

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

8 December 2021

REFERENCE: HW/REM/19/00322

OFFICER: Patricia Coyle

APPLICANT: Newhall Projects Ltd

LOCATION: Local Centre Phase 2
Bridge Street
Newhall
Harlow
Essex
CM17 9ST

PROPOSAL: Approval of reserved matters (access, appearance, landscaping, layout and scale) relating to the development of the site to provide 26 residential units (use class C3) and associated car parking and infrastructure works associated with approved application HW/PL/04/00302 (Phase 2, Newhall)

LOCATION PLAN



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Reason brought to Committee

Referred to Committee by Officers due to linked/cross-boundary application for abutting site LC1; application no. HW/FUL/19/00321; considered elsewhere on this agenda.

Application Site and Surroundings

The application site is located to the northern side of The Chase/Bridge Street within the Newhall Neighbourhood. The site is currently cleared for development. The site area is 0.2 hectares.

There is a slope across the application site such that the north/eastern side is at a higher point than the south-western side.

The surrounding area comprises housing, a school, a nursery school and an area prepared for development (LC1).

Details of the Proposal

This application seeks planning permission to discharge reserved matters at the site known as tranche Local Centre Phase II (LC2). This application follows an outline approval (Ref No: HW/PL/04/00302) for Phase II of the Newhall Neighbourhood.

There are two Legal Agreements attached to the outline approval relating to Phase II which are relevant to this application (one relates to Affordable Housing and the other relates to Highways and other matters).

The current proposal seeks permission for the provision of 26 residential units (Use Class C3) and associated 26 car parking spaces.

The proposal would provide two blocks of development (referred to as blocks C and D). Both blocks would be three-storeys high; the block fronting onto The Chase would have a valley-ed, mono-pitched roof, the smaller block would have a pitched roof.

The block fronting The Chase would be 3-storey and provide 21, 1 & 2-bed apartments and a 1-bed live/work unit (to the south-eastern corner) and the block to the rear, fronting Woodland Way would be of 4 dwellings. The flats would meet the national minimum internal space standards.

The landscaping strategy indicates that amenity areas would be provided in the courtyard area.

Shared communal amenity space would be provided together with balconies or patio areas. . Balconies/patios would be provided for each flat on the basis of 2people – 5sq.m; 3-people – 6 sq.m and 4 people – 7 sq.m. The Landscaping strategy indicates that amenity areas would be provided in the courtyard area, nonetheless these would be more for viewing than provide usable sitting out or gathering spaces, given the high proportion of hardsurfacing for vehicle parking. Occupiers of LC2 would also benefit from a Green Lane of 350 sq.m between LC2 and LC1 (part of which is in the application site) which would, in part, be visible from the rear facing flats and provide a pedestrianized area adjoining the application site. The Green Lane is wider at the southern end with the provision of a raised seating area, tree and other planting adjacent to Block C within this new public realm area.

The green lane would also provide pedestrian access between the day nursery to the north of the application site and school to the south of the site. It would also provide front door access to blocks within Phase LC1.

A public landscaped pedestrian lane would be provided to the western boundary, providing separation between LC2 and the adjoining LC1 development. The “Green Lane” would be a

new public realm providing access north/south between the nursery and school as well as front door access to blocks within Phase LC1. It would be provided with shrubs and trees, together with seating and cycle stands

In terms of affordable provision, it is proposed to provide 4 affordable rent and 4 intermediate units distributed across the two blocks. This provision equates to 30.8% of the total number of units within the scheme.

It is proposed to provide 26 car parking spaces (1 space per unit) within the landscaped courtyard to the rear of the blocks.

It is proposed that 25% would be for visitors with 6 visitor spaces located on Forge Lane. While this is within the ownership of the applicants, it is existing parking provision. This is not within the application site, nor within a blue lined area and cannot for this reason be considered to be part of this application's provision.

The access to the parking areas is from Woodland Way between the two proposed blocks.

Block pavers cover the entirety of the car parking areas within the courtyard.

Some of the parking spaces and turning areas shown associated with the Phase 2 (LC2) residential blocks are at least in part within the Phase LC1 development which is yet to be determined (details below). While the applicants indicate that both schemes will be implemented together, for the purposes of this report, only those which are shown as fully within the LC2 application site boundary are taken into this consideration as part of this application.

Two cycle stores will be provided; one per block for 26 cycles for occupiers. It is proposed that 4 visitor cycle bays are provided on the proposed Green Lane.

The parking areas would be provided with some trees and there would be hedging around the front and sides of The Chase block.

The application is directly adjacent and tied to a separate application - LC1 (planning application No. HW/FUL/20/000321) which is a full application for dwellings, commercial and community uses within Phase 1 of Newhall and follows approval of an outline scheme which includes Local Centre (LC1) site and community buildings area (the latter also the subject of subsequent detailed approval). The LC1 and LC2 applications were submitted at the same time appearing as a combined scheme; they are referred to together within the LC2 submitted Design and Access Statement; nonetheless, this scheme for LC2 can only be considered, and its impact assessed, on its own planning merits.

RELEVANT PLANNING HISTORY

Planning Applications

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
HW/PL/04/00302	Outline approval - Outline planning permission is sought for the erection of 2,300 Dwellings Including Parkland and Recreation, Employment and the Development of the	Approved	27.06.2012

	Local Centre into a Full Neighbourhood Centre		
HW/REM/20/00303	Approval of reserved matters (access, appearance, landscaping, layout and scale) relating to the development of the site to provide 23 residential units (use class C3) and associated car parking and infrastructure works associated with approved application HW/PL/04/00302 (Phase 2, Newhall).	PCO	Duplicate application
HW/FUL/19/00321 – LC1 Area	Full planning application for the development of 38 residential units (Use Class C3), 199 sqm. of flexible commercial space (Use Class E (a), (b), (c) and (g)) and associated car parking, landscaping and infrastructure works.	PCO	

CONSULTATIONS

Internal and External Consultees

Place Services - Urban Design

The application needs to establish where it sits in terms of its approach and use. Named the local centre, it would be expected to see a range of mixed use, higher density developments with high quality public realm. Currently the proposals do not conform to this approach where the residential development has been designed to assume retail or commercial use but not delivered.

