

DEVELOPMENT MANAGEMENT COMMITTEE
Wednesday 13 October 2021 at 7.30pm
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/FUL/21/00384 - Esquires Coffee House, Civic Walk, College Square, Harlow (Pages 6 - 17)

8. HW/HSE/21/00388 - 17 Mark Hall Moors, Harlow (Pages 18 - 30)

9. HW/HSE/21/00451 - 64 Purford Green, Harlow (Pages 31 - 39)

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**

15 September 2021

7.30 - 9.18 pm

PRESENT

Committee Members

Councillor Michael Garnett (Chair)

Councillor Sue Livings (Vice-Chair)

Councillor Jean Clark

Councillor Maggie Hulcoop (as substitute for Councillor Bob Davis)

Councillor James Leppard

Councillor Ash Malik

Councillor Nicky Purse

Officers

Gavin Cooper, Development Manager

Hannah Criddle, Governance Support Officer

Tanusha Waters, Planning and Building Control Manager

Simon Hill, Head of Governance

23. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Mike Danvers and Bob Davis. Councillor Maggie Hulcoop attended as a substitute for Councillor Bob Davis.

24. **DECLARATIONS OF INTEREST**

Councillors Maggie Hulcoop and James Leppard raised a non-pecuniary interest in item 8 (HW/FUL/21/00320) as Harlow Common Ward Councillors.

25. **MINUTES**

RESOLVED that the minutes of the meeting held on 7 July 2021 were agreed as a correct record and signed by the Chair.

26. **MATTERS ARISING**

None.

27. **WRITTEN QUESTIONS**

None.

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

RESOLVED that the procedure for the conduct of the meeting be noted.

29. **HW/FUL/21/00181 - 4 WYCH ELM, HARLOW, ESSEX, CM20 1QP**

The Committee received a report and application (HW/FUL/21/00181) on the demolition of the existing building and erection of building ranging between 6 and 15 storeys comprising 82 residential flats (Class C3) and flexible commercial floorspace (Class E), communal amenity space, with associated parking, waste/recycling storage and other associated works.

Presentations were heard from three objectors, Councillor Chris Vince and the applicant's agent.

RESOLVED that planning permission is **REFUSED** for the following reasons:

1. The proposal by reason of the lack of provision for local infrastructure including schools, sustainable transport measures and doctor's surgeries would be unacceptable in planning terms with inadequate mitigation of the impact of the development. The proposal would therefore be overdevelopment and would be contrary to policy IN6 of the Harlow Local Development Plan 2020.
2. The proposal by reason of the lack of car parking and servicing results in overdevelopment which would give rise to parking issues on Wych Elm and the wider area contrary to policies IN2 and IN3 of the Harlow Local Development Plan 2020.

30. **HW/FUL/21/00320 - THREE HORSESHOES PUBLIC HOUSE, THREE HORSESHOES ROAD, HARLOW, ESSEX, CM19 4HB**

The Committee received a report and application (HW/FUL/21/00320) on a new timber framed pergola with shingle felt roof, festoon lighting and heat lamps to existing patio area. Repositioning of the existing smoking shelter along with the removal of the drinks shelf to the existing smoking area.

Presentations were heard from one objector and Councillor David Carter.

RESOLVED that planning permission is **GRANTED** subject to the conditions in the report.

31. **HW/FUL/21/00330 - LAND WEST OF 66 RADBURN CLOSE, RADBURN CLOSE, HARLOW, ESSEX**

The Committee received a report and application (HW/FUL/21/00330) on the change of use of public land to private land for extension of the rear garden of 66 Radburn Close.

Presentations were heard from one objector and the applicant.

RESOLVED that planning permission is **GRANTED** subject to the conditions in the report.

32. **REFERENCES FROM OTHER COMMITTEES**

None.

33. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
13 October 2021

REFERENCE: HW/FUL/21/00384

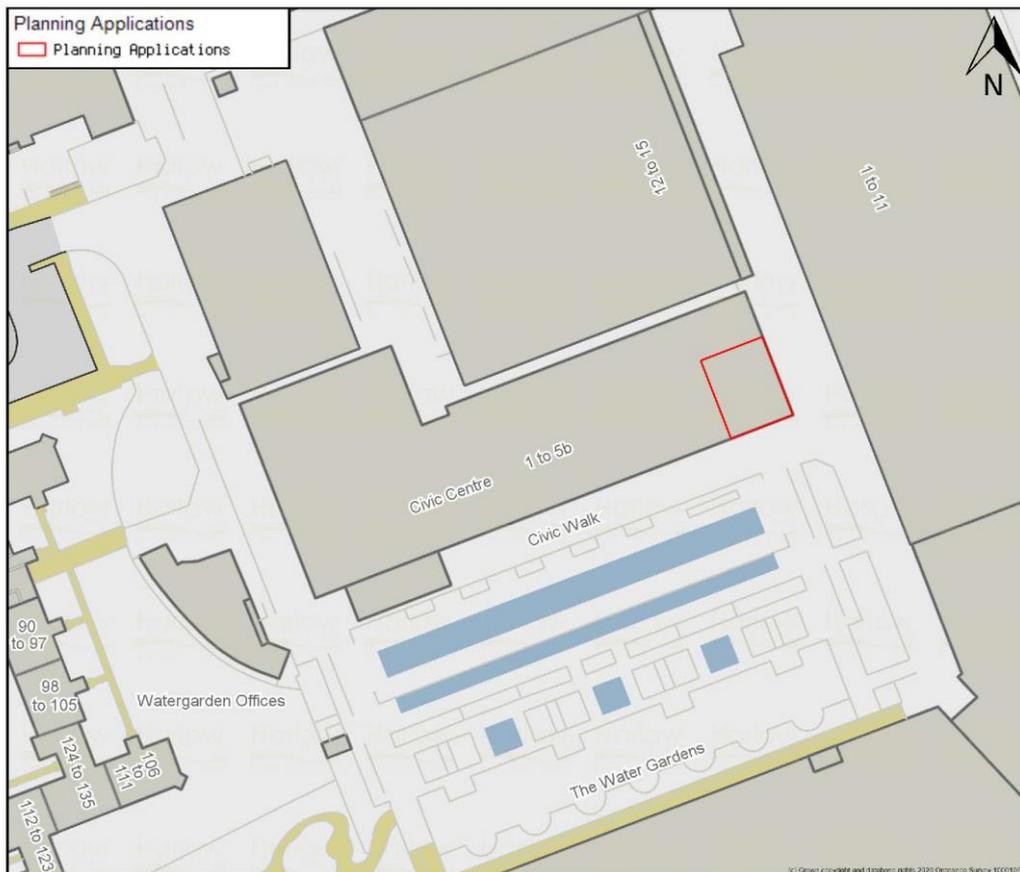
OFFICER: John Harrison

APPLICANT: Ali Golztas

LOCATION: Esquires Coffee Houses
Civic Walk
College Square
Harlow
Essex
CM20 1AQ

PROPOSAL: Change of use of café to restaurant and bar

LOCATION PLAN



REASON BROUGHT TO COMMITTEE – multiple objections have been received which are contrary to the officer recommendation.

Application Site and Surroundings

The application property is the Esquires café located underneath the Civic Centre in the south-east corner of the block between the Greggs shop and the Five Guys restaurant. The unit is 12 metres by 15 metres with a shopfront in the southern elevation which has a return along part of the eastern elevation. It is a double-height unit, i.e. there is scope to insert a mezzanine floor and the application indeed proposes this. The Civic Centre above has three main floors and Greggs adjoins this and is a two-storey building. As the Civic Centre projects further forward than Esquires, there is an outdoor seating area in front of the premises protected from the elements by the overhang of the Civic Centre. The Water Gardens are Grade II Listed. The Wild Boar sculpture in the Water Gardens by Elisabeth Frink is also Grade II Listed.

The site is located in a primary frontage.

Details of the Proposal

The proposal is to change the use of the café (Use Class E(a)) to a restaurant and bar (Use Class E (b) and Sui Generis). Floor plans have been submitted with the application and these show a kitchen and food preparation area, toilets including a toilet for disabled people, a serving counter and seating on the ground floor and a bar, toilets, a small storeroom and a seating area at first floor.

Apart from new signage, which presumably would be the subject of a separate application if consent is needed for it, no external alterations to the building's elevations are proposed. The proposal would involve the insertion of a mezzanine floor which would be the bar element of this proposal (Sui Generis), but this would not require planning permission for the physical works. A fume extract duct across the roof of Greggs, terminating at the alley behind the Civic Centre is proposed, but this would not be visible from ground level. The application forms indicate there would be no increase or decrease in the number of people employed on the premises. Although there is a question on the application form asking about opening hours of the business, the forms indicate these are not known at this stage.

RELEVANT PLANNING HISTORY:

There is no relevant planning history.

CONSULTATIONS

Internal and External Consultees

Heritage Officer Place Services

The proposal would have no adverse impact on the heritage assets. the drawings indicate the front elevation will remain unaltered. The repositioning of the ducting will not be harmful to the heritage assets. Therefore, I raise no objection.

HDC Environmental Health Services

Adequate details regarding the extract fan have been provided so I have no comments to make

Neighbours and Additional Publicity

Number of Letters Sent: 13

Total Number of Representations Received: 10

Date Site Notice Expired: 6 August 2021

Date Press Notice Expired: N/A

Summary of Representations Received

LOSS OF USE - Loss of only decent coffee shop in Harlow with a lovely community feel used by a range of people, bars only serve a niche market and do not enhance the area or add to the community, amazing venue that is such a good local business, brings members of the community together, supports local charities, we need to support local businesses especially after a year of businesses failing, Harlow does not need more overpriced chain restaurants but small businesses all families can enjoy, such venues are friendly and accessible and friendly to all families, fantastic little local business - should be supporting them not closing them down, fine cafe with occasional local events, another bar is not required, community needs a cafe with some music; has been an incredible cafe and hub for the community; its owners are fantastic, it is a staple of the Water Gardens, food and drink has been wonderful, told events have been good, much loved community asset.

EXTERNAL IMPACTS - Bars encourage drink driving and anti-social behaviour, increased disturbance to neighbouring residential areas, loss of amenity.

PLANNING POLICY

The relevant policies of the adopted Harlow Local Development Plan (HLDP) are:

PL2 Amenity Principles for Development

PR6 Primary and Secondary Frontages in the Town Centre

PL12 Heritage Assets and their Settings

PR11 Evening and Night Time Economy

L2 The Provision and Loss of Recreational, Sporting, Cultural and Community Facilities

IN2 Impact of Development on the Highways Network including Access and Servicing

IN3 Parking Standards

Draft Harlow Town Centre Action Plan (2019)

Retail Core 2 - Water Gardens

PLANNING STANDARDS

National Planning Policy Framework (NPPF) (2021) - 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)

Summary of Main Issues

In dealing with this application, it is necessary to consider the loss of the existing use, the acceptability of the proposed use, amenity impact, impact on the listed buildings and servicing and parking.

