

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
7 June 2023

REFERENCE: HW/FUL/22/00208

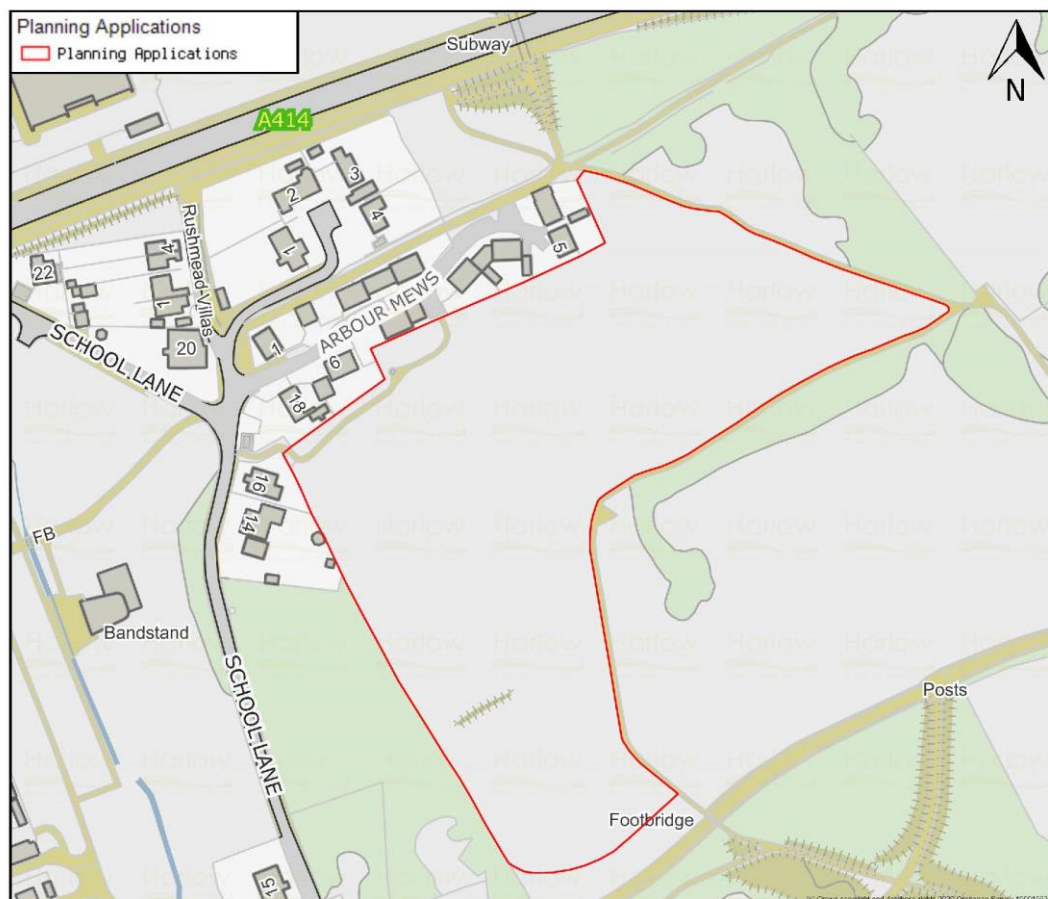
OFFICER: Mick Gavin

APPLICANT: Mr Peter Keeling

LOCATION: Site Of Former Pitch And Putt
Town Park
Park Lane
Harlow
Essex

PROPOSAL: Installation of footgolf course on former pitch and putt course

LOCATION PLAN



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REASON BROUGHT TO COMMITTEE: The application is brought to committee because two representations have been received which conflict with the officer recommendation.

Application Site and Surroundings

Harlow Town Park is an important open space which serves many residents in both the district and the surrounding area. Town Park is a Grade II Registered Park and Garden. Part of the Park is within the Nettleswell Cross Conservation Area. The Park is designated Green Wedge land within the Harlow Local Development Plan 2020.

The Park was registered Grade II on the Historic England 'Register of Parks and Gardens of Special Historic Interest in England' on 18-Aug-2020. The listing states:

“Summary of Garden

Public park, planned in 1949-1953 by Frederick Gibberd, master planner for Harlow New Town, and landscape architect Dame Sylvia Crowe DBE, as part of the new town development of Harlow, also master planned by Gibberd. ...The park was refurbished in 2015-2017 by Kaner Olette Architects and Allen Scott Landscape Architecture. Land north of Edinburgh Way, nominally part of the park, has been left as a nature reserve rather than a designed landscape and is therefore excluded from the registered area.