It is expected that the approach to a local centre character has seen density driven up which has resulted in an insensitive street level development. The approach to containing car parking within the undercroft and courtyard arrangement is a supported approach but it is clear this has driven activity above the street level resulting in a non-active frontage to many of the blocks. At pedestrian level the development contributes slatted screens to the undercroft parking, fenestration, bin stores and one access door. It would be expected to have seen a more active frontage where ground floor apartments could have separate access from the street.

Access into phase 1 and phase 2 is questioned why this isn't directed to the north of each phase. Forge Lane holds little presence in terms of its use and purpose. By drawing access to the north this opens up further opportunities in developing stronger corner builds.

It is considered that the residential apartments along Green lane can contribute more to this frontage. Individual accesses to each apartment provide a functioning active frontage.

The car park arrangement to phase 2 raises concerns. It is considered parking backing onto parking creates a poor outlook where further opportunities should be explored. Drawing access off the square to the north west could hold further potential.

The block to the north east boundary of phase 2, requires justification around how this works with the existing street scene. This is in terms of scale, response to unit type and building set back.

In response to the revised plans:

Following on from our historic comments and discussions relating to this application, it is considered the amendments and revisions to the application are positive, which have resulted in a high-quality proposal.

It is noted that the quantum of landscaped areas has been increased which provides a more welcoming and residential character to the central parking court. The use of clay pavers to both the external public realm and internal parking court is supported.

Amendments to the frontage of Block D are again seen positively where parking has been downgraded and a more generous areas of landscaping now fronts the building.

We have only mirror comments made to the Phase 1 application where we suggest the additional tree pit detail is included for the trees planted between the parking bays. This is to demonstrate suitable growing volume for this trees.

The west of the parking court where the retaining wall meets the public realm/footpath, we question whether this wall detail can be simplified where the current saw tooth wall creates awkward meets between the soft landscaping and hard landscaping. If the wall could be finished in parallel to the footpath there could be a consistent set back along the public realm which would result in a more established landscape scheme where the areas of landscaping beds within the parking court would be reduced.

Additionally, we would encourage direct access from the street into the ground floor apartments to Block C. We appreciate the applicant has reviewed the options but would always encourage this approach for a build of this size and location.

Further to our past discussions and comments it is considered the application has addressed a majority of our initial concerns. The application has moved on positively in reducing parking which in turn has resulted in more allowance for landscaped and open space.

HDC - Consultant Arboriculturalist

Following an assessment of the provided documents accompanying the proposed approval of reserved matters on 27th September 2019, there are no objections to the provided details and technical drawings. Therefore, the reserved matters can be approved.

Following revisions:

No further comment to make providing the tree pits are implemented as shown.

HDC Environmental Health Services

No Comment Received.

HDC - Cleansing and Environment

Provided that the path between the store and the road has a gradient of not more than one in 12, there is no dropped kerb and the space between the trees is at least 2 metres, then the revised plans are acceptable.

Essex County Council - Highways

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following measures:

1. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for the following all clear of the highway:

- Safe access into the site
- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Wheel and underbody washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

2. Prior to the first occupation of the development the access arrangements, vehicle/cycle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.

Reason: To ensure that appropriate access, parking and turning is provided.

3. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation per dwelling of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include season tickets for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and Harlow District Council's Local Development Plan Submission Version 2018.

Informatives

- i. Any trees, structures and non-standard materials proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction; with all costs and details being agreed with the Highway Authority.
- ii. 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.

- iii. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

In relation to the revised scheme:

The Highway Authority has nothing further to add to our original comments, attached, for this application.

Heritage Officer

The application site forms the eastern half of the Local Centre site, which is located within the Phase 2 boundary of the Newhall development. The site is situated at the corner of Woodland Way and Bridge Street. The Grade II listed The Round House (List Entry Number: 1166304) is located within proximity to the site.

It is proposed to provide 23 residential units on the site, with associated car parking and infrastructure works. Access to the site would be provided from Woodland Way, which would lead to the parking on the west side of the site. The proposed apartment blocks would be situated along the north east and south east sides of the site and would be three storeys in height.

It is considered that development on the application site would cause harm to the significance of the identified listed building, due to the loss of part of its rural setting. However, in considering this reserved matters application, it is acknowledged that the application site has consent and therefore this forms the baseline from which to assess the reserved matters detailing.

The proposed development on the site would be visible in views from the listed building along Round House Way/Woodland Way as it projects beyond the building line of the Primary School. It would also potentially be visible in views above the school building as the proposed is three storeys in height. Although when considered as part of the consented masterplan as a whole, the proposals on the site would be read in conjunction with the interposing and adjacent development, it is considered that the overall scale and massing of the proposed development would detract from the appreciation of the significance of the listed building.

It is considered that the harm to the listed building could be mitigated through setting the building line further south west, in line with the school building, or through reducing the height of the proposed development.

In conclusion, it is considered that the proposals in their current form would cause harm to the significance of the listed building. I therefore cannot support the application from a conservation perspective. This harm would have to be weighed in the balance against the public benefits of the scheme.

Sustainable Urban Drainage Team

As the Lead Local Flood Authority (LLFA) this ECC provides advice on SuDS schemes for major developments. ECC have been statutory consultee on surface water since the 15th April 2015. In providing advice this Council, and their appointed consultants, looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents: • Non-statutory technical standards for sustainable drainage systems • Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide • The CIRIA SuDS Manual (C753) • BS8582 Code of practice for surface water management for development sites. Lead Local Flood Authority position

Having reviewed the documents which accompanied the planning application, we would recommend the issuing of a holding objection on the basis of the following: The information provided does not allow us to assess the development. Please provide information as required within the new ECC SUDS design guide.

[Officer comments: details of SuDS are required under the outline conditions. Details have separately been submitted which will be considered outside of this reserved matters application]

Place Services- Archaeology

The proposed development area has been previously archaeologically trial-trenched and no further archaeological work is required on this site.

Natural England

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Essex County Fire and Rescue Service (Harlow)

The Fire Service comment that access by fire vehicles is acceptable (which will be confirmed through a Building Regulations application), that additional water facilities may be needed and that the applicants should consider providing a sprinkler system.

