

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
17th August 2022

REFERENCE: HW/FUL/22/00223

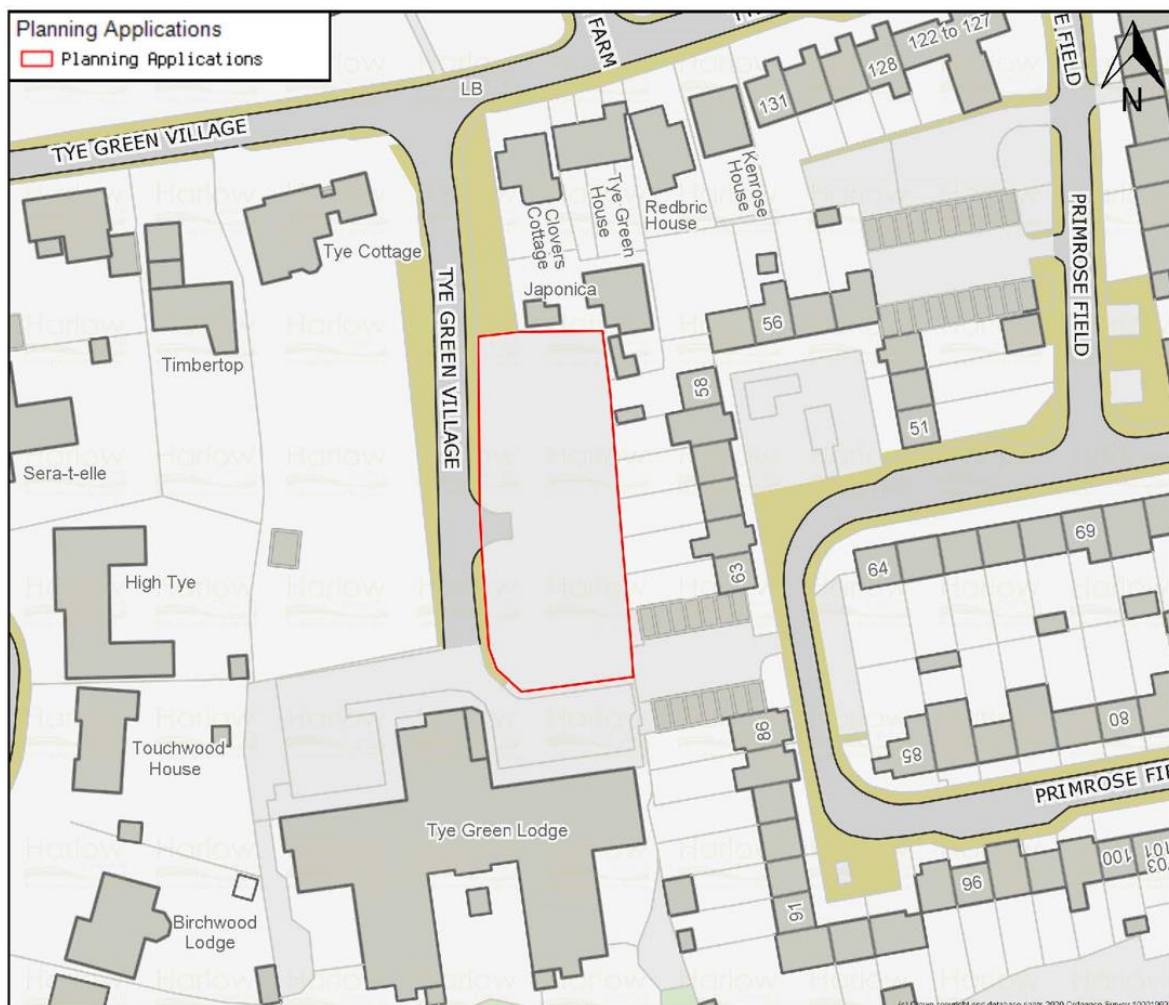
OFFICER: Roland Sheldon

APPLICANT: Harlow District Council

LOCATION: Land North Of Tye
Green Lodge, Tye
Green Village, Harlow,
Essex

PROPOSAL: Erection of two one-storey buildings for the purpose of creating 6
no. social housing bungalows for people over 55.

LOCATION PLAN:



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REASON FOR COMMITTEE: This is a Council-led scheme for additional housing which is considered to be of sufficient public interest to be considered by the Planning Committee.

Application Site and Surroundings

The subject site contains 1.32 hectares of vacant land to the immediate north of Tye Green Lodge Care Home within the south-east of Harlow. The surrounding uses are residential, with the aforementioned care home located to the south, the rear gardens of two-storey dwellings on Primrose Field and Tye Green Village bordering the site to the immediate east and north respectively. Across Yorkes to the west is the large rear garden of Tye Cottage. The southern boundary of the Tye Green Conservation Area is located to the immediate north of the site. The site does not contain a listed building. No. 5 Tye Green is a listed building 45 metres to the north of the site.

Details of the Proposal

The proposal seeks the erection of two one-storey buildings for the purpose of creating 6 social housing bungalows for people over 55. The Design and Access Statement (D&A) states that the housing will aim to provide homes for people with more advanced age that may present physical difficulties and assistance requirements from carers and/or family members.

