

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
17 March 2021

REFERENCE: HW/HSE/21/00003

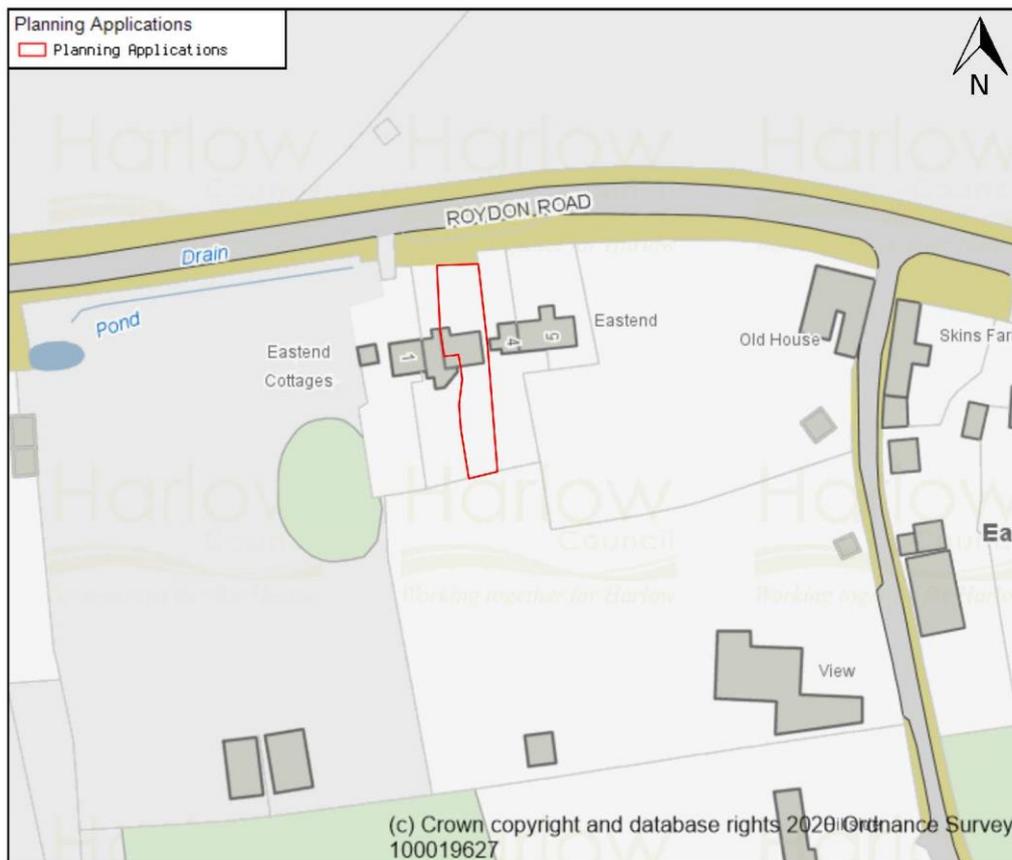
OFFICER: Sangeeta Ratna

APPLICANT: Mr Benjamin Lynch

LOCATION: 3 East End Cottages
Roydon Road
Harlow
Essex
CM19 5DS

PROPOSAL: Excavation of front garden embankment and erection of masonry retaining walls to form area for the movement and parking of vehicles visiting the existing residential premises

LOCATION PLAN



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REASON BROUGHT TO COMMITTEE: Two objections have been received.

Application Site and Surroundings

The site is located on the south side of Roydon Road and within the setting of the Grade II Listed Building at The Old House. Skins Farm lies to the east and East End Farm lies to the west of the site. There are five other Listed Buildings in Skins Farm further towards east.

The dwelling which is the subject of this application is at the east end of a terrace of three cottages. It is accessed via Roydon Road. The dwelling is at a level higher than the surface of Roydon Road. There is an existing set of stairs which leads up to the entrance of the dwelling.

Details of the Proposal

The application seeks planning permission for development of two off-street car parking spaces by excavating the front curtilage space, providing a retention wall and reconfiguring the existing steps leading from front boundary to the front entrance level of the dwelling. The two parking spaces would occupy an area of 6.6m wide by 6.8m deep in the forecourt of the site.

