

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

3 June 2020

REFERENCE: HW/REM/19/00494

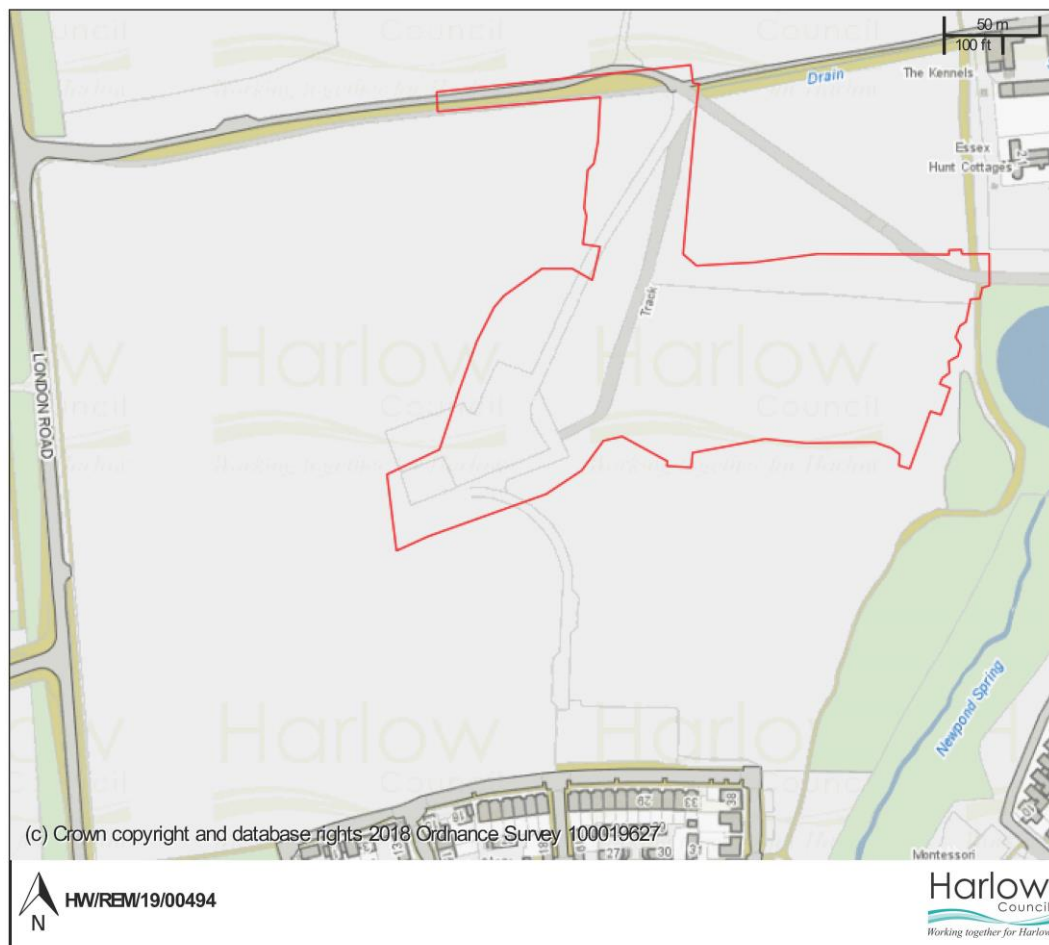
OFFICER: Patricia Coyle

APPLICANT: Mrs Catherine Brooking

LOCATION: CP2B
CP2
Barnfield Way
Newhall
Harlow
Essex

PROPOSAL: Erection of 117 Residential Units and associated infrastructure (all reserved matters - Access, Appearance, Landscaping, Layout and Scale) for area CP2B following approval of outline consent HW/PL/04/00302

LOCATION PLAN



PROPOSED DEVELOPMENT

Erection of 117 Residential Units and associated infrastructure (all reserved matters - Access, Appearance, Landscaping, Layout and Scale) for area CP2B following approval of outline consent HW/PL/04/00302

Application Site and Surroundings

The site is currently open, undeveloped land which forms part of Phase 2 of the Newhall area which benefits from an outline approval following a Masterplan approval.

Details of the Proposal

The proposal comprises 117 dwellings.

RELEVANT PLANNING HISTORY: There is no relevant planning history.