The loss of the existing use

It is a basic principle of planning that it generally deals with how land is used, not who uses the land. From the comments submitted on the application, it seems that this café is a facility appreciated by some of the community. This would seem to be an indication of how the existing proprietor has operated the business. In planning terms, however, the property is within the Class E Use Class which encompasses a wide range of uses including retail, offices and gyms or other fitness businesses. The owner of the Esquires business has indicated that because of a rent increase and other cost increases it is no longer viable and running at a loss. Within this context, even if this application were refused, the business would be unlikely to continue trading for very long. Policy L2 of the Local Plan does give the Council an ability to protect “cultural and community uses and facilities”. It is arguable whether the existing use could be considered to be a “cultural and community use”, but even if it is considered to be such, given the fallback rights for the premises’ use for any Class E purpose, it would be unreasonable to refuse the application to prevent the loss of the Esquires business.

The acceptability of the proposed use

Policy PR6 seeks to protect and enhance the existing retail offer by preventing a proliferation of uses which are not conducive to maintaining the vitality and viability of the Town Centre. This policy refers to uses within the Use Classes Order 1987 which has now been replaced by the Use Classes Order 2020.

Though it would presumably also operate during the day, the proposed use can be considered to be a night-time economy use which Local Plan policy PR11 covers. This requires a sequential test if a proposal is outside the town centre – the proposal is located within the town centre so one is not needed. The policy then stipulates it should be proven that the development will have a positive effect on the vitality and viability of the retail centre, its night-time economy and the local area. The use is likely to attract people to the town centre in the evening, so it will have this effect. Finally, policy PR11 refers to legal agreements or conditions to minimise negative impacts. The issue of possible conditions is considered below. In considering the nighttime use, it should be noted that one of the objectives of the Draft Harlow Town Centre Action Plan is the promotion of a nighttime economy in the town centre and this proposal would help achieve that objective.

Although the use must be considered in terms of night-time use, it is also necessary to consider aspects of daytime use. To be economically viable the proposed use would almost certainly have to operate during the day. A restaurant and bar might be used slightly less intensively than the present café so the footfall may be a little bit lower. This slightly lower footfall is not likely to have a significant impact on the overall viability of the town centre and some uses within the Class E Use Class could generate a significantly lower footfall.

As the site is designated as primary frontage under policy PR6 of the HDLP and a key retail frontage in the Town Centre Area Action Plan, the proposed ground floor use would technically be contrary to policy PR6 as there has been no marketing of the existing use for 1 year. However, as there is no condition restricting the change of use and the proposed and existing uses on the ground floor are within Use Class E, planning permission is not required

for this change. However, the mezzanine use as a bar would be contrary to policy PR6 as it would be a Sui Generis Use.

It is considered that given that the ground floor is retained within Class E and that policy PR11 and the HTCAAP supports the evening economy in this location, the minor conflict with PR6 can be outweighed by the Development Plan as a whole. On this basis, the proposed use is considered acceptable.

Amenity impact

The nearest residential properties to the site are in Dad's Place, at the far end of the Civic Centre. There is the possibility that people leaving the premises on foot late at night and heading towards west Harlow could cause disturbance to the residents of Dad's Place and people leaving the premises on foot could also disturb the residents of other flats in the town centre. Such impacts are not considered to be likely to be significantly greater than the impact from existing pubs and other businesses opening late at night in the town centre. The proposal is therefore considered to be acceptable in terms of Local Plan policy PL2. Officers are assessing the need for a condition to manage hours of operation and Members will be duly informed of that recommendation via a supplementary report.

Impact on listed buildings

The proposal is basically a change from one commercial use to another broadly similar use. It does not involve external changes to the premises. The area is a commercial one and the Water Gardens and the Wild Boar sculpture have always been located in a commercial setting. The proposal would not significantly affect the setting of the listed buildings therefore and the Essex County Council Heritage Adviser has not raised any objection on this score. Local Plan policy PL12 protects the setting of listed buildings but this policy would not be breached.

Servicing and parking

The existing servicing arrangements for the property, using the access adjacent to St Paul's Church, would continue to be used. The only element of the proposal which would result in a bigger servicing requirement would be the installation of the mezzanine which doubles the size of the building. This does not require planning permission, however, so could not be used as a justification for objecting to the application. Adequate car parking is provided in the Water Gardens car park and the proposed use is more likely to require evening rather than daytime parking and the car park is less intensively used in the evening. Thus, the proposal is acceptable in terms of Local Plan policies IN2 and IN3.

An objection has been raised on the grounds this use might encourage drink driving. As this issue is dealt with by other legislation, it would not be reasonable to refuse the application for this reason and anyway there is no evidence that the nature of these premises is such that they would be likely to particularly encourage drink driving.

CONCLUSIONS

Much of the objection to this application relates to the loss of the existing business on the site. Given the application property could be used for any Class E purpose, refusing this application would not ensure the preservation of this business. The proposed new use is acceptable as a night-time economy use and residential properties in the town centre would not be significantly affected by the use. The settings of the nearby listed buildings would not be harmed and the

proposal is acceptable in terms of servicing and parking. The application is therefore recommended for approval.

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 cooking in connection with the approved use, the fume extract duct system shown on the approved plans shall be constructed in full accordance with the plans. Thereafter, it shall be permanently retained in position.
REASON: To ensure adequate dispersal of cooking fumes to comply with policy PL2 of the Harlow Local Development Plan (2020).

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

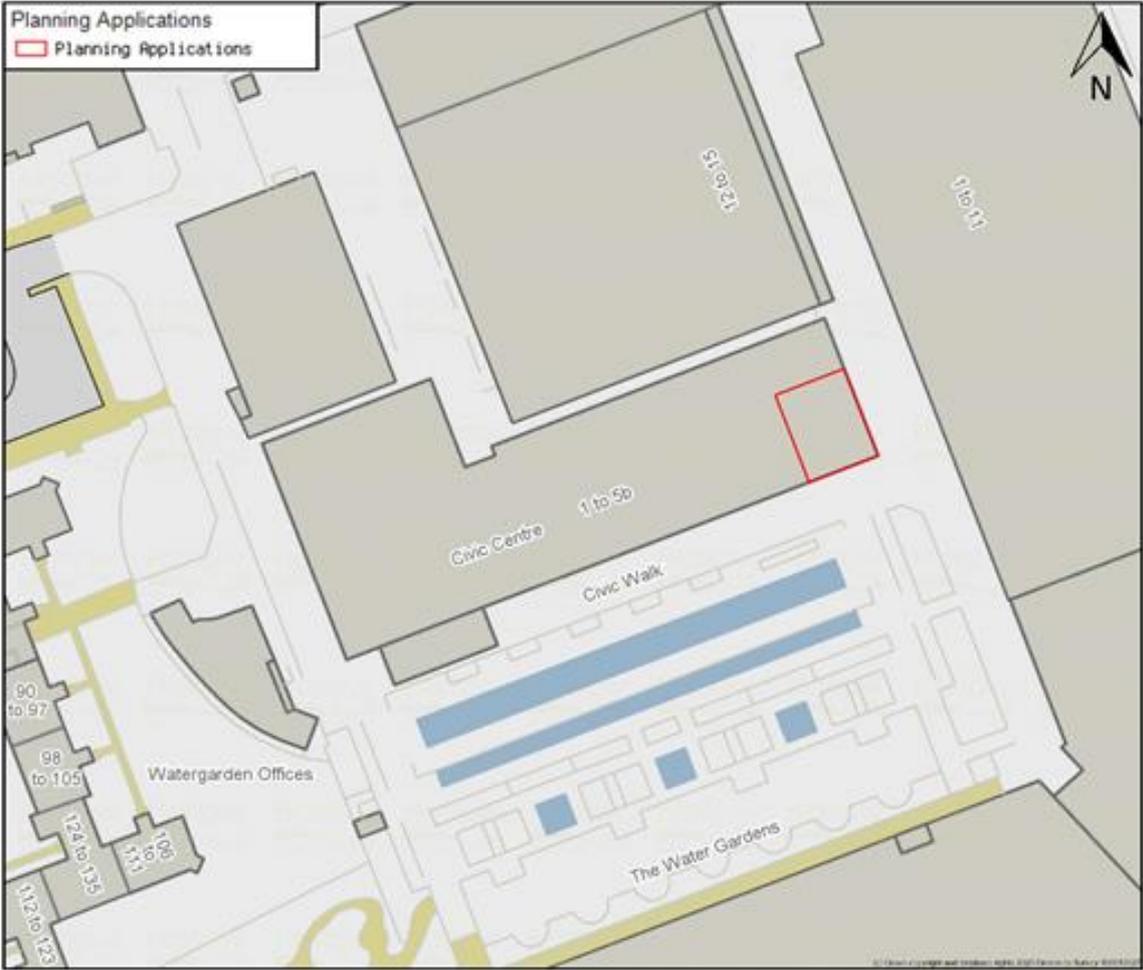
REASON: For the avoidance of doubt and in the interests of proper planning.

