

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

2 September 2020

REFERENCE: HW/FUL/20/00151

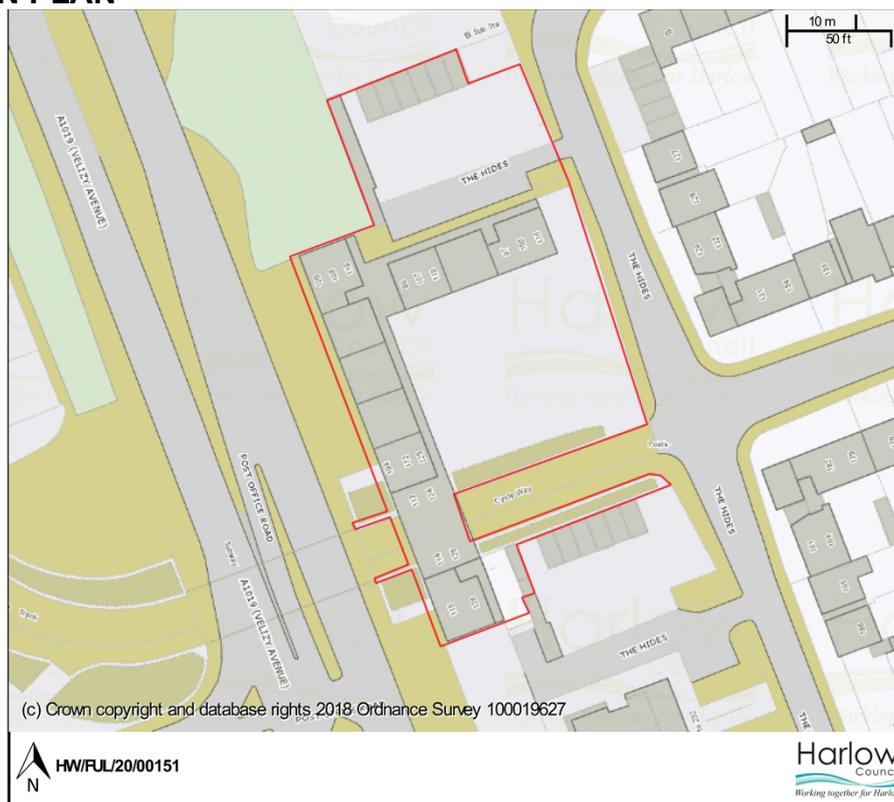
OFFICER: John Harrison

APPLICANT: Mr David Coleman

LOCATION: 97-126 The Hides
Harlow
Essex

PROPOSAL: Renovation of the facades and roofs of the existing 3 storey block of 30 No. flats, including new windows, doors, site lighting, surface materials to external walkways, stairs, soffits, external insulations, renders, new soft and hard landscaping, new external boundary walls and metalwork fencing, including amendments to the main landscape space, new 11 car parking spaces off the main street, new signage, access control, bin stores, and other miscellaneous and associated alterations.

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 property is a three-storey L-shaped block of flats built in the 1960s on the edge of the town centre in the south-east quadrant of the junction of Velizy Avenue and First Avenue. It is located between Velizy Avenue and The Hides and there is a “tunnel” through it connecting these two roads. There is also a “tunnel” underneath the flats where the two arms of the “L” meet to facilitate access between the car park to the north and those flats which do not have direct access from the car park. The square area inside the two arms of the “L” is a grassed open space.

To the immediate south is a twelve-storey block of flats and immediately to the north a small sub-station. Beyond these to the north, east and south is The Hides, a development of primarily two-storey housing. On the opposite of Velizy Avenue are town centre uses with the multi-storey car park and Terminus House being particularly dominant features.

Details of the Proposal

The proposal comprises a major refurbishment of these flats with a significant amount of work proposed. Some of the elements of the scheme would not require planning permission on their own as they are small-scale or permitted development, e.g. some of the fencing or would not be classed as “development” such as the provision of benches or on their own would be permitted development such as fencing. The main elements of the scheme are:

- Recladding the flats to improve their appearance and insulation. These would include a pattern of squares and rectangles in the areas of wall not broken up by windows.
- Improvements to the upper floor walkways including replacing the solid balustrades with open metal ones and enclosing exposed pipes.
- Dividing the grassed open space inside the two arms of the “L” into two parts using railings on a plinth with a total height of 2 metres; an area closer to the flats which would be for residents only and an area outside which would remain public open space. Both part of this would be landscaped.
- Providing 11 parking spaces directly off The Hides, at right angles to The Hides. This is in addition to the existing car park to the north which will have a controlled gate and be for residents only.
- New windows and doors throughout the development.
- Building a new bin store to the south of the “tunnel” between Velizy Avenue and The Hides.
- Providing 10 cycle stands in the “tunnel” where the two arms of the “L” meet.
- General landscaping and tree planting work.

