

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

19 August 2020

REFERENCE: HW/FUL/20/00227

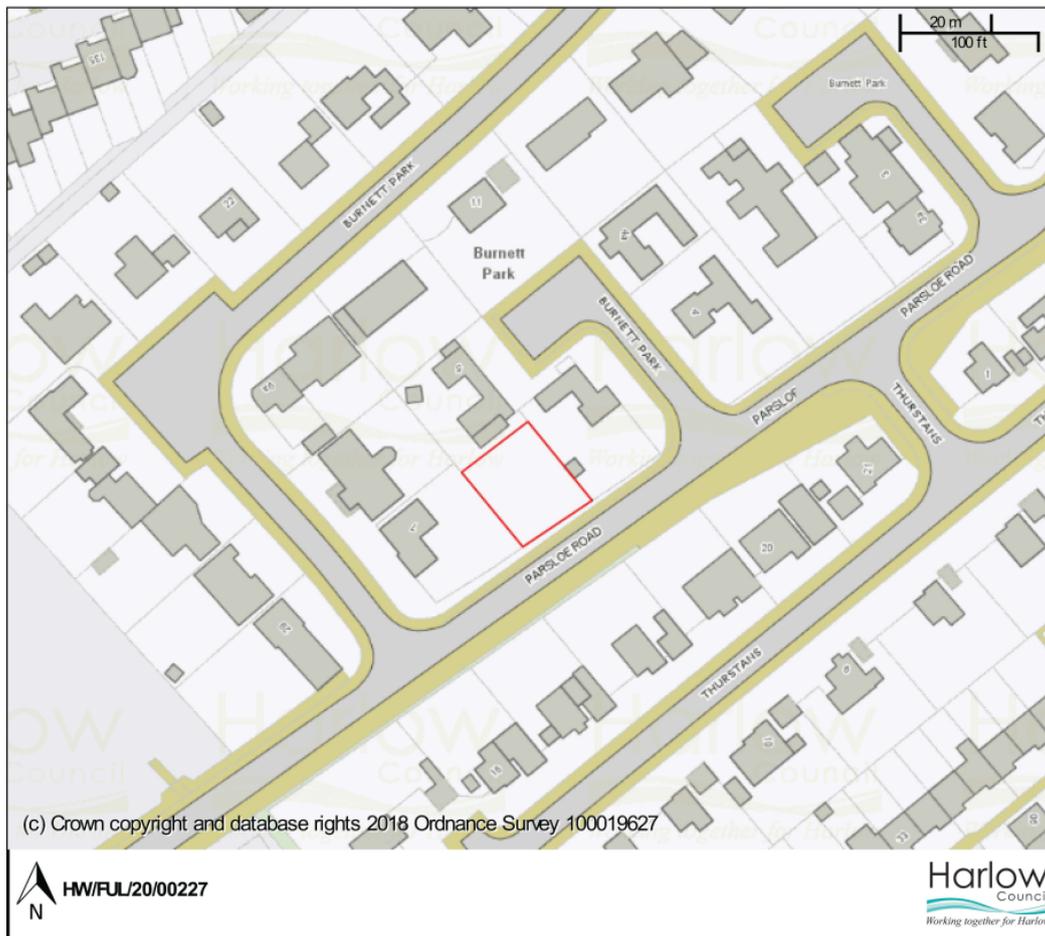
OFFICER: Nicholas Fu

APPLICANT: Mr Richard Pressman

LOCATION: 5 Burnett Park
Harlow
Essex
CM19 4SD

PROPOSAL: Proposed new detached chalet bungalow with garage, off-street car parking, private amenity space and new highway access

LOCATION PLAN



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REASON BROUGHT TO COMMITTEE:

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

Application Site and Surroundings

Burnett Park is a relatively low density development on the north side of Parsloe Road, and contains a mixture of houses and bungalows. It comprises three cul-de-sacs off Parsloe Road, two shorter ones and one longer one which bends round to run parallel with Parsloe Road.

The existing dwelling at 5 Burnett Park is a two-storey detached property. It is on the western side of the middle cul-de-sac, one of the two shorter ones. The plot has a boundary on Parsloe Road which is currently dominated a hedgerow.

Two neighbouring plots, 4 and 6 Burnett Park, received planning permission for the erection of a new dwelling at their respective plot. Both are under construction, with the new two-storey dwelling at 6 Burnett Park is near completion.

