

**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE**  
**27 February 2019**

**REFERENCE:** HW/FUL/18/00288

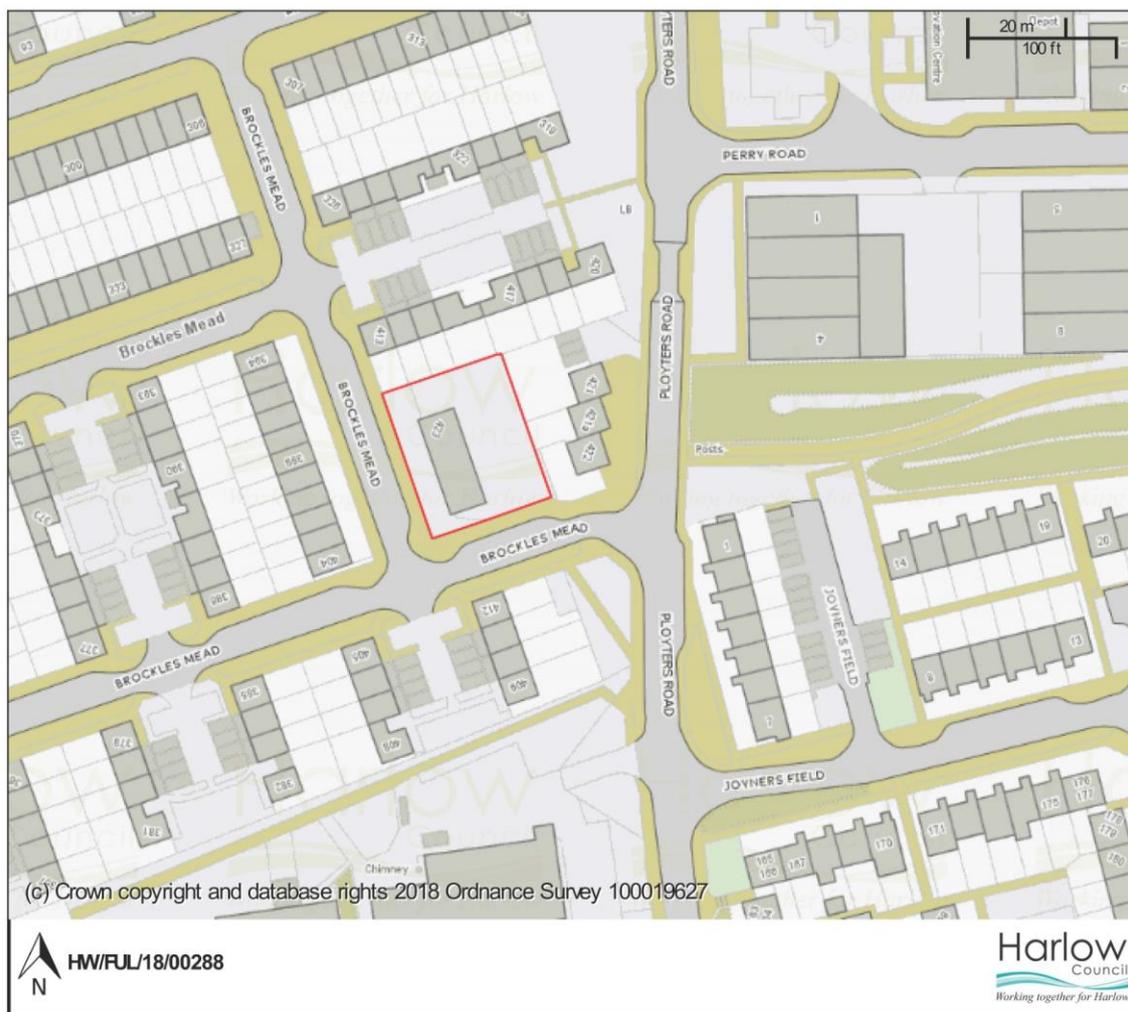
**OFFICER:** Ganesh Gnanamoorthy

**APPLICANT:** Aldanat Care Limited

**LOCATION:** 423 Brockles Mead, Harlow

**PROPOSAL:** Single Storey Extension to Existing Care Facility to Create 3 Additional Supported Living Flats

**LOCATION PLAN:**



**REASON BROUGHT TO COMMITTEE:** More than two objections have been received which are contrary to the Officer recommendation.