RELEVANT PLANNING HISTORY:

Planning Applications

Land North Of Tye Green Lodge, Tye Green Village, Harlow, Essex

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
HW/EQ/07/20078	Proposed to Erect a 3x3 Metre GRP Substation	REC	
HW/PL/07/00057	Change of Use to Residential Dwelling	GTD	04.05.2007

Land Situated On The East Side Of Yorkes Tye Green Village Harlow

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
HW/PL/08/00319	Residential Development of Four 2 Bedroomed Bungalows with Access off Yorkes	GTD	04.12.2008

1-18 Yorkes, Harlow

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
HW/ST/02/00366	New Build 60 Bed Care Home And Ancillary Accommodation on 2 Stores	GTD with S.106	25.07.2003

CONSULTATIONS:

Internal and external Consultees

Internal and External Consultees

HDC Environmental Health

No objection to the proposal subject to a condition that requires an intrusive site

investigation to be conducted for the site in accordance with details within the submitted desktop study and conceptual model, with the risk assessment and refined conceptual model submitted to the Local Planning Authority (LPA) and approved, and carried out in accordance with approved details. If previously unidentified contamination is found at the site, no further development should be carried out until a remediation strategy detailing how the contamination shall be dealt with shall be submitted to/approved by the LPA.

HDC - Consultant Arborist

“Following a site visit to assess any potential arboricultural constraints on 22nd of June 2022, it is evident that the proposed development has sufficiently considered the impacts to trees and green infrastructure at this stage, which is in accordance with policies PL1, PL7, PL8 and WE1 of the Local Development Plan.

Specifically, there are no trees within the bounds of the site, and the only trees that may be impacted and considered as part of the design process belong to neighbouring land owners. Trees seen may have an impact on methods of construction and as such a method statement will be necessary. Therefore, the proposed development can be considered for consent, having satisfied arboricultural matters sufficiently at this stage of the planning process. However, it will be necessary for the issued decision notice to ensure that the proposed development will be supported by a fit-for-purpose Arboricultural Method Statement (AMS) so that the proposals do not impact the off site trees, due to improper usage of land near trees, and that methods of working around trees are shown and can be examined by this council before work commences.”

Essex County Council - Highways

No objections from a Highways and transportation perspective, subject to compliance with conditions that require access arrangements, parking and cycle parking as indicated on plan, to be carried out in accordance with approved plans prior to occupation. In addition, a condition that requires the provision, distribution and implementation of a Residential Travel Information Pack for sustainable transport, free of charge to each dwelling, should be imposed on the development.

Sustainable Drainage Team

No comment received.

Heritage Officer Place Services

The application site is located within the setting of the Tye Green Conservation Area and the Grade II listed Fountains Farmhouse.

The site makes a limited contribution to the setting of the above heritage assets. The proposal would not have an adverse impact on their setting. It is positive that the bungalows are low profile and set back from the road. A robust landscaping scheme would ensure the development relates well to the existing streetscene. If permission is granted, conditions requiring details of materials and a hard/soft landscaping scheme should be imposed on the development.

HDC - Cleansing And Environment

“We have no objections to raise regarding this proposal. Bin storage at the front accommodates all scenarios and the assisted collection service is also available if the occupiers require further support with their waste.

The developer will be required to contact the Waste Management team prior to first occupation to either purchase the bins from the Council or to be provided with the specification for the bins required. The onus is on the developer to provide the bins for the respective dwellings.”

.Essex Police DOCO Officer

Essex Police met with the applicant in March 2022 to discuss the proposal. All recommendations were taken into account. If the applicant wishes to apply for Secured By Design Silver or Gold award, they will be fully supported by local DOCO.

Neighbours and Additional Publicity

Number of Letters Sent: 99

Total Number of Representations Received: 7

Date Site Notice Expired: 8 July 2022

Date Press Notice Expired: 7 July 2022

Objections: 0

Supporting: 5

Neither: 2

Date Site Notice Expired: 22 July 2022

Date Press Notice Expired: 28 July 2022

Summary of Representations Received

Material planning representations

- How long will the process of construction last for? Controls on hours of construction construction and noise levels should be included
- Will the development result in any overlooking of neighbouring properties?
- The Council have removed a hedge that used to the separate the site from the dwelling to the immediate north of the site. Planting will be required to provide privacy between existing and proposed units and to reduce scope for flooding problems
- Location of bins may make it difficult for elderly residents to reach

Officer comment: The location of the bin stores have been revised to be moved from the rear of the site to the front garden area, following the submission of revised plans.

- Odour disturbance resulting from bins too close to 'Japonica' house to immediate north of site
- There is currently insufficient parking for the care home and 1 space per dwelling would not be enough, which may lead to additional on-street parking. It may also result in problems for access of emergency vehicles, deliveries and servicing. Currently, care home workers and visitors to the care home often park on Yorkes and Tye Green Village which can cause problems with access for existing residents to their off-street parking space
- Screening planting should be included in the proposal to provide privacy for neighbouring occupants
- Consideration should be given to widening the road (Yorkes) to allow additional space for on-street parking
- Foundations are a concern there are issues with subsidence on the site

The issues raised are considered below in the planning assessment.

Non-material representations

- Could the council consider granting an easement for Clovers Cottage to allow the purchase of some land adjacent property for parking

Officer comment: The above matter concerns land outside of the site and matters that are not materially related to the planning proposal.