Plan Reference	Version No.	Plan Type	Date Received
	--	Site Location Plan	29.06.2021
A100	--	Existing Ground Floor Plan	29.06.2021
A101	--	Existing Roof Plan	29.06.2021
A102	--	Existing Front & Rear Elevations	29.06.2021
A103	EAST (SIDE)	Existing Elevations	29.06.2021
A104	A-A	Existing Sections	29.06.2021
A105	B-B	Existing Sections	29.06.2021
A106	--	Proposed Ground Floor Plan	29.06.2021
A107	--	Proposed Mezzanine Floor	29.06.2021
A108	--	Proposed Roof Plan	29.06.2021
A109	--	Proposed Front & Rear Elevations	29.06.2021
A110	EAST (SIDE)	Proposed Elevations	29.06.2021

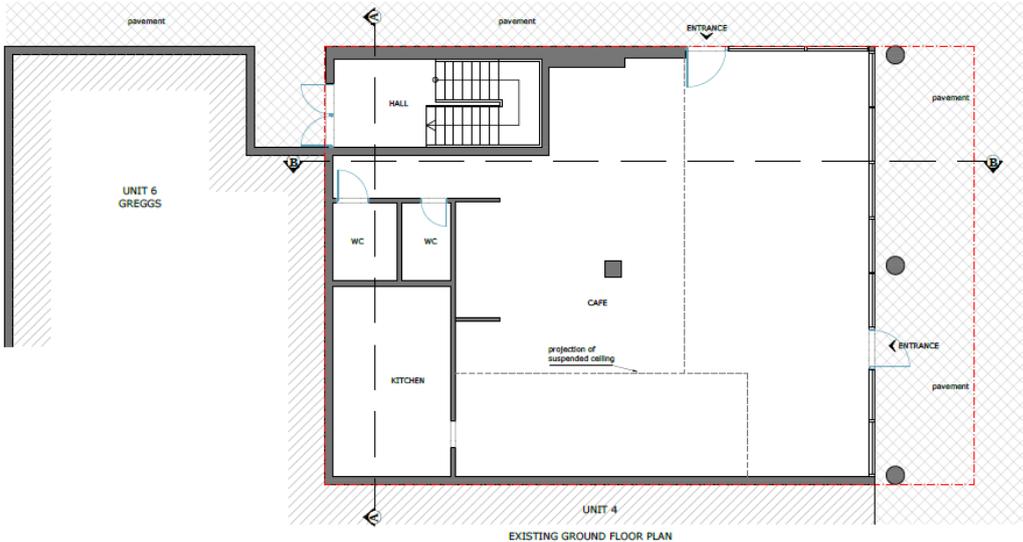
INFORMATIVE CLAUSES

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

SITE PLAN



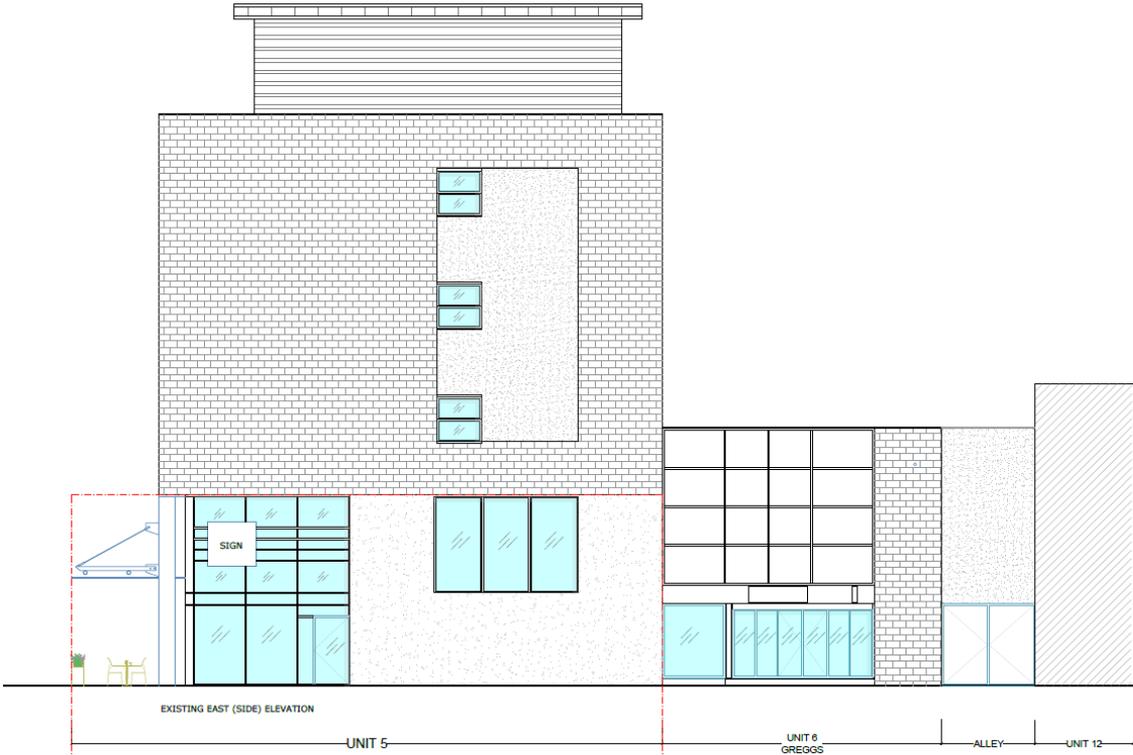
EXISTING FLOOR PLAN



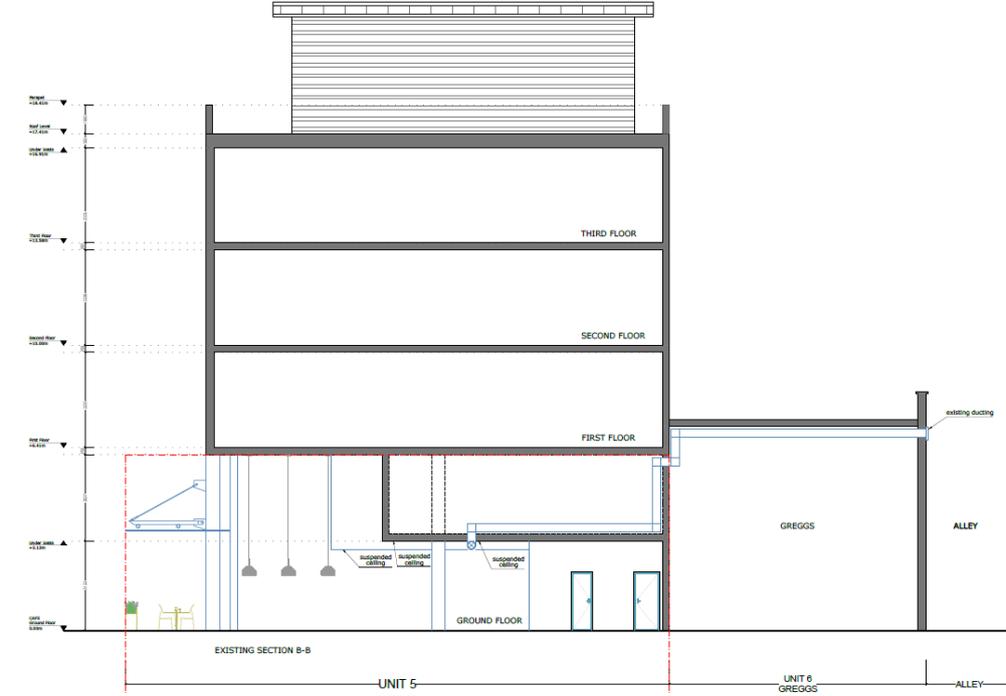
EXISTING ELEVATIONS – FRONT AND REAR



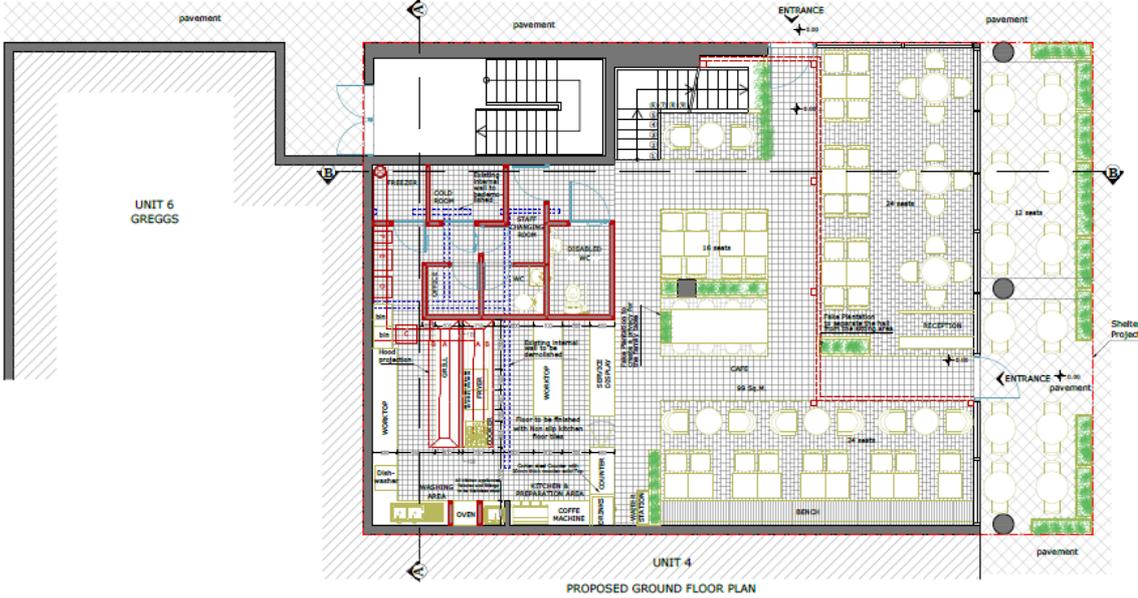
EXISTING ELEVATIONS – SIDE



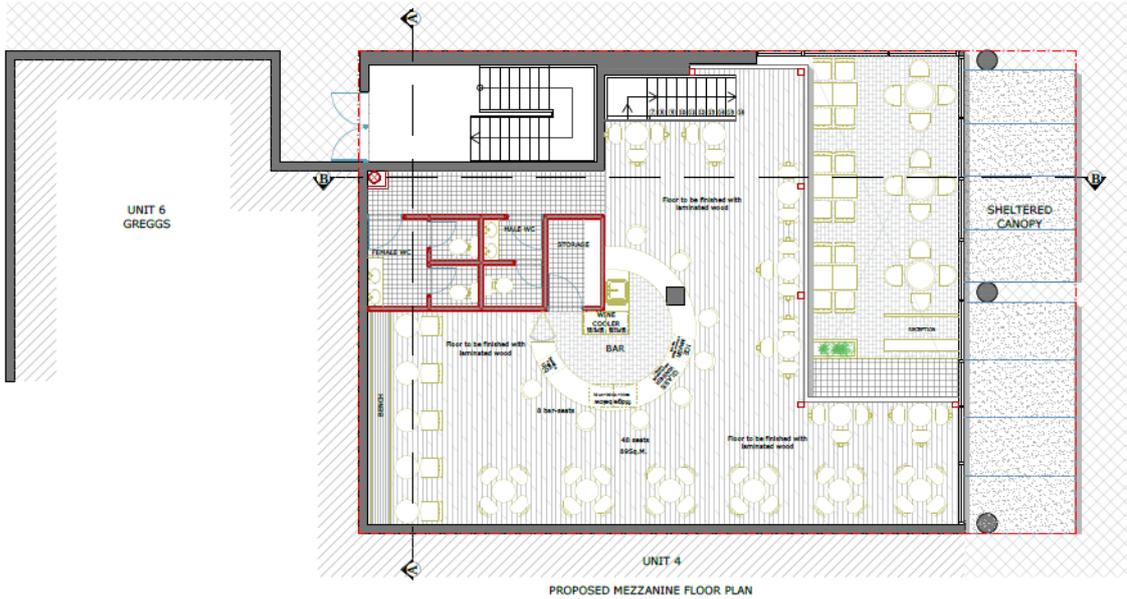
EXISTING SECTION



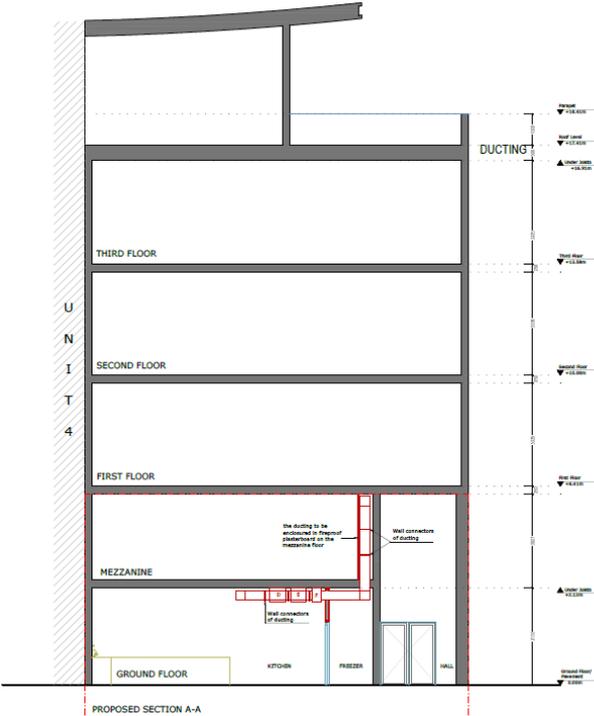
PROPOSED GROUND FLOOR PLAN



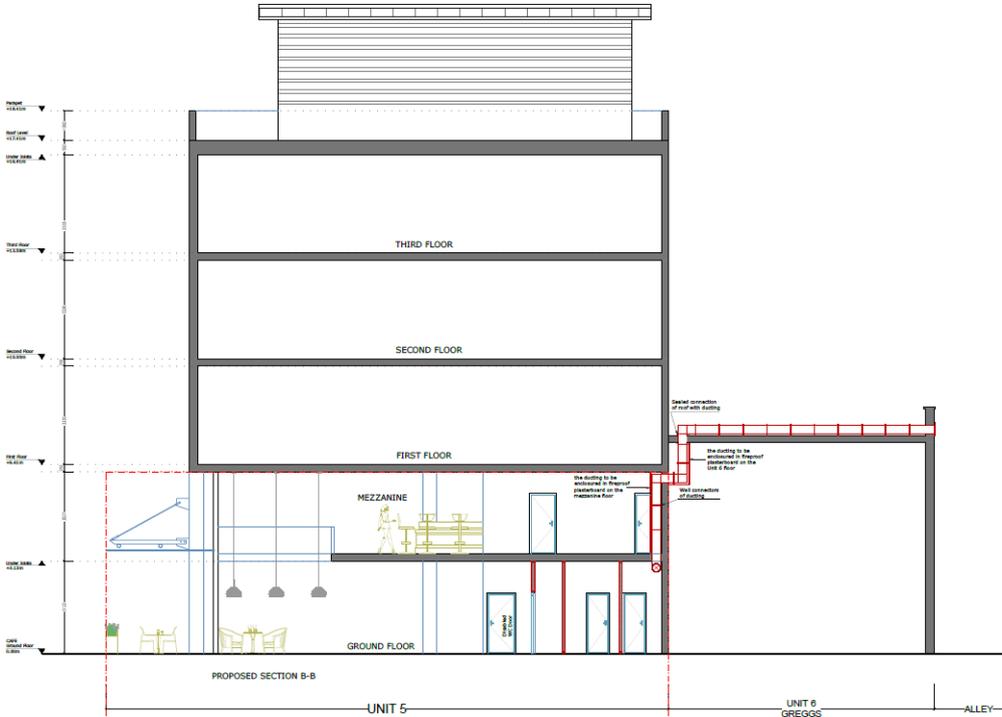
PROPOSED MEZZANINE FLOOR PLAN



PROPOSED SECTION



PROPOSED SECTION



REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
13 October 2021

REFERENCE: HW/HSE/21/0388

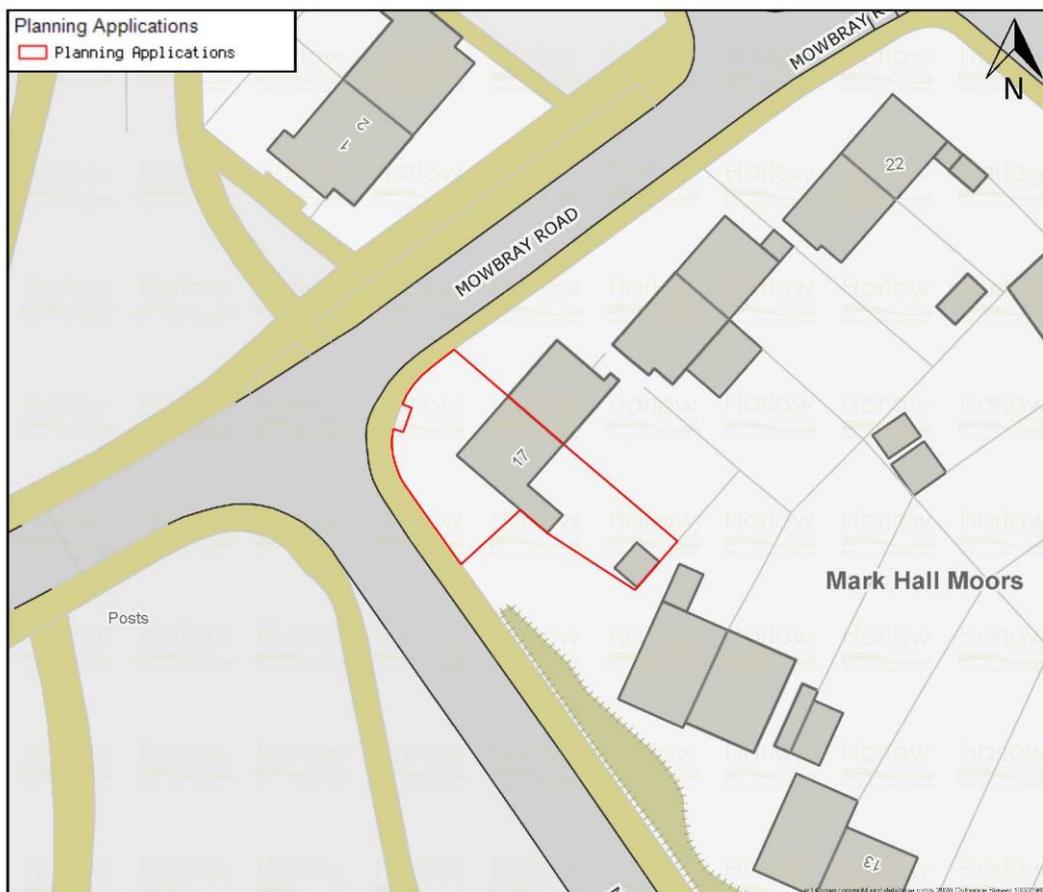
OFFICER: John Harrison

APPLICANT: Mr Ivan Burca

LOCATION: 17 Mark Hall Moors
Harlow
Essex
CM19 4HB

PROPOSAL: Single storey rear extension and summerhouse to rear garden

LOCATION PLAN



REASON BROUGHT TO COMMITTEE – multiple objections have been received which are contrary to the officer recommendation.

Application Site and Surroundings

The application property is one of a pair of semis located on the corner at the junction of Mowbray Road and Muskham Road. Its front elevation faces north-northwest. The plot is L-shaped as a “bite” of land between it and the house to the rear, 16 Mark Hall Moors, is public open space. The house is brick-built with rendered panels and a tiled roof. There is a narrow rear projecting element on the western side of the house, probably built as a coal store, and there is an outbuilding at the end of the rear garden (both of these would be demolished if the development goes ahead). The rear garden slopes up away from the house.

On the opposite side of Muskham Road is Mark Hall Park and on the opposite side of Mowbray Road is a footpath with wide verges and to the west of that is Tanys Dell Community Primary School. There are residential properties on the southern, eastern and northern sides with the properties on the opposite side of the road being the flats in Stackfield.

The site is located in the Mark Hall North Conservation Area.

Details of the Proposal

There are two elements to the proposal:

A REAR EXTENSION – A single-storey full-width flat-roofed extension 4m deep and 3.05m high (measured at the point where the extension meets the house). The side walls of this would be constructed of brick matching the house with dark grey zinc cladding on the rear elevation and a panel of timber cladding on the elevation to Muskham Road where the extension meets the house incorporated so that the extension reads as an addition to the house.