## **Application Site and Surroundings**

The application site is a rectangular corner plot which hosts a two storey gable-ended pitched-roof, rectangular-shaped property running north to south. The property is in use as a care home. Prior to this, the property was in use as a children's home.

The property benefits from an existing crossover from Brockles Mead, although there is no formalised parking.

The site is located within a largely residential area although Kingsmoor Academy is to the south of the site and a designated employment area is to the north east of the site.

The property is not located within a designated conservation area, nor is the application property a listed building. There are no listed buildings in close proximity of the site.

## **Proposed Development**

The application proposes to build a single storey ground floor extension perpendicular to the existing building. The extension would have a length of approximately 17.50m and a width of 6.40m. The extension would be set back from the front elevation of the building by 0.50m.

The extension would have a gable-ended roof with a rear projection providing the majority of the depth of the extension.

Four car parking spaces are proposed to the front of the site, using the existing crossover.

## **Relevant Planning History**

HW/HSE/16/00323 – Application for a Front Access Ramp and Guardrail. PERMISSION GRANTED 12.09.2016

HW/FUL/18/00142 – Application for an Extension to Existing Care Facility Comprising Part Two-Storey and Part Single-Storey at North End, To Create 4 Additional Supported Living Flats. WITHDRAWN 15.06.2018

## **CONSULTATIONS:**

### **Internal and External Consultees**

#### **HDC Waste Management Officer**

No objection raised

#### **HDC Arboricultural Officer**

No objection raised subject to the imposition of a condition requiring an Arboricultural Method Statement.

#### **Essex County Council Highways Team**

No objection raised. The Highways Officer notes that the proposal is unlikely to result in increased parking.

## HDC Environmental Health Team

No objection raised as Building Regulations would ensure compliance with the required standards with regard to noise levels.

## Neighbours and Additional Publicity

No. of letters sent: 37

Total no. of Representations received: 5

Date Site Notice Expired: 20/07/2018

Date Press Notice Expired: Not Applicable

## Summary of Representations Received

All representations received are opposed to the proposal with the exception of one neutral response. The concerns received can be summarised as follows:

- Increased parking stress
- Noise created by residents and staff of the care home
- Overlooking
- Loss of light
- Impact on the health of neighbours with ill-health
- Inappropriate waste storage facilities

## PLANNING POLICY:

### Harlow Adopted Replacement Local Plan, July 2006

The following Adopted Replacement Local Plan policies apply:

- |      |   |
|------|---|
| H7   | Dwellings for Disabled and Special Needs<br>H7: "Special Needs Housing" all new developments will be required to take account of the needs of those with disabilities and special needs.  |
| T9   | New Devs. Adopted Vehicle Parking Standards Provision<br>T9:"Vehicle Parking" parking shall be provided in accordance with the adopted vehicle parking standards. Justification is required for the amount of car parking proposed on an operational need and, if applicable, a Green Commuter Plan.  |
| NE11 | Dev. Affecting Trees and Hedgerows<br>NE11:"Trees and Hedgerows" in considering applications for development affecting trees or hedges the following may be required: a survey of the site and trees and hedges concerned; oppose the loss of trees and hedgerows of amenity value and wildlife importance; serve TPO's to protect trees with public amenity value; may impose conditions to ensure the retention or replacement of trees and hedgerows of amenity value or wildlife importance and their protection during construction. |
| BE1  | New & Extd Buildings Relate to Setting<br>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.

## **PLANNING STANDARDS:**

National Planning Policy Framework 2018- sets out the Government's key economic, social and environmental objectives and the planning policies to deliver them. These policies will provide local communities with the tools they need to energise their local economies, meet housing needs, plan for a low-carbon future and protect the environmental and cultural landscapes that they value. It seeks to free communities from unnecessarily prescriptive central government policies, empowering local councils to deliver innovative solutions that work for their local area.