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 HLDP. The HLDP 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:

SD1	Presumption in Favour of Sustainable Development
HS1	Housing Delivery
WE3	General Strategy for Biodiversity and Geodiversity
WE5	Heritage
PL1	Design Principles for Development
PL2	Amenity Principles for Development
PL3	Sustainable Design, Construction and Energy Usage
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
H1	Housing Allocations
H2	Residential Development
H5	Accessible and Adaptable Housing
H6	Housing Mix
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

Several forms of ‘planning standard’ are relevant to the application. These standards complement Development Plan policies.

National Planning Policy Framework (NPPF)

The Development Plan is prepared taking account of the National Planning Policy Framework (NPPF) (as extant at the time - the NPPF is regularly updated; currently in its 2021 version) and the associated Planning Practice Guidance (PPG) (first published in March 2014 but also regularly updated with the NPPF).

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.

Supplementary Planning Documents (SPD) /Other Guidance

The following local planning guidance is relevant to this application:

HDC Design Guide SPD (2011)

Design Guide Addendum SPD (adopted December 2021).

ECC Essex Parking Standards Design and Good Practice (2009)

ECC Development Management Policies (2020 - living document with regular updates). (2011)

PLANNING ASSESSMENT:

Summary of Main Issues

The key issues for consideration in the determination of the application are the following:

- The principle of development;
- Housing mix;
- Design, character and appearance;
- Heritage;
- Impact on neighbouring amenity;
- Standard of accommodation;
- Access, parking and highway safety;
- Trees and landscaping;
- Flood risk and drainage;
- Biodiversity/geodiversity;
- Energy and sustainability;
- Waste and recycling;
- Contamination;
- Secured by Design and;
- Equalities

Principle of Development

At the heart of the NPPF 2021 is a presumption in favour of sustainable development

which meets social, economic and environmental needs. One of the core principles in the NPPF is that planning should encourage the effective use of land. Paragraph 119 of the NPPF states that strategic policies should set a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Policy SD1 of the HLDP reiterates the presumption in favour of sustainable development and sets out that development that accords with the Local Plan will normally be supported, unless material considerations indicate otherwise.

Additional Housing

Paragraph 60 of the NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

The proposal would provide 6 self-contained dwellings on a site that is not within a designated housing allocation within the Harlow Local Development Plan (HLDP). HLDP policy HS1 states that the Local Plan identifies sites to deliver at least 9,200 dwellings during the Local Plan period (1 April 2011 to 31 March 2033).

In addition to dwellings that have been completed or have extant consents, this figure is anticipated to be delivered through the Strategic Housing Site East of Harlow, Housing Allocations identified in HLDP policy HS2 and windfall sites. The site is not within an allocated site identified for housing growth within the HLDP, and therefore is a windfall site.

National planning policies state that authorities may make an allowance for windfall sites in the five year supply if there is compelling evidence that such sites have consistently become available and will continue to provide a reliable source of supply.

Policy HS1 states that windfall sites can provide a number of additional unexpected dwellings and can be a useful addition to the housing mix in the district in terms of tenure, price and design.

HLDP policy H2 refers to all new residential development being required to meet criteria that includes being acceptable with regards to design and character considerations, providing adequate parking and access arrangements for existing and proposed dwellings, acceptable provision being made for refuse storage and collection and not prejudicing comprehensive of adjacent land.

The development would provide 6 new dwellings that would work towards meeting housing targets within the District. As such, the principle of the additional housing on the site is considered to be acceptable. The criteria within HLDP policy H2 will be considered within subsequent sections of the report.

Housing Mix

HLDP policy H6 requires new housing developments to have an appropriate mix of housing types and sizes, in order to create balanced communities which reflect Harlow's housing needs and local character.

The policy outlines that where appropriate and in accordance with policies in the Local Plan, the following types of housing should be provided:

- (a) affordable housing;
- (b) accessible and adaptable housing;
- (c) self-build and custom-build housing plots;
- (d) community-led housing.

The Strategic Housing Market Assessment (SHMA) provides robust evidence to

establish and provide information on the appropriate mix of housing and range of tenures needed within the district. The SHMA indicates that there is a need for a range of housing types and tenures to meet the needs of different groups within Harlow and to provide a choice, as required by national planning policies and guidance.

The development would provide the following housing mix in terms of size of units:

No. of units	1-bed	2-bed
	2	4
Proportion of 6 units (%)	33.3%	66.6%

HLDP Policy H5 seeks to ensure that new homes are both accessible and adaptable to meet the changing needs of occupants.

(a) all new dwellings should be at least Building Regulations Part M4(2) standard for accessible and adaptable homes; and

(b) in major residential development, a suitable proportion of Building Regulations Part M4(3) standard dwellings for wheelchair users should be provided based on the latest Strategic Housing Market Assessment (SHMA) or other appropriate evidence directly related to the housing needs of Harlow.

Whilst no family-sized housing would be provided, the development would be for social housing that would provide accommodation for elderly residents that would meet Part M4(3) Building Regulation Standards. The provision of social accessible housing for elderly residents would provide a valuable type of accommodation that would work towards serving the diverse housing needs of the District. As such, the housing mix is considered to be acceptable in accordance with policy H6 of the HLDP.