A SUMMERHOUSE – This is at the end of the rear garden and across most of its width, 5.332m x 2.95m and 2.5m high. This would be timber clad. It should be noted that, although part of this application, it is actually permitted development.

The plans also show a new ground floor window on the Muskham Road elevation. Assuming this is constructed using materials matching those of the existing windows, this would be permitted development.

The application as originally submitted also included a porch and enlarging the ground floor front window, but as the Heritage Adviser objected to these and there were also neighbour objections, these have been removed from the application. Another amendment to the application is the design of the rear extension has also been amended to address concerns. Also, its depth has been reduced to 4 metres from 4.25 metres.

RELEVANT PLANNING HISTORY:

Planning Applications

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
HW/HSE/21/00540	Replacing white uPVC windows with grey uPVC windows	Received	Not yet determined

CONSULTATIONS

Internal and External Consultees

Heritage Officer Place Services

(Comment on original application with references to the porch and the front window alteration removed)

The property is located in the Mark Hall Conservation Area. The Conservation Area is of distinct architectural identity as it was one of the first neighbourhoods of Harlow New Town. The planned form and regular appearance of the housing, developed in 1954, contributes positively to the character of the area.

There would be no in principle objection to a single-storey rear extension. However, the proposed extension would result in bulky and awkward additions to the rear elevation, clearly visible from the streetscene given the property's corner location. I recommend the parapet is omitted from the application as this lessens the perceived bulk. While there would be no in principle objection to the summerhouse it would be a visually prominent addition to the rear of the garden. There would be a preference to reduce its visual prominence.

Neighbours and Additional Publicity

Number of Letters Sent: 5

Total Number of Representations Received: 8

Date Site Notice Expired: 6 August 2021

Date Press Notice Expired: 5 August 2021

Summary of Representations Received

Only comments on the amended application have been reported.

Amenity issues - considerable noise from recent work.

Appearance issues - there is a degree of overbuilding in the rear garden with the extension and the elevated summer house, the rear extension is visible from the street but only marginally larger than the existing structure, the summer house is large in relation to the garden but is visually close to the next property which reduces its impact.

