therefore Policy NE7 of the Adopted Replacement Harlow Local Plan (ARHLP) applies. The aim of Policy NE7 is to ensure that development does not compromise the landscape principles of the town. The proposal would provide a community benefit while retaining the openness of the site. Therefore, on balance, it is considered to accord with Policy NE7 in terms of the use of the land proposed.

The proposal is therefore considered to be acceptable in principle. Planning permission can be granted provided it complies with all relevant plan policies as assessed below.

### **Impact on character and appearance**

Policy BE1 of the ARHLP requires development to enhance the character and appearance of the surrounding area. Policy PL1 of the emerging Local Plan reflects this. In addition, ARHLP policy NE7 requires that the landscape principles of the town are not compromised by development, which is similar to Policy PL5 of the emerging Local Plan.

The proposal would not harm the character of the site. The proposed development would provide hedges and a new tree which would enhance the landscape value of the site and

would appear more prominent in the area and in longer distance views than the existing open space. A planning condition can be used to ensure details of the proposed landscaping and surfacing materials are appropriate. The retention of the existing tree can also be ensured via a planning condition for an Arboriculture Method Statement to be approved.

### **Amenities of neighbours**

The Adopted Vehicle Parking Standards requires 2 parking spaces for the types of houses in this locality. A number of houses within this area do not have parking space within their curtilage. Therefore there is considerable parking congestion in this area which would be eased as a result of the proposal.

With regard to the comments received, it is considered that noise, fumes and head lights from vehicles are prevalent factors within an urban built environment. Furthermore, the changes from the existing arrangement are limited given that the site is already used for parking.

Any vehicle abandoned at this location would be illegal and appropriate action would be taken by relevant services if such a case arises. This matter however falls outside planning remit. The lay-out has been amended so as to avoid any disused space. If granted planning permission, the landscaping condition would ensure that the new tree is acceptable in terms of vehicular visibility splays for the access into the site. Therefore the proposal is not considered to significantly affect the residential amenities of neighbours.

### **Pedestrian safety and Highways**

The proposal would provide twelve parking spaces. Eleven of these would be 2.8m by 5.5m with a 6m wide alley in between. One disabled parking space would be provided which would be 3.9m wide. The proposed parking bays would accord with Policy T9 of the ARHLP (2006). The access would not be amended. ECC Highways have no objection to the proposal. Therefore there would be no impact on highway safety.

## **CONCLUSION:**

The proposal would provide much needed additional parking space within the site by use of a formal lay-out. It would have an acceptable impact in terms of character and appearance. The proposed hedges and a new tree would have a positive effect.

The proposal would not result in significant adverse effects on the residential amenities of neighbours.

Therefore it is recommended for approval subject to conditions.

## **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 Prior to the commencement of development, details of all hard and soft landscaping and any boundary treatments to be used in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The details shall have regard to vehicular visibility splays of the access into the site. The development shall be carried out in accordance with the approved details.  
**REASON: In the interest of visual amenity and to accord with policy BE1 of the Adopted Replacement Harlow Local Plan, July 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 include details relevant to the safe retention and protection of trees and accord with current BS5837 recommendations. The AMS shall include a Tree Protection Plan showing the positions of protective fencing to safe guard all retained vegetation. The AMS shall include details such as level changes, demolition and construction techniques, materials and design detail of structures and control of potentially damaging operations such as burning, storage and handling of materials. Details of supervision at key stages of development shall also be included. The development shall be undertaken in accordance with the approved details.  
**REASON: To ensure that damage to vegetation identified for retention is avoided in accordance with policy NE1 of the Adopted Replacement Harlow Local Plan, July 2006.**
- 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.**

Plan Reference	Version No.	Plan Type	Date Received
SK02 REV A		PROPOSED PARKING AREA	02/12/2019