Reasons for Designation

Harlow Town Park, a public park planned in 1949-1953, and opened in phases from 1957 to designs architect/planner Sir Frederick Gibberd and the landscape architect Dame Sylvia Crowe DBE, ...is registered at Grade II for the following principal reasons: Historic interest:

- * as a rare example of a new public park associated with a first generation new town, which exhibits all the features of picturesque planning associated with the movement, a mix of formal park and natural setting;*
- * the incorporation and preservation of the old hamlet of Nettleswell Cross within the park is a particularly rare and early example of a conservationist approach to planning given the immediate post-war date and new town context.*

Design interest

- * as a significant example of the work of renown landscape designers Sir Frederick Gibberd (1908-1984), Dame Sylvia Crowe (1901-1997) and John St Bodfan Gruffydd (1910-2004);*
- * it successfully combines formal park design with existing landscape features, making excellent use of the undulating topography, old gravel workings and watercress beds;*
- * as a fine example of a post-war public park whose structural framework and key features survive substantially intact.”*

The proposed footgolf site occupies a significant part of the north east quarter of the Park and adjoins the boundary of the Nettleswell Cross Conservation Area on its east side with the rear gardens of houses in Arbour Mews on its north side, and defined by footpaths on its east and south sides. The land slopes upwards away from the rear boundaries of houses in Arbour Mews.

Details of the Proposal

The application seeks permission to introduce a 9-hole footgolf course. Footgolf is a sport in which players kick a football into a cup in as few shots as possible.

The footgolf course would operate using a pre-existing 9-hole pitch and putt golf course. The pitch and putt course has not been in use since the 1980s and the greens have reverted to

grass, though their sculpted landforms remain clearly visible. Reinstatement of the greens would involve only close mowing of these areas and any ancillary planting. Holes capable of accommodating a football rather than a golf ball would need to be created but would be no larger than that size. The application as originally submitted included use of an existing kiosk to the rear of properties in Arbour Mews. This was to be used for ticket sales and storage. Amended plans were subsequently submitted showing a more detailed layout of the course and a new kiosk, to be sited away from Arbour Mews and next the proposed first hole of the course. This was to be used instead of the existing kiosk at the rear of the Arbour Mews properties, in order to reduce impacts on these occupiers.

Following further consideration, the proposed design of the kiosk is not considered appropriate in terms of impact on the listed Park heritage asset. A condition is therefore proposed to reserve consideration of that element to secure subsequent approval of a better quality design and further consideration of siting.

All existing trees would be retained on-site will be retained and will form part of the course. The permeable surfaces across the site will be retained and grass will only be altered through trimming/mowing.

No parking would be provided as users would use the existing town park car parks and would be encouraged to use non car based modes.

RELEVANT PLANNING HISTORY:

There is no directly relevant planning history. However, a skate park was permitted under reference HW/PL/07/00218 in 2007 at the southern end of the Park west of Burnt Mill School. This involved extensive landform alterations and hard surfacing, and the site is within both the Town Park and the Conservation Area.

CONSULTATIONS

Internal and external Consultees

Place Services (Heritage)

Original comments

Whilst there would be no principle objection to the proposal to install a footgolf course, it is now proposed to construct an additional kiosk adjacent to the southeast boundary of the application site. There are concerns that the additional kiosk would impact the openness of the parkland and result in unnecessary clutter given there is an existing redundant kiosk. The proposal submitted at preapplication was considered acceptable and this was partly based on there being no additional development. Whilst the Planning Statement notes that the proposed kiosk would be temporary, there is a lack of information relating to the temporary nature of the kiosk and the full impact of this aspect cannot be understood at present. Paragraph 194 of the NPPF would be relevant, and there is potential for paragraph 202 to be relevant but further information would be required to establish this. I recommend that the existing kiosk is utilised as this would preserve the significance of the designated heritage asset.