Enforcement issues - removal of chimney.

Other issues - object to all the work, not happy with the way the owner has done just what he likes, extension encroaches onto their property.

PLANNING POLICY

The relevant policies of the Harlow Local Development Plan (HLDP) 2020 are:

PL1 Design Principles for Development

PL2 Amenity Principles for Development

PL12 Heritage Assets and their Settings

PLANNING STANDARDS

National Planning Policy Framework (NPPF) (2021) - 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)

Summary of Main Issues

As this is an application to extend a residential property in a residential area, the principle of the development is acceptable. As with most domestic extensions, the issues to be considered are the appearance of the proposal and impact on neighbours.

Appearance

As this property is in a Conservation Area, in determining this application special consideration has to be given to preserving or enhancement its character or appearance.

Dealing initially with the rear extension, this is of traditional design for a rear extension. It has been modified to meet the requirements of the Heritage Adviser to make it less bulky. Its design is now considered acceptable, especially as there is the timber cladding panel on the Muskham Road elevation which separates the extension from the house. The use of zinc on the rear elevation represents the introduction of a modern material, but this is considered acceptable. In any event this would not be readily visible from outside the site. The proposal is considered to preserve and enhance the character of the Mark Hall Conservation Area.

With regards to the summerhouse, the Heritage Adviser did suggest the size of this could be reduced. Given this is permitted development, however, it is considered reasonable to approve it at present size. The proposal does not significantly harm the Conservation Area and is considered to preserve its character and appearance.

It should be noted that 17 Mark Hall Road's rear garden is 18 metres deep, so the cumulative impact of the rear extension and the summerhouse would not result in it appearing overdeveloped.

The proposals are considered to comply with policies PL1 and 12 of the HLDP.

Impact on neighbours

The only neighbour which would be significantly affected by the rear extension is the attached one at 16 Mark Hall Moors. The depth of the proposed extension and the orientation of the properties is such that the impact is considered acceptable, given the rear of the property faces south-east and the depth of the extension has been reduced to 4 metres. Though the amendment to the Harlow Design Guide has only reached the stage of being out for consultation and therefore should be given little weight, this gives 4 metres as an acceptable depth.

The only property that might be significantly affected by the proposed summerhouse is the house behind. This is set higher than the summerhouse would be so its occupiers would largely look over the summerhouse rather than be affected by it.

The proposals are therefore considered to comply with policy PL2 of the HLDP.

Although two neighbours have complained about construction noise from the removal of the chimney at the property, a degree of noise is inevitable when building is carried out and it would be unreasonable to refuse permission for this reason. However, a condition has been recommended to control the hours of construction.

Other issues

The chimney on this property has recently been removed. Whilst this is regrettable as it harms the Conservation Area, this work is not considered to materially alter the external appearance of the building and therefore does not require planning permission. In conversation with the case officer the agent has indicated the applicant is considering replacing. This issue is not relevant to the determination of this application.

A neighbour has said the extension encroaches onto their property. The plans do appear to indicate a small encroachment, but this is not material to determining the planning application.

Equalities

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The above duties require an authority to demonstrate that any decision it makes is reached “in a fair, transparent and accountable way, considering the needs and the rights of different members of the community and the duty applies to a local planning authority when determining a planning application.

Officers consider that the application does not give rise to any concerns in respect of the above.

CONCLUSIONS

The proposals are not considered to result in harm to the character or appearance of the Conservation Area, nor unduly affect neighbours. The proposal is therefore considered to comply with the relevant Local Plan policies and it is recommended the application should be granted.

RECOMMENDATION

Granted 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 The proposed new ground-floor window in the elevation to Muskham Road shall be constructed using materials matching the existing windows on that elevation and the same cladding shall be used on the side of the proposed rear extension and the proposed summerhouse.
REASON: To ensure an acceptable appearance for the development to comply with Harlow Local Development Plan (2020) policy PL12.
- 3 Acceptable construction hours are between 8.00 and 18.30 on Mondays to Fridays and 8.00 and 13.00 on Saturdays. No construction work should take place or plant operated outside these hours.
REASON: In the interest of neighbouring amenity and to accord with policy PL2 of the Harlow Local Development Plan 2020.
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
MHM DR 01	P1	Site Location Plan	03.07.2021
MHM DR 20	P1	Existing Ground Floor Plan	03.07.2021
MHM DR 30	P1 South-West	Existing Elevations	03.07.2021
MHM DR 31	P1 North-West	Existing Elevations	03.07.2021
MHM DR 32	P1 North-East	Existing Elevations	03.07.2021
MHM DR 33	P1 South-East	Existing Elevations	03.07.2021
MHM DR 100	P3	Site Plan	04.10..2021
MHM DR 200	P4	Proposed Ground Floor Plan	04.10.2021

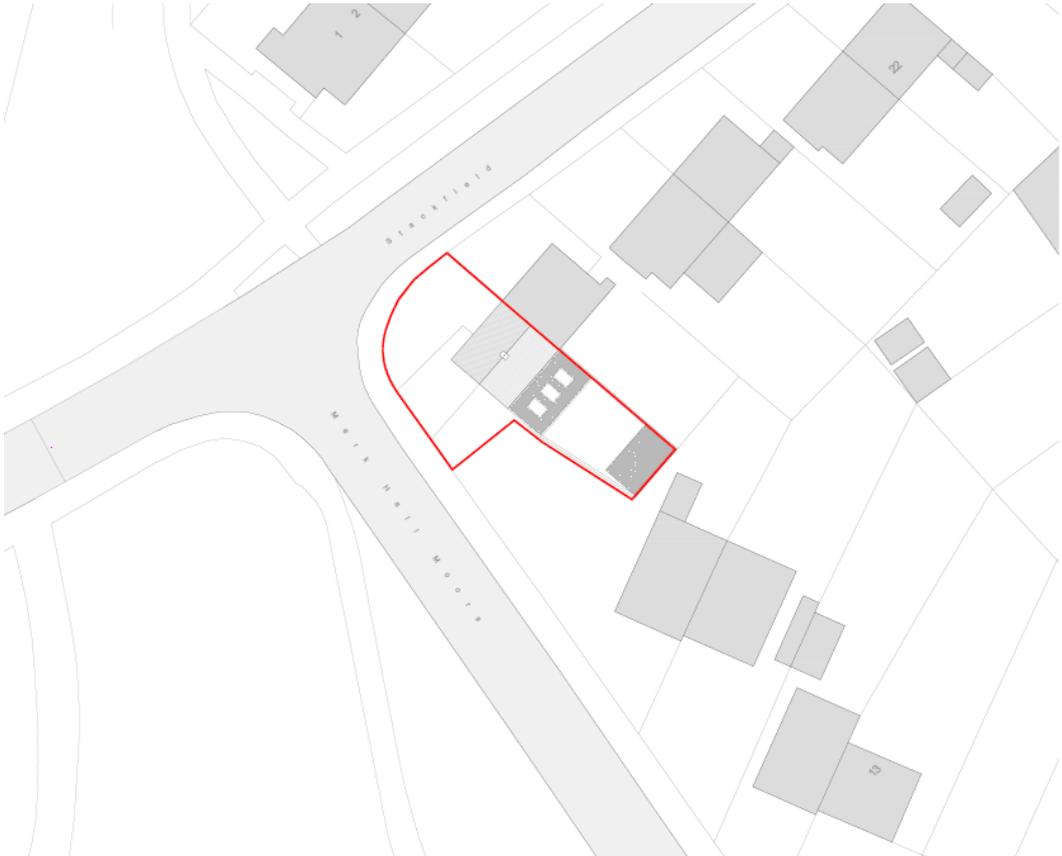
MHM DR 300	P4 South- West	Proposed Elevations	04.10.2021
MHM DR 302	P3 North- East	Proposed Elevations	04.10.2021
MHM DR 303	P2 South- East	Proposed Elevations	11.09.2021

INFORMATIVE CLAUSES

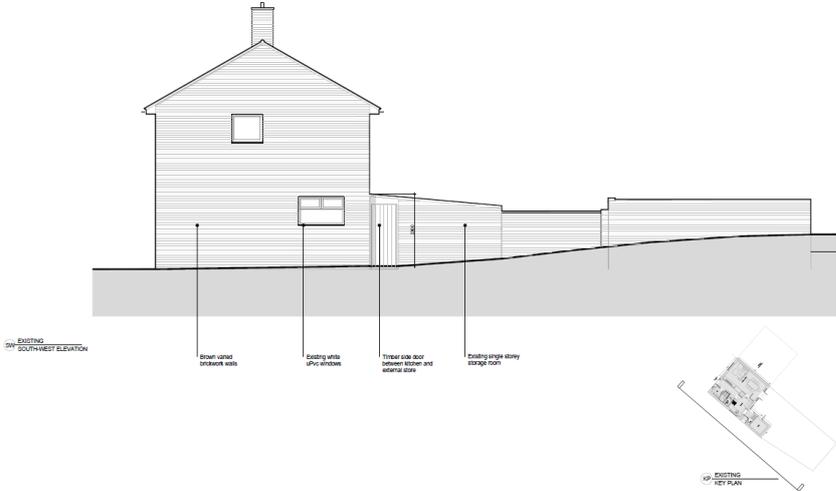
1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address these concerns. As a result, the 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. Acceptable construction hours are between 8.00 and 18.30 on Mondays to Fridays and 8.00 and 13.00 on Saturdays. No construction work should take place or plant operated outside these hours.

