

REPORT TO: CABINET

DATE: 12 JULY 2021

TITLE: HARLOW DESIGN GUIDE – APPROVAL FOR CONSULTATION

PORTFOLIO HOLDER: COUNCILLOR MICHAEL HARDWARE,
PORTFOLIO HOLDER FOR STRATEGIC GROWTH

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This is not a Key Decision
It is on the Forward Plan as Decision Number I012707
Call In Procedures may apply
This decision will affect no ward specifically.

RECOMMENDED that Cabinet:

- A** Approves the Draft Design Guide Addendum Supplementary Planning Document (as set out at Appendix A to the report), to enable it to be published for the purposes of consultation under Section 12(b) of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- B** Delegates authority to the Head of Environment and Planning, to make and approve any minor or inconsequential amendments to the Draft Design Guide Addendum Supplementary Planning Document arising from the statutory consultation.

REASON FOR DECISION

- A** To approve the Draft Design Guide Addendum Supplementary Planning Document for publication for a six week consultation period under Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). To ensure greater engagement, the consultation period is two weeks longer than the legal statutory consultation period of four weeks.
- B** To meet the legal requirements of developing and adopting a Supplementary Planning Document.

BACKGROUND

1. The Harlow Local Development Plan (HLDP) was adopted by the Council on 10 December 2020. The Local Plan sets out a long-term vision for Harlow, identifying land where development will be acceptable and where it will be unacceptable.
2. It contains policies which ensure future development is sustainable by meeting the needs of residents, businesses and visitors, while providing the required infrastructure and protecting environmental assets. These policies are material considerations in the determination of planning applications.
3. One of the aims of the HLDP is to enhance the quality of the built environment and natural environment and includes the following three objectives; 1) creating and enhancing high quality built environments which are well connected to revitalised green spaces; 2) delivering high quality design through new development whilst protecting and enhancing the district's historic environment; and 3) adapt to and mitigate the impacts of climate change.
4. The HLDP contains policies which ensure that there is a high standard of urban and architectural design in all development and sets out a number of design criteria to support this. It also includes policies on amenity principles and sustainable design, construction and energy use.
5. Whilst the policies in the plan themselves give significant detail of the Council's requirements, the additional guidance contained in a Supplementary Planning Document (SPD) will expand on the adopted plan, to give additional guidance to developers when making planning applications, to officers when making recommendations, and councillors when making decisions.
6. The Council already has an adopted Design Guide SPD (2011) which is used to assist officers in examining design principles in new development, when assessing planning applications. Officers have now prepared a draft addendum which will accompany the existing Design Guide. The addendum will also be an SPD once adopted.
7. It should be noted that an SPD cannot introduce new policy over and above that contained in the adopted local plan. The Design Guide Addendum SPD can, therefore, only relate to existing policies in the HLDP.

PROPOSALS

8. The existing Design Guide SPD aims to provide general guidance on the form that new development should take. It addresses a range of development types from new urban areas through to residential extensions. It also covers the design of employment areas and strategic and local green spaces.
9. The existing Design Guide SPD was adopted 10 years ago and although most of it is still relevant, it does not include guidance on a range of subject matters which are now addressed by recently-updated national planning policy and

guidance. Many of these issues are now becoming relevant to Harlow. Officers have therefore prepared an addendum to the existing Design Guide SPD which seeks to amplify and aid the effective and consistent implementation of the design, amenity and climate change policies in the HLDP, more specifically Policies PL1, PL2 and PL3.