Application Reference Number: HW/PL/04/00302

Proposal: Outline planning permission is sought for the erection of 2,300 Dwellings Including Parkland and Recreation, Employment and the Development of the Local Centre into a Full Neighbourhood Centre

Application Status: Grant Permission Subject to S106

Date Application Received: 26 July 2004

Date Application Decided: 27 June 2012

CONSULTATIONS

Internal and external Consultees

Council's Arboricultural Consultant

While there would be a loss of some trees, those of high value would be retained and should be protected during construction. This is acceptable. No objection

HDC - Cleansing And Environment

No Comment Received.

Essex County Council - Highways

No objections subject to condition relating to surfacing materials and marking out of vehicle parking and turning areas and their retention.

Environment Agency (Hertfordshire & North London)

No comments

Natural England

No objection. The proposed development will not have significant adverse impacts on statutorily-protected nature conservation sites or landscapes.

Essex Wildlife Trust

No Comment Received.

English Heritage

No comments.

Place Services

The development area has previously been evaluated and no further work is required.

Designing Out Crime Officer for Epping Forest & Harlow
No Comment Received.

Essex County Fire and Rescue Service
No Comment Received.

Sustainable Drainage Team
Surface Water drainage is to be considered under the discharge of conditions on the outline scheme. In relation to flooding, expert advice should be sought.

Thames Water have responded that they have no objections

NHS West Essex CCG
There is no provision at existing healthcare facilities. A legal agreement for a contribution of £57,810 is requested to extend the Church Langley Medical Centre.

HDC - Housing Services
No Comment Received.

Neighbours and Additional Publicity

Number of Letters Sent: 170
Total Number of Representations Received: 0
Date Site Notice Expired: 14 February 2020
Date Press Notice Expired: 20 February 2020

Summary of Representations Received

The NHS have requested a contribution to secure additional health care services. However, a legal agreement has already been agreed in relation to the outline scheme for 2,300 dwellings and no further contributions can be secured at the reserved matters stage.

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.

BE12:"Archaeology" permission will not be granted for development proposals that would adversely affect the site or setting of a Scheduled Monument or other archaeological site of national or particular local importance.

BE21:"Newhall Plan" the developer will be required to submit a Masterplan for approval. It will incorporate a design statement that will demonstrate in principle and in detail how development will encompass the Local Plan Design Policies and those in the Essex Design Guide for Residential and Mixed Use Areas.

BE3:"Sustainable Development" development on previously developed land at a higher density than that existing will be supported providing; it is accessible by public transport or is in a sustainable location relative to proximity to supporting services and/or employment sites;

does not result in over development; is compatible with the character of the area and urban design policies and guidance.

BE4:"Accessibility" permission will be granted providing provision has been made to achieve accessibility for disable people, including accessibility to any public or private open space that serves the development.

IMP1:"Planning Obligations" permission will only be granted for any development if the provision is secured for related infrastructure, services, facilities and environmental protection which are fairly and reasonably related to the scale and in kind.

H3: "Housing Needs" land shown on the Proposals Map for further development of the new neighbourhood shall not be released for development until after 2011.

H4: "House Types" new housing and conversions will be required to accommodate a range of dwelling types which reflect the housing need requirements for Harlow.

H5: "Affordable Housing" on site of 15 or more dwellings or more than 0.5 of a hectare affordable housing provision will be negotiated. 33% affordable housing is the baseline for such negotiations.

T3:"Transport Impact Assessments" major developments generating the equivalent of 50 passenger car units or more per hour will be required to produce a TIA, developments will be refused where significant impacts are identified and not mitigated against.

T6:"Cycling and Walking" new developments, including re-developments, changes of use and town centre and transport interchange improvements will be required to provide: safe, direct cycleways within the development; appropriate contributions to improve and develop cycleways serving the development; links to the existing cycleway network; safe, secure and convenient cycle storage; other facilities for cyclists as appropriate.

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.

L2:"Open Space and Playgrounds/Play Areas" for new development the following provisions will be sought: on residential developments of more than 10 dwellings, public open space and inclusive playgrounds/play areas are required to be provided; off site contributions may be considered where it is not possible to provide it on site due to the circumstances of the development, or if there are particular deficiencies in the surrounding area; open spaces/playgrounds should be offered for adoption to the Council, with an agreed maintenance contribution.

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.

NE12:"Landscaping" major developments shall be accompanied by details of landscaping features and wildlife habitats and suitable landscaping schemes to mitigate against any impact, along with new landscaping.