## **Supplementary Planning Documents/Current Planning Guidance**

Harlow Design Guide (2011)

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

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

Planning Practice Guidance (PPG)

### Harlow District Council – Emerging Local Plan

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 ASSESSMENT:**

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

## **Summary of Main Issues**

### **Principle of development**

The proposal does not seek to change the use of the existing property, but to extend the building within its current use as a care facility.

It is therefore considered that the proposal should be accepted in principle, subject to the planning considerations highlighted in the following sections of this report.

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

The proposal would involve the erection of a single storey extension to this sizeable two storey building. The extension would appear visually subservient to the main property when viewed from in front of it by virtue of its scale, whilst the incorporation of a roof form that matches the host property when viewed from the front ensures that the design responds well to the existing building. In addition, although it would have a large rear projection, the extension would be sufficiently set back from the highway to the east, and being single storey in nature so would not be prominent when viewed from that angle.

The applicant has indicated that the extension would be constructed of materials to match the existing building and this further ensures an appropriate and subservient relationship. A condition would be attached to ensure that this is the case.

It is considered that the extension integrates well with the character of its surroundings and is therefore considered to be in accordance with ARHLP policy BE1 and the Harlow Design Guide SPD.

### **Neighbour amenity**

The proposed extension would be single storey in nature, would sit comfortably within the site, and some 1.50m away from the rear gardens of the nearest properties. The nearest dwellings would be a further 8.00m away. This distance, along with the single storey nature of the extension, means that the proposal would not have an adverse impact on sunlight and daylight receipt to neighbouring properties.

The proposed extension would be single storey in nature and all new windows would face site boundaries or into the site itself. There are no overlooking or loss of privacy concerns caused by the proposal.

With regard to noise generation, the increase in numbers of people may result in an increase in comings and goings to the property and could cause some additional noise. The applicant has stated that the proposal would result in an increase of staff by 1 Full Time Equivalent (FTE), while three new residents could be accommodated. Concerns regarding the potential noise of staff and residents are not guaranteed as a result of the intensification of the existing use, and so refusing the application on this reason would be inappropriate. The representations received refer largely to a particular resident and perceived inconsiderate behaviour from staff members, and these cannot reasonably be controlled through the planning process. The Council's Environmental Health Officer has commented that he has no objection as long as the extension complies with Building Regulations.

It is noted that concerns have been raised regarding the impact of the proposal on the existing ill-health of neighbouring residents. This has been considered insofar as relevant to the application as an amenity consideration within this section.

With the above in mind, the proposal is considered to be acceptable with regard to neighbour amenity and living conditions and in accordance with ARHLP policies BE1.

### **Access, parking, highway safety and servicing**

The Highways Authority has been consulted on the application and they have raised no objections to the proposal, stating that an increase in parking is unlikely.

The proposal makes no alteration to access to the site with an existing crossover to be retained. There are, therefore, no concerns regarding access or highways safety.

With regard to parking, it is noted that the site has no formal off street parking, despite having an existing crossover. The Essex County Council Parking Standards require a total of one car parking space per FTE staff member and one visitor space per 3-beds. Based on current standards, the existing use should have twelve parking spaces. This application proposes four off street parking spaces, utilising the existing crossover.

The applicant has confirmed that the proposal would result in an increase of one FTE staff member, meaning that two parking spaces are required to meet the needs of the proposal (one for the one FTE staff member and one for visitors of the three beds). Therefore, the proposal provides four spaces, which exceeds the two required. Therefore, the proposed level of provision will not only meet its own needs with regard to parking spaces but will also address some of the under provision of the existing use, thus helping to reduce the existing level of on-street parking used by the host property.

The parking spaces would be of the minimum size. Whilst the ECC preferred dimensions are usually sought, in this instance the reduction in size allows for greater parking provision – improving an existing parking issue, and is therefore considered acceptable.

A bin store is proposed to the rear of the site, and in a logical location. Additional bins are proposed (a total of 8x 240litre containers) and are considered to be of a sufficient size to meet the needs of the occupiers. Waste collection will take place from a gate to the east of the store, leading directly to the public footway. The Council's Streetscene Manager has raised no objection to the proposal. The development is considered to be acceptable with regards to waste servicing.

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

### **Impact upon trees**

The Council's Consultant Arborist has been consulted on the proposal and has noted that there are three trees in close proximity of the site – two to the front of the site and one to the rear in an adjacent garden. No concerns are raised regarding the two to the front although it is considered that the Willow to the rear could be impacted upon by the proposal. The Arborist has requested that a condition be imposed requiring an Arboricultural Method Statement to ensure that this tree is suitably protected during construction.

With the above in mind, the proposal is considered acceptable with regard to impact upon trees subject to the imposition of a condition, and therefore complies with ARHLP policy NE11.

## CONCLUSIONS:

The application is acceptable in principle, would have an acceptable appearance in relation to the host property and within the wider streetscene. No concerns exist regarding neighbour amenity, access, parking, or highway safety matters. The scheme is considered acceptable with regard to trees subject to the imposition of a planning condition.

The scheme is in accordance with the Adopted Replacement Harlow Local Plan.

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

## RECOMMENDATION:

**That Committee resolve to:**

**Grant Permission subject to the following conditions:**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON: In order to comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**

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

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

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

**REASON: To ensure that damage to vegetation identified for retention is avoided, in compliance with policy NE11 of the Adopted Replacement Harlow Local Plan. The details are required to be approved before works commence to ensure the impacts of the development are acceptable.**

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

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

- 4 The materials to be used externally on the development hereby authorised shall match, in appearance, those used in the existing building, unless alternative materials are proposed.

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

- 5 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>
457/01	B	Existing Plans and Elevations	15.02.2019
457/03	F	Proposed Plans and Elevations	15.02.2019

#### **INFORMATIVE CLAUSES**

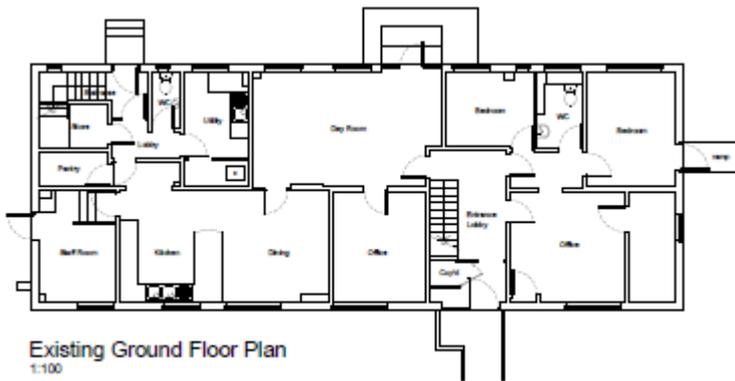
The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address these concerns. As a result, the Local 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.

# Plans



Existing First Floor Plan

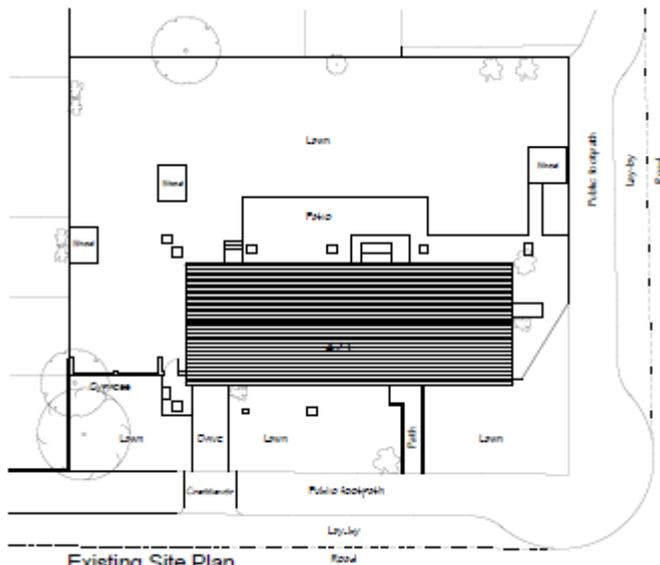
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Existing Ground Floor Plan