Design, Character and Appearance

HLDP policy PL1 (Design Principles for Development) requires a high standard of urban and architectural design for all development. Criteria that must be met to achieve this include, but are not limited to the following:

(a) it is supported by a design rationale based on an understanding and analysis of local context and character, taking into consideration the adopted Harlow Design Guide Supplementary Planning Document (SPD), the Harlow and Gilston Garden Town Vision and Design Guide, the services and access chapter of the Essex Design Guide, and relevant national guidance;

(b) it protects, enhances or improves local distinctiveness without restricting style and innovation, whilst taking account of local character and context, including patterns of development, urban form and landscape character, Green Infrastructure including trees and landscaping, building typology and the historic environment;

(c) it responds to the scale, height, massing, architectural detailing, materials and front boundary treatments of the surrounding area and is visually attractive;

(d) it provides appropriate physical, legible and safe connections with surrounding streets, paths, neighbouring development and Green Infrastructure;

(e) it provides logical and legible layouts which support active street frontages, improves the public realm, provides distinction between public and private space, and provides an appropriate level of well-designed and well-located high quality landscaping;

HLDP policy H2 states, including infill development, the sub-division of garden plots, minor redevelopment schemes and the development of vacant plots, must meet a

number of criteria. One of the requirements of part (a) of the policy is that the development:

“would not have an unacceptable adverse effect on the character of the locality, the appearance of the street scene..”

Principle DG29 of the Harlow Design Guide SPD (2011) states that contemporary and innovative housing design will continue to be encouraged in Harlow.

The proposed design sees the development of 6 dwellings broken into 2 single-storey elements, one of a semi-detached pair and the other a terrace of four, set-back from the public footway allowing for the application of a soft landscaping scheme to soften its appearance within the street scene. The bungalows would have gentle pitched roofs and would be externally clad in a mix of red and buff brick, broken up with smaller elements of timber cladding. The roofs would be clad with asphalt roofing tiles. Limiting the scale of the dwellings to a single-storey will ensure that they would represent a discreet addition to the street scene, that incorporates a number of positive characteristics of the built locality, including a pitched roof design and brick exterior within a contemporary form.

The siting, massing, bulk, design and indicative materials are considered to represent a well-considered approach to the site context. Materials will be key to the success of the scheme, details of which shall be required to be submitted to and approved in writing by the LPA prior to the commencement of works on site, including details of hard landscaping and boundary treatments. Subject to compliance with these conditions, the proposal is considered to be acceptable with regards to design, character and appearance considerations and would be in accordance with policy PL1 of the HLDP

Heritage

HLDP policy PL12 focuses on heritage assets. The policy sets out that the greater the significance of a heritage asset, the greater the weight that will be given to the asset's conservation in development proposals.

As highlighted by the Places Services Heritage Officer, the application site is located within the setting of the Tye Green Conservation Area and the Grade II listed Fountains Farmhouse, but makes a limited contribution to the setting of the above heritage assets. The proposal has been considered by the Heritage officer. The modest scale and low profile of the bungalows with a set-back from the road would ensure that the development would not have an adverse impact on the setting of the heritage assets.

Subject to satisfactory details of materials and landscaping being provided by way of condition, the development would preserve the character and appearance of the Tye Green Conservation Area and avoid harm to the Grade II listed heritage asset Fountains Farmhouse. The proposal is therefore acceptable with regards to heritage impact considerations and would be in accordance with policy PL12

Impact on neighbouring amenity

HLDP policy PL2 states that development which preserves or enhances the level of amenity of existing and future occupants and neighbours in the local area will be supported.

The closest residential properties the proposed development is the single storey dwelling Japonica, to the immediate north-east of the site, and the two-storey dwellings nos. 58-63 Primrose Field to the immediate east.

The proposed semi-detached bungalows would not directly interfere with the outlook of front-facing windows Japonica, as they would be set further south of this dwelling.

The adjacent terrace of dwellings on Primrose Field to the east of the site are set at a slightly splayed angle to the proposed bungalows, with the north end of the Primrose Field terrace being located within the closest proximity to the rear elevation of the adjacent proposed bungalows at 15.9 metres. For the reasons set out below, the siting, massing and distance between the existing dwellings and proposed bungalow units would not result in an unacceptable loss of outlook by neighbouring occupants.

The Harlow Design Guide SPD Addendum requires a minimum of 18 meters separation distance between directly facing rear windows to retain a satisfactory level of privacy. However this is guidance and in the impact on amenity must be considered on a site by site basis.

In this case the properties are bungalows, the windows are limited to ground floor level only and therefore would not afford direct views back towards the adjacent ground floor rear windows on Primrose Field, due to the existence of boundary fencing and landscaping between the existing and new properties. A condition is proposed to ensure that this boundary treatment is sufficient to ensure that the development at does not cause harm on amenity in terms of privacy..

The impact on future occupiers also needs to be considered as the first floor windows of Primrose Field would overlook the proposed development. However, it is considered that as the windows of the terrace on Primrose Field are set at an oblique angle to the rear windows of the proposed bungalows, a satisfactory degree of privacy would be retained for both existing as well as future occupants.