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)
Affordable Housing SPD (2007)
The Essex Parking Standards: Design and Good Practice (2009)
Essex County Council's Adopted Development Management Policies (2011)
Essex Street Materials Guide (2012)
Planning Practice Guidance (PPG)

PLANNING ASSESSMENT

As the principal of development has already been considered at the outline stage, only matters which are directly related to appearance, means of access, landscaping, layout and scale of the proposed development may be considered in the assessment of this current application.

The current proposal must accord with the terms of the original outline consent of HW/PL/04/00302, which was granted on 27 June 2012.

The application must also accord with the 2 legal agreements attached to the outline consent and be compatible with details of other Phase 2 approved reserved matters.

The key considerations in determining this application are: the design and its impact on the character and appearance of the area; the impact on trees and other landscaping; the impact on amenity of local residents; and access, parking and highway safety concerns.

Summary of Main Issues

Design and Its Impact on the Character and Appearance of the Local Area

The proposal involves the erection of 117 dwellings and associated parking and landscaping. It comprises of 1- to 2-bed apartments and 3- to 4-bed houses. The scheme has 12 main house types, together with apartment buildings, a few individual units and flats over garages. Of these there would be 72 houses and 45 flats. There will be 24 – 1 bed units (about 25.5%), 31 – 2 bed units (about 26.5%), 38 3 bed units (32.5%) and 24 4 bed units (25.5%). Out of the 117 dwellings, 18 of those (about 15.4%) will be affordable housing which are located to the southern part of the site. All of the buildings are 2 or 3 storey in height.

It is considered that the proposed scale and residential density (about 42 dwelling per hectare) are proportionate to the site and is similar to the previous approved residential schemes of Phase 2 (Reserved matters application No.s HW/PL/13/00098 [Linden Homes], HW/PL/13/00100 [Linden Homes/Moat] and HW/PL/13/00482 [Bellway]), HW/REM/17/00307, HW/REM/17/00591 and HW/REM/18/00433. The proposal would

facilitate the next phase of housing development as part of the outline scheme for Phase 2, without over-intensifying the site.

The Strategic Housing Market Assessment Update 2012 (2013) highlights the majority needs of smaller units (95%) within the District. This scheme provides a variety of small residential units to meet the identified local demand, with over 79% of the dwellings to be 1 to 3 bed units.

It is considered that a high standard of design is presented and continues the contemporary design approach of both Newhall Phase 1 and Phase 2. According to the submitted Design and Access Statement and the Material Strategy, the same palette of materials would be used for the scheme, which is in line with the Design Guidance of the outline consent. The scheme has also incorporated the design principles of the Harlow Design Guide (2011) such as providing active street frontages, open fronts, provision of private and communal open spaces. Communal amenity space will be provided, which would be overlooked by habitable rooms, providing natural surveillance and a sense of ownership. Together with the provision of landscaping along the site boundaries, it is considered that the development would positively contribute to the streetscene.

The layout of the site has taken into account the natural features on site, design parameters, connections to other approved and future land parcels of Phase 2 as well as communal open space to be provided within the site. The site is divided into three sections either side of the Spine Road and north and south of the park access. The buildings have been positioned such that some 3 storey buildings have been located as Way Finders. In general, the proposed layout achieves a high quality of design with high proportioned of shared surfaces proposed and tree planting strategically planted along Spine Road, primary residential roads and secondary streets.

It is considered that the design, layout, scale, density and appearance of the proposed development represents a high standard of design and accords with the provisions of saved Policies BE1, BE2, H2, and H4 of the Adopted Replacement Harlow Local Plan (2006) as well as the design principles of Harlow Design Guide (2011).

Impact on Trees and other Landscaping

The site is currently largely vacant with trees and vegetation along the site boundaries. The proposal would retain the trees of highest landscape value.

The applicant has submitted a Landscape Statement, a Tree Survey Plan and Schedule, a Tree Removal and Retention Plan, a Tree Protection Plan and an Arboricultural Impact Assessment (AIA) in support of the scheme.

The Council's Arboricultural Consultant has raised no objection to the scheme. Replacement planting is proposed throughout the site to offset the loss. The submitted Tree Protection Plan is also considered acceptable.

Condition 7 of the outline consent requires submission of a detailed landscaping scheme. This condition would ensure that the amenity value of the site and its relationship with adjacent development and open countryside would not be adversely impacted on.