Thames Water

Waste Comments - Thames Water confirms the foul water condition referenced, can be discharged based on the information submitted.

Surface water - Thames Water confirms the surface water condition referenced can be discharged based on the information submitted.

[Officer comment: Drainage details have been submitted under this reserved matters application and under a separate discharge of conditions. The comments above indicate that the details submitted under both are acceptable; for the same details they recommend condition discharge]

Supplementary Comments - Thames water would advise that it would not have any objections if the works were to be carried out as per drainage statement dated July 2019.

Regeneration Projects Manager

In regards to the amended description for HW/FUL/19/00322 we understand that this would result in an increase in the total number of units for this parcel. As such we would recommend that any increase in units is also reflected in the delivery of Affordable Housing. The minimum % of Affordable Housing for this parcel is 15%, therefore Affordable Housing should be considered based on the increased number for dwellings

Designing Out Crime Officer

No Comment Received.

Environment Agency (Hertfordshire & North London)

The EA have reviewed the application details and have no comments to make.

HDC - Assets and Facilities Management

No Comment Received.

Essex Wildlife Trust

No Comment Received.

Neighbours and Additional Publicity

Number of Letters Sent: 47

Total Number of Representations Received: 0

Date Site Notice Expired: 16 October 2019

Date Press Notice Expired: 17 October 2019

Summary of Representations Received

None.

PLANNING POLICY

Development Plan

Planning law requires that proposals should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan for the site consists of the Harlow District Council (HDC) Harlow Local Development Plan 2020 (HLDP), Essex County Council (ECC) Essex and Southend-on-Sea Waste Local Plan 2017 and ECC Essex Minerals Local Plan 2014.

The part of the Development Plan applicable to the proposal is the HDLP. The HDLP is prepared in the context of the National Planning Policy Framework (NPPF) – see 'Planning Standards' below. It is important to note that this is a very recently adopted and therefore 'up to date' plan in terms of NPPF Para.12.

Policies of most relevance to the proposal are:

Strategic Policies

- HGT1 - Development and Delivery of Garden Communities in the Harlow and Gilston Garden Town
- SD1 - Presumption in Favour of Sustainable Development
- HS1 - Housing Delivery
- HS3 - Strategic Housing Site East of Harlow
- ED3 - Developing a Skills Strategy for Harlow
- WE1 - Strategic Green Infrastructure
- WE2 - Green Belt, Green Wedges and Green Fingers
- WE3 - General Strategy for Biodiversity and Geodiversity
- WE4 - Safeguarding Wildlife Sites Beyond the District Boundary
- WE5 - Heritage
- SIR1 - Infrastructure Requirements

Development Management Policies

- PL1 - Design Principles for Development
- PL2 - Amenity Principles for Development
- PL3 - Sustainable Design, Construction and Energy Usage
- PL5 - Green Wedges and Green Fingers
- PL6 - Other Open Spaces
- PL7 - Trees and Hedgerows
- PL8 - Green Infrastructure and Landscaping
- PL9 - Biodiversity and Geodiversity Assets
- PL10 - Pollution and Contamination
- PL11 - Water Quality, Water Management, Flooding and Sustainable Drainage Systems
- PL12 - Heritage Assets and their Settings
- H2 - Residential Development
- H5 - Accessible and Adaptable Housing
- H6 - Housing Mix
- H8 - Affordable Housing
- H9 - Self-build and Custom-build Housing
- PR1 - Development within Employment Areas
- PR4 - Improving Job Access and Training
- PR5 - The Sequential Test and Principles for Main Town Centre Uses
- L1 - Open Spaces, Play Areas and Sporting Provision and Facilities in Major Development
- L4 - Health and Wellbeing
- IN1 - Development and Sustainable Modes of Travel
- IN2 - Impact of Development on the Highways Network including Access and Servicing
- IN3 - Parking Standards
- IN6 - Planning Obligations

PLANNING STANDARDS

National Planning Policy Framework (NPPF) (2021) - 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.

Harlow and Gilston Garden Town (HGGT) is a designated 'Garden Community' under the Government's Garden Communities Programme.

NPPF Para.72 provides the national policy context for Harlow and Gilston Garden Town (HGGT) as a location for *larger scale (housing) development*. Of particular note is the emphasis on; *existing or planned investment in infrastructure, the areas economic potential and the scope for net environmental gains..... plus; clear expectations for the quality of development and how this can be maintained (such as by following garden city principles)*.

The HGGT (Local Authorities) Partnership has published a series of documents that set the standards expected for developments in the Garden Town and are therefore relevant to this application.

HGGT Guidance

The HGGT Vision elaborates on the HGGT's interpretation of *garden city principles* and sets expectations for high quality development to accord with the principles.

The HGGT Design Guide requires consideration of design quality in a *garden city principles* sense and draws attention to specific local issues.

The HGGT Transport Strategy (Draft) explains the transport infrastructure investment and travel behaviour change (encouragement of bus, walking and cycling) being planned.

The HGGT Infrastructure Delivery Plan sets out infrastructure investment plans and developer contribution requirements.

The HGGT Sustainability Guidance and Checklist lists specific development quality standards and provides a quality assessment process. Applicants for any major development are expected to prepare a self assessment of their proposals using this document and submit it with the application. The purpose is to allow the applicant to demonstrate the quality of the development within a consistent comparative framework. The assessment is set in the context of Development Plan and the NPPF, but it can also to show where the development achieves high quality outcomes against HGGT principles, and may therefore exceed baseline planning policy requirements.

For all major development, HGGT Local Planning Authorities (LPAs) take independent specialist advice on urban design and sustainability matters (as included in the Checklist noted above) from the HGGT Quality Review Panel (QRP) (QRP Terms of Reference). Often this happens at an informal pre application enquiry stage, where early influence is more readily achieved. On this scheme the applicant engaged with the QRP at pre-application and subsequently amended the scheme following the detailed feedback.