The application has been amended in two ways; three benches proposed on the public open space within the “L” of the flat block have been deleted from the proposal as it was feared they might attract drug dealing or other anti-social behaviour and a disabled parking space has been provided as one of the 11 parking spaces directly off The Hides. Residents and neighbours have not been re-consulted on these relatively minor changes.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

CONSULTATIONS

Essex County Council - Highways

No objections

HDC - Consultant Arborist

To the north west of the site, where pram stores and garages are to be renovated, there are off site trees, which should only be minimally affected by the development, and it is not expected any damage to the root protection areas is likely due to nature of refurbishment, meaning no demolition or rebuild is scheduled for this area.

However, this work will mean those trees are now very close to a development site, and therefore must be protected throughout the development, so that no unnecessary incursion takes place.

Therefore, the proposed development can be considered for consent, having satisfied arboricultural matters sufficiently at this stage of the planning process.

However, it will necessary for the issued decision notice to ensure that the proposed development will be supported by a fit-for-purpose Arboricultural Method Statement (AMS) that follows the recommendations of BS 5837:2012 - Trees in relation to design, demolition and construction.

HDC - Cleansing and Environment

No Comment Received.

Neighbours and Additional Publicity

Number of Letters Sent: 115

Total Number of Representations Received: 5

Date Site Notice Expired: 24 July 2020

Date Press Notice Expired: 23 July 2020

Summary of Representations Received

A flat resident - The gated area on the field is too small, benches outside the gated area will attract teenagers and drug addicts, loss of light from trees, parking spaces adjacent to flat wall could mean vehicles hitting it, grass outside window could cause people to congregate there so no privacy, noise from bike storage near flats - could it be relocated near previous bins sheds?, possible risk to safety of the building. Welcomes other aspects of scheme.

A flat resident - Only have use of part of the adjacent field, risk of people congregating outside flat windows with loss of privacy, if there's another pandemic there will not be enough space to separate, trees outside 97 will block sunlight and provide a drug dealing hotspot, not safe to have cars parking up against flats - should be a footpath in between, benches outside gates will attract teenagers, alcoholics and drug users, noise from people using bike stores, possible damage to building during construction, asks if it is possible to open car park gates from intercoms. Welcomes other aspects of scheme.

A flat resident - Welcomes scheme in principle, green space for flats will be reduced, asks for cycle store to be relocated, proximity of parking spaces to flat walls, possible damage to building during work, would like public area of green space reduced, outside benches will attract undesirable groups.

A flat resident - Welcomes colour scheme and improved access to flats, antisocial activities from green area, especially the benches, fence close to 97 means lack of privacy for them, proximity of cycle storage, proximity of parking bays to flat walls, possible damage to building during construction work, asks if car park gates can be opened by intercom for deliveries.

A flat resident - Asks for individual designated disabled parking spaces.

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.

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.

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.

NE7:"Internal Open Spaces" proposed development on internal open spaces will only be permitted for: leisure and recreation; community uses, including associated facilities.

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 upon between 12 March and 31 May 2020. The Inspector has considered any representations that were made to these modifications, and the Council is now awaiting receipt of his final report, but it is anticipated the Plan will be formally adopted by the Council in autumn 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)

Summary of Main Issues

As this is an application to refurbish residential properties in a residential area, the principle of the development is acceptable. These flats have become somewhat rundown and in a poor structural condition and this is a proposal to improve them. Also drug taking and other anti-social behaviour has been taking place in their vicinity. Issues to be considered in dealing with this planning application are loss of internal open space, appearance, parking, trees and landscaping, the location of the cycle rack and other issues.

Loss of internal open space

Policy NE7 of the Local Plan presumes against the loss of internal open space except in certain limited circumstances which do not apply here, so the enclosure of part of the square within the arms of the "L" would be viewed as a breach of that policy and also the "successor" policy, PL5, in the emerging Local Plan. Having flats directly adjacent to open space is not desirable and the formation of a "buffer" strip between the two is to be welcomed. Thus, it is reasonable to allow this as an exception to the policy. The original proposal involved enclosure of the whole of the open space, but the area to be enclosed was reduced as a result of pre-application discussions.

Appearance

The block is built in a 1960s style which is now considered somewhat dated. Furthermore, parts of it are in poor condition, so it is in need of refurbishment. The proposal is to give it a “new look” and this is to be welcomed.