A Daylight and Sunlight report by McBains has been submitted alongside the proposal. The report demonstrates that given the relatively modest scale of the proposed dwellings and their separation from the adjacent dwellings on Primrose Field, they would not result in an unacceptable loss of light by adjacent rear windows of these neighbouring properties.

Subject to compliance with conditions for details of boundary landscaping, the proposal is acceptable with regards to amenity impact considerations, in accordance with policy PL2 of the HLDP.

Standard of accommodation

The Technical Housing Standards was produced by central government in 2015, and provides national minimum space standards that should be met in new residential developments. Policy PL2 of the HLDP sets out that development which preserves or enhances the level of amenity for existing and future occupants will be supported.

The Harlow Design Guide Supplementary Planning Document (SPD) 2011 also sets out minimum space standards that should be met for new residential development. HLDP policy H5 requires that all new dwellings should meet at least the Building Regulations Part M4(2) standard for accessible and adaptable homes.

The policy furthers, that in major residential development, a suitable proportion of Building Regulations Part M4(3) standard dwellings for wheelchair users should be provided based on the latest Strategic Housing Market Assessment (SHMA) or other appropriate evidence directly related to the housing needs of Harlow. The proposed development would be designed so that all dwellings would meet Building Regulations Part M4(3) standard.

Unit number	Unit type (bed and persons)	Tech.Housing Standards req. / Harlow Design Guide req. (m2)	Size (m2)	Accessibility	Amenity space provision (m2)
1	2b3p	61 / 61	71	M4(3)	74

2	2b3p	61 / 61	71	M4(3)	47
3	1b2p	50 / 48	61.7	M4(3)	56
4	1b2p	50 / 48	62	M4(3)	50
5	2b3p	61 / 61	71	M4(3)	45
6	2b3p	61 / 61	71	M4(3)	83

As can be seen in the table above, all of the new residential units would exceed the minimum floor space standards as set out in the Technical Housing Standards and the Harlow Design Guide SPD. All of the dwellings would be built to meet Part M4(3) wheelchair accessible Building Regulation standards, with level access and width of landing/room areas laid accordingly to provide adequate circulation space for a wheelchair user. All units would be dual-aspect with satisfactory light and outlook provided for all habitable rooms, and a large storage space provided for each unit.

The Harlow Design Guide SPD states that a minimum of 50m² external private amenity space should be provided for new 1 or 2 bedroom dwellings. Aside from units 2 and 5, all of the rear garden spaces for the units would achieve this amenity space requirement. Notwithstanding this marginal shortfall, a high quality landscaping scheme is proposed to the frontage of the site, with a west-facing landscaped seating area proposed at the front of the site. Given the relatively isolated setting of the site and the frontage of the site only facing the verdant side boundary of Tye Green Cottage, this would present a useable additional area of amenity space that would mitigate for the marginal shortfall of the rear garden size of unit nos. 2 and 5.

Overall, the proposal would provide a satisfactory standard of accommodation for future occupants, in accordance with relevant policy and guidance.

Trees and landscaping

Paragraph 131 of the NPPF outlines that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change.

Part (e) of policy PL1 of the HLDP requires that proposals provide an appropriate level of well-designed and well-located high quality landscaping. Policy PL7 states development and tree works applications, which ensure that trees and hedges are protected and enhanced, will be supported. The planting of new trees and hedges in development is required to be an appropriate species in appropriate locations, to result in a net increase in total long-term canopy cover. Policy PL8 of the HLDP requires green infrastructure and landscaping to be protected and enhanced as part of development.

The proposal has been reviewed by the Council Arboricultural Officer, who has undertaken a site visit to the site. They consider that the proposal has adequately considered the impacts to trees and green infrastructure. There are no trees within the boundaries of the site, although there are some trees that border the site that may be affected by the construction/introduction of the development to the site.

In order to ensure that does not unduly harm the neighbouring tree specimens to the site, a condition shall be imposed that requires an Arboricultural Method Statement (AMS) to be submitted to and approved by the Local Planning Authority (LPA), and for the development to be carried out in accordance with the AMS.

Taking into consideration the need for larger pathways and parking spaces to accommodate wheelchair access for each unit, a good quality indicative soft landscaping scheme is proposed for the frontage, boundaries and rear gardens of the development. Following revisions to the layout, bin storage has been moved to the front of the site that would be screened by boundary hedging and timber slatted fence.

A condition shall be imposed on the development that requires a detailed soft and hard landscaping scheme to be submitted to and approved by the LPA, and carried out in

accordance with the approved details. Subject to compliance with these conditions, the proposal will be acceptable with regards to landscaping and trees considerations.

Access, parking and highway safety;

Policy IN1 of the HLDP requires proposals to have regard to the modal hierarchy as set out in the policy. Major developments should identify ways reduce use of the car and promote alternative ways of travel, and should be detailed in a supporting Travel Plan. Developments should make provision for electric vehicle charging points in accordance with latest Government guidance.

HLDP policy IN2 requires proposals to not cause a severe residual cumulative impact on highway congestion and movement, and not cause a detrimental impact on the safety of all highway users. Policy IN3 states that vehicle parking must be provided in accordance with Essex Vehicle Parking Standards, unless otherwise indicated elsewhere in the Local Plan and/or supporting documents.