Details of the Proposal

The application seeks planning permission to subdivide the existing residential plot of 5 Burnett Park for the erection of an additional dwellinghouse. A new access onto Parsloe Road would be created to serve the proposed dwelling.

The proposed dwelling would be a three-bedroom, 1½ storey “chalet” style property with a gabled dormer on the front (south) elevation. The maximum height of the proposed house measures approximately 6.5m. The proposal also includes a detached single garage to the side of the proposed dwelling, which measures 7.3m x 3.2m (external dimension).

RELEVANT PLANNING HISTORY:

The application site has no relevant planning history, but some neighbouring sites have similar applications.

App number: HW/FUL/18/00532

Location: 6 Burnett Park, Harlow, Essex, CM19 4SD

Proposal: Erection of New Two Storey Dwelling

Status: Granted Planning Permission

Decision Date: 23 January 2019

App number: HW/FUL/18/00555

Location: 4 Burnett Park, Harlow, Essex, CM19 4SD

Proposal: Erection of single storey dwelling with associated car parking and landscaping, and alterations to existing dwelling.

Status: Granted Planning Permission

Decision Date: 11 July 2019

App number: HW/FUL/19/00357

Location: 4 Burnett Park, Harlow, Essex, CM19 4SD

Proposal: Sub-division of existing dwelling to create 2 no. two bedroom properties with associated external bin stores and cycle storage

Status: Refused and Appeal allowed

Decision Date: 10 March 2020

CONSULTATIONS

Essex County Council - Highways

No objection subject to conditions

The Highway Authority is satisfied that this proposal will not have a detrimental impact upon highway safety. The proposed access has more than sufficient visibility for the speed of the road, even allowing for vehicles travelling above the posted 30mph speed limit. Furthermore, the site provides appropriate parking and turning meaning that vehicles will not have to reverse from the site.

The objections from local residents are noted. The drawings demonstrated sufficient visibility splays, parking and turning. The proposal does not contrary to the Highway Authority's Development Management Policies.

Conditions on protecting highway safety, on-site turning area, and no discharge of surface water onto the highway are recommended.

HDC - Consultant Arborist

No objection subject to conditions

The applicant provided an Arboricultural Impact Assessment (AIA), and it is considered that arboricultural constraints are satisfied regarding their impact. The hedging loss is not considered a significant factor as long it is replaced. Appropriate reduction of the hedging would be acceptable as the current boundary hedge is most unmanaged at present.

Conditions of the submission of an Arboricultural Method Statement (AMS) and a detailed landscape scheme are recommended.

HDC - Senior Landscape Officer

Condition on detailed landscape scheme is recommended.

HDC - Cleansing and Environment

No Comment Received.

Neighbours and Additional Publicity

Number of Letters Sent: 17

Total Number of Representations Received: 4

Date Site Notice Expired: 3 July 2020

Date Press Notice Expired: 25 June 2020

Summary of Representations Received

Four objections were received from the local residents. They object to the application for the following reasons:

- The proposal is not in keeping with the area and would result in overdevelopment
- Loss of the hedging would harm the character and appearance of the area
- New access onto Parsloe Road would cause highway and pedestrian safety issues
- Insufficient on-site parking

- Overlooking into neighbouring properties and privacy issues

Officer response: These issues are discussed in the relevant planning assessment sections.

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.

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.

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 were consulted on between 12 March and 31 May 2020. The Inspector is considering representations made to these

modifications, before issuing his final report, but it is anticipated the Plan will be formally adopted by the Council in late 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)

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

PLANNING ASSESSMENT:

The main issues for consideration of this application are the principle of development; impacts on the character and appearance of the area; impacts on residential amenity; highway, access and parking issues; and impacts on arboriculture.

Principle of development

The proposal would subdivide the residential curtilage of 5 Burnett Park to create a new dwelling. Policy H10 of the Adopted Replacement Harlow Local Plan (ARHLP) is therefore an important consideration in the determination of this application. While the policy does not preclude infill developments, it provides protection for the established character of the area and neighbour amenity. Policy H2 of the emerging Local Plan reflects this.

The acceptability of the principle of development is dependent on the compliance with Policy H10 and other material planning considerations.