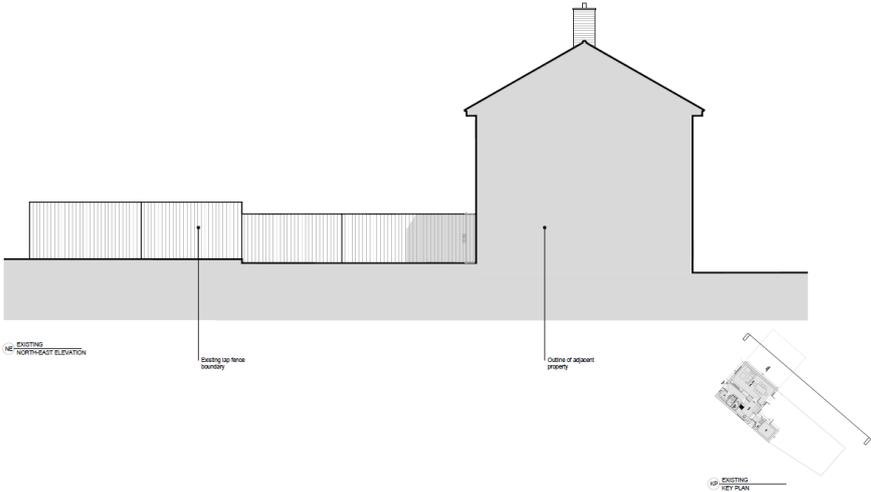
SITE PLAN



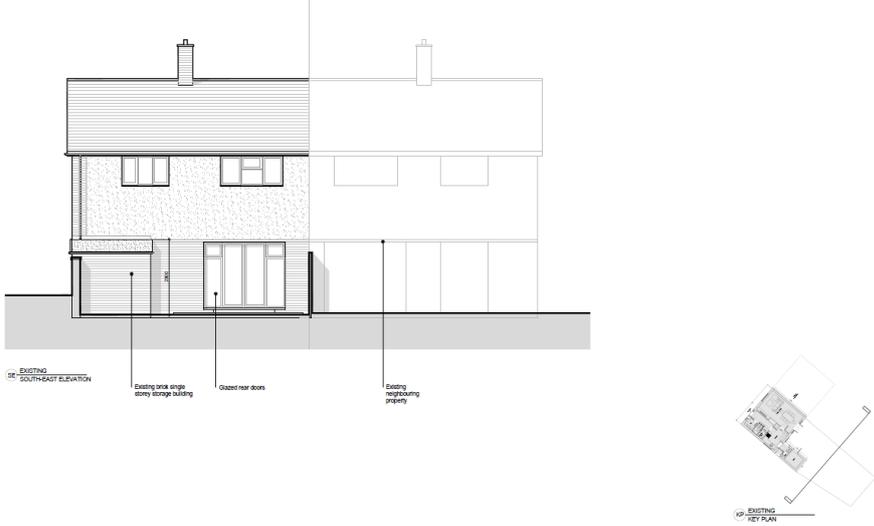
EXISTING ELEVATIONS – SOUTH WEST



EXISTING ELEVATIONS – NORTH-EAST



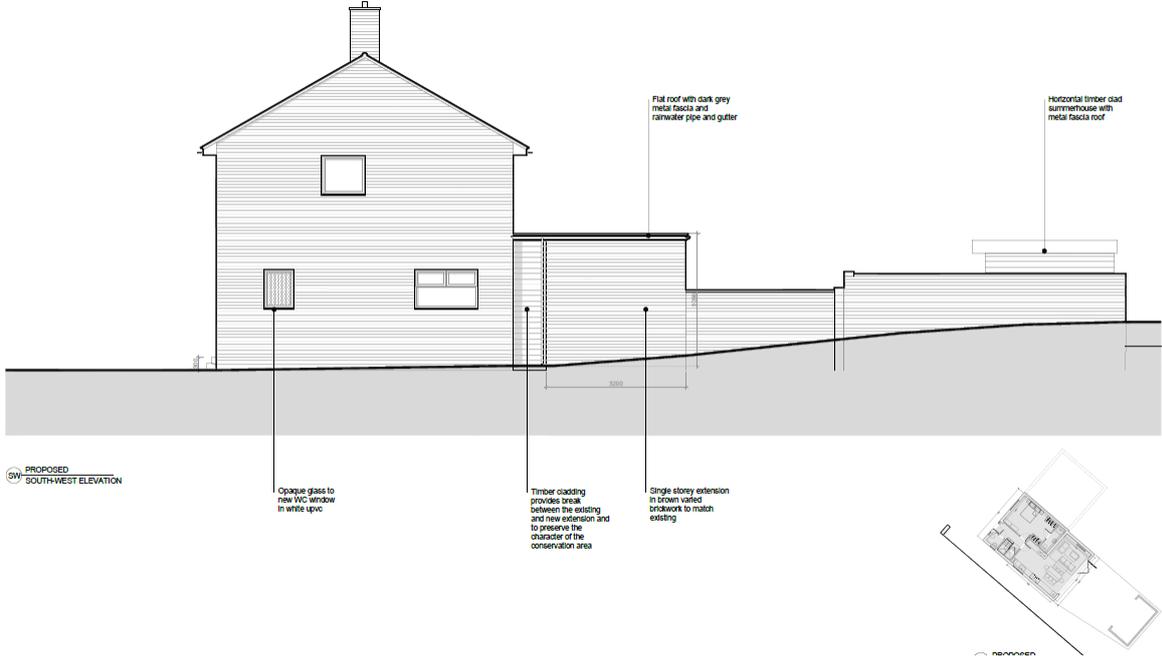
EXISTING ELEVATIONS – SOUTH-EAST



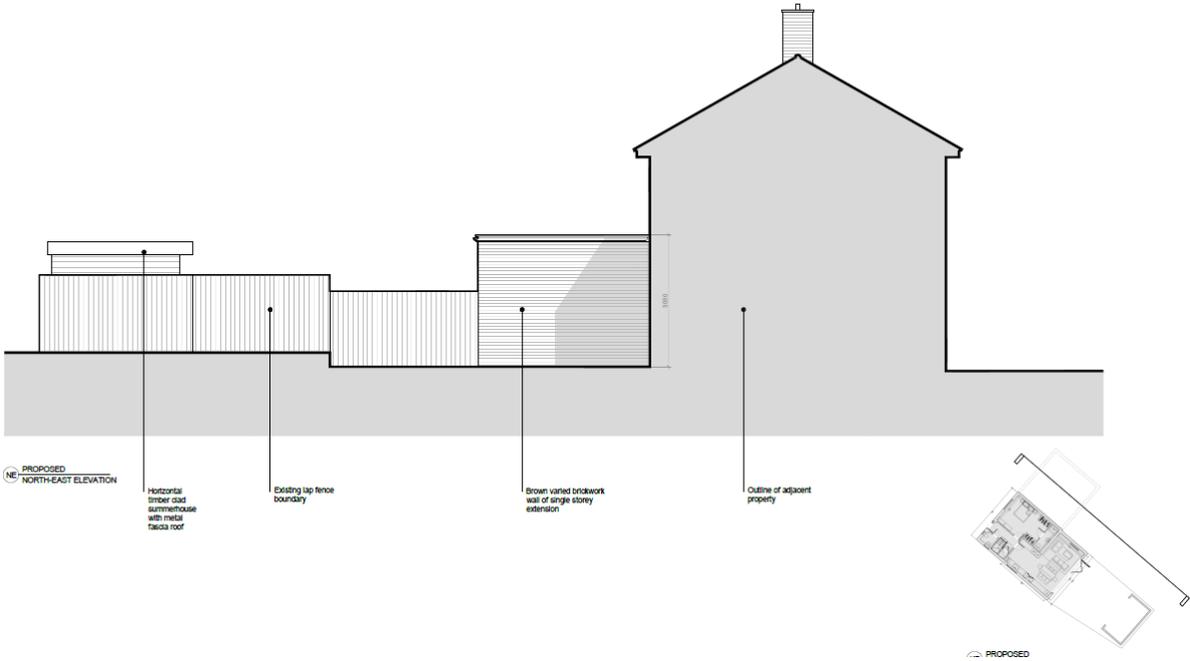
EXISTING FLOOR PLANS



PROPOSED ELEVATIONS – SOUTH-WEST



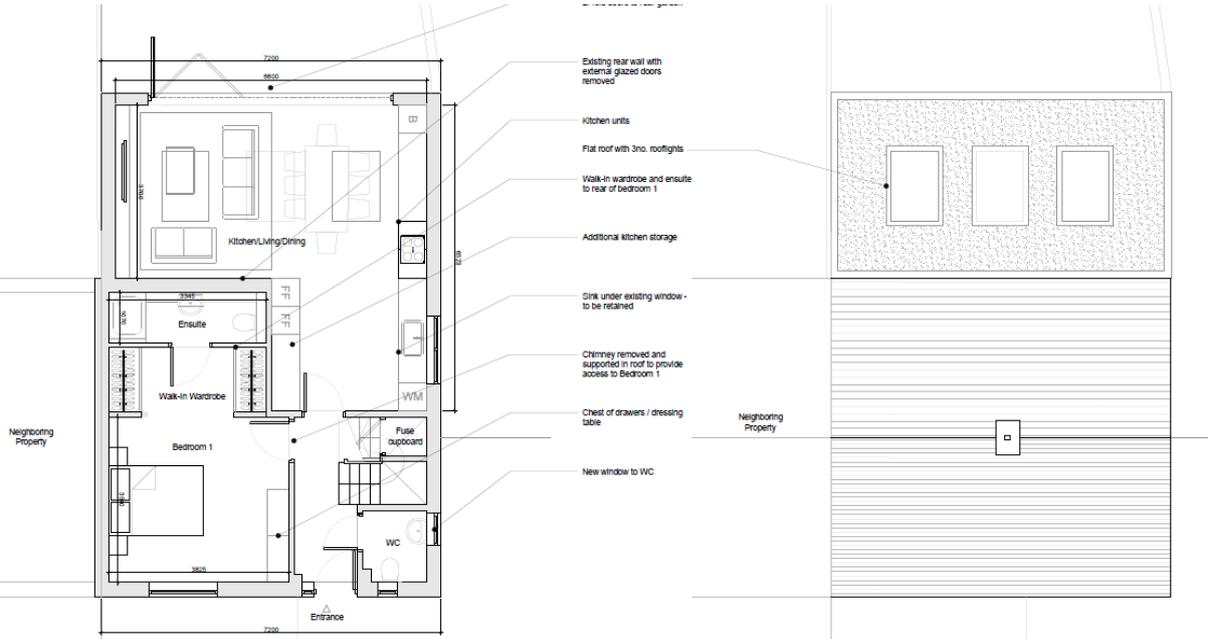
PROPOSED ELEVATIONS – NORTH EAST



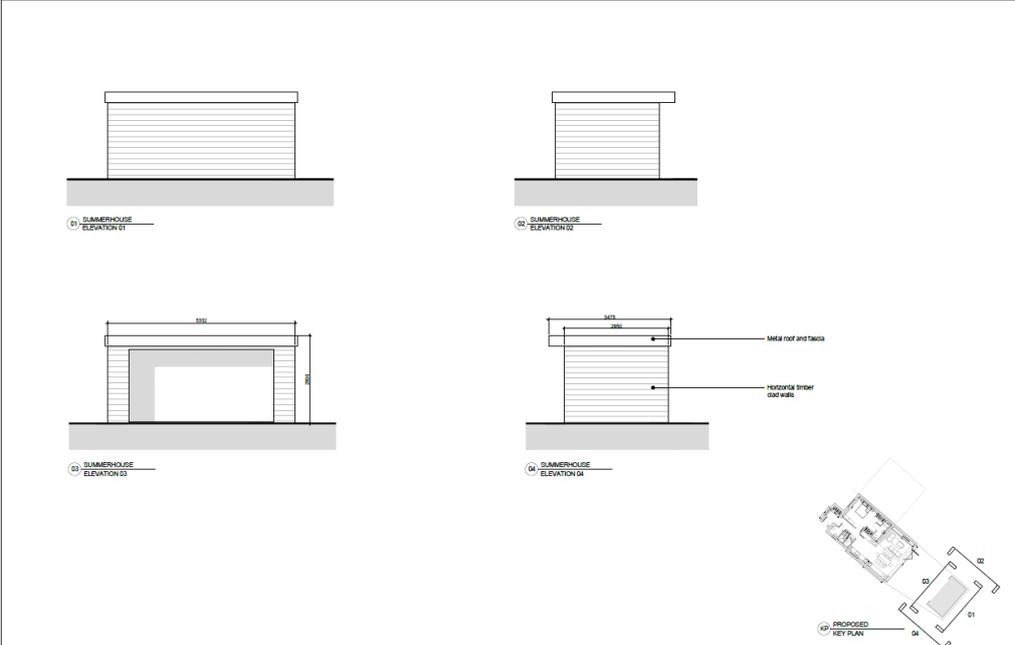
PROPOSED ELEVATIONS – SOUTH-EAST



PROPOSED FLOOR PLANS



PROPOSED ELEVATIONS OF SUMMERHOUSE



REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

REFERENCE: HW/HSE/21/00451

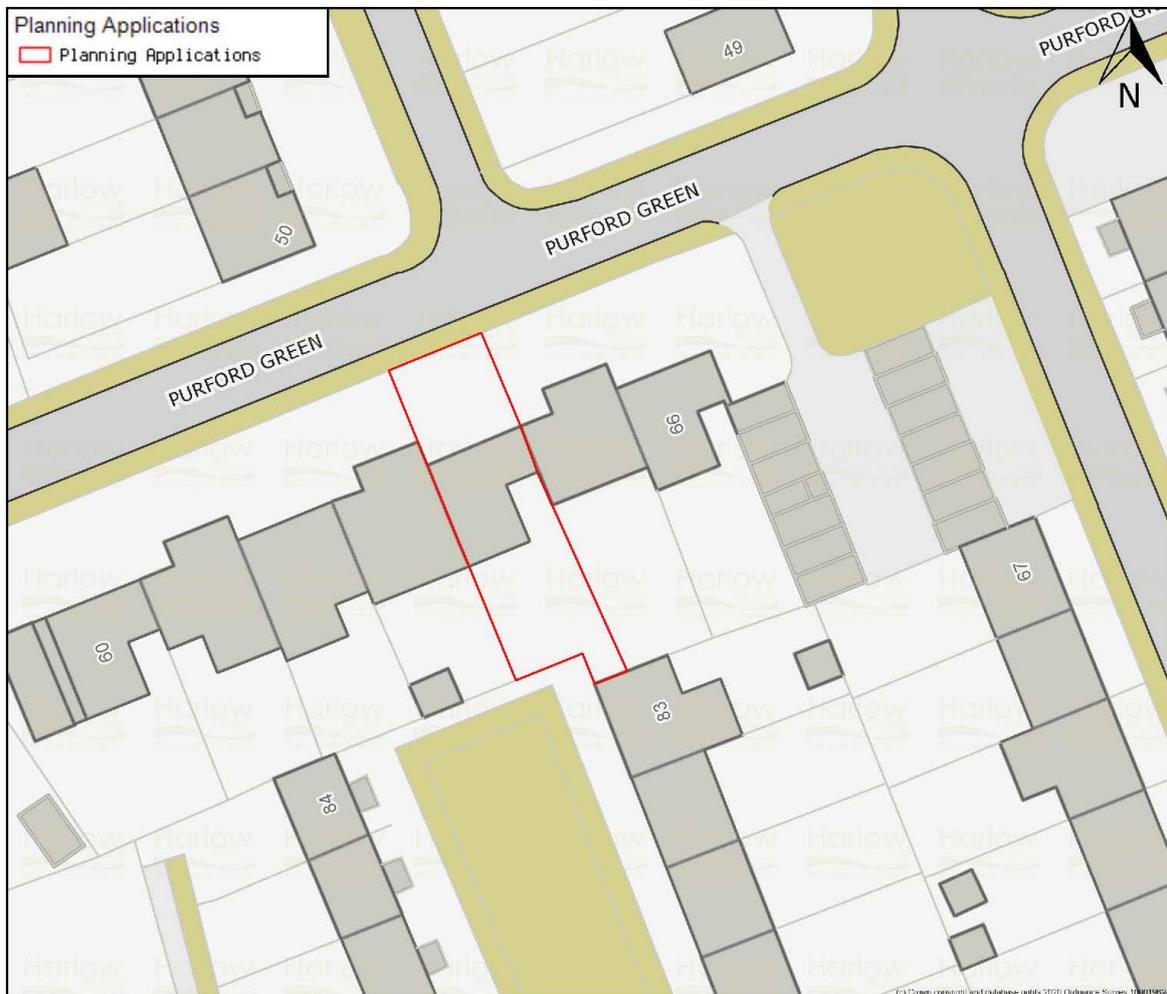
OFFICER: Chris Walter

APPLICANT: Sean Lee

LOCATION: 64 Purford Green
Harlow
Essex
CM18 6HN

PROPOSAL: Single storey wrap around extension consisting of pitched roof construction.

LOCATION PLAN



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REASON BROUGHT TO COMMITTEE: Two representations received which are contrary to officer recommendation.

PROPOSED DEVELOPMENT: Single storey wrap around extension consisting of pitched roof construction.

Application Site and Surroundings

The application site relates to 64 Purford Green, a two storey terraced dwelling located within a residential area of Bush Fair. It shares a boundary to the east with No. 65, one to the west with No.63 and one to the south with No.83.

The rear elevation of the extension would meet the shared boundary with No. 63, which is a wooden fence measuring approximately 1.75 metres in height. It would project 3.5 metres beyond the rear elevation of this neighbour.

The side elevation of the extension would meet the shared boundary with No.65, which is a wooden fence measuring approximately 1.8 metres in height. Measuring 3.2 metres in length, a garage would separate the main living space of No.65 from the shared boundary. The proposed development would also extend 5.5 metres beyond the rear elevation of this neighbour.

The property is not located within a conservation area, nor are there any listed buildings nearby.

Details of the Proposal

Planning permission is sought for the development of a single storey wrap around extension consisting of pitched roof construction. The rear extension would extend 3.5 metres beyond the existing dwellinghouse and measure 8.9 metres in width. The side elevation would have a depth of 12.6 metres and a width of 3.2 metres.

The original proposals indicated a maximum height of 3.6 metres with monopitched roof, but this has since been updated and revised following correspondence between the case officer and agent. Both elevations would now have a maximum height of 3.5 metres and eaves height of 2.55 metres. This would be similar in height to the rear extension of No.63, which would be approximately 0.15 metres taller. As part of the proposals, doors and windows will be added to both the front and rear elevations.

RELEVANT PLANNING HISTORY:

There is no relevant planning history.

CONSULTATIONS

Internal and external Consultees

No Comment Received.

Neighbours and Additional Publicity

Number of Letters Sent: 5

Total Number of Representations Received: 2

Date Site Notice Expired: N/A

Date Press Notice Expired: N/A

Summary of Representations Received

Two representations were received objecting to the proposals. These can be summarised as follows:

- Increased roof area and effect of rain runoff leading to soak away rather than mains drainage
- Possible reduction in sunlight and daylight
- Development not in keeping with row of houses; and
- Concerns removal of concrete roof may lead to cracking

