

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
5 July 2023

REFERENCE: HW/FUL/22/00106

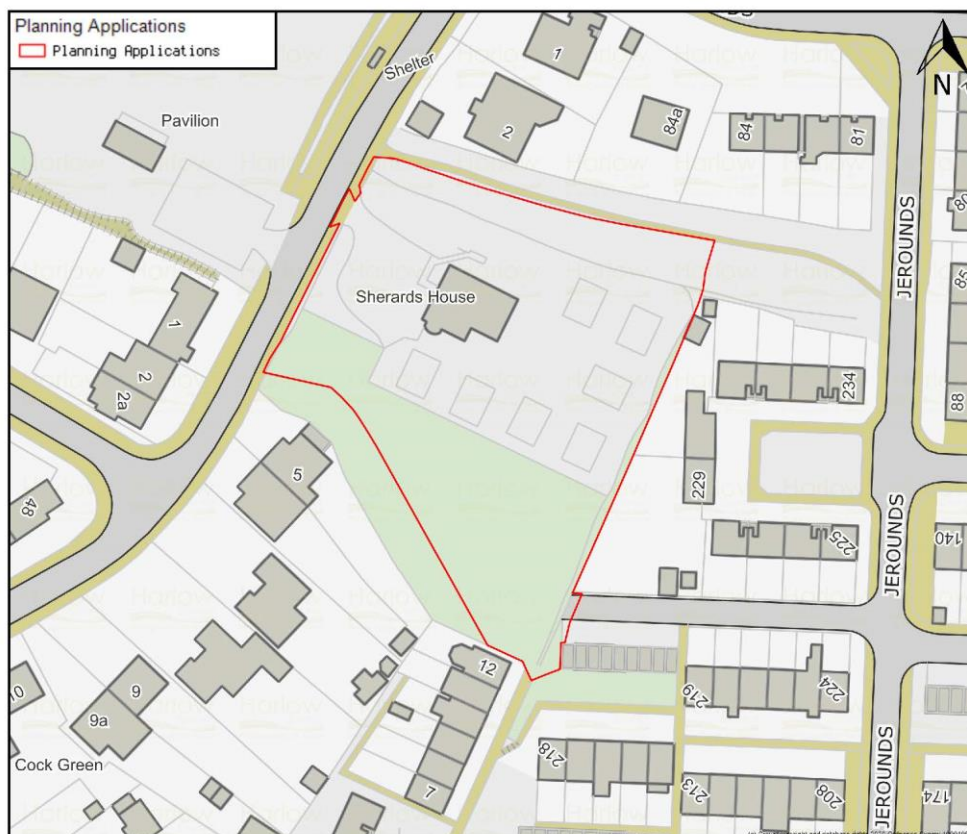
OFFICER: Elizabeth Beighton

APPLICANT: Andrew Start

LOCATION: Sherards House
Three Horseshoes Road
Harlow
Essex
CM19 4HB

PROPOSAL: Demolition of existing temporary accommodation building and construction of 14no Council Houses for Social Rent with associated hard and soft landscaping works.

LOCATION PLAN



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Reason for Committee

The scheme is a major proposal which is considered to be of sufficient public interest to be considered by the Planning Committee.

Application Site and Surroundings

Sherards House is a detached two-storey building set within a substantial plot (0.45 hectares) on the eastern side of Horseshoes Road in the Great Parndon neighbourhood which lies on the western side of Harlow. The site is disproportionately large when compared to the prevailing character of the area and Jerounds has a considerably denser urban grain.

The building has historically been used as “shared temporary accommodation” and was divided into six units with the bathrooms and toilets being communal and shared between residents. The existing building is considered unsuitable for use as temporary accommodation and has fallen into a state of some disrepair and is currently boarded up. It is also worthy of note that previously the site has been occupied by seven temporary mobile homes as additional accommodation in addition to the building which occupied a large proportion of the site.

Sherards House is located on Three Horseshoes Road and occupies a site at the highest point of the surrounding topography with the ground falling away in all directions.

The site is bounded to the North by a well-established hawthorn hedge and mature treeline which lies between the site and cycle path that connects Three Horseshoes Road with the Jerounds Housing Area which lies to The East of the site. The boundary is defined by a chainlink fence that sits within the planting belt.

The boundary to the East is less densely planted with individual mature trees being spaced along the boundary, which is defined by a close boarded fence.

The southern boundary is also heavily planted with a number of mature willow and other trees and dense, low level, undergrowth. The boundary appears to be defined by a drainage ditch which lies within the undergrowth.

The boundary with Three Horseshoes Road is defined, in the main, by a hedgerow which is only broken by the driveway leading into the site.

The southern end of the road is more densely developed with a varied collection of bungalows, detached and terraced houses fronting onto the highway. The northern end is undeveloped as the road bends through the green wedge through which Third Avenues runs. Both the Jerounds (to The East) and Hawkenbury (to The West) Housing Areas take feeds from Three Horseshoes Road with the connection to Jerounds being some 65m to The North of the site. The feed to Hawkenbury, which is less prominent as it lies between two prominent clusters of dwellings, lies some 70m to The South of the site.

The dwellings in the vicinity of the site within Three Horseshoes Road are orientated so as to front the public highway. Most of the dwellings in the area are substantial two-storey houses with a mix of detached, semi-detached and terraced properties.

To the North of the site there are a handful of substantial detached bungalows, but these soon give way to the prevailing typology of dwelling.

Building plots are of varying widths and lengths and dwellings demonstrate a variety of architectural styles, building heights, scale and massing. There is no prevailing roof treatment or approach to fenestration with each group of dwellings or individual house adopting its own styling.

All dwellings along Three Horseshoes Road are set back from the highway although the distances from the highway to the principal elevation varies with each individual pocket of development.

There is a recreation field (Rectory Field) immediately opposite with a dedicated car park. There are further green spaces, a nature reserve and local wildlife site, well related to the site and accessible by means other than the private car. Three Horseshoes Road benefits from a bus route with a bus shelter and stop being located opposite the entrance to the site. In addition, the road benefits from generous pavements on both sides. The Three Horseshoes public house lies due north of the site.

The building has no significant historic or architectural interest with it not being listed or meeting the requirements of a Non Designated Heritage Asset (NDHA). It is however important to acknowledge that a number of third-party commentators are of the opinion that the building should be retained in its current form due to its important contribution to the area and historic importance. However, given it has no statutory protection the Council is not in a position to insist on its retention or conversion.

The site is in flood zone 1, therefore at least risk of flooding. Conditions are proposed to deal with drainage at the request of the County