Character and appearance

Policy BE1 and H10 of the ARHLP indicate that new development should be of appropriate design, scale and material that respect the character of the site and surrounding area. Principle DG28 of the Harlow Design Guide SPD states that infill residential development should positively respond to the prevailing character of the area, and be similar in scale, massing, height and design to the surrounding buildings.

Burnett Park is a relatively low density development on the north side of Parsloe Road. It is characterised by large plots and a feeling of openness, and contains a mixture of houses and bungalows. Some neighbouring plots have been subdivided in the past to create additional residential units.

Principle DG28 of the Harlow Design Guide SPD states that the typical garden sizes of the area should be taken into account when assessing whether a proposal would result in overdevelopment or over intensification. The existing plot of 5 Burnett Park is relatively large, thereby the resulting curtilages created by the proposed subdivision would continue be similar in size to other properties on Burnett Park especially those who have already been subdivided. The development grain of Burnett Park has undergone some noticeable changes over the years. Given some of the immediate neighbours also have their original plots being subdivided to accommodate additional residential unit, the proposal would not therefore be out of character. Moreover, the proposed residential curtilages, in their own rights, are reasonable in size. It is not therefore considered that the proposal would result in overdevelopment.

Burnett Park is characterised by its variety of building designs and dwelling types, and therefore the proposed detached chalet-style dwelling would be acceptable in this location. The design of the proposal benefits from the diversity of Burnett Park and therefore would not appear out of place. The scale of the proposed dwelling is also considered to be appropriate and in keeping with the nearby properties.

The application form indicates that the proposed dwelling would be finished externally with brick and cladding, but the colours are not specified. A condition requiring the submission of material details would ensure the appearance of the proposed dwelling to be in keeping with the surrounding area.

There are other infill developments permitted within the area, and most of them have frontages onto the estate roads of Burnett Park. The proposed dwelling would have a frontage on the main highway Parsloe Road, which is not a prevailing feature of the area. Nevertheless, the chalet-style design gives the proposed dwelling a lower building height than the neighbouring properties. The hedgerow along the boundary would also provide some screening. It is therefore considered that the proposal would not appear overly dominating or visually jarring within the street scene.

The location of the proposal is on balance considered acceptable, thanks to the existing development pattern of the surrounding area, diversity in building type and design of Burnett Park, and the recent planning permissions at some neighbouring plots. It is therefore considered that the proposal would comply with Policies BE1 and H10 of the ARHLP and the Harlow Design Guide SPD.

Trees and Landscape

The application site includes some hedgerow and trees along the site boundaries. The applicant provided an AIA which shows that the larger trees would be retained, whilst most of the hedgerow would be reduced and replaced.

The Arboricultural Officer considers the AIA acceptable, and the loss of some hedges would not be detrimental to the landscape value of the site. The Council Landscape Architect also has no objection to the proposal, as further details on the landscaping could be requested via an appropriate worded condition.

It is therefore not considered that the proposal would result in unacceptable arboricultural impacts. The application is not contrary to Policy NE11 of the ARHLP.

Neighbour Amenity

Although the proposed buildings would be very close to the side boundaries, there are still sufficient distances from the neighbouring houses. The relatively short building height of the

proposed chalet style property would not result in any overbearing or overshadowing impact to the neighbours. The landscaping along the boundaries will also provide some screening.

The dormer window on the first floor would be facing the main highway and more than 30m from the dwellings on Thurstans. There are no windows on the side elevation, except for two ground floor toilets which would not be considered to have any overlooking or privacy issue. The single upper level opening on the rear elevation is a roof light serving the ensuite bathroom.

The resulting residential curtilages are sufficient for the enjoyment of the existing and future occupiers. The larger impact would be on the donor property, 5 Burnett Park, which is a larger property. However, it would be left with a garden comparable to that of number 8 to the west.

It is therefore considered that the proposal would be acceptable in terms of residential amenity.

Parking and highway safety

The Essex Parking Standards SPD requires property with two or more bedrooms should have two parking spaces.

The existing dwelling on 5 Burnett Park, with the existing driveway, has sufficient space for two off-street parking spaces. The proposal would not alter the parking arrangement for the existing property, and would be acceptable in this regard.

The proposed development includes a detached garage to the side of the main house. The proposed garage is of sufficient size to be counted as off-street parking space in accordance to the Essex Parking Standards. The proposed dwelling would be served by a garage and driveway which combined should be sufficient for parking two cars. The parking provision for the proposed development would therefore comply with requirements of the Essex Parking Standards.

The proposal would create an additional access onto Parsloe Road and policies T9 and H10 of the ARHLP require acceptable access arrangement to be provided which would not result in harm to the highway and pedestrian safety.

The Essex County Council Highway Authority was consulted and considers that the application demonstrates a safe access at this location. The proposed access has more than sufficient visibility for the speed of the Parsloe Road, even allowing for vehicles travelling above the posted 30mph speed limit. Furthermore, the site provides appropriate parking and turning meaning that vehicles will not have to reverse from the site. The Highway Authority considers that the proposal is acceptable in highway terms, and there are no apparent reasons for the LPA to arrive at a different conclusion.

It is therefore considered that the proposed development complies with Policies T9 and H10 of the ARHLP, and the Essex Parking Standards SPD.

CONCLUSION:

With the recent developments at Burnett Park, it is considered that the proposal would be an appropriate infill development at this location. The proposed development, by virtue of its design, scale and siting, would have an acceptable impact to the character and appearance of the area, and to the living conditions of neighbouring residents. With suitable landscaping the visual amenity values of the street scene would be unduly harmed.

There are concerns on the creation of new access on Parsloe Road. However, the Essex County Council Highway Authority reviewed the application details and considers the proposal is acceptable from the highway safety perspective. There are no apparent reasons for the LPA to arrive at a different conclusion.

The proposal is therefore considered to accord with the relevant policies contained within the ARHLP and other planning documents. It is therefore recommended for approval subject to conditions.

RECOMMENDATION:

That Committee resolve to: **GRANT PLANNING PERMISSION** subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: In order to comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 No construction above ground level shall take place until samples of the materials to be used on the external finishes have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.
REASON: To ensure a satisfactory appearance for the proposed development and in keeping with the character of Burnett Park, in accordance with policies BE1 of the Adopted Replacement Harlow Local Plan, July 2006.

- 3 No development shall take place on site, including site clearance, tree works, demolition or any other works, until details relevant to the safe retention and protection of trees are submitted within an Arboricultural Method Statement (AMS) in accordance with current BS5837 recommendations. Following written approval of the AMS the development will be undertaken in accordance with the approved details unless otherwise agreed by the Local Planning Authority.

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 Prior to the commencement of development hereby permitted, a detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all hard and soft landscaping, and surface water drainage. 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 scheme shall be implemented during the next planting season following completion of the development.
REASON: To ensure satisfactory landscape treatment of the site in the interests of visual amenity in accordance with Policy BE1 and NE11 of the Adopted Replacement Harlow Local Plan, July 2006.
- 5 Prior to the first occupation of the development, hereby permitted, the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
REASON: To ensure that on street parking of vehicles does not occur, in the interests of highway safety and that appropriate parking is provided, and to accord with policy T9 of the Adopted Replacement Harlow Local Plan, July 2006.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), the proposed garage shall be permanently retained therein for the sole purpose of parking of vehicles.
REASON: To ensure that on street parking of vehicles does not occur, in the interests of highway safety and that appropriate parking is provided, and to accord with policy T9 of the Adopted Replacement Harlow Local Plan, July 2006.
- 7 The proposed vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway and shall be provided with an appropriate dropped kerb vehicular crossing of the footway. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.
- 8 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
REASON: To avoid displacement of loose material onto the highway in the interests of highway safety.
- 9 There shall be no discharge of surface water onto the Highway.
REASON: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.
- 10 The development hereby permitted shall be carried out in accordance with the following approved plans:
REASON: For the avoidance of doubt and in the interests of proper planning.

Plan Reference	Version No.	Plan Type	Date Received
436/P/001	A	Proposed Plans and Elevations	18.06.2020
436/P/002	B	Proposed Garage Plans and Elevations	18.06.2020

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.
- 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 It is unclear whether the existing lighting column would need to be relocated as a result of the new access at this location. If it was necessary all the costs associated with the removal and relocation of the lighting column would be borne by the applicant, which would be agreed at the post planning Vehicle Crossover stage with Essex Highways.
- 4 No demolition or construction work shall be undertaken outside of the hours of 8.00am to 6.30pm Monday to Friday and 8.00am to 1.00pm on a Saturday. No work shall be carried out on a Sunday or public/bank holiday.