Comment following further consideration of proposed kiosk

There is no objection to the use of the site as a footgolf course. The quality of the application is diminished by the proposed kiosk. However, this is dependent on the proposed 'temporary' nature of the kiosk, in order to establish the full impact. If the proposed kiosk is a permanent structure then it would result in harm (less than substantial) to the Town Park. The kiosk would be a low-quality shed structure in the middle of open parkland, this would inevitably have an impact on the designed landscape and clutter the area. This would be unnecessarily harmful because there is an existing kiosk which is contemporary with Harlow's New Town phase; it relates to local character and distinctiveness and the character of the town park (its form and brick detailing are characteristic of its derivation). Its unlikely such harm could be mitigated through planting etc because planting would also have a visible impact on the park landscaping. If it is temporary then the harm would only be temporary, which could potentially be controlled through conditions.

Office comment: The applicant has clarified that the proposed kiosk is not temporary. This matter is considered further in the heritage section of the report below.

Essex County Council - Highways

No objection - No highways issues associated with the proposal.

HDC Arboriculture Consultant

It is evident that the proposed development has sufficiently considered the impacts to trees and green infrastructure, which is in accordance with policies PL1, PL7, PL8 and WE1 of the Local Development Plan.

The proposal is limited in the likely impact to trees due to the nature of the proposal. It is advised that a condition be attached to ensure any works which could impact trees are properly addressed and considered. Recommend compliance condition to ensure that the development will be undertaken in full accordance with BS 3998:2010 – Tree work - Recommendations.

Officer comment: The football holes are to be in the middle of each green well away from any tree. No tree would be affected.

Garden Trust

Original comments

There is no indication of what the course will look like, there is no statement of significance and the Heritage Statement (HS), Design & Access statement (D&A) and Arboricultural Assessment (AA) all repeat the sentence : 'it is felt that this change of use will fit in with the heritage of the site' without any clear reasoning or explanation. We would have expected professional reports outlining the necessary information, and the Tree Survey mentioned in the AA should have been included with the documentation. The lack of rigour in the documentation does not reassure us that the applicant has appreciated the sensitivity of the Grade II registered park and garden (RPG) and what impact the proposals may have on the RPG. We would for example have expected the applicant to show where the site lies within the RPG, and it is apparent that as a proportion of the park, its area is quite considerable and possibly occupies as much as a fifth of the entire RPG. This will have an intrusive and negative impact upon the appreciation of the heritage asset.

It is apparent that the ground slopes down towards the housing in Arbour Mews which is adjacent to the boundary of the RPG. The Setting of Heritage Assets Historic Environment Good Practice Advice (SHA) states:

'The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity.'

Consideration must be given to the experience of the asset which can be negatively affected by factors such as : 'Views from, towards, through, across and including the asset; ... Busyness, bustle, movement and activity.' All these apply in this instance. We consider that the poor documentation fails NPPF para 194 as the application does not 'describe the significance of any heritage assets affected, including any contribution made by their setting.'

The GT/EGT object to the above application for the impact it will have on the setting and significance of the RPG, and its failure to comply with the NPPF.

Officer comment: A revised Heritage Assessment was submitted in response to these comments. The Garden Trust were consulted on the new Heritage Assessment but no response was received. .

Neighbours and Additional Publicity

Number of Letters Sent: 20

Total Number of Representations Received: 21

Date Site Notice Expired: 2 December 2022

Date Press Notice Expired: 1 December 2022

Summary of Representations Received

Application as originally submitted

23 representations received which are summarised below.

14 objections on the following grounds from neighbours and planning consultant on their behalf:

- Activity will cause constant noise and disturbance close to rear gardens of properties in Arbour Mews; facility too close to these houses, kiosk only metres away; harm to peace and privacy, health and well-being, quality of life.
- Litter and anti-social behaviour would occur; no management measures included to address this; no sanitary facilities provided, will result in urinating in hedges;
- Must be a more suitable location, footgolf normally associated with 18 hole golf courses not suitable for a park location;
- Not a neglected area as stated, beautiful green space used for informal recreation including walking, running, play, picnics, fresh air;
- Pitch and putt course been obsolete for 30 years and operated at a time when the houses in Arbour Mews did not exist, this area was Council depot land at that time; scheme should be considered in that light not simply seen as re-opening an existing facility; no greenways or holes exist contrary to statements;
- Object to suggestion that proposal would enhance the heritage of Grade II protected landscaped park;
- Car parking will increase on narrow School Lane; access to Arbour Mews will be blocked by illegal parking;
- Concern at light pollution if site is to be lit.