Impact on Amenity of Local Residents

Principle DG33 of the Harlow Design Guide (2011) specifies that all development should have some private open space. This space should be appropriate to the type and size of the accommodation. According to the revised Masterplan (Drawing No. 16954-TP-CP1A-004 Rev. 7), apart from the apartment units, all the houses will have a private garden with a

minimum depth or width of 7.5m. In general, the private gardens are of a satisfactory size. A communal open space will also be provided to provide visual amenity and outdoor space for apartment residents.

The buildings disposition has attempted to avoid back to back situations. In general, the separation distances between residential properties are considered to be acceptable to avoid direct overlooking. It is noted that some properties will have less than 25m between the backs of the houses which is less than favourable. However, it is acknowledged that it would be difficult to fully achieve such separation distance within a high-density residential development and potential occupiers will be fully aware when purchasing the properties. It is not considered that any unreasonable overlooking will result. No property would be unreasonably over-shadowed by another.

It is not considered that the proposed layout gives rise to concerns with regard to unreasonable harm to the amenities of future occupiers. In view of the higher density of the scheme, the existence of apartment blocks throughout the site and in the interests of residents' amenity, general permitted development such as insertion of additional windows and other alterations or enlargements should be controlled by condition.

The site is largely vacant at the moment. The nearest properties to the site are the residential properties to the south of Milestone Road. Some disruption may be experienced during the construction phase, however, this is to be expected from any development and will only be temporary in nature. Condition 11 of the outline consent restricts the construction hours and Condition 15 requires the use of wheel washing equipment to ensure that the construction works do not prejudice the amenity of neighbouring residents.

The provision of Spine Road with tree lines together with the landscaping strategy will improve the landscape value of the area and enhance the visual amenity. It is therefore not considered that the proposal would give rise to unreasonable harm to local residents.

Access, Parking and Highway Safety Concerns

The main access points to/from London Road, connections with the wider area and circulatory routes throughout Newhall Phase 2 were assessed and fixed by the outline consent. The traffic and highway safety impacts of the development were also assessed at outline application stage. The impacts were considered to be acceptable, subject to conditions.

The width of the Spine Road and the design of accesses and junctions to London Road were considered acceptable by the Highway Authority under Application No. HW/REM/17/00225. The applicant has provided swept path analysis to show that large vehicles, emergency and waste vehicles could use the primary residential roads and secondary streets, access and turn around within the site. The proposed footpath and cycleway together with green spaces would provide good connectivity within the site and the wider area.

A Car Parking Strategy Plan and a Cycle Storage Strategy Plan are submitted in support of the application. All 1 bed units will be provided 1 car parking space and units with 2 or more bedrooms will be provided with 2 dedicated car parking spaces. The scheme will provide car parking spaces for future residents in the form of garages, carports or hardstandings. Unallocated visitor parking spaces are also provided.

Cycle storage will be located in private gardens or cycle stores for apartment units. The overall parking provision is generally in line with the adopted parking standards.

Essex County Council Highway Authority raised no objection to the scheme as it is not contrary to the Highway Authority's Development Management Policies (2011). Highway

details and pedestrian protection measures are reserved by Conditions 3 and 13 of the outline consent to ensure highway safety and in the interests of visual amenity.

Other Matters

i. Affordable Housing

Local Plan Policy H5 indicates that affordable housing should form a percentage of housing on major development sites with 30% being the baseline for negotiation. This proposal provides 15.4% of affordable housing. The legal agreement (S106) attached to the outline scheme allows for a lower percentage of affordable housing (down to 15%) with an overall requirement that the scheme provides 30%. While no viability assessment has been submitted in relation to this scheme for 117 dwellings, it has been accepted previously that 15% would be acceptable.

The application proposes of the 117 dwellings that 18 would be provides as affordable dwellings (6 x 1 bed; 8 x 2 bed and 4 x 3 bed). All would be provided as Intermediate with none provided as social rented.

The Harlow Design guide (2011) advises that affordable housing should be tenure blind and pepper-potted throughout the site. The affordable housing is not as widely pepper-potted as would be preferred. However, due to the provision of other phases of development, it is considered that the affordable housing provided in this scheme would not be viewed isolated in associated with the wider development.