The site is located within the southern part of Harlow and benefits from public transport links, located close to bus routes on the no. 4 service which runs between Harlow Bus Station and Latton Bush. The site is located within close proximity to the services of Bush Fair Centre. The proposal seeks to provide 1 car-parking space per unit. The Essex Parking Standards sets out that a minimum of 2 parking spaces should be provided for new residential units with 2 or more bedrooms, although reductions of the vehicle standard may be considered if there is development within an urban area (including town centre locations) that has good links to sustainable transport.

Concerns have been raised within the neighbouring comments that sometimes care home staff and visitors park on Yorkes or Tye Green Village which can cause problems with access for existing residents. There are also concerns with regards to the impact of the proposal on emergency vehicle access and servicing.

Whilst only 1 off-street parking space would be provided for each of the six dwellings, the development is unlikely to give rise to a significant increase in parking demand for which there is insufficient on-street capacity to accommodate in the locality that would warrant refusal of the planning application on parking capacity grounds. At present, it is only possible to park on one side of Yorkes without removing scope for 2 cars moving in the opposite direction of each other to pass. The introduction of the development would not alter this arrangement, and in this respect, would not further hinder access for servicing or emergency vehicles.

Comments have been received from neighbouring occupants for consideration to be given to increasing the width of Yorkes to remedy the situation. This affects land outside the red line of the site, and is not a requirement that could reasonably be imposed on the development.

Each dwelling would be provided with an Electric Vehicle Charging Point, in accordance with HLDP policy IN1. No details with regards to cycle storage have been provided, but a condition shall be imposed on the development that requires details to be submitted, approved and implemented prior to first occupation. Additional conditions shall be imposed requiring the access and parking arrangements as indicated in the plans to be fully implemented prior to first occupation.

A condition will also be imposed requiring that the developer is responsible for the provision, implementation and distribution of a Residential Travel Information Pack approved by Essex C.C, that includes six x one-day travel vouchers for use with the relevant local public transport operator, to each dwelling free of charge.

In addition to this, a construction management plan shall be conditioned, to ensure that

the development can be carried out whilst minimising impacts on air, noise and odour pollution, traffic and parking conditions and highway and pedestrian safety.

Subject to compliance with these conditions, the proposal would be acceptable with regards to parking and highways considerations.

Flood risk and drainage

In line with the planning standards outlined within the NPPF 2021, policy PL11 of the HLDP requires proposals to follow a risk-based and sequential approach with regards to flood risk, so that development is located in the lowest flood risk area and appropriate mitigation measures are employed. Emphasis is also placed upon the importance to consider waste water, sustainable drainage measures (SuDS) and water quality issues as part of planning applications.

The site is located within an area of very low risk of flooding from rivers and the sea, and low risk from surface water flooding according to the Environment Agency flood risk website. As such, it is not considered to be a development at risk of flooding. Conditions shall be imposed on the development that require details of means of drainage to be submitted to and approved by the LPA prior to commencement of works on site.

Biodiversity/Geodiversity

Paragraph 174 of the NPPF 2021 requires planning proposals to protect and enhance sites of biodiversity and geological value and soils. Policy PL9 of the HLDP reiterates this objective and requires that proposals should ensure a net gain in biodiversity.

The application has been accompanied by a Preliminary Ecological Appraisal Summary Report by Delta-Simons. A desk study was carried out which clarified that there are no internationally important statutory designated sites within the Zone of Influence for the site. There is a single nationally important statutory designated site within 2 km of the Site, Harlow Woods Site of Special Scientific Interest (SSSI) and a single locally important statutory site, Parndon Woods & Common Local Nature Reserve (LNR), both of which are located approximately 1.6 km from the Site. The Site also falls within the SSSI Impact Risk Zone for nearby designated sites, with the criteria of 'Residential' being potentially relevant to the Site. If residential development of 50 units or more is proposed, the LPA should consult with Natural England to determine any likely risks on nearby designated sites. There are 13 non-statutory designated sites within 2 km of the Site, with the closest being Bays Grove Local Wildlife Site (LWS), approximately 800 m from the Site. All of these non-statutory sites are considered to be suitably distant and disconnected from the Site so as they will suffer no significant impacts as a result of the development.

The site has largely been cleared but still retains some areas of scrub. Areas of vegetation around the edge of the site may provide some suitable nesting habitat for birds. Some recommendations have been made in the report to carry out any removal of scrub vegetation before early March or after late August to avoid the main bird nesting season. Recommended measures to enhance the biodiversity are included in the Ecological Appraisal, including that there may be opportunities for installing bird boxes on the buildings within the site. It was also recommended that any new vegetation to be planted is a native species or of known wildlife benefit, to provide increased foraging and nesting resources for birds.

No Biodiversity Metric has been provided as part of the formal submission. A condition shall be imposed that requires the submission of one that demonstrates the development shall achieve a net gain in biodiversity value. Subject to compliance with the condition, the proposal is acceptable with regards to biodiversity considerations.

Energy and Sustainability

The NPPF requires the planning system to support the transition to a low carbon future in a changing climate. HLDP policy PL3 requires new development to deliver high standards of sustainable design and construction and efficient energy use, taking account of predicted changes to heating and cooling requirements as a result of climate change. The policy outlines that for development proposals, the Building Regulations minimum requirement for the conservation of fuel and power should be exceeded, preferably by at least 19%.