The HGGT How to Guide on Planning Obligations and Viability sets out expected good practice on these matters, which are central to decision making on major developments. The Guide is based on the principle that Heads of Terms should be considered by the applicant at pre application stage and submitted in draft, but specific and detailed, form with the application. This facilitates effective negotiation with the LPA on these important matters. The aim is then to have a full planning agreement in draft form at the point the application is determined. For this application, because of the viability position (see below), this report includes only initial information and recommendations on Heads of Terms.

Supplementary Planning Documents (SPD) /Other Guidance

The following local planning guidance is relevant to this application:

HDC Affordable Housing and Specialist Housing Supplementary Planning Guidance (SPD) (2007) – currently being updated (a draft is published)

HDC Design Guide SPD (2011) – currently being updated with a Design Guide Addendum SPD (a draft is published). The addendum is particularly relevant as it includes guidance on tall buildings, privacy and overlooking.

HDC Open Spaces, Sport and Recreation SPD (2007)

HDC Employment and Skills Contributions in New Development (2021)

ECC Essex Parking Standards Design and Good Practice (2009)

ECC Development Management Policies (2020 - living document with regular updates).

Essex Local Viability Protocol (2018) An Essex wide approach to best practice for viability assessment that is generally compatible with the wider ranging HGGT How To Guidance noted above.

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

Essex Street Materials Guide (2012)

Planning Practice Guidance (PPG)

PLANNING ASSESSMENT

Summary of Main Issues

Following approval of the outline scheme, this application is for reserved matters, namely access, appearance, landscaping, layout and scale. Access was a matter considered at the outline stage however, there are additional roads and vehicle access into each property and parking court areas.

The main issues for consideration of this application are:

- HGGT growth context
- Principle of development
- Impact on the character and appearance of the area
- Urban design detail
- Impact on the development potential of adjoining land and the amenity of its existing and future occupiers
- Transport, highway access and parking
- Infrastructure requirements
- Housing provision including type/ size mix, accessible housing and affordable housing

- Sustainability
- Viability

HGGT growth context

Major residential development proposals in Harlow must be considered in the context of the very substantial proposed growth of the Town as whole and its future as a 'Garden Town'. (HDLP Policy HGT1).

National and local partnership arrangements and policies for achieving Garden Town 'principles' (HGGT Vision, NPPF Para 72) are relevant to major urban redevelopment sites and thus to this application. HGGT principles for Sustainability (HGGT Sustainability Guidance and Checklist), facilitating transport mode shift (Draft Transport Strategy) and infrastructure provision (HGGT IDP) are particularly important.

The general form of the proposed development accords well with the main HGGT principles because:

- it provides much needed new housing;
- the new housing is in a highly accessible location, creating an opportunity to live close to existing community facilities, services and public transport (when provided) and thus minimising reliance on travel by private car;
- it achieves efficient use of allocated urban land

Achievement against HGGT principles and quality on some more detailed matters is assessed as part of some of the considerations below.

Principle of Development

The proposal follows an outline approval for planning permission for 2,300 houses and infrastructure granted in 2012 (Planning ref. HW/PL/04/00302) for Phase 2 of the Newhall Neighbourhood. As such, the principle of development on the Phase 2 area is accepted.

The approved Masterplan (5/2010) for the Phase 2 part of the Newhall Neighbourhood does not contain any reference to LC2 (Local Centre 2) containing any local centre function or land uses. Nonetheless, the proposal does include a live/work unit which is similar to others in Phase 1 of the Newhall Neighbourhood.

As the principal of development has already been considered at the outline stage and through the approved Masterplan, 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.

This reserved matters application is for all reserved matters to be considered (access, siting, appearance, layout and landscaping) on the site Tranche LC2 within Phase 2 of the Newhall development and remains acceptable in principle.

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

The application site lies within the new Newhall Neighbourhood and, as such, is for new development on an open undeveloped site which was released for development of new housing within an area of new and relatively new housing, some of which has been erected including to the north/east of the application site.

Scale:

The proposal involves the erection of 26 dwellings and associated parking and landscaping. It comprises 3-storey flats with a range of bedroom numbers from 1 to 2 for up to 4 people. There will be: 9 x 1-bed units and 17 x 2 bed units; one as a live/work unit.

The blocks proposed would be similar in scale as those in the adjoining proposed LC1 development and would reflect the scale of development to the west of the nearby bridge within the higher density commercial area. It is considered that the two blocks would appear of a suitable scale and mass on the application site with both blocks being located onto road frontages with a small set-back with parking and landscaping areas to the rear.

The proposal would facilitate another phase of housing development in a higher sustainable locality as part of the outline scheme for Phase 2, such that it is considered that it would be of a scale and residential density which is proportionate to the site without resulting in an 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 all of the dwellings to be 1 to 2 bed units which would all meet, or exceed, the National Minimum Internal Space Standards.

All of the dwellings would meet, or exceed, the National Minimum Internal Space Standards; for example two, 1-bed 2 person flats at 61.3 sq.m are well above the 50sq.m indicated and the live/work unit for 1-bed 2 people is 72.2sq.m being significantly above the 50 sq.m. While the Harlow Design Guide has slightly different internal space standards, this is dated 2011 and the NMIS Standards are dated 2012. As the local standards were effectively replaced by a national minimum standard, it is considered that the local standard which relates to a previous Local Plan (2006) is somewhat out of date. It is therefore reasonable (and now, some 9 years later) that the NMIS Standards are taken in effect as industry minimum standards. It would therefore be unreasonable to refuse development which meets these national standards, particularly as many units exceed these minimums.

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 drawings, all the flats would have a balcony with sizes ranging from 2 people flats with 5 sq.m to, 3-people flats at 6 sq.m to 4 people dwellings with 7 sq.m. While the balcony/patio of the live/work unit would be located to the west close to the proposed play area/Green Lane, there would be a degree of separation with hedge planting and some grass such that it is considered that this occupier's amenities would be reasonable for a ground floor flat. There would be no communal open space for the flat dwellers; however, the Green Lane would provide an outdoor space adjoining the application site, close to the blocks and open space is provided in Newhall as part of the

outline approval which includes LEAPS, NEAPS, a linear park (New Pond Spring) and sportsfields and allotments. New Pond Spring linear park is located either side of the Bridge on Bridge Street within 5 min walk of LC2.