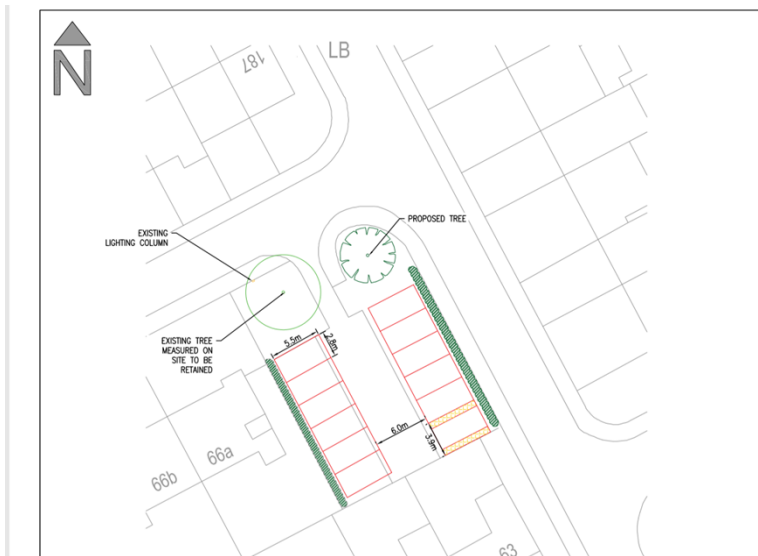
### **Informatives**

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.

### Site Location Plan



### Proposed Lay-out



**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE**

**REFERENCE:** HW/FUL/19/00388

**OFFICER:** Sangeeta Ratna

**APPLICANT:** Mrs W Makepeace

**LOCATION:** Land South-west Of 14 Pear Tree Mead  
Pear Tree Mead  
Harlow  
Essex

**PROPOSAL:** Installation of 6 car parking spaces including 1 disabled car parking space

**LOCATION PLAN:**



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**REASON FOR COMMITTEE:**

The application has been made by Harlow Council and one objection has been received from a neighbour.

## **APPLICATION SITE AND SURROUNDINGS:**

The site is a Council owned open grassed piece of land split into two halves by a vehicular access provided to a block of garages that is located to its west. It is located to the south of Southern Way. Pear Tree Mead is off Trotters Road and culminates in a cul-de-sac on its north end.

The area surrounding the site is predominantly residential except for the Pear Tree Mead Academy, a primary community school.

The part of Pear Tree Mead fronting the school is controlled by zigzag marking to prevent vehicles from parking. The site lies towards the north end of Pear Tree Mead. There exist off street car parking spaces on each side of the carriageway along Pear Tree Mead just south of the site. At the time of the case officer's site visit vehicles also appeared to be parked on the turning head.

The site is not located within a conservation area and there are no listed buildings in the surroundings.

## **Details of the Proposal:**

The proposal seeks planning permission for the provision of six parking spaces on the site, one of which would be for disabled parking.

The amended proposed plan provides bigger parking bays changing the dimensions of each from 2.5m by 5m (as proposed originally) to 2.8m by 5.5m and a disabled parking space to be 3.9m wide by 5.5m deep. Residents were re-consulted on the amended proposal on 6 December 2019.

The vehicular access to the existing block of garages would be retained. The grassed surface is proposed to be paved with suitable permeable material. The application states that the proposal would involve dropped kerbs, bollards and road markings.

## **RELEVANT PLANNING HISTORY:**

There is no relevant planning history.

## **CONSULTATIONS:**

### **Internal and external Consultees**

#### **Essex County Council - Highways**

No comment received.

### **Neighbours and Additional Publicity**

Number of Letters Sent: 34 on 8 October 2019 and on 6 December 2019

Total Number of Representations Received: 1 in response to the first consultation. The response date for the re-consultation expires on the 13 December 2019. Members will be notified if any responses are received on the re-consultation.

Date Site Notice Expired: 4 November 2019



## **Summary of Representations Received**

One objection has been received from a neighbour. Whilst the objection is in support of the proposal in principle, it expresses concern that three of the proposed spaces would be too close to their dwelling resulting in air pollution, noise, nuisance from light, safety of children due to proximity and effect on health of occupants who are asthmatic.

### **PLANNING POLICY:**

#### **Adopted Replacement Harlow Local Plan 2006**

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.

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 Spaces" proposed development on internal open spaces will only be permitted for: leisure and recreation; community uses, including associated facilities.

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

Harlow Council is in the process of its new local plan being examined by an Inspector appointed by the Secretary of State.