An Energy Statement by McBains has been submitted alongside the submission. The report outlines that the development has been designed to meet PassivHaus standards and a reduction of 123% in CO2 emissions when measured against the original Part L of the Building Regulations 2013. This would be achieved through efficiency in the design of the development, including good insulation, an airtight building envelope, and sustainable ventilation and lighting design. Air source heat pumps would be used for the heating of the dwellings and provision of domestic hot water. In addition, photovoltaic panels are proposed to be installed that would contribute toward the energy demand of the dwellings. A condition shall be imposed that the development achieves the reduction in carbon emissions through the measures in the construction of the development identified within the Energy Statement. Subject to compliance with the condition, the proposal would be acceptable with regards to energy and sustainability considerations.

Waste and Recycling

Part (c) of HLDP policy IN2 requires proposals to provide for adequate, safe and convenient loading and servicing arrangements, access points and drop-off areas and consideration to be given to the movement and turning of emergency vehicles and refuse vehicles.

Following revisions, bin storage for a waste and a refuse bin would be stored within the front garden of each dwelling. This would allow for waste operatives to easily access the bins and make collections from the public highway. Waste and Recycling Officers have reviewed the scheme and have no objections to the proposed layout from a waste and recycling collection perspective. The proposal is therefore acceptable with regards to waste and recycling collections in accordance with policy H2 and IN2 of the HLDP

Contamination

Paragraph 183 of the NPPF requires that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination. HLDP policy PL10 requires all developments must minimise and where possible, reduce all forms of pollution and contamination. This includes inter alia, surface and ground water quality, land quality, condition and stability.

The application has been accompanied by a Phase I geo-Environmental Desk Study by Sevenoaks Environmental Consultancy Ltd. The proposal has been reviewed by a Harlow Environmental Health Officer, including the aforementioned Desk Study report and its recommendations, and they have concluded that there is no objection to the proposal from an Environmental Health perspective.

Conditions shall be imposed that require an intrusive site investigation to be conducted for the site in accordance with details within the submitted desktop study and conceptual model, with the risk assessment and refined conceptual model submitted to the Local Planning Authority (LPA) and approved, and carried out in accordance with approved details. If previously unidentified contamination is found at the site, no further development should be carried out until a remediation strategy detailing how the contamination shall be dealt with shall be submitted to/approved by the LPA.

Subject to compliance with these conditions, the site should be suitable for the proposed residential use, in accordance with the requirements of HLDP policy PL10.

Secured by Design

Part (h) of HLDP policy PL1 states that development must create safe and secure environments which help to reduce opportunities for crime and minimise the fear of crime. The Essex Police Designing Out Crime Officer (DOCO) has commented on the scheme and confirmed that all recommendations suggested in meeting between Essex Police and the applicant have been taken into account in the proposal. The proposal is therefore acceptable with regards to Secured By Design considerations.

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:

On the basis of the matters considered in this report, it is considered that the proposed development accords with the NPPF, the policies of the HLDP, and there are no other material considerations to indicate otherwise and thus it is recommended that subject to compliance with appropriate conditions as set out in the recommendation below, that planning permission is granted.

RECOMMENDATION

Grant Planning Permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 No development shall take place on site, including site clearance, tree works, demolition or any other works, until the details relevant to the safe retention and protection of on-site and any relevant off-site trees are submitted within an Arboricultural Method Statement (AMS) in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction. Following the written approval of the AMS, the proposed development shall be undertaken in accordance with the approved details unless otherwise agreed by the Local Planning Authority (LPA) in writing. The AMS shall include a detailed Tree Protection Plan showing the positions and dimensions of protective fencing (and if necessary temporary ground protection) to safeguard all retained vegetation.

The AMS shall include all relevant details such as level changes, demolition and construction techniques (including methods of access and construction traffic management), location of services and drainage, design detail of structures and foundations, and the control of potentially damaging operations such as burning, storage and the handling of materials, and access and the parking of vehicles during construction. Details of supervision at key stages of development will also be included.

Reason: To ensure that damage to vegetation identified for retention is avoided and to comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 and policies PL1, PL7, PL8 and WE1 of the Local Development Plan of the Local Development Plan.

- 3 Prior to the first occupation of the development the access arrangements, as indicated on the approved plans, shall be fully implemented, with all details being agreed with the Highway Authority.

Reason: To ensure that appropriate and safe access is provided, in accordance with policy IN2 of the Harlow Local Development Plan 2020.

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

Reason: To ensure that appropriate parking for vehicles and cycles is provided, in accordance with policies IN2 and IN3 of the Harlow Local Development Plan 2020.

- 5 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers 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, in accordance with policy IN1 of the Harlow Local Development Plan 2020.

- 6 No development shall take place, including any works of demolition, until a Method of Construction Statement, to include details of:
- a) parking and management of vehicles of site personnel, operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials
 - d) programme of works (including measures for traffic management)
 - e) provision of boundary hoarding behind any visibility zones

f) wheel washing facilities: have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented and retained during the demolition and construction period.

Reason: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policy IN2 of the Harlow Local Development Plan 2020.