9 comments of support on the following grounds:

- Great idea; fantastic idea; welcome facility; town lacks great outdoor activities like this and could be used by families; would attract people to the town, would be a boost/ good for Harlow; would result in more income for local businesses such as shops and restaurants.

Comments in response to amended plans

None.

PLANNING POLICY

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

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 recently adopted and therefore 'up to date' plan in terms of NPPF Para.12.

Policies of most relevance to the proposal are:

Harlow Local Development Plan 2020

Strategic Policies

SD1 Presumption in Favour of Sustainable Development
ED4 Developing a Visitor Economy
WE1 Strategic Green Infrastructure
WE2 Green Belt, Green Wedges and Green Fingers
WE3 General Strategy for Biodiversity and Geodiversity
WE5 Heritage

Development Management Policies

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
L2 The Provision and Loss of Recreational, Sporting, Cultural and Community facilities
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

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 (2021)
ECC Essex Parking Standards Design and Good Practice (2009)
ECC Development Management Policies (2020 - living document with regular updates). (2011)
HDC Green Infrastructure and Public Open Space Standards (2022)

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

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 Sustainability Guidance & Checklist March 2021 is used by developers, design teams, consultants and contractors in shaping development proposals.

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

PLANNING ASSESSMENT

Summary of Main Issues

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

- The principle of development;
- Impact on heritage assets
- Impact on neighbouring amenity;
- Parking and highways;
- Biodiversity;
- Flooding;
- Equalities

Principle of Development

The Town Park is part of a Green Wedge. Policy WE2 of the HLDP 2020 states:

The roles of the Green Wedges are to:

- (a) provide physical, visual and audial separation between neighbourhoods and between residential and industrial areas;*
- (b) provide Green Infrastructure, including open spaces for sport, recreation and quiet contemplation; wildlife corridors; footpaths, cycleways and bridleways; and rivers, canals, ponds, lakes and other bodies of water;*
- (c) protect and enhance natural habitats, ecological assets and landscape features;*
- (d) protect existing uses which have an open character;*
- (e) provide settings which preserve the character of historic/cultural sites and areas; and*
- (f) provide opportunities for Sustainable Drainage Systems (SuDS)*

The principle of the proposed development, which would provide a sporting and recreational facility is accepted within a Green Wedge. Policy WE2 has other roles, as set out, including protecting landscape, ecological and heritage assets, and these matters are considered below, along with amenity impacts, but the principle of the footgolf facility in a park within the Green Wedge is accepted.

Policy L2 of the HLDP 2020 states:

- 1. Development for the provision of recreational, sporting, cultural and community uses and facilities Development for the provision of recreational, sporting, cultural and community uses and/or facilities will be supported where it meets the following criteria:*
 - (a) there is evidence of a demonstrable need for the use and/or facility or a benefit to the local community;*
 - (b) the use and/or facility is easily accessible by all sectors of the community by both public and private transport;*
 - (c) the development would redress the deficiency of recreational provision within the locality.*

The proposal would provide a recreational, sporting facility which would be viewed as beneficial to the community by many, and is sustainably located within a centrally located park well located for public transport.

Policy L4 states inter alia:

- When promoting development, applicants should consider the impact on the health and wellbeing of new and existing residents, having regard to the following principles:*
 - (a) infrastructure required to encourage physical exercise, including sport and recreation facilities, walking, and cycling and bridleway routes;*

Policies L2 and L4 support the principle of the proposed development.

The facility has the potential to generate revenue for the Park and possibly generate custom for businesses in the wider area, as is noted by many third party comments. This potential to contribute to the economic sustainability of the area is a material consideration.

The principle of development is therefore accepted.

Impact on Heritage Assets

The Town Park is a Grade II Registered Park of Special Historic Interest. The application site also forms part of the setting of the Nettleswell Cross Conservation Area. A number of listed buildings are located in the vicinity of the application site area.