Layout:

The blocks would be laid out so one would be to the south (Block C), parallel to Bridge Street and the other to the east (Block D) of the site parallel to Woodland Way. The two blocks, located at right-angles, present a firm edge to the north/west corner of the cross-roads cut only by the vehicle access onto Woodland Way and provide an element of enclosure of the application site.

While the rear courtyard area is relatively open, the proposed block E (in LC1) fronts onto Green Lane providing an element of enclosure on this "third" site; nonetheless, the landscaping in the courtyard would link visually though to the soft and pedestrian landscaping within the Green Lane.

There would be a single vehicle access into the courtyard area between the two blocks where parking provision would be provided on hardstanding in the courtyard and in undercrofts.

The approach with blocks to the front and parking/landscaping to the rear is considered to be in character with existing flatted forms across Newhall Phase II.

The layout of the site has taken into account the natural features (sloping ground levels) on site, design parameters, connections to other approved and future land parcels of Phases 1 and 2. The site is divided with the two blocks on the south/eastern and north-eastern parts of the site with grade level parking to the rear interspersed with trees (augmented in the revision to add three more trees). In general, the proposed layout achieves a high quality of design while recognising the existing road layout; it would also have a frontage onto the proposed Green Lane between LC2 and LC1 to the west/south.

Density:

The proposed density would be 130 units per hectare. While this is above the residential densities across the Newhall site unlike the previously approved schemes, the proposal is for a fully flatted scheme where higher densities with high quality can be achieved. The site is also in a higher sustainable location within the Newhall Neighbourhood as it adjoins the Neighbourhood's Local Centre with its shopping, servicing and community facilities including a nursery and school and access to nearby open space just beyond, west of the bridge.

Design/Appearance:

The frontage block would be provided with a statement roof which would be eye-catching and match with one roof to the proposed neighbouring development at LC1. It is proposed to build both LC2 and LC1 at the same time and will reinforce the connection between the two, linked sites.

The proposed 3-storey height would be the same as for the existing houses at cross-roads of Bridge Street, High Chase Woodlands Way and Roundhouse Way, This would also match with the developments to the west of the bridge which are 3/4-storey and other 3 storey development across the Newhall Phase II area, albeit much of the development is 2 storey (often with accommodation in higher-pitched roof-spaces).

The proposal would provide a reasonable degree of windows as is appropriate for residential development which would appear as glazed features in the otherwise solid walls of the buildings (as normal). Such fenestration, together with the proposed roof forms and material palette (which would accord with the approved Newhall Palette) would be appropriate to the flatted block arrangements reflecting the characteristic modern architectural approach which is evident across the whole of the Newhall Phase II development.

The frontage block onto Bridge Street would have a live/work unit to the ground floor with other residential units with bin/cycle storage at that level with two floors of residential units above and the side block onto Woodland Way would be similarly provided.

Apart from the live/work unit which would have a customer door to the street, here would be the main residential entrance and bin/cycle stores at ground floor level with no individual front doors to ground floor flats fronting onto Bridge Street. While Policy PL1 would normally require activity to the front of dwellings, the lack of front doors in flatted development is not unusual, particularly where cycle storage is provided communally and access to this would be located from internal corridors. The design is however considered acceptable due to the live work unit being on the frontage onto Bridge Street and from the activity generally relating to the frontage commercial units in the adjoining LC1 area and in association with people accessing/using the adjoining school, the Green Lane, day nursery and community halls.

Woodland Way is a side street where it would be expected that there would be a quieter residential environment and front doors are provided for access to the ground floor units facing housing on the opposite side of the road.

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 shared and private amenity space (balconies). Together with the provision of landscaping along the site boundaries/to Green Lane, it is considered that the development would positively contribute to the streetscene.

The buildings would be located at right angles to each other with the southern block and eastern blocks being separated by the access into the parking area. There would be no back to back situations and separation distances between residential properties are considered to be acceptable to avoid direct overlooking. It is not considered that any unreasonable overlooking or inter-looking will result. It is not considered that the north-eastern block would be unduly over-shadowed by the south-eastern block.

65% of the flats would be dual aspect which is considered to provide a reasonable standard to the 2-bedroom units and the majority of the single-aspect flats would be south-facing. The 4 that would be north-facing would have balconies and overlook the landscaped courtyard/parking area and have views of the wooded area to the north of the application site beyond the single-storey day nursery. It is considered on balance that the provision of a limited no. of single-aspect flats here would not be considered to provide a poor standard of design.

It is considered that the proposed layout would be acceptable in respect of the proposed level of residential amenities of the future occupiers.

It is considered that the design, layout, scale, density and appearance of the proposed development represents a high standard of design which would be in character with other new development in the Newhall Phase II area and accords with the provisions of Policies

PL1, PL2, H3 and H6 of the Harlow Local Development Plan (2020) as well as the design principles of Harlow Design Guide (2011) and emerging Harlow Design Guide Addendum (2021).

Impact on the setting of the nearby Listed Building

The application site lies to the north of a Listed Building, The Round House (Grade II). At the outline stage, the only concern raised was that any consideration at reserved matters stage should take into consideration the impact of any scheme on the Listed Building and its setting. There was no “exclusion area” agreed, nor was there any suggestion as to what area may be considered to form the setting for the Listed Building.

The Conservation/Heritage Officer indicates that the proposal would appear in the backdrop of views of The Round House, a Grade II Listed Building, located along Round House Way and that it should be relocated so that it is not visible as it would result in “*less than substantial*” harm to the setting of The Round House.

The application site is located to the western end of Round House Way at its junction with The Chase/Bridge Street and Woodland Way. Nonetheless, the proposed 3-storey block fronting onto Bridge Street would be visible as a vista feature from the Listed Building. While this would be the case, there are numerous dwellings both constructed and approved (Sector V) which are significantly closer to The Round House and the two-storey high school buildings on the opposite side of Bridge Street, closer to the Listed Building would partially obscure the, albeit 3-storey, block. The block would be of modern design with an unusual pitched/valleyed roof; given the significant distance away, it is considered that while it would be visible in the views of and from The Round House from the east that it would not compete with it such that the harm to The Round House or its setting as a result of this proposal would be particularly limited.