Paragraph 216 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, the Examination started on 28th March 2019.

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 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 Parking Standards: Design and Good Practice (2009)  
Planning Practice Guidance (PPG)

### **PLANNING ASSESSMENT:**

The main issues in consideration of this application are the principle of development, its impact on the character and appearance of the area, neighbour amenity and pedestrian and highway safety.

### **Summary of Main Issues**

#### **Principle of development**

There exists off street parking provision to the south of the site along Pear Tree Mead. There are no parking controls at this location. However parking congestion is experienced in the area especially due to the existing school. The proposal would provide parking spaces for local residents that would ease this congestion. This should weigh in favour of the proposed scheme.

The proposal is on land that constitutes Internal Open Space and therefore Policy NE7 of the Adopted Replacement Harlow Local Plan (ARHLP) applies. The aim of Policy NE7 is to ensure that development does not compromise the landscape principles of the town. The proposal would provide a community benefit while retaining the openness of the site. Therefore, on balance, it is considered to accord with Policy NE7 in terms of the use of the land proposed.

The proposal is considered to be acceptable in principle, provided it complies with all relevant plan policies and material considerations as assessed below.

#### **Impact on character and appearance**

Policy BE1 of the ARHLP requires development to enhance the character and appearance of the surrounding area. Policy PL1 of the emerging Local Plan reflects this. In addition, ARHLP policy NE7 requires that the landscape principles of the town are not compromised by development, which is similar to Policy PL5 of the emerging Local Plan.

The area surrounding the site is residential in use and is characterised by two storey terraced houses. The houses within this estate are accessed via narrow pedestrian pathways. Soft landscaping elements exist within the modest front gardens of the houses. The existing grassed area which constitutes the site would be replaced by hardstanding to facilitate car parking. However the existing grassed area being split into two parts is not considered of such visual value that would outweigh the provision of parking which is required at this location. The proposal would make minimal changes to the appearance of the area given the small size of the grassed area. Although the exact location of the bollards is not annotated on the attached plans this can be controlled via a planning condition. Therefore the proposal is not considered to adversely affect the character and appearance of the area.

### **Amenities of neighbours**

The Adopted Vehicle Parking Standards require 2 parking spaces for the types of houses in this locality. The houses within this area do not have parking space within their curtilage. The primary school located nearby generates trips for drop off and collections of pupils. Therefore there is considerable parking congestion in this area. The proposal would provide parking spaces easing congestion for the benefit of local residents.

With regard to the comments received, it is considered that noise, fumes and head lights from vehicles are prevalent factors within an urban built environment. There exists a window in the side elevation of the neighbour at No 14 Pear Tree Mead which is obscure glazed and not serving a habitable space. Therefore the proposal would have minimal impact as a result of its proximity to this window. The proposal would not affect the residents of this dwelling as a result of this window significantly more than it would affect the other surrounding dwellings. Therefore it is not considered to affect residential amenities of neighbouring properties to a point of detriment.

### **Pedestrian safety and Highways**

The proposal would provide six parking spaces. Five of these would be 2.8m by 5.5m with a 6m wide alley in between. One disabled parking space would be provided which would be 3.9m wide by 5.5m deep. There would be some adjustments to the adjoining footway along the east boundary of the site but these are inconsequential and would not affect pedestrian safety. The proposed parking bays would accord with Policy T9 of the ARHLP (2006). No comments have been received from ECC Highways.

### **CONCLUSION:**

The proposal would provide much needed additional parking spaces for the local residents. It would be acceptable in terms of character and appearance and would not result in significant adverse effects on the residential amenities of neighbours.

Therefore it is recommended for approval subject to conditions.

### **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 Prior to the commencement of development, details of all hard and soft landscaping and any boundary treatments to be used in the development hereby permitted, including bollards, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out accordance with the approved details.  
**REASON: In the interest of visual amenity and to accord with policy BE1 of the Adopted Replacement Harlow Local Plan, July 2006.**

- 3 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>
<b>SK04 REV A</b>		<b>PROPOSED PARKING AREA</b>	<b>02/12/2019</b>

### **Informatives**

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.

## Site Location Plan



## Proposed Lay-out