In response to comments by officers and the Garden Society, a revised Heritage Impact assessment was submitted. This document is a professional and comprehensive assessment of the heritage assets at the Park and the likely impact of the proposed development on those. The Heritage Statement complies with the requirement of paragraph 194 of the NPPF that:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

The Heritage Statement summarises these heritage assets and assesses the likely impact on their significance from of the footgolf course. The assessment finds that essentially there would be no impact due to the existence of a pre-existing course and the absence of any material physical changes to the existing landscape.

In terms of the setting of listed buildings it states:

*The adjacent listed buildings are located sporadically around the site. Most are too far from the site and there is substantial vegetation and trees between to prevent through views.
The views will consist mainly of what exists today.*

Officers' view concurs with these comments. The works to reinstate the course would comprise close mowing of existing greens landforms, some minor excavation to enlarge holes, construction of a small kiosk, and during course opening times the presence of hole flags. Existing tee-off points formerly used for the pitch and putt would be re-used. No changes in landform contours would be needed or are intended. Physically the proposal would not materially alter the existing landscape and no harm would result to the significance of the Park and Conservation Area setting heritage assets. An increased intensity of use of this part of the Park due to use of the new facility might arise, but officers consider the proposed activity is inherently appropriate to the nature of a large park's use and would not be out of character.

However, the Council's Heritage Consultant has raised concerns that the new kiosk would impact the openness of the parkland and result in unnecessary clutter is noted. The applicant has clarified that the proposed kiosk is not temporary as stated in the submission,

other than in the sense that it would only exist for as long as the footgolf use continued. There is a concern that although the use of a new kiosk away from the neighbours in Arbour Mews has residential amenity benefits, the proposed structure is of poor design and would add clutter to the park. The applicant is exploring options for a better quality design and further considering the proposed siting. A condition is proposed to secure details of siting and design of the kiosk.

The impact of the proposed use on heritage assets is not considered to conflict with policies WE5 and PL12 of the HLDP 2020. However, at present the design of the proposed kiosk is considered low quality and has been identified as resulting in less than substantial harm pursuant to para.204 of the NPPF 2021. There are public benefits which outweigh this harm, in terms of enhanced use of the Park, health and well-being benefits and possibly economic benefits to the Park and town. Notwithstanding that, officers consider a better design solution should be sought to ensure minimal impact on heritage assets, and this is proposed to be secured by a condition..

Impact on neighbour amenity

The footgolf facility would re-use the pre-existing pitch and putt course, part of which is located adjacent to the south side of Arbour Mews where houses' rear gardens adjoin the Park. Neighbours have objected to potential disturbance, noise and anti-social behaviour immediately next to their rear gardens. It is also pointed out by and on behalf of these neighbours that the original pitch and putt course has not been used for decades and in the interim the Arbour Mews development has been built where previously this land was a council depot site.

The concerns of neighbours are acknowledged and use of the footgolf course, depending on its popularity may well increase the intensity of activity adjacent to these properties. The Park is however obviously already used for leisure activities, for example the Parkrun which uses the route along the rear of Arbour Mews. Much use will be informal and quiet recreation, but there is no reason or evidence to attribute unusual noise and disturbance, or anti-social behaviour to prospective participants in footgolf. The Park manager has commented that in terms of noise, litter, anti-social behaviour by 'rowdy youths', and similar problems Park staff monitor these types of impacts, for example the Park is checked for litter twice a week by HTS. Any problems and issues can be raised with the Town Park Users Group (TPUG) and will be addressed. These are principally management issues.

In terms of the proximity of the course and noise arising from general, normal use, most of the holes are set well away from the rear boundary of the adjacent houses. A revised, clear layout plan has been submitted showing the numbered layout of the 9 holes. The nearest tee-off points would be for hole numbers nos.6 and 7. No.6 would be 10m away from the rear of no.5 Arbour Mews and this fairway would be broadly parallel to the houses but with the hole 18m distant. The tee-off point for no.7 is the next closest, and would be 18m away from the rear of no.8 Arbour Mews, with the fairway angled away from the houses. All other holes are considerably further away from the residents' properties.

Importantly the scheme has been amended so that the existing kiosk, which is set immediately to the rear of Arbour Mews, is not now to be used for sale of tickets/collection of footballs. A new kiosk is proposed and although the design and siting are yet to be finally agreed (see above) it will be located away from these neighbours' properties. This will prevent people waiting and congregating on the footpath immediately to the rear of Arbour Mews. No lighting is proposed for the footgolf course. Opening times are given as 8am to 6pm seven days a week, but this remains the subject of discussion with the applicant.