While there would be no affordable housing provided for rent, this would be in line with the Legal Agreement which requires that no more than 50% of the affordable housing is provided for rent but does not give a minimum, such that 100% of the affordable can be provided as Intermediate units as a "residual proportion". This is clearly not a mix expected by Council's Policies, however, the affordable mix and tenure split are governed by details pursuant to the S106 agreement.

ii. Flooding and SuDS

A drainage strategy covering the site and wider remaining Phase 2 area was considered acceptable under approved Application HW/REM/17/00225. A foul and surface water drainage system including a new attenuation pond and detention basin will be provided as strategic infrastructure for the remaining parcels of Phase 2. Details of drainage works is required under Condition 9 of outline consent to ensure that adequate provision in made. Therefore, there is no significant concerns on flooding or drainage for the current application.

iii. Ecology

Condition 18 of the outline consent requires an Ecological Management Plan outlining measures to protect flora, fauna and wildlife affected by the development within each phase to be submitted to and agreed in writing by the Local Planning Authority. The ecology matters will be considered at discharge of condition stage and have not been addressed within this application. Natural England have been consulted on this reserved matters application and not made representations.

iv. Archaeology

Condition 17 of the outline consent requires a written scheme of investigation and implementation of a programme of archaeological work, which has been discharged under Application No. HW/CND/17/00297. The Historic Environment Officer of Essex County

Council has been consulted and confirmed that this application requires no further archaeological input.

v. Refuse

A Refuse Strategy Plan has been submitted to demonstrate that storage capacity based on 0.25m³ per dwelling will be provided in accordance with the Building Regulations. No residents will be required to walk more than 30m to reach a designated collection point. The Council's Street Scene Manager has been consulted with no objection received.

CONCLUSIONS

The reserved matters scheme is considered to promote high quality design and landscaping with no significant adverse impact on local amenity and no access, parking or highway safety concerns. The scale, appearance, layout, landscaping and access of the proposed development are considered appropriate and satisfactory. It is considered to accord with national and local policies. Conditions imposed on the outline consent reserve a number of matters for later consideration and provide a mechanism for extra or amended details to be provided if necessary. It is therefore recommended for approval, subject to conditions.

RECOMMENDATION

That Committee resolve to: Approve subject to the following conditions:

- 1 The external facing materials (including for windows and doors) to be used in the construction of the development hereby permitted shall be those materials specified on the application form date stamped submitted in relation to the development hereby permitted, unless alternative materials are proposed. Where alternative materials are to be used, no development shall commence before details of those alternative external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Where materials other than those materials specified on the application form are agreed in writing by the Local Planning Authority, the materials agreed shall be those used in the development hereby permitted.
REASON: In the interest of visual amenity and to accord with policy BE1 of the Adopted Replacement Harlow Local Plan, July 2006.
- 2 Details relevant to the safe retention and protection of trees within an Arboricultural Method Statement (AMS) will be undertaken in accordance with the approved details unless otherwise agreed by the Local Planning Authority.
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 with those policies of the Development Plan set out in the attached Informative.
- 3 All parking areas shall be hardsurfaced and sealed. All vehicle parking and turning areas shall be marked out and retained for that purpose.
Reason: In the interests of Highway Safety
- 4 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing with the Local Planning Authority. Any trees or plants that, within a period of five

years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives written consent to any variation.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

- 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.

Plan Reference	Version No.	Plan Type	Date Received
L-DE-433-18167-D33	PL01	Street Furniture Details	09.12.2019
L-S-031-18167-P GA31	PL02	General Arrangement	09.12.2019
L-S-032-18167-P H32	PL02	Hardworks Plan	09.12.2019
L-S-033-18167-P P33	PL02	Planting Plan	09.12.2019
L-S-034-18167-P TR34	PL02	Tree Removal & Protection Plan	09.12.2019
L-SE-330-18167-S30	PL02 01	Typical Section	09.12.2019
Z05005_2B_A_SE_01	FOG TYPE 203-1 & 203-2 S	Proposed Sections	09.12.2019
Z05005_2B_A_E L_01 REV PL1	FOG TYPE 203-1 203-2 ELE	Proposed Elevations	09.12.2019
Z05005_2B_A_E L_02 REV PL1	FOG TYPE 201-9 - 2B4P	Proposed Elevations	09.12.2019
Z05005_2B_A_E L_03 REV PL1	FOG TYPE 203-1 - 2B4P	Proposed Elevations	09.12.2019
Z05005_2B_A_E L_04 REV PL1	FOG TYPE 203-2 - 2B4P	Proposed Elevations	09.12.2019

INFORMATIVE CLAUSES

- 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.