1:100

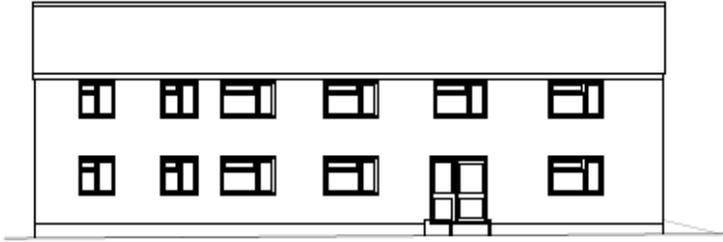
## Existing Floor Plans



Existing Site Plan

1:200

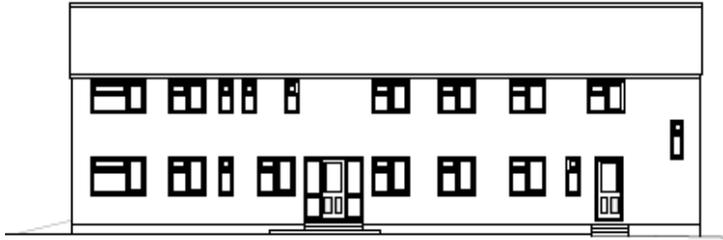
## Existing Site Plan



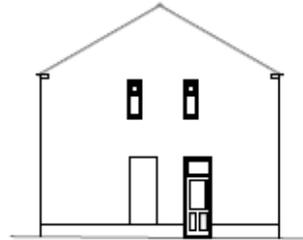
Existing Front Elevation  
1:100



Existing Side Elevation (South)  
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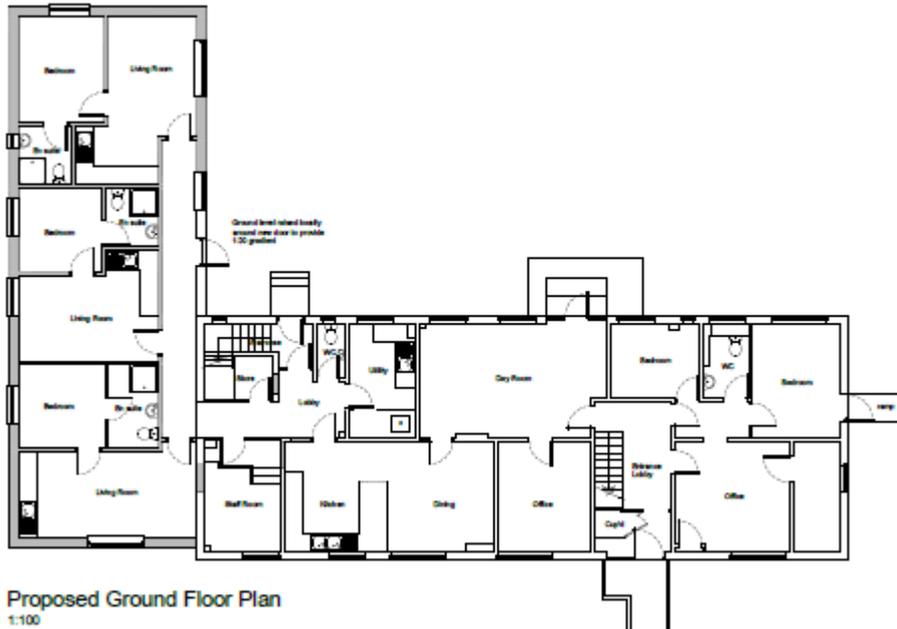