Third party comments have questioned whether a footgolf facility is appropriate for a municipal park, referring to full size golf courses where it has been introduced. In this case the scale of the use is limited by the fact that there are only 9 relatively short holes. It is not considered that the use and scale are inappropriate in a park of this size and character. Other matters raised include potential conflict with the existing Parkrun activity, and concern about potential hazard of large holes across the site. The applicant and Park manager have confirmed there would be no conflict with the Parkrun, which would be a management and timing issue. In terms of holes, these will be on greens and clearly visible as such and it is unlikely an individual could step in one accidentally. The applicant has confirmed that in any case the intention is that the holes will be covered when the course is not in use.

The proposal as amended is considered acceptable in terms of likely impacts on neighbour amenity and thereby would comply with policy PL2 of the HLDP 2020.

Parking and highways

The Park hosts numerous facilities and activities as it stands and it is not considered that the proposed footgolf should require any additional parking than is already used by Park users. The car park adjacent to the Greyhound PH is available as to all other Park users. The movement of the kiosk away from the narrow lanes adjacent to Arbour Mews should ensure that unauthorised and problem parking does not occur in that area. It is reasonable to assume that many people using the new facility would be people who live locally and would be accessing the Park on foot or bicycle anyway for other activities. Where bespoke trips are generated it is considered unlikely that they would constitute a significant addition to the trips already associated with a large, central urban park, which is readily accessible on foot and bicycle.

The Highway Authority raise no objection. The proposal is considered acceptable from a parking and highway perspective and to comply with policies IN1, IN2 and IN3.

Other matters

Biodiversity

The use would operate on existing open areas of the Park with minimal physical works and no intrusion into areas of planting or trees.

Flooding

With the exception of the kiosk, no physical works involving alterations to existing soft landscaping is proposed and there would be no implications for drainage.

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.

CONCLUSION

The proposed footgolf use is acceptable in principle. The impact on neighbouring residents has been assessed and the scheme amended to reduce any adverse effects. The issue of the design and siting of the proposed new kiosk remains outstanding. The kiosk proposed at present is considered to result in less than substantial harm pursuant to para.204 of the NPPF and policy PL12 of the HLDP 2020, and although there are public benefits which can be considered to outweigh that harm, officers consider that an alternative design approach should be pursued to minimise any harm. This is proposed to be secured by condition.

It is recommended that permission be granted subject to the conditions set out below.

RECOMMENDATION

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: In order to comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The footgolf facility hereby approved shall not be open for use other than between the hours of 09:00 hours and 20:00 hours.
REASON: To preserve the amenities of neighbouring residents and to comply with policy PL2 of the Harlow Local Development Plan 2020.
3. No artificial lighting shall be installed at the site unless otherwise agreed with the local planning authority.
REASON: To protect the amenities of local residents, the appearance and character of the area, and to prevent harm to wildlife, and to comply with policies PL1, PL2 and PL9 of the Harlow Local Development Plan 2020.
4. All work shall be carried out in full accordance with British Standard 3998:2010 - Tree Work.

REASON: To ensure no adverse impact results to trees and to comply with policies PL7, PL8 and PL9 of the Harlow Local Development Plan 2020.

5. Notwithstanding Condition 6 the design and siting of the proposed kiosk is not approved as part of this permission. No use of the footgolf facility hereby approved shall commence unless and until details of siting and design of a kiosk have been submitted to and approved in writing by the local planning authority and that kiosk has been implemented in full accordance with the approved details.

REASON: To protect the appearance and character of the Grade II listed Park and the setting of the Conservation Area and to accord with policies PL12 and PL1 of the Harlow Local Development Plan 2020.

6. 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.

| <u>Plan and Document Reference</u> | <u>Date Received</u> |
|---|-----------------------------|
| PA.002 Existing Site Plan | 27.04.2023 |
| PA.003 Proposed Site Plan | 27.04.2023 |
| TS22-495-3 Sheet 3 of 3 | 24.10.2022 |
| | 24.10.2022 |
| TS22-495-1 Sheet 1 of 3 | 24.10.2022 |
| TS22-495-2 Sheet 2 of 3 | 24.10.2022 |

INFORMATIVE CLAUSES

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.