The Round House is Grade II Listed and it is considered that “*less than substantial harm*” would occur to its setting. On this basis, in line with the NPPF (paragraphs 202 and 203), the public benefits of the proposal have to be considered. The impact first needs to be assessed in relation to Policy PL12 of HLDP (Dec 2020) which indicates that the impact on a Listed Building will be assessed based on the following criteria:

- (a) the impact of development on the character, appearance, or any other aspect of the significance of the asset or its setting;
- (b) the design quality of the development and the extent to which it safeguards and harmonises with the period, style, materials and detailing of the asset (including scale, form, massing, height, elevation, detailed design, layout and distinctive features);
- (c) the extent to which the development is sympathetically integrated within the area and any distinctive features (including its setting in relation to the surrounding area, other buildings, structures and wider vistas and views);
- (d) the extent to which the development would enhance, or better reveal, the significance of the heritage asset; and
- (e) any public benefits of the development

The Round House is located within a wide curtilage which is significantly larger than proposed residential curtilages and has hedges to its northern/eastern and western boundaries with a small wooded area to the south.

The Round House is located, at 130 m, some distance away from the nearest point of the application site, beyond the school. New housing development of upto 3 storeys has already been constructed and development to the northern side of Round House Way to the south-

east of the application site, directly to the north of the Round House on the opposite side of Rose Crescent, with a half-moon amenity area providing an element of separation beyond Round House Way and development of 49 houses has been approved directly to the south-east of the Round House (Sector V) just across a two-way road (around 9m away)

While it is recognised that this particular Listed Building would be surrounded by new housing, including on the application site. Views from windows in a Listed Building of new development is not of itself a reason to refuse new development, bearing in mind that Listed Buildings in built-up areas often do not have large landscaped areas around them, even where they may have been in a rural area when originally built. In any event, it is not the rural landscape that makes the building worthy of its Listed Status.

Notwithstanding, it is accepted that new development on site would be located such that it would sit in part in the backdrop to the Round House in views from the east/south-east.

The proposed development, like other modern development within Newhall would not harmonise with or otherwise be in character with the Listed Building. Nonetheless, the residential development is being provided in order to meet the house numbers for the tranche originally allocated and approved within the outline scheme and the outline scheme allowed for new development, of which all new development coming forward does not harmonise with the Listed Building. The scheme has been brought forward in line with the outline approval and as modern housing on a 2,300 dwelling estate, while it is expected to provide a high quality of design and layout is not expected to match the Listed Building by way of character and appearance. It is considered that the proposed modern buildings on this application site are in character with existing new housing development on Newhall and, as such, that it appears as in juxtaposition to the original rural character of Round House. Given that this site is significantly further away from The Round House (130m) compared with existing and already approved development (as little as 9m away), it is considered that the harm identified to the setting of the Listed Asset is minimal.

The proposed development would not interfere in longer distance views from the west/north-west of the Listed Building from the west along RoundHouse Way and Woodland Way.

The public benefits of the scheme also include 30.8% affordable housing which would slightly exceed the target in Policy H8. Given that most tranches across Newhall Phase II provide the minimum of around 15% (which is the minimum allowed in the outline's Legal Agreement), this is considered at twice this, to be a significant public benefit.

The public benefits arising from the proposal are that 26 new dwellings would be erected for use by market purchasers as well as 8 being for affordable housing. During construction, employment will be provided and following construction the houses will meet the urgent need to provide housing as identified in the local housing needs assessments.

It is therefore considered that the scheme would result in significant public benefits which would outweigh the less than substantial harm identified. It is therefore considered that the proposal would therefore accord with heritage policy PL12 of the HLDP (2020) and the provisions of paragraphs 195 and 196 of the NPPF (2021).

Impact on Trees and other Landscaping

The site is currently vacant with a vacant area to the west/south (LC1) and a few new trees and other vegetation outside the site boundaries. The applicant has submitted a Landscape Plan in support of the scheme.

The Council's Arboricultural Consultant originally raised some concerns that the AIA is slightly deficient in relation to existing trees and the applicants have responded increasing the number of trees by 3 in the parking area. Suitable conditions could be attached to any grant of planning permission to ensure the provision and maintenance of the trees proposed. In any event, 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 Existing Residents

In line with Policy PL2, Principle DG33 of the Harlow Design Guide (2011) indicates that new development should not result in undue harm to existing occupiers' residential amenities in respect of privacy/overlooking, overshadowing, noise etc.

The nearest properties to the site are the residential properties to the north and east in Woodland Way and High Chase. The site is vacant at the moment. Given that the application site's buildings would be located to the south/west of the existing properties, there would be some loss of amenity to the properties with elevations fronting onto Woodland Way on the opposite side of the public highway. The reason for this is that where there is no development now, there will be 2 storey and 3 storey development on the opposite side of the public road (approx. 5m wide). While current levels of privacy, sunlight and daylight etc. for existing occupiers may be affected, this is a normal arrangement with buildings facing each other either side of a highway. Bearing in mind that both sets of dwellings were envisaged by the outline approval/Masterplan for Newhall Phase II, it is not considered that there would be any significant loss of existing residential amenities due to the proposed development.

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 landscaping strategy with trees and hedging to the rear and road frontages 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 existing residents and, as such would accord with Policy PL2 of the HLDP (2020) and the Harlow Design Guide SPD.

Access, Parking and Highway Safety Concerns

The main access points to/from London Road (via Round House Way), 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 requiring additional information/details to be implemented.

The internal road and the design of accesses and junctions to London Road itself were considered acceptable by the Highway Authority under Application No. HW/REM/17/00225, as were those to Roundhouse Way and Spine Road.

The proposal would not have any new roads as the two blocks would front onto existing roads, Bridge Street and Woodland Way; although new footpaths would be provided to them. A new vehicle access would be provided to Woodland Way to access the courtyard car park.

No large vehicles would need to enter the site as refuse lorries and other servicing vehicles would be able to do so from the existing roads. The proposed footpaths would provide good connectivity within the site and the wider area.

Parking

Policies IN1-IN3 of the HLDP (2020) seek to achieve a modal shift of 60% of trips being non-car based. This means that car parking provision should relate to the size of house and whether the site is accessible now and is likely to be accessible to public transport.