Existing Rear Elevation  
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Existing Side Elevation (North)  
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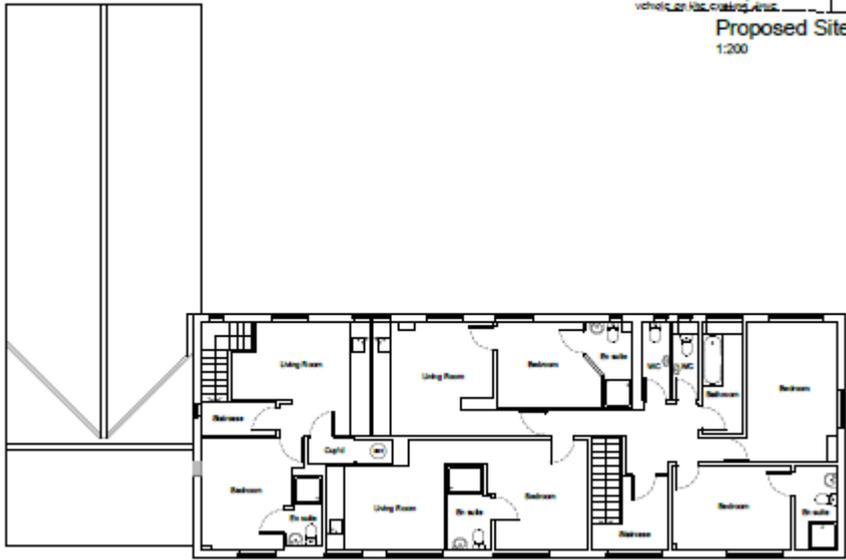
### Existing Elevations



Proposed Ground Floor Plan  
1:100

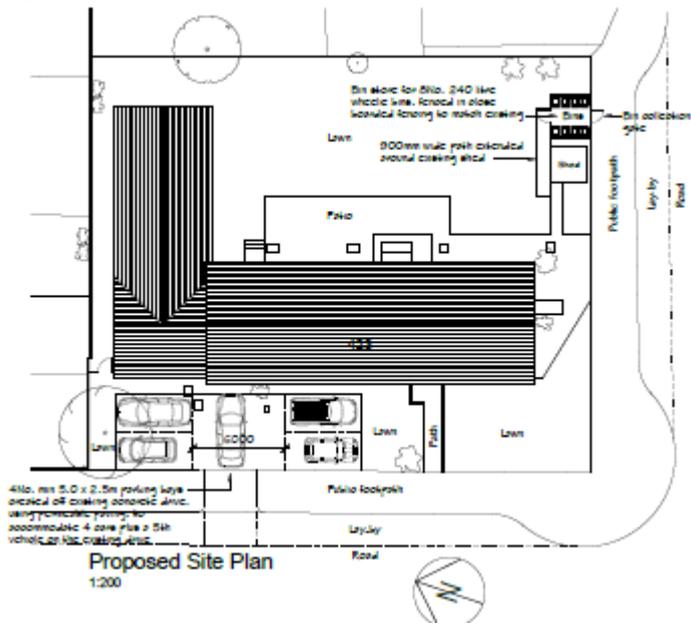
using minimum parking for  
 accommodate 4 zone plus a 5th  
 vehicle for NAC, parking, etc.

**Proposed Site Plan**  
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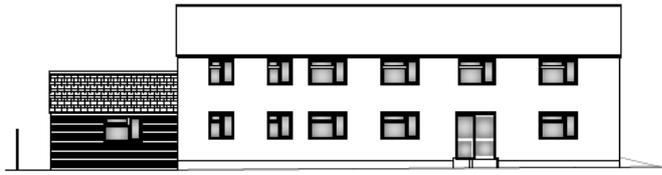


**Proposed First Floor Plan**  
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**Proposed Floor Plans**



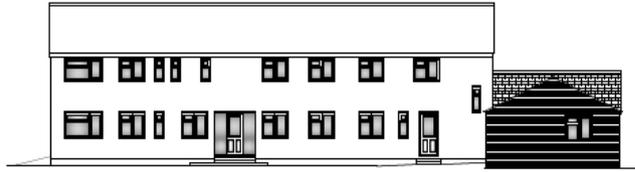
**Proposed Site Plan**



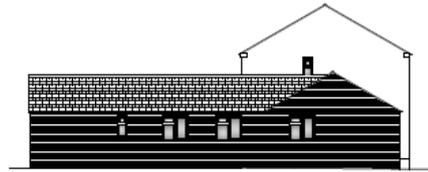
Proposed Front Elevation  
1:100



Proposed Side Elevation (South)  
1:100



Proposed Rear Elevation  
1:100



Proposed Side Elevation (North)  
1:100

## Proposed Elevations