Officer comment: Only material planning considerations can be taken into consideration in the assessment of this application. Matters in relation to structural integrity and foundations would be dealt with under separate Building Control legislation.

PLANNING POLICY

The relevant policies of the Harlow Local Development Plan 2020 (HLDP) are:

PL1- Design Principles for Development

PL2- Amenity Principles for Development

IN2- Impact of Development on the Highways Network including Access and Servicing

IN3- Parking Standards

PLANNING STANDARDS

National Planning Policy Framework (NPPF) (2021) - 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)

Essex Parking Standards 2009

Summary of Main Issues

The key issues to be assessed include the principle of the proposed development and its impact on the character and appearance of the application dwelling and area, neighbouring amenity and parking.

Principle of Proposed Development

The acceptability of the principle of the proposed development is dependent on its compliance with the relevant policies within the Harlow Local Development Plan (HLDP) 2020 and supplementary documents, as assessed below.

Character and Appearance

Policy PL1 of the HLDP and the Harlow Design Guide SPD indicate that proposals should not result in demonstrable harm to the character and appearance of the application dwelling or area. Principle DG47 of the Harlow Design Guide SPD states that proposals for

householder developments should respect the size, grain, height, materials, features and layout of the building to be extended. Extensions should be subordinate to the host property.

This part of Purford Green predominantly consists of terraced houses with a rather uniform design, form, scale and appearance. A number of properties within the area have received planning permission for rear extensions, including Nos. 43, 45, 60 and 53. It is considered that the design, scale and appearance of the single storey wrap around extension consisting of pitched roof construction would be subservient and respectful to the existing dwelling and area. While the front elevation of the side extension would be visible from the public highway, given it would be set several metres away from the edge of the road and be single storey in nature, it is not considered it would become overly prominent within the streetscene.

The proposed development would be compatible with the host dwelling and the design is similar to adjacent properties. It is considered that the proposal will integrate well with the existing dwelling and the surrounding area, and is in general compliance with policy PL1 of the HLDP and Principle DG47 of the Harlow Design Guide SPD.

Neighbouring Amenity

Policy PL2 of the HLDP and Sections 4.12.13 and 4.12.21 of the Harlow Design Guide SPD indicate that proposals should not result in detrimental impacts to neighbouring amenity.

Number 63 Purford Green is located west to the application site and has a large ground floor window, which serves a lounge/dining area and faces towards the south, in close proximity to the shared boundary with No. 64. Due to its orientation and the size of the window, however, it is not considered the development would be over dominant, or result in significant loss in daylight or sunlight to this neighbouring amenity.

Furthermore, subject to permitted development legislation, No.63 would also have the opportunity to erect a 2 metre fence on the boundary, which would reduce the height of the extension seen above the shared boundary treatment by 35 centimetres, to around 1.45 metres. With a proposed eaves height of 2.55 metres, the monopitched roof would range from being 0.75 metres at its lowest to 1.7 metres at its highest above the shared boundary. A new boundary treatment could therefore help reduce any overdominance or light impacts the proposed extension may have.