The application has been submitted following an Enforcement Enquiry in relation to creation of parking and engineering operations (excavation of land in the forecourt of the site).

The Existing Site Plan (Drawing No 1263/TP/10) indicates the existing scenario at site where the steps which lead to the entrance door of the dwelling at site encroach onto Council Land. The Proposed Site Plan (Drawing No 1263/TP/11) indicate the proposal where the steps are contained within the boundary of the site.

RELEVANT PLANNING HISTORY:

Application Reference Number: HW/PALHE/18/00293

Proposal: Single Storey Rear Extension

Application Status: Prior Approval Not Required

Date Application Received: 25 June 2018

Date Application Decided: 2 August 2018

Application Reference Number: HW/HSE/20/00462

Proposal: Excavation of front garden embankment and erection of block retaining walls to form area for the movement and parking of vehicles visiting the existing residential premises

Application Status: Withdrawn

Date Application Received: 05 October 2020

Date Application Decided: 07 December 2020

CONSULTATIONS

Internal and external Consultees

Place Services

This application is for the excavation of front garden embankment and erection of block retaining walls to form area for the movement and parking of vehicles visiting the existing residential premises.

The property is located in the setting of five listed buildings:

- o East End Farmhouse, (list entry: 1111112)
- o Old House, (list entry: 1169770);
- o Skins farmhouse, (list entry: 1111667);

- o Barn west of 17th century barn at Skins Farmhouse, (list entry: 1337067);
- o Barn west of Skins Farmhouse, (list entry: 1169753); and
- o Granary south west of Skins Farmhouse (list entry: 1111668).

This application follows the submission of a similar proposal (ref: HW/HSE/20/00462). Previous advice stated: The proposal does not adversely impact the setting, thus the significance of the aforementioned heritage assets. Therefore, I would raise no objection to the proposal.

This application includes additional landscaping details which will not adversely impact the setting of the aforementioned heritage assets. Therefore, I would raise no objection.”

Essex County Council - Highways

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, and policies IN1, IN2 & IN3 of the Harlow Local Development Plan 2020. Informative suggested copied elsewhere in this report.

Neighbours and Additional Publicity

Number of Letters Sent: 4

Total Number of Representations Received: 2

Date Site Notice Expired: 5 February 2021

Summary of Representations Received

Two objections from neighbours have been received on grounds that the existing lay by would be lost as a result of the proposal leading to inconvenience of the public, effect of the removal of boundary hedge on the security of adjoining neighbour, impact on existing waste collection provision of neighbouring dwelling and dislike regarding the commencement of works without planning permission.

Comments also raised concerns about incorrect boundary lines indicated on drawings attached to the application.

PLANNING POLICY

The relevant policies of the Harlow Local Development Plan 2020 (HLDP) are:

PL1 – Design Principles for Development

PL2 – Amenity Principles for Development

PL7 Trees and Hedgerows

PL12 - Heritage Assets and their Settings

IN1 - Development and Sustainable Modes of Travel

IN2 - Impact of Development on the Highways Network including Access and Servicing

IN3 - Parking Standards

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)
Planning Practice Guidance (PPG)

Summary of Main Issues

The main issues in consideration are the impact of the proposal on the setting of Grade II Listed Building at The Old House and the adjoining Grade II Listed Buildings, impact on all highway users, the character and appearance of the surrounding area and residential amenities of neighbours.

Impact on Heritage assets

Policy PL12 of the Harlow Local Development Plan 2020 (HLDP) deals conservation of heritage assets in the District. It states that the impact of a development on a heritage asset or its setting is to be assessed in accordance with national policy which is the NPPF. Paragraph 190 of the NPPF states that the impact of a proposed development on a heritage asset must be assessed taking account of the available evidence and any necessary expertise.

The neighbouring dwellings at No 4 and 5 Roydon Road separate the application site from the Grade II Listed Building at the Old House. The other Heritage Assets are further east of the Old House. Owing to this separation distance the proposal would not affect the setting of the Old House or the Heritage assets located further east. The Heritage Officer does not raise objection saying that the proposal would not affect the setting and hence the significance of any of the Heritage Assets in the near vicinity. Therefore the proposal accords with Policy PL12 of the HLDP.