10. The addendum, once adopted will accompany the existing Design Guide as an SPD and both should be read together. The addendum will become a material consideration in the determination of planning applications and will also inform pre-application discussions on relevant developments. The document has been prepared in accordance with Regulations 8 & 11 to 16 of the Town and Country Planning (Local Planning) (England) regulations 2012.
11. The Design Guide Addendum SPD includes five sections. Sections 1, 2, 3 and 5 are new supplements to the Design Guide. Section 4 provides additions to the existing Householder section of the Design Guide:
 - a) Section 1: Tall Buildings – Given the increased number of planning applications submitted and the growing level of interest, particularly in the town centre, this part of the addendum provides design guidance on tall buildings. It ensures developers take into consideration appropriate height, scale, massing and materials for tall buildings, overshadowing and light requirements both for occupiers and street level pedestrians and the potential impact of tall buildings on the landscape of Harlow.
 - b) Section 2: Privacy and Overlooking – This section sets out specific calculations to ensure that the privacy of neighbouring properties is maintained; for example a minimum window to window distance. It balances the need between privacy of private gardens and spaces with the importance of natural surveillance of public areas.
 - c) Section 3: Amenity Space and Gardens – This section provides minimum garden size requirements for new dwellings. The standards have been chosen based on a comparison of other local authority requirements and Harlow’s ambitions of becoming a Garden Town based on Garden City principles. This section also includes minimum amenity space requirements for new flats and how this could be provided e.g. balconies, communal space and/or roof-top gardens which supports Section 1: Tall Buildings.
 - d) Section 4: Updated Householder Guidance – The existing Design Guide already contains detailed guidance for householder extensions and alterations and this will be retained. This section of the addendum provides additional guidance where it is currently absent including acceptable height and depth measurements for rear extensions, dormers and velux windows and acceptable roof changes.
 - e) Section 5: Climate Change - This element of the Design Guide addendum provides further information on how to implement the principles of HLDP Policy PL3: Sustainable Design, Construction and Energy Usage within new development. This includes how to design buildings and implement

landscaping which will prevent overheating and provide natural cooling, the consideration of natural lighting and ventilation in new properties and the implementation of rainwater harvesting and grey water-reuse. It should be read alongside the Harlow and Gilston Garden Town (HGGT) Sustainability Guidance and Checklist.

NEXT STEPS

12. Following Cabinet endorsement, the Design Guide Addendum SPD will follow the statutory process to adoption. The regulation cited above requires the Council to:
 - a) Produce a consultation statement before adoption of the SPD, this must set out who was consulted, a summary of the issues raised, and how these issues were incorporated in to the SPD;
 - b) Publish the documents for a minimum 4 week consultation, specify the date when responses should be received and identify the address to which responses should be sent;
 - c) Make documents available by taking the following steps;
 - i) Make the document available at the principal office and other places within the area that the Council considers appropriate;
 - ii) Publish the document on the Council's website.
13. The consultation will follow the Council's Adopted Statement of Community Involvement (SCI). Planning Services will use its consultation database to inform consultees of the SPD, allowing six weeks consultation rather than four to take into account Covid-19 restrictions and the upcoming summer holidays.
14. Following the consultation period, the Council will consider all responses received and amend the draft Addendum SPD as appropriate, to produce a final version ready for adoption. The consultation statement, mentioned above, will be produced and will detail how responses were received were taken into account.
15. The finalised Addendum SPD will then be adopted by the Council at a future Cabinet meeting, at which point it will become a material consideration in the determining of planning applications. The Addendum SPD will be hosted on the Council's website alongside the existing Design Guide SPD, with a number of hard copies also being made available.
16. It is planned that at a later date (to be determined), a full review of the Design Guide SPD will take place and a full replacement version drafted. This would be reported to the Town Plan Panel and consulted on in the same ways described in this report, prior to its adoption.

IMPLICATIONS

Environment & Planning

As set out in the report.

Author: Andrew Bramidge, Head of Environment & Planning

Finance (Includes ICT and Property and Facilities)

None specific.

Author: Simon Freeman, Head of Finance and Property and Deputy to the Chief Executive

Housing

As set out in the report.

Author: Andrew Murray, Head of Housing

Community Wellbeing (includes Equalities and Social Inclusion)

As contained in the report.

Author: Jane Greer, Head of Community Wellbeing

Governance (includes HR)

As set out in the report.

Author: Simon Hill, Head of Governance

Appendices

Appendix A – Harlow Design Guide Supplementary Planning Document

Background Papers

Harlow Local Development Plan: Adopted December 2020

Harlow Design Guide: Adopted October 2011

HGGT Sustainability Guidance and Checklist

Glossary of terms/abbreviations used

SPD – Supplementary Planning Document

SCI – Statement of Community Involvement

HLDP – Harlow Local Development Plan

HGGT – Harlow and Gilston Garden Town