The Essex Car Parking Standards state: "For main urban areas a reduction to the vehicle parking standard may be considered, particularly for residential development. Main urban areas are defined as those having frequent and extensive public transport and cycling and walking links, accessing education, healthcare, food shopping and employment (paragraph 2.5.1)"

A Car Parking Strategy Plan and a Cycle Storage Strategy Plan are submitted in support of the application. Parking is provided on a 1 space per dwelling basis with 26 spaces in total. This has enabled additional landscaping in the rear courtyard area to the benefit of future residents.

Given that the dwellings, of which 35 % are 1-bedroom and the remainder are all 2-bedroom, are provided in the mixed-use centre of the Phase I and Phase II parts of Newhall, close to shopping and other services with a nursery, school and community facilities on its boundaries, it is considered that this reduced number of parking spaces is commensurate with the high degree of access associated with the site's sustainable location.

Cycle storage for 26 cycles will be located in private areas to the ground floor of the two blocks with 4 cycle spaces for visitors in the Green Lane.

The overall parking provision (car and cycles) is generally in line with the adopted parking standards which allow for lower provision of cars and higher provision of cycles in sustainable locations, such as at LC2

Given that the proposed development results in a higher density of residential provision, limiting car parking provision also provides a benefit for occupiers in the resultant increased landscaping that is to be provided.

Policy IN3 states that "Development must provide electric vehicle charging points (EVCPs) in accordance with the latest Government guidance". A suitably-worded condition will be attached to any approval requiring the provision and retention of evc points.

A bus route through Newhall has been agreed in relation to the outline approval for Phase II Newhall. It will be provided in accordance with the relevant legal agreement.

Essex County Council Highway Authority have 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.

Affordable Housing

Local Plan Policy H8 indicates that affordable housing should form a percentage of housing on major development sites with 30% being the target. This proposal provides 30.8% of affordable housing; 8 dwellings. The legal agreement (S106) attached to the outline scheme allows for a lower percentage of affordable housing (down to 15%; upto 40%) with an overall requirement that the Newhall Phase II scheme provides 33% affordable dwellings.

The Viability assessment submitted has been reviewed and it is noted that viability is limited to the degree that less than 15% affordable properties could be provided. For this 26 dwelling scheme, as has been accepted for other sites within Phase 2 of Newhall previously that 15% would be acceptable and in line with the legal agreement attached to the outline approval; the proposal would exceed meet this minimum at 30.8%.

The application proposes of the 26 dwellings that 8 would be provided as affordable dwellings (3 x 1-bed and 5 x 2-bed). 4 would be provided at affordable rent and the other 4 would be provided as intermediate forms of affordable housing.

The Harlow Design guide (2011) advises that affordable housing should be tenure blind and pepper-potted throughout the site. The affordable housing is provided within the block of flats to the rear of the main road, fronting onto Woodland Way. While not pepper-potted, as would be preferred, 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.

The provision would be in line with the Legal Agreement which requires that no more than 50% of the affordable housing is provided across the Newhall Neighbourhood is provided for rent.

It is considered that the affordable housing provision is acceptable in line with Policy H8 of the HLDP (Dec 2020).

Unilateral Undertaking – Cross boundary works

As some of the parking provision and landscaping works proposed for use by LC2 occupiers are in part within the adjoining LC1 land area, in order to ensure that LC2 is implemented together an appropriately, a Unilateral Undertaking (UU) is required under Section 106 of the Town and Country Planning Act 1990 (as amended). The applicants submitted a draft Unilateral Undertaking in which on Cross boundary works. This states:

“The Owner hereby covenants with the Council as follows:

1. to use Reasonable Endeavours to ensure the coordinated construction and delivery of the Permission and the Development to the reasonable satisfaction of the Council; and
2. following the Commencement of Development to keep the Council informed as to the construction and delivery programme for the associated Permission.”

Other Contributions

The applicants indicate in their submitted Planning Statement dated June 2020, that physical and financial contributions will be made (including contributions towards education and

transportation measures) within Phase 2 in accordance with the two Section 106 Agreements legal agreements for the Newhall Phase 2 development and that the subsequent developer will be responsible for the release payment as set out in the Deed of Variation.

Legal agreement S106 dated 21 June 2012 for affordable housing and other contributions, S106 are dated 21 June 2012 for education and transport and the Deed of Variation is dated 29 September 2014 under approval HW/PL/04/00302.

According to one of the June 2012 Agreements, education contributions are to be made in the form of the provision of schools. This is not linked specifically to this tranche of the development and the first school has already been constructed on the opposite side of Bridge Street to the application site. The Highway works were to include the provision of a new junction on the A414 with a link road and connection to London Road and access for high quality public transport to the Application site. Capacity improvements to the A414 junction were to be either by the developer or by the provision of a contribution to the County Council. Such works were to be completed before the occupation of the 751st Unit (dwelling).

The S106 agreement also indicates that the provision of cycling and walking facilities should be made in accordance with the details shown on the Plan attached to the Agreement as Annexure 1.

Bus stop facilities were to be provided along the internal spine road. The bus service to start in January 2012 (or later – 12 months after implementation and maintained until completion of 2,000th residential unit); this has yet to be provided. Travel Packs are to be provided to the first occupiers of each residential unit.

The Masterplan map of 5/2010 (Drawing 887-036H) indicates that Bridge Street is a proposed bus route which lies outside the application site.

As this is a reserved matters approval application, no details are specifically required under this approval in relation to the education and transport commitments made in the legal agreements/Deed of Variation as they do not specifically impact on the matters to be determined at this stage. The education and other commitments, including provision of open space, are required to be implemented by the legal agreement itself.

Other matters:

Flooding and SuDS

A drainage strategy covering the site and wider remaining Phase II 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 II. Details of drainage works on each tranche is required under Condition 9 of outline consent to ensure that adequate provision is made. Therefore, there are no significant concerns on flooding or drainage for the current application and additional conditions are not required.