- 7 Prior to the commencement of above ground works on the development hereby approved, comprehensive details of all the external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

REASON: In the interest of visual amenity and to accord with policy PL1 of the Harlow Local Development Plan, December 2020.

- 8 Prior to first occupation of the development, a detailed landscape scheme shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented during the next planting season following completion of the development. The scheme shall include all hard and soft landscaping and details of boundary and privacy screening treatments. A specification of all materials shall be supplied within a detailed method statement which shall include site preparation, planting techniques, aftercare and a programme of maintenance for a period of 3 years following completion of the scheme.

Reason: To comply with the duties indicated in Section 197 of The Town and Country Planning Act 1990 and policies PL1, PL7 and PL8 of the Harlow Local Development Plan 2020, so as to ensure satisfactory landscape treatment of the site in the interests of visual amenity and to screen and enhance the development in the interests of visual amenity.

- 9 If, within a period of five years from the date of planting any tree, that a tree, or any tree planted in replacement for it, is removed, uprooted, destroyed, dies, or becomes in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interest of the appearance and longevity of the proposed tree planting and to ensure tree cover on site is maintained if failures occur, in accordance with policy PL7 of the Haringey Local Development Plan 2020. Before development commences other than for investigative work:

- 10 a. Using the information already submitted in 'Phase I Geo-Environmental Desk Study, 3892 21 05 12 Rpt 01 Rev B JY HDC an intrusive site investigation shall be conducted for the site using information obtained from the desktop study and Conceptual Model. The site investigation must be comprehensive enough to enable; a risk assessment to be undertaken, refinement of the Conceptual Model, and the development of a Method Statement detailing the remediation requirements.

b. The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority which shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

c. Where remediation of contamination on the site is required, completion of the remediation detailed in the method statement shall be carried out and;

d. A report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

- 11 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by unacceptable levels water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework.

- 12 Prior to the commencement of above ground works on site, a Biodiversity Metric and Net Gain Calculations Document shall be submitted to and approved in writing by the Local Planning Authority. The document shall demonstrate a net gain in on-site biodiversity value. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring a net gain in biodiversity value, in accordance with policy PL9 of the Harlow Local Development Plan 2021.

- 13 The development shall be carried out in accordance with the measures outlined within the McBains Energy Statement Stage 3 Report April 2022 (Document no. 0002 Rev. P1), to ensure that the development achieves the carbon reduction figures quoted within the report.

Reason: In the interests of ensuring a sustainable design, construction and efficient energy use, in accordance with policy PL3 of the Harlow Local Development Plan 2020.

- 14 Prior to the commencement of works on site, a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring the development does not increase the risk of surface water flooding, in accordance with policy PL11 of the Harlow Local Development Plan 2020.

- 15 Prior to the commencement of all above ground works on site, details of cycle storage for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be maintained as such for the lifespan of the development.

Reason: In the interests of encouraging sustainable travel within Harlow District, in accordance with policy IN1 of the Harlow Local Development Plan 2020.

- 16 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 2015 (as amended) or any Order revoking or re-enacting that Order, no roof extensions, rear or side extensions, means of enclosure (walls/fences), front porches or outbuildings shall be carried out in relation to the

dwelling units hereby approved without the grant of planning permission having first been obtained from the Local Planning Authority.

Reason: To safeguard the visual amenities of the area and to prevent overdevelopment of the site by controlling proposed extensions and alterations consistent with Policies PL1 and PL2 of the Harlow Local Development Plan 2020.

- 17 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
745-ALA-00-XX-DR-L-0008	Rev P03 Masterplan	Illustrative Plan	22.07.2022
745-ALA-00-XX-DR-L-0009	Rev P03 Landscape	General Arrangement	22.07.2022
HARTY-MCB-XX-ZZ-DR-A-0130-S4	Rev P04	Proposed Section	26.07.2022
0003 May 2022	P2	Design and Access Statement	
Energy Statement Stage 3 Report 0002	April 2022 P1		
Phase I Geo-Environmental Desk Study 3892 21 05 12 Rpt 01	Rev B JY HDC		
HARTY-MCB-XX-00-DR-A-0110-S4	Rev P05	Proposed Ground Floor Plan	22.07.2022
HARTY-MCB-XX-RF-DR-A-0110-S4	Rev P05	Proposed Roof Plan	22.07.2022
HARTY-MCB-XX-ZZ-DR-A-0120-S4	Rev P05 Sheet 1 of 2	Proposed Elevations	25.05.2022
HARTY-MCB-XX-ZZ-DR-A-0121-S4	Rev P04 Sheet 2 of 2	Proposed Elevations	25.05.2022
HARTY-MCB-ZZ-ZZ-DR-A-0100-S4	Rev P03 OS Map	Existing Site Plan	25.05.2022
HARTY-MCB-ZZ-ZZ-DR-A-0101-S4	Rev P04	Proposed Site Plan	22.07.2022

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. In order to comply with environmental health legislation, no construction works involving heavy machinery can take place on the premises outside the hours of 8am and 6pm on weekdays and 9am and 1pm on Saturdays nor at any time on Sundays, Bank or Public Holidays.

3. The developer will be required to contact the Harlow Waste Management Team prior to first occupation to either purchase the bins from the Council or to be provided with the specification for the bins required. The onus is on the developer to provide the bins for the respective dwellings.