Parking

Essex County Council as Highway Authority has no objection to the proposal. The development would after completion have 21 parking spaces (11 of which are new) and 6 garages. The Council’s parking standards would require 30 spaces, so the standard is not met, but this is a site very close to the town centre and a lower provision would be acceptable.

Some residents have expressed concern that cars might “overshoot” parking spaces adjacent to the sides of flats. The plans, however, show wheel stops, concrete “bars” across the bays which would warn drivers when their wheels reached them, so the risk of this happening is minimal.

As submitted the proposal provided only one disabled parking space within the enclosed flat car park. This was considered inadequate and the agents were asked to provide more spaces. They responded that if further spaces were needed within that area if flats are occupied by disabled people they would provide them. If more spaces were to be provided now it would mean less ordinary spaces would be available. A disabled bay has, however, been provided among the 11 provided directly off The Hides, so disabled visitors would be catered for.

Trees and landscaping

A tree within the area enclosed by the “L” has recently been felled, so there are no trees on the site. The proposal involves planting 22 new trees and other landscaping works which are to be welcomed.

Some concern has been expressed about the tree proposed to the north of flat 97 in terms of loss of light and it concealing drug dealing and other anti-social activities. The centre of the tree would be 3.5 metres from the flat wall. This would result in some loss of light, but it is not considered to an unacceptable degree. As it would be a single tree, not part of a clump, it would not be likely to screen drug dealing or other unwelcome activity.

There are trees off-site in the north-west corner of the block. The Council’s arboriculturalist has recommended a condition to require their protection during construction and such a condition is set out below.

Location of the cycle stands

Some residents have expressed concern about the proposed location of the cycle stands being close to flats with the risk of noise and disturbance occurring. The proposed location is central to the development, under cover and subject to natural surveillance from flats opposite and people walking through the tunnel where it would be positioned. Whilst there is some risk of noise from this, it is not considered this would justify refusing the application.

Other issues

Concern has been expressed that people would be able to look into flat windows from the adjoining open space. At the moment the ground floor flats abut public open space so anybody could look into windows. The proposed fencing would result in the public being excluded from the open space nearest the flats, so it would be the preserve of residents and visitors who would be less likely to look into windows than the public at large.

The benches on the public open space which had potential to attract drug dealing or other anti-social behaviour have been removed from the scheme. Benches remain within the area where residents and visitors only will be allowed. It is thought these would be less likely to cause such problems, but if they do they could readily be removed.

CONCLUSIONS

Clearly in principle a much-needed scheme to refurbish these flats it to be welcomed. The comments received from residents relate to details of the scheme, rather than the principle, but it is, of course, Mresidents

RECOMMENDATION

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

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: In order to comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Prior to the commencement of works to re clad the flat blocks, details of the materials to be used for this recladding shall be submitted to and approved by the Local Planning Authority. The materials agreed shall be those used in the development hereby permitted.
REASON: To ensure an acceptable appearance in accordance with Policy BE1 of the Adopted Replacement Harlow Local Plan.
- 3 The cladding of the northern and western walls of Flat 100 and the flats above shall not take place until an Arboricultural Method Statement (AMS) for that work has been submitted to and approved by the Local Planning Authority. The AMS shall be in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction.

Following the written approval of the AMS, this work 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 shall also be included. No other construction work shall take place or material stored in

relation to this whole project in the adjacent group of trees except as approved under the terms of the AMS.

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.

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

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

Plan Reference	Version No.	Plan Type	Date Received
HAR-SAP-B1-00-DR-A-21001	Rev P01	Site Location Plan	30.03.2020
HAR-SAP-B1-00-DR-A-21002	Rev P02	Proposed Site Plan	17.08.2020
HAR-SAP-B1-00-DR-A-21003A	Rev P02 (Sheet 1)	Proposed Ground Floor Plan	17.08.2020
HAR-SAP-B1-00-DR-A-21003B	Rev P02 (Sheet 2)	Proposed Ground Floor Plan	17.08.2020
HAR-SAP-B1-00-DR-A-21004	Rev P00	Existing Ground Floor Plan	30.03.2020
HAR-SAP-B1-00-DR-A-21005	Rev P02	Proposed First Floor Plan	17.08.2020
HAR-SAP-B1-00-DR-A-21006	Rev P00	Existing First Floor Plan	30.03.2020
HAR-SAP-B1-00-DR-A-21007	Rev P02	Proposed Second Floor Layout	17.08.2020
HAR-SAP-B1-00-DR-A-21008	Rev P00	Existing Second Floor Plan	30.03.2020
HAR-SAP-B1-00-DR-A-21009	Rev P02	Proposed Roof Plan	17.08.2020
HAR-SAP-B1-00-DR-A-21010	Rev P00	Existing Roof Plan	30.03.2020
HAR-SAP-B1-00-DR-A-21011	Rev P02 (Sheet 1)	Proposed 3D View	17.08.2020
HAR-SAP-B1-00-DR-A-21012	Rev P02 (Sheet 2)	Proposed 3D View	17.08.2020
HAR-SAP-B1-00-DR-A-21013	Rev P02 (Sheet 3)	Proposed 3D View	17.08.2020
HAR-SAP-B1-00-DR-A-21018	Rev P00 (Sheet 1)	Existing Survey	30.03.2020
HAR-SAP-B1-00-DR-A-21019	Rev P00 (Sheet 2)	Existing Survey	30.03.2020
HAR-SAP-B1-00-DR-A-21049	Rev P01	Proposed Waste Management Bin Store	30.03.2020
HAR-SAP-B1-00-DR-A-21050	Rev P01	Proposed Waste Management Bin Store	30.03.2020
HAR-SAP-B1-DT-DR-A-21036	Rev P00 (Doors)	Proposed Details	30.03.2020
HAR-SAP-B1-DT-DR-A-21037	Rev P00 (Sheet 1)	Proposed Wall Details	30.03.2020

HAR-SAP-B1-DT-DR-A-21038	Rev P00 (Sheet 2)	Proposed Wall Details	30.03.2020
HAR-SAP-B1-DT-DR-A-21042	Rev P00	Main Building Details	30.03.2020
HAR-SAP-B1-DT-DR-A-21043	Rev P00	Main Building Details	30.03.2020
HAR-SAP-B1-DT-DR-A-21044	Rev P00	Main Building Details	30.03.2020
HAR-SAP-B1-DT-DR-A-21045	Rev P00	Proposed Lighting Plan	30.03.2020
HAR-SAP-B1-EL-DR-A-21014	Rev P00	Existing & Proposed North Elevation	30.03.2020
HAR-SAP-B1-EL-DR-A-21015	Rev P00	Existing & Proposed South Elevation	30.03.2020
HAR-SAP-B1-EL-DR-A-21016	Rev P00	Existing & Proposed East Elevation	30.03.2020
HAR-SAP-B1-EL-DR-A-21017	Rev P00	Existing & Proposed West Elevation	30.03.2020
HAR-SAP-B1-EL-DR-A-21032	Rev P00	Existing West Elevation	30.03.2020
HAR-SAP-B1-EL-DR-A-21033	Rev P00	Existing North Elevation	30.03.2020
HAR-SAP-B1-EL-DR-A-21034	Rev P00	Existing East Elevation	30.03.2020
HAR-SAP-B1-EL-DR-A-21035	Rev P00	Existing South Elevations	30.03.2020
HAR-SAP-B1-EL-DR-A-21039	Rev P00 (East)	Existing and Proposed Plans	30.03.2020
HAR-SAP-B1-EL-DR-A-21040	Rev P00 (West)	Existing and Proposed Plans	30.03.2020
HAR-SAP-B1-SC-DR-A-21012	Rev P00	Proposed Sectional Elevation	30.03.2020
HAR-SAP-B1-SC-DR-A-21020	Rev P00 (Stair 1 & 2)	Proposed Plans	30.03.2020
HAR-SAP-B1-SC-DR-A-21021	Rev P00 (Stair 3)	Proposed Plans	30.03.2020
HAR-SAP-B1-SC-DR-A-21022	Rev P01 (Sheet 1)	Boundary Plan	30.03.2020
HAR-SAP-B1-SC-DR-A-21023	Rev P01 (Sheet 2)	Boundary Plan	30.03.2020
HAR-SAP-B1-SC-DR-A-21024	Rev P01 (Sheet 3)	Boundary Plan	30.03.2020
HAR-SAP-B1-SC-DR-A-21025	Rev P01 (Sheet 4)	Boundary Plan	30.03.2020
HAR-SAP-B1-SC-DR-A-21026	Rev P01 (Sheet 5)	Boundary Plan	30.03.2020
HAR-SAP-B1-SC-DR-A-21027	Rev P01 (Sheet 6)	Boundary Plan	30.03.2020
HAR-SAP-B1-SC-DR-A-21028	Rev P01 (Sheet 7)	Boundary Plan	30.03.2020

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.