Impact on all highway users

Policy IN3 of the HLDP and the Adopted Parking Standard requires each off street parking space to be 6m by 2.5m. The proposed parking would accord with this requirement.

Policy IN2 of the HLDP deals with the impact of development on highways. It states that development must not affect the movement of traffic along highways, not result in congestion and ensure safety of all highway users.

The proposal would retain part of the lay by to the east of the site. It would provide two off-street parking spaces for the application site. Considered together with the proposal at this location No 4 would be the only dwelling without allocated off street parking. Therefore, although the proposal would access the parking from the lay by it is considered that the provision would reduce the overall demand for parking on the lay by at this location. The Highway Authority confirms that the proposal would not affect the safety of any highway users any more than in circumstances where one car were to pull out of the lay by whilst another vehicle is parked on it. Therefore the proposal accords with Policy IN2 of the HLDP.

Impact on the character and appearance of the surrounding area

Policy PL1 of the HDLP states that a high standard of urban and architectural design is expected for all development to ensure a proposal respects the scale, height, massing, architectural detailing, materials and front boundary treatments of the surrounding area and is visually attractive.

There is a level difference of 3.5m from the surface of Roydon Road to the front soft landscaped area in the forecourt of the site. The proposed development would erect a retaining wall at the back of the proposed parking area. The existing stairs along the east boundary of the site would be reconfigured. A similar parking and staircase access exists at the adjoining cottage at No 2 Roydon Road. The proposal would provide two off-street parking spaces for the dwelling at site thereby reducing the demand for parking space in the adjacent lay-by. The ECC Highways Officer confirms this and is in support of the application provided the proposal is implemented in accordance with details agreed with the Highway Authority. The existing hedge along the east and west boundaries to the front of the property are not protected by a Tree Protection Order. The proposed site plan indicates soft landscaping along the east boundary and the remaining front of the dwelling at site. This is not considered to raise issues in terms of Policies PL1 and PL7.

Therefore the proposal is considered to provide parking which integrates with the surrounding locality in terms of scale, style and front boundary treatment. It therefore accords with Policy PL1.

Residential amenities of neighbours

Policy PL2 states the following criteria and the cumulative effects which must be considered in assessing the impact of a proposal on amenities of neighbours –

- (a) privacy and overlooking;*
- (b) overshadowing and loss of daylight and sunlight;*
- (c) aspect and outlook;*
- (d) overbearing and the perception of overbearing;*
- (e) the perception of enclosure;*
- (f) access to high quality and useable amenity space;*
- (g) compatibility and sensitivity of adjacent uses.*

The proposal would be located close to the front boundary of the site. It would be implemented by excavating earth and building a retaining wall. It would not raise any concerns in relation to residential amenities of privacy, overshadowing, outlook. It would not affect the existing amenity space of the neighbouring dwellings. It would serve as parking space for a dwelling which would be compatible with the existing residential use of the cottages within this terrace. On this basis the proposal is considered to accord with Policy PL2.

Other

The objections raised by neighbours have been given consideration. The dwellings at this location along have refuse bins parked within their forecourts. The proposal would not affect the existing refuse storage arrangements at the application site or that of the adjoining dwellings.

The site location plan and the existing and proposed site plan have been amended to indicate the correct site boundaries.

The comments from ECC Highways confirm that part of the lay-by would be available to public for parking. The application form states that works have commenced but not yet complete. It is therefore recommended that planning permission be granted subject to conditions to ensure the proposed development is according to details approved with ECC Highways.

CONCLUSIONS

The proposal would provide off street parking spaces for the dwelling at site which accords with Policy PL1, PL2 and IN3. It would not affect the setting of the Listed Buildings discussed above thereby complying with Policy PL12.

RECOMMENDATION

That Committee resolve to:

- 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 All new external work shall be carried out in materials of such colour or texture and with architectural detailing to match the existing facing work of the building.
REASON: In the interest of visual amenity and to accord with policy PL1 of the Harlow Local Development Plan, December 2020.
- 3 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
1263/TP/01	C	Location and Block Plan	02.03.2021
1263/TP/11	C	Proposed Site Plan	02.03.2021
1263/TP/10	C	Existing Site Plan	02.03.2021

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.