The Impact on Number 65

The wraparound extension would be seen 5.5 metres beyond the rear elevation of No.65 to the east. As No.66 also projects beyond the rear elevation of this property, an extension at No. 64 could result in a loss of sunlight received by the neighbours at No.65. It is depicted by the proposed ground floor plan the existing garage, which measures at 2.3 metres tall, would be knocked down to make way for a utility room and gym. However, as the proposed extension would be set apart from the main living space of No.65 by the neighbour's garage, which is 3.2 metres in length, it is not considered it would result in any significant loss of daylight or sunlight to this neighbouring amenity.

With a proposed eaves height of 2.55 metres, the monopitched roof would range from being 0.25 metres at its lowest to 1.2 metres at its highest above the height of the garage of No.65.

The proposal is therefore considered to be in compliance with PL2 of the HLDP and Sections 4.12.13 and 4.12.21 of the Harlow Design Guide SPD.

Parking

The proposal would not require additional parking provision as no additional bedrooms would be developed. Given its scale and nature, it is not considered that the development would result in detrimental long-term impacts to parking or to the highway, in compliance with policies IN2 & IN3 of the HLDP and the Essex Parking Standards 2009.

CONCLUSIONS:

The proposal is not considered to result in demonstrable harm to the character and appearance of the application dwelling or area, and would not result in detrimental impacts to neighbouring amenity or to parking. The proposal is therefore considered to be in compliance with policies PL1, PL2, IN2 and IN3 of the HLDP, Principle DG47 and Sections 4.12.13 and 4.12.21 of the Harlow Design Guide SPD. It is recommended for approval accordingly.

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

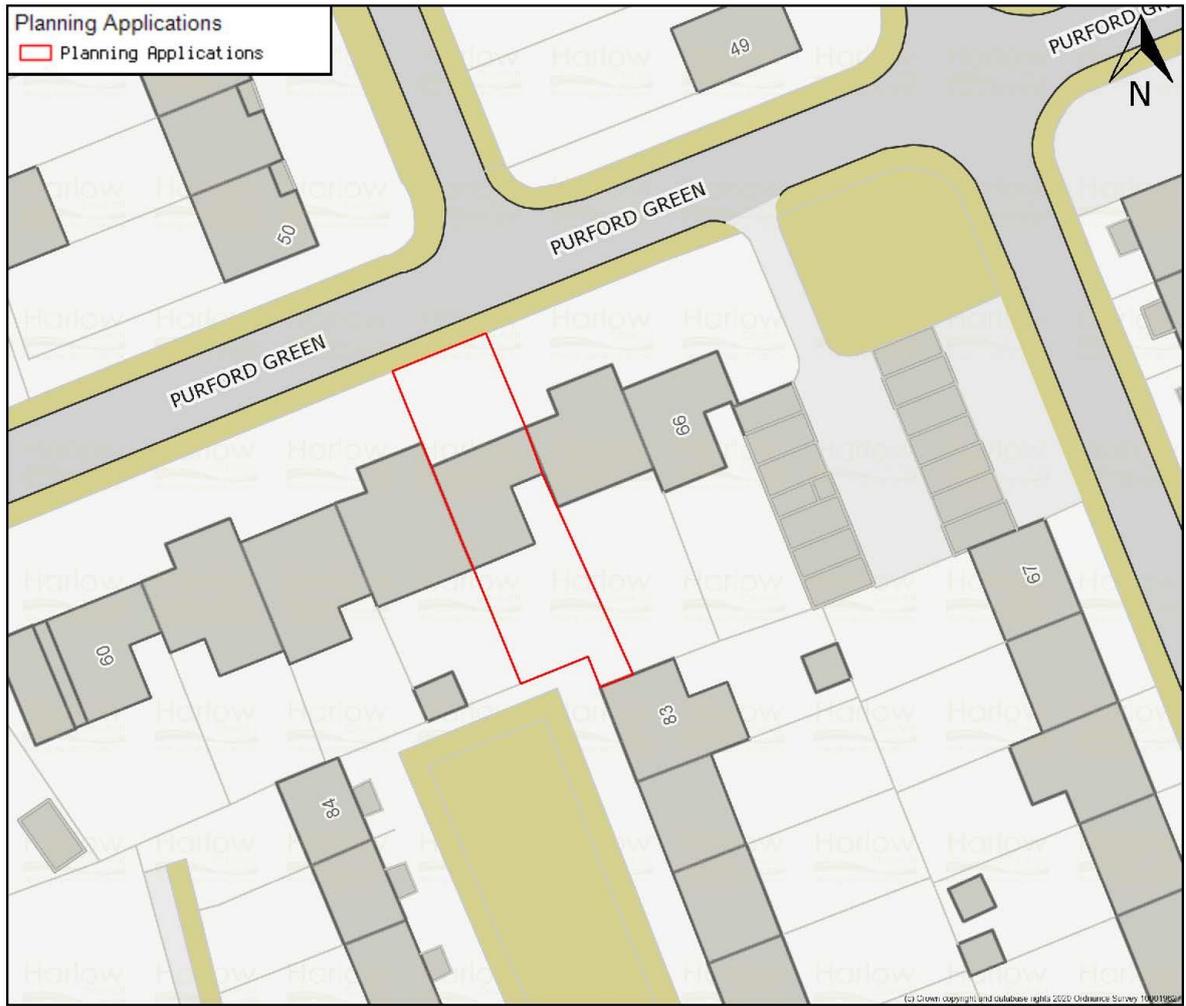
REASON: For the avoidance of doubt and in the interests of proper planning.

Plan Reference	Version No.	Plan Type	Date Received
	--	Location Plan	08.08.2021
	--	Block Plan	08.08.2021
A01	1	Existing & Proposed Layout Plans	08.08.2021
A02	1	Existing Elevations	08.08.2021
A02	1	Existing Elevations ADDITIONAL	29.09.2021
A03	1	Proposed Elevations	29.09.2021

INFORMATIVE CLAUSES

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

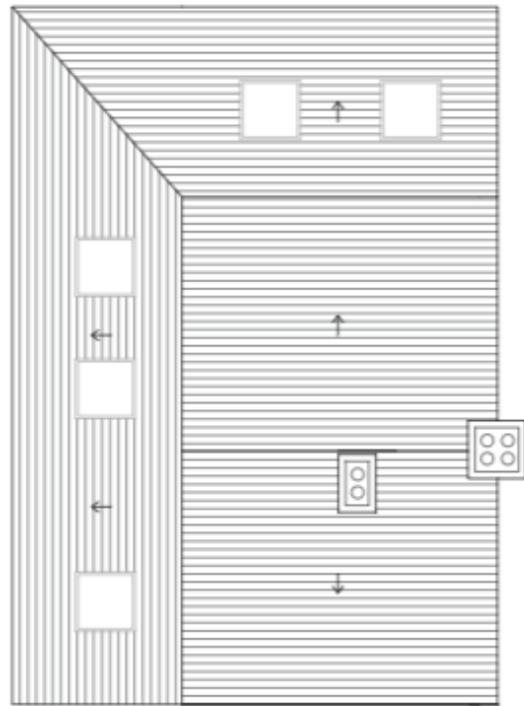
LOCATION PLAN



EXISTING AND PROPOSED PLANS



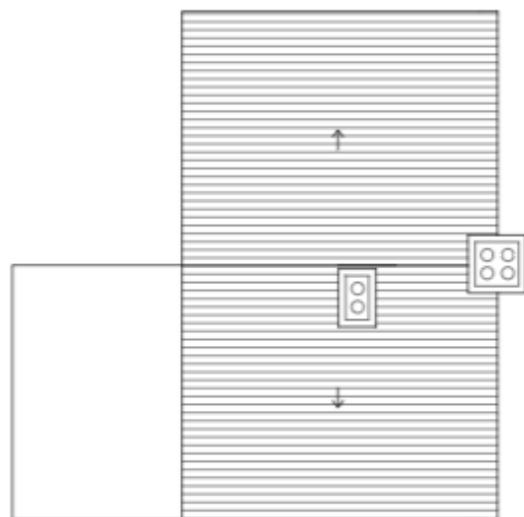
PROPOSED GROUND FLOOR PLAN



PROPOSED ROOF PLAN

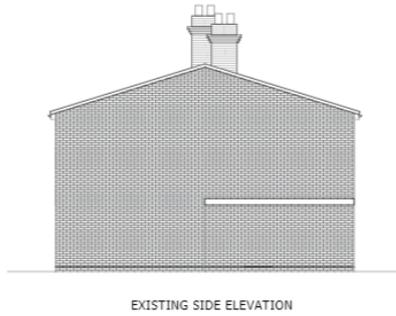
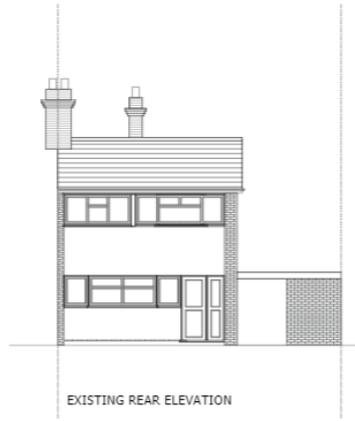


EXISTING GROUND FLOOR PLAN

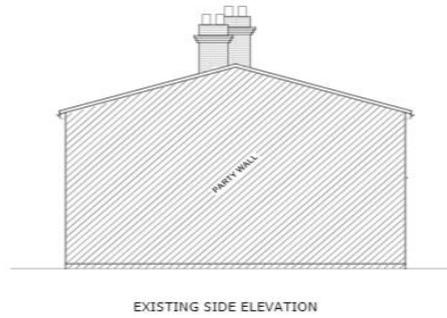


EXISTING ROOF PLAN

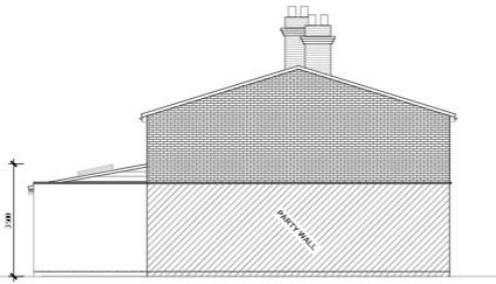
EXISTING ELEVATIONS



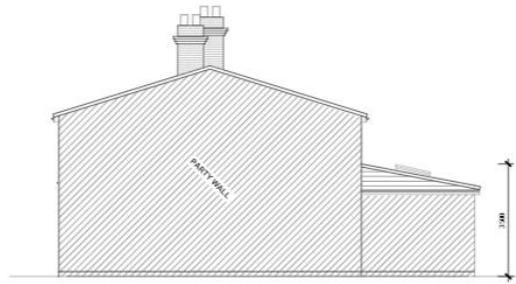
EXISTING ELEVATIONS ADDITIONAL



PROPOSED ELEVATIONS



PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION

ALL PROPOSED MATERIALS
AND EXTERNAL FINISHES
TO MATCH THAT OF EXISTING



PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION