

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

3rd June 2020

REFERENCE: HW/OUTAM/19/00474

OFFICER: Nicholas Fu

APPLICANT: Mr D Chipchase

LOCATION: Police Office Kennels
286A Fold Croft
Harlow
Essex
CM20 1SE

PROPOSAL: Erection of 3 No. dwellings with associated car parking and infrastructure

LOCATION PLAN



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Harlow District Council Licence No.100019627 (2015)

REASON BROUGHT TO COMMITTEE:

More than two representations have been received which are contrary to the officer recommendation

Application Site and Surroundings

The application relates to the former Police Office Kennels at Fold Croft. It is located at the rear of the Fold Croft residential area, and backs onto the Canons Brook Golf Club. It was last used as a kennels and police dog training area by Essex Police. The site is accessed from Fold Croft via a narrow road.

The site includes a grassed area along its western boundary, which is designated Green Wedge according to the Adopted Replacement Harlow Local Plans (ARHLP) Proposals Map 2006. The Canons Brook runs to the west of the site, and the Proposals Map identifies the site as being within an Indicative Flood Plan. According to the Environment Agent's flood maps, the site lies partly within Flood Zone 2 and on the edge of Flood Zone 3.

Details of the Proposal

Outline planning permission is sought for the construction of three dwellinghouses. The application is submitted with all matters reserved.

The drawings submitted are illustrative only and may not therefore be representative of the final development. The proposal includes a block of two-storey terrace positioned at the eastern side of the site. The houses would front an internal highway, and would include private garden areas. Parking spaces would be created on the western side of the site. The layout has been amended to include a designated bins pick up location near the public highway, following comments from the Council's Street Scene Manager.

RELEVANT PLANNING HISTORY:

Application Reference: HW/OUTAM/19/00204

Proposal: Erection of 3 No. dwellings with associated car parking and infrastructure

Status: Withdrawn

Decision Date: 1 July 2019

Application Reference: HW/OUTAM/17/00327

Proposal: Residential Development for Up To 4 New Dwellings on Land at Harlow Dog Section and Police House, Fold Croft

Status: Withdrawn

Decision Date: 10 October 2017

Application Reference: 94/00300

Proposal: Provision of New Hardstanding and Garage for Police Vehicles

Status: Granted Planning Permission

Decision Date: 13 December 1994

CONSULTATIONS:

Internal and external Consultees

HDC - Consultant Arboricultural Officer

No objections subject to conditions – The losses of trees on site are only minor and the rest of the trees off site shall be retained with the proposed design. There is suitable space for landscaping to offset and loss in its proposed design.

A pre-commencement condition for the submission of a fit-for-purpose Arboricultural Method Statement (AMS) that follows the recommendations of BS 5837:2012, with particular attention paid to how to protect the offsite trees near to the access road on the site.

Additionally, a suitable and detailed landscape scheme, specification and method statement shall be conditioned so that the site can be appropriately landscaped and designed in light of the development on the land.

HDC - Cleansing and Environment

No objections following the amended waste collection and storage provisions

Essex County Council - Highways

No objections – From a highway and transportation perspective the Highway Authority has no objections to make on this proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011. An informative is suggested to highlight that all work affecting the highway is to be agreed with the Highway Authority.

Essex County Council - Sustainable Drainage Team

No Comment received.

Environment Agency (Hertfordshire & North London)

No objections - The applicant has taken the worst case scenario flood levels from the 1D hydraulic modelling to inform finished floor levels of 41.9m AOD. The applicant has completed a 1D hydraulic model informed by topographic data, channel cross sections, and spot levels to create the 1 in 100 +35% CC and 1 in 1000yr flood outlines. This further investigation has shown the site to be in Flood Zone 1 and is therefore suitable for the proposed development.

Neighbours and Additional Publicity

Number of Letters Sent: 37

Total Number of Representations Received: 4

Date Site Notice Expired: 24 March 2020

Date Press Notice Expired: 2 January 2020

Summary of Representations Received

Four objections from local residents were received. Their reasons for objections can be summarised as follow:

- The entrance to the site is too narrow for lorries and other construction vehicles
- Limited parking on Fold Croft for construction vehicles and the workers
- Difficult for lorries to go past Fold Croft due to existing on street parking
- Noise disruptions during site clearance and constructions
- Overlooking and privacy issues
- Existing views to the woodland would be blocked
- The site is a flood plain
- Loss and damages to existing trees
- Negative impacts on wildlife
- Insufficient provision for waste storage and presentation

Officer's response: these concerns are discussed in the relevant planning assessment sections of this report.

PLANNING POLICY:

BE1: "Character and Identity" new and extended buildings should relate to their setting to strengthen, enhance, protect or create local character. Permission will be granted for new development providing: it is well connected to and integrated with the wider settlement; the height massing, layout, appearance and landscape makes an appropriate visual relationship with that of the form, grain, scale, materials and details of the surrounding area; building design is specific to the site and its context; it enhances the character, image and perception of the area when highly visible.

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

H13: "Existing Housing Areas" permission will be granted for demolition of satisfactory residential accommodation, change of use of buildings or land in residential use, or allocated for residential development if: the proposal facilitates the development of additional housing or redevelopment at a higher density except where the development proposals facilitates regeneration; the change of use is necessary to secure the preservation of a listed building; the existing building is unfit or sub-standard and cannot be economically improved and brought into housing use; the proposal is for essential public open space; the development provides essential new public amenities.

NE1: "Green Wedge" will be protected from inappropriate development. Permission will be granted, for small scale development proposals or replacement buildings that do not have an adverse effect on the roles of the Green Wedge.

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.

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.

CP12: "Public Utilities" development that will be at risk of flooding, or will contribute to flood risk or has an adverse impact on the river corridor will be resisted.

NE15: "Biodiversity and Nature Conservation" permission will not be granted for development that would harm habitats or other features of the landscape, or are of significant importance for wildlife, unless it can be demonstrated that the reason for the proposal outweighs the need to protect the habitat or feature.

NE20: "Protected and Rare Species" applications should be supported by appropriate surveys. Permission will not be granted which will have an adverse impact on species protected by Schedules 1, 5 or 8 of the Wildlife and Countryside Act 1981, the Protection of Badgers Act

1992, the Habitats Regulations 1994 and other rare species, unless it can be demonstrated that the need outweighs the need to safeguard the specie(s).

Harlow Local Development Plan Pre-Submission Publication (2018)

The new Harlow Local Development Plan is currently being examined by an Inspector appointed by 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 its 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') was submitted for examination in October 2018. The Examination started with public hearings which ran between March and April 2019.

In December 2019, the Inspector wrote to the Council with suggested modifications to the emerging Local Plan. The modifications are necessary in order to ensure the Plan is sound, that issues raised during the Examination have been considered, and that the Plan can, therefore, be formally adopted by the Council.

The detailed Main Modifications to the emerging Local Plan, will be consulted on between 12 March and 31 May 2020. The Inspector will then consider any representations made to these modifications, before issuing his final report, but it is anticipated the Plan will be formally adopted by the Council in summer 2020.

It is considered, therefore, that the policies within the emerging Local Plan are consistent with the policies in the 2012 NPPF, as it was submitted during the transition period between the 2012 and 2018 NPPF versions. Significant weight can, therefore, 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)
Open Spaces, Sport and Recreation SPD (2007)
The Essex Parking Standards: Design and Good Practice (2009)
Planning Practice Guidance (PPG)

PLANNING ASSESSMENT:

The main issues of consideration for this application are the principle of development, the impact on the character and appearance of the surrounding area, neighbour amenity, trees, landscaping and wildlife, flooding risk, and parking and highway safety.

Principle of development

Policy H10 of the Adopted Replacement Harlow Local Plan (ARHLP) is supportive of infill development provided that a number of criteria are met. These criteria include the character and appearance of the locality, residential amenity, parking and potential for comprehensive development of adjacent land. The application site is surrounded by residential developments and the Canon Brooks Golf Club which is part of a designated Green Wedge. There are no known development projects for the site or within the surrounding land. The other criteria would be assessed in the rest of this report.

Policy H13 is supportive of the demolition of existing building to facilitate the development of additional housing. The site is the Police Office Kennels which is not been used for some time. The principle to redevelop the site to provide 3 new dwellings is considered to comply with Policy H13.

The principle of development is considered acceptable, subject to other material planning considerations.

Character and Appearance

The appearance and detailed design of the proposed dwellings are reserved matters. The submitted drawings illustrate the proposed arrangement and layout of the site, and the location, shape and scale of the proposed dwellings.

The proposed development would have limited impact to the appearance of the streetscene by virtue of its location. The proposed development could be visible from the south on Canons Bridge and through the gap between nos. 290 & 291. Nonetheless, the views from these locations are towards other existing dwellings on Fold Croft. It is considered that the proposed development would not adversely affect the existing visual amenity qualities from these viewpoints.

Despite being at a recessed location, the application site "slots" into the gap between existing developments, and still within the parameter of the Fold Croft residential area. The application site is of sufficient size for the development of three dwellinghouses, and the illustrative layout plan shows that the scale of the proposed dwellings and the size of their private gardens would be reasonable and comparable to those of the existing properties on Fold Croft. It is therefore considered that the proposal development would not result in an overdevelopment of the site or an over-intensification of the area. It is therefore accord to the relevant sections of Principle DG28 of the Harlow Design Guide SPD.

Fold Croft is a residential area comprising housings of various types and designs, but the buildings are predominately two-storey in height. The scale, bulk, mass and height of the proposed two-storey terrace are considered to be in keeping with those of the surrounding properties. The illustrative layout also shows the proposed building to be positioned in parallel to other dwellings on the west side of Fold Croft. Although being an infill development, it is considered the proposal could be designed to reflect and respect the arrangement, layout and grain of development of the surrounding area.

Subject to consideration of the reserved matters, including the detail design, appearance, and use of appropriate materials, is it considered that the proposed development would not result in any detrimental impact to the character and appearance of the surrounding area. It is therefore considered the proposed development, subject to reserve matters, would comply with Policies BE1 and H10 of the ARHLP, and DG28 of the Harlow Design Guide.

Green Wedge

The eastern side of the site falls within an area designated as Green Wedge, which extends to the west covering the Golf Club and beyond. Policy NE1 of the ARHLP states Green Wedges will be protected from inappropriate development. Permission will not be granted, except for small scale development proposals which do not have an adverse effect on the roles of the Green Wedges.

One of the key roles of Green Wedge is to separate neighbourhoods and different types of developments. The Canons Brooks to the west of the site provides a physical boundary to the Fold Croft residential estate, separating the urban development from the open, green and relatively natural area of the Golf Club. Moreover, the application site is a previously developed land with a large portion of hardsurfaced area. It is considered that the application site is located within the parameter of the Fold Croft development. The remaining section of the Green Wedge, which covers the Golf Club, would continue to perform the function of separating developments.

The Canons Brook provide a physical boundary and the proposed landscaping would provide an informal and visual boundary separating the proposed development from the rest of the Green Wedge. The new dwellings would be located outside the Green Wedge area, as illustratively proposed. The parking area, which is within the Green Wedge, is proposed to be covered with "grasscrete" paving to reduce urbanisation of the existing grassland. The rest of the Green Wedge land within the site would remain green with landscaping which blends in the relatively natural landscape of the wider area.

The application site and proposed development is well-defined by existing and proposed landscape features. The illustrative layout also demonstrated that the development has been designed to steer away from the Green Wedge as much as possible.

The application site forms a relatively small portion of the Green Wedge. Arguably, the remaining larger section to the west of the site is more important in, and would continue to, contributing to the roles of the Green Wedge. In the wider context, it is not considered the key roles and functions of the wider Green Wedge would be undermined. It is therefore on balance considered that the impacts to the Green Wedge would be acceptable in this instance.

Landscaping

The applicant provided an Arboricultural Impact Assessment which indicates only one tree would be removed to facilitate the proposed development. The vegetation along Canons Brook would be retained, and five new trees would be planted within the Green Wedge section of the application site. The Council's Consultant Tree Officer considers the proposed landscaping and replacement trees would offset the loss of trees on site. Conditions for the submission of a fit-for-purpose Arboricultural Method Statement with Tree Protection Plan, detailed landscape scheme and boundary treatment are recommended.

A neighbour raised concerns on the possible impact on the surrounding wildlife. The application site is not located within or adjacent to any nature conservation sites on the ARHLP Proposals Map. The applicant provided an Ecological Appraisal including a habitat survey. Moreover, the proposed dwelling as illustrated would be developed on the existing

hardstanding area which has limited ecological contribution. The proposed landscaping area would provide continuous semi-natural area and connect to the wider Green Wedge land to the west. The landscape plan submitted also shows the planting of native tree species such as cherry and hornbeam, and some “ecological enhancements” including bird boxes, bat boxes, log pile and under-cut fence. The proposal is therefore considered acceptable in terms of nature conservation. A condition on the hard and soft landscaping details should be attached to ensure the proposal demonstrate roles in mitigating the impact on the Green Wedge and enabling biodiversity net gain to be achieved.

It is noted that the existing building, which is proposed to be demolished, has not been used for some time which might provide sheltering for some wildlife. It is considered a condition should be attached to ensure demolition work would be carried out outside breeding seasons.

Neighbour amenity

The application site backs onto the residential properties along Fold Croft, and some neighbours have raised concerns regarding their residential amenities. The ARHLP and Harlow Design Guide do not have recommendations on minimum “back-to-back” distance between dwellings, and therefore it would be assessed on individual merits of each case.

The proposed site layout plan shows that the new dwellings would be located approximately 20m away from the houses to the east (i.e. 286-288 Fold Croft). Moreover, these houses sit on a higher level than the application site – the first floor of the proposed dwelling would roughly equal to ground floor level of these houses. The existing rear boundary fences of these properties on Fold Croft are more than 2m in height when viewed from the application site. Given the proposed dwellings would be 2-storey in height, it is unlikely that the proposal would overlook into the properties on the eastern side or result in a significant loss of access to sunlight and daylight. Nevertheless, conditions should be attached to ensure the proposed dwelling would be no more than 2-storey in height, and to remove their permitted development rights for loft conversion and rear dormers.

The proposed building would have its side elevation facing the existing dwellings to the south of the site (i.e. 291-292 Fold Croft). There would be separation distance of 12m. Given the orientation and siting, it is not considered that the proposal would result in unacceptable overshadowing. Although the drawings submitted did not show the locations of fenestration, it is possible to design a dwellinghouse with minimal windows on its side elevation. A planning condition on obscured glazed windows on this elevation would ensure there are no overlooking issues.

A local objection relates to the loss of existing view to the woodlands. However, the quality of views or the existing views to a particular feature cannot be material planning consideration. Nonetheless, the relationship between the proposed dwellings and nearby properties would be similar to most other back-to-back residential developments. Therefore, the overlook of existing residents would not be unacceptably restricted as a result of the proposed development.

Subject to appropriate planning conditions and full assessment of the reserved matters, it is considered that the proposal could achieve acceptable neighbour amenities, in accordance with Policy BE1 of the ARHLP and the Harlow Design Guide.

Parking

Policy H10 indicates that off-street parking would need to be provided for both existing and proposed dwellings, in accordance with the adopted Parking Standards. Policy T9 of the ARHLP and the Essex Parking Standards require dwellings with two or more bedrooms to

have two off-street vehicle parking spaces. A Transport Statement has been provided as part of the application submission.

The proposal provides 7 parking spaces, including 2 spaces per unit plus 1 visitors parking. The bay sizes (2.8m x 5.75m and 3m x 5.4m) are slightly smaller than the preferred size required by the Essex Parking Standards (2.9m x 5.5m), but considerably larger than the minimum acceptable size (2.5m x 5m), and would be practical for parking most family cars.

The site a piece of enclosed land located behind the existing properties on Fold Croft, with a single access road taken from the highway. The access road has a minimum width of 4.1m, and the proposed layout plan shows a turning head at the end of the access road. The parking spaces would have minimum 6m reversing space, and the arrangement and layout of the spaces would comply with the Essex Parking Standard.

As sufficient parking spaces would be provided within the application site, it is not considered that the proposed development would result in harm to the existing parking situation on Fold Croft. The additional traffic generated for three additional dwellings is also not considered to result in any adverse impact to the traffic condition of the highway. Essex County Council Highway Authority was consulted and raises no objection to the proposal.

It is therefore considered that the proposal is acceptable in terms of parking and highway safety, in accordance to Policies H10 and T9 of the ARHLP, and the Essex Parking Standard.

Flooding

The application site is adjacent to Canons Brook. The Environment Agency's Flood Map shows that the site is located within Flood Zones 1, 2 and 3a. The ARHLP Proposals Map identified the site as Indicative Flood Plain.

Most of the site is shown to be within Flood Zone 1 and 2, which indicates it is at low to medium risk of flooding (less than 1 in 100 annual probability of flooding from rivers). The area adjoining the brook is within Flood Zone 3a, which indicates a high risk of flooding (greater than 1 in 100 annual probability of flooding from rivers).

A Sequential Test has been submitted which demonstrates that there are no reasonably available sites in Flood Zones 1 to accommodate the proposed development. The Sequential Test demonstrates this by reviewing similarly sized sites located within Flood Zones 1 allocated within the Council's Strategic Housing Land Availability Assessment (SHLAA) 2014, and provides evidence explaining why alternate sites are not deliverable or developable.

A hydraulic modelling was carried out and included in the FRA. The results of the hydraulic modelling suggested that the risk of flooding of the application is equivalent to that of a Flood Zone 1, despite part of the application site is shown as Flood Zone 2 on the Environment Agency Flood Map. The Environment Agency is satisfied with the applicant's conclusion that the site is de-facto Flood Zone 1.

According to the illustrative layout, the main building would be located on Flood Zone 1, the car park would be on Flood Zone 2, and the land falls within Flood Zone 3a would be predominately landscaping and vegetation. The parking spaces would be surfaced with permissible "grasscrete" paving. The most vulnerable area for flooding within the application site would have permissible surface, and the dwellings were positioned away from those areas. It is considered that the proposed development would not contribute to flood risk.

The Environment Agency has no objections to the application, although strongly advice the applicant to include flood proofing and resilience measures. This would be included as an informative clause shall permission be granted for the proposal.

Essex County Council's Sustainable Drainage Team did not comment on the application, but it is considered appropriate a condition should be attached for the submission of drainage details and management plan.

Refuse

The Council's Street Scene Manager was concerned about the waste collection, as the access road is only 4.1m in width, less than the minimum width of 5m for waste collection vehicles required by BS5906. The applicant subsequently amended the proposed layout plan showing a designated bin pick up location adjacent to the public highway, thereby the waste vehicle can stop along Fold Croft to collect the bins and without driving down the access road. Vehicle and pedestrian flow and safety would not be undermined by the proposed bin pick up location. The Street Scene Manager has no objections to this arrangement. The detail waste management and collection strategy shall be agreed at the reserved matter stage.

Other Matters

Planning Obligations

Policy H5 of the ARHLP states that affordable houses would only be required for residential development of 15 or more dwellings. This application is only for 3 dwellings and therefore it is not required to provide any affordable housing onsite. Given the scale of the proposal, it is not considered other contribution is required.

Construction disturbances

Local objections were received regarding construction disturbances. Given the scale of the development and its close proximity to existing properties, it is recommended that a condition on working hours should be attached. A condition requesting Construction Management Plan could help to ensure suitable arrangements to minimise on-street parking of construction related vehicles to minimise disturbances to neighbouring residents.

CONCLUSIONS:

The application is submitted with all matters reserved. The proposed development, as shown on the illustrative layout, is supported in principle. It is considered that the proposed development would result in acceptable impacts to the character of the surrounding area, the roles of Green Wedge, landscape quality, neighbour amenity, parking and flooding, subject to the details being appropriate in reserved matters stage.

The proposed development is therefore considered acceptable subject to approval of reserved matters.

RECOMMENDATION:

That Committee resolve to Grant Planning Permission subject to the following conditions:

1. Details of the appearance, design, access, landscaping, layout and scale (hereinafter called "reserved matters") of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any development (including demolition, site clearance and tree works) is commenced. The development shall thereafter be carried out in accordance to the subsequently approved details.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990.

2. Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall begin no later than 2 years of the date of approval of the last reserved matters to be approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permission.

3. No development shall take place on site, including site clearance, tree works, demolition or any other works, until the details relevant to the safe retention and protection of on-site and any relevant off-site trees are submitted within an Arboricultural Method Statement (AMS) in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction. Following the written approval of the AMS, the proposed development shall be undertaken in accordance with the approved details unless otherwise agreed by the Local Planning Authority in writing. The AMS shall include a detailed Tree Protection Plan showing the positions and dimensions of protective fencing (and if necessary temporary ground protection) to safeguard all retained vegetation.

The AMS shall include all relevant details such as level changes, demolition and construction techniques (including methods of access and construction traffic management), location of services and drainage, design detail of structures and foundations, and the control of potentially damaging operations such as burning, storage and the handling of materials, and access and the parking of vehicles during construction. Details of supervision at key stages of development will also be included.

REASON: To ensure that damage to vegetation identified for retention is avoided and to comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 and Policy NE11 of the Adopted Replacement Harlow Local Plan, July 2006.

4. A detailed landscape scheme shall be submitted to the local authority for approval and shall be implemented during the next planting season following completion of the development. The scheme shall include all hard and soft landscaping and details of boundary treatments. A specification of all materials shall be supplied within a detailed method statement which shall include site preparation, planting techniques, aftercare and a programme of maintenance for a period of 3 years following completion of the scheme. The landscape scheme should also demonstrate roles in mitigating ecological impacts and enabling biodiversity net gain to be achieved.

REASON: To ensure satisfactory landscape treatment and to screen and enhance the development in the interests of visual amenity and natural environment. To comply with the duties indicated in Section 197 of The Town and Country Planning Act 1990, and Policies BE1, NE11 and NE15 of the Adopted Replacement Harlow Local Plan, July 2006.

5. No development shall commence until a scheme for the provision of bat and bird boxes, log piles and hedgehog run-throughs (based on the Landscape Proposals Plan, Prepared Matt Lee Landscape Architecture, Dwg no. PR179-01, dated Nov 2019) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the exact location, specification and design of the bat and bird boxes, log piles and hedgehog run-throughs. These shall be installed within the site prior to the first occupation of the development and retained thereafter.
REASON: To ensure that provision of roosting opportunities for bats, nesting opportunities for birds, sheltering for small mammals and insects, and the free movement of hedgehog, in accordance with Policies NE15 and NE20 of the Adopted Replacement Harlow Local Plan, July 2006.

6. No development shall commence until a demolition and site clearance schedule has been submitted to and approved in writing by the Local Planning Authority. This should include a scheduled demolition and site clearance outside the mating and breeding seasons of bats, birds and hedgehogs. The development shall thereby be carried out in accordance to the approved details.
REASON: To ensure habitats occupying the existing would not be unduly harmed by the demolition and site clearance works, in accordance with Policy NE15 of the Adopted Replacement Harlow Local Plan, July 2006.

7. No development shall take place on site, including site clearance, tree works, demolition or any other works, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide the following all clear of the highway:
 - Safe access into the site
 - The parking of vehicles of site operatives and visitors
 - Loading and unloading of plants and materials
 - Storage of plant and materials used in constructing the development
 - Wheel and underbody washing facilities
 - Routing of construction traffic
 - Measures to minimise dust production**REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety in accordance with the Highway Authority's Development Management Policies.**

8. No development shall commence until a detailed foul and surface water drainage scheme for the site, based on the agreed flood risk assessment (Prepared by EAS Ltd, Rev. E – Final, received on 26.11.2019) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details.
REASON: To prevent the increased risk of flooding and to improve and protect water quality habitat and amenity and in accordance with the National Planning Policy Framework, and Policies NE13 and CP12 of the Adopted Replacement Harlow Local Plan, July 2006.

9. Prior to the commencement of the development, hereby permitted, an amended waste management scheme, including the detail and design of storage, display and collection areas, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details.
REASON: To ensure waste collection can be undertaken appropriately and in the interests of character and appearance in accordance with Policy BE1 of the Adopted Replacement Harlow Local Plan, July 2006.
10. Prior to the first occupation of the development, hereby permitted, the vehicle parking as shown on illustrative site layout plan (Prepared by More Space Architecture Ltd, Dwg no. 19-018-100 Rev. 06, Received on 04.03.2020) shall be constructed with markings and sealed, and shall be retained thereafter.
REASON: To ensure sufficient parking provision is provided and prevent on street parking on adjacent highway, in accordance with Policy T9 of the Adopted Replacement Harlow Local Plan, July 2006.
11. No foul or wastewater shall be discharge onto nearby watercourse at all time.
REASON: To prevent increased flooding risk and protect wildlife connected to the nearby water features, in accordance with Policies NE15 and CP12 of the Adopted Replacement Harlow Local Plan, July 2006.
12. No construction works or any other associated works, including any machinery operations, in connection with the development shall take place outside the hours of 0800-1800 on weekdays and 0800-1300 on Saturdays, nor at any time on Sundays or Bank Holidays.
REASON: In the interests of the amenity of adjoining residents, in accordance with policy BE1 of the Adopted Replacement Harlow Local Plan, July 2006.
13. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), alterations or enlargements to the roof as permitted by Schedule 2, Part 1, Classes B or C shall not be undertaken to the dwellings, hereby permitted, without apply for permission from the Local Planning Authority.
REASON: To enable the Local Planning Authority to retain adequate control over such extensions or alterations to protect the living conditions and amenities of neighbouring residents, in accordance with Policy BE1 of the Adopted Replacement Harlow Local Plan, July 2006.
14. All first floor windows to be installed on the south-facing elevation(s) of the development, hereby permitted, shall be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
REASON: In the interests of the amenity of adjoining residents, in accordance with policy BE1 of the Adopted Replacement Harlow Local Plan, July 2006.
15. The development hereby permitted shall be carried out within the area shown on the application boundary plan (Prepared by More Space Architecture Ltd, Dwg no. 19-018-001 Rev. 02, Received on 26.11.2019). The development hereby permitted should be no more than two storeys in height.
REASON: In order to secure a satisfactory development and in the interest of proper planning.

16. 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
19-018-001	Rev 02	Site Location Plan	26.11.2019
19-018-100	Rev 06	Site Layout Plan	04.03.2020
PR179-01	--	Landscape Proposals	26.11.2019

INFORMATIVE CLAUSES

- 1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address these concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2 All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, Essex, CM13 3HD.
- 3 The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and it is advised the applicant should consult the Environment Agency at the earliest opportunity. For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the Environment Agency National Customer Contact Centre on 03702 422 549.
- 4 The Environment Agency strongly recommend the use of flood proofing and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.
- 5 Advice on installation of outfalls: The installation of outfalls and the removal of natural buffer on a watercourse will contribute cumulatively to the degradation of this waterbody. If it is necessary to install an outfall into the watercourse, it is advised that soft options are proposed, such as:
 - Outfalls cut flush with the gradient of the bank (or at a shallower gradient if the bank has been unnaturally steepened).
 - No headwalls or wingwalls if these are not necessary.
 - If a headwall/wingwall is required, bespoke brickwork is preferred as this will allow the outfall to be as small necessary, to reduce the break in riparian continuity.

- 6 All British birds, their nests and eggs are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. This makes it an offence to;
- Kill, injure or take a wild bird
 - Take, damage or destroy the nest of any wild bird while that nest is in use or being built
 - Disturb any wild bird listed on Schedule 1* while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird
- * For a list of species included within Schedule 1 please refer to the Wildlife and Countryside Act 1981 (as amended).

If at any time nesting birds are observed during tree work operations should cease.

The bird nesting season usually covers the period from mid-February to the end of August, however it is very dependent on the weather and certain species of birds may nest well outside this period.

- 7 In Britain all species of bat are protected through their inclusion in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence under Section 9 of the Act to:

- Intentionally kill, injure or take a bat;
- Sell, hire, barter or exchange a bat, dead or alive;
- Be in possession or control of a bat or anything derived from them.

As from January 2001 it has become an offence in England or Wales, intentionally or recklessly to;

- Disturb a bat;
- Damage, destroy or block access to the resting place of any bat.

If at any time bats or evidence of bats are observed during tree work operations should cease.