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 site is currently vacant and cleared awaiting development. While it could exist, it is unlikely that there is much existing ecology on site. The NPPF indicates that there should be a net biodiversity gain on site. The proposal would introduce new landscaping, including trees in the courtyard and along the new Green Lane which will promote ecology and biodiversity. The Green Lane will link with the existing treed/stream area to the east/north of the application site beyond the day nursery development. The applicants have indicated a willingness to provide bat/bird boxes and a condition is attached to require the submission of details.

Natural England have been consulted on this reserved matters application and have indicated that they have no objections.

It is considered that there should be a net gain in biodiversity from the proposed landscaping measures and proposed boxes for protected species in accordance with the relevant paragraphs of the NPPF and Policy PL9 of the HLDP (Dec 2020)

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.

Refuse

Storage capacity 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 Street Scene Manager was consulted on the original scheme and raised an objection. The Refuse Strategy Plan has been amended. Further comments indicate that provided the path between the store and the road has a gradient of not more than one in 12, there is no dropped kerb and the space between the trees is at least 2 metres, then the revised plans are acceptable.

It is confirmed that these requirements are met and that the arrangements are therefore considered to be acceptable.

Equalities

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;

- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The above duties require an authority to demonstrate that any decision it makes is reached “in a fair, transparent and accountable way, considering the needs and the rights of different members of the community and the duty applies to a local planning authority when determining a planning application.

Officers consider that the application does not give rise to any concerns in respect of the above.

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 “less than substantial harm” to the setting of the nearby Listed Buildings - The Round House (Grade II) is considered to be outweighed by the public benefits of the scheme.

The access, scale, appearance, layout and landscaping 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 as necessary. The proposal is therefore recommended for approval, subject to conditions.

RECOMMENDATION

Committee Members are recommended:

- **to delegate to Officers to agree a Unilateral Undertaking (UU) in relation to cross-boundary works and, following the UU’s signing/submission,**
 - **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 plans submitted in relation to the development hereby permitted, unless alternative materials are proposed.
REASON: In the interest of visual amenity and to accord with policy PL1 of the Harlow Local Plan (HLDP), July 2021.
 - 2 No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for the following all clear of the highway:
 - o Safe access into the site
 - o The parking of vehicles of site operatives and visitors
 - o Loading and unloading of plant and materials
 - o Storage of plant and materials used in constructing the development

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

REASON:

- 3 Prior to the first occupation of the development the access arrangements, vehicle/cycle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
REASON: To ensure that appropriate access, parking and turning is provided.
- 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 Details relevant to the safe retention and protection of trees within the Arboricultural Method Statement (AMS) submitted with this application 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.
- 6 Details of bird and bat boxes shall be submitted and, once approved in writing, shall be implemented prior to first occupation of the dwellings hereby permitted.
REASON: To ensure that there is net biodiversity gain from the proposal, in accordance with Policy PL9 of the Harlow Local Development Plan Dec, 2020)
- 7 Details of electric vehicle charging points shall be submitted and, once approved in writing, shall be implemented prior to first occupation of the dwellings hereby permitted. The evc points shall be retained thereafter.
REASON: To ensure that , evc points are provided in accordance with Policy IN1 of the Harlow Local Development Plan Dec, 2020)
- 8 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
NHH-PRP-A01Z-ZZ-DR-A-RM-0200	--	Site Location Plan	24.06.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-0201	--	Existing Site Plan	24.06.2021
NHH-PRP-A01Z-	Rev P03	Proposed Site Plan	22.10.2021

ZZ-DR-A-RM-0202			
NHH-PRP-A01Z-ZZ-DR-A-RM-2000	Rev P03 Ground Floor	Site Plan	22.10.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2001	Rev P02 Level 1	Site Plan	24.06.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2002	Rev P02 Level 2	Site Plan	24.06.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2003	Rev P02 Roof Level	Site Plan	24.06.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2011	Rev P03	Cycle Store Details	22.10.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2201	Rev P01 1B2P Affordable	Proposed Floor Plans	24.06.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2010	Rev P03	Parking Plan	22.10.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2020	Rev P03	Refuse Plan	22.10.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2030	Rev P03 Ground Floor	Tenure Plan	22.10.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2031	Rev P03 Level 1	Tenure Plan	28.10.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2032	Rev P03 Level 2	Tenure Plan	28.10.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2050	Rev P02	Site Elevations	22.10.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2100	Block C Grd & Lvel 1 Rev P03	General Arrangement	22.10.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2101	Block C Lvel 2 & Roof	General Arrangement	24.06.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2102	Rev P02 Block C	Proposed Elevations	22.10.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2103	Rev P02 Block D	Proposed Floor and Elevations	22.10.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-2200	Rev P01 1B2P Private	Proposed Floor Plans	24.06.2021
NHH-PRP-A01Z-ZZ-DR-A-RM-	1B2P Private Live-	Proposed Floor Plans	24.06.2021

2202	Work		
NHH-PRP-A01Z- ZZ-DR-A-RM- 2203	Rev P01 2B3P Private	Proposed Floor Plans	24.06.2021
NHH-PRP-A01Z- ZZ-DR-A-RM- 2204	2B3P Affordable	Proposed Floor Plans	24.06.2021
NHH-PRP-A01Z- ZZ-DR-A-RM- 2205	2B4P Private	Proposed Floor Plans	24.06.2021
P.1166.31.003.F	--	Landscape General Arrangement	22.10.2021
P.1166.31.403.A	--	Hard and Soft Landscaping Proposals	22.10.2021
P.1166.31.103.F	--	Hardworks Plan	22.10.2021
P.1166.31.203.B	--	Site Section	22.10.2021
P.1166.31.303.F	--	Tree & Hedging Plan	22.10.2021
NHH-PRP-A01Z- ZZ-DR-A-RM- 2207 Rev P01	2B3P Private - Type 2	Proposed Floor Plans	22.10.2021
NHH-PRP-A01Z- ZZ-DR-A-RM- 2206	1B2P Private - Type 2	Proposed Floor Plans	24.06.2021
19-081_SKC02	Rev A	Tracking	22.10.2021

INFORMATIVE CLAUSES

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address these concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Highways Informatives
 - i. Any trees, structures and non-standard materials proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction; with all costs and details being agreed with the Highway Authority.
 - ii. 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.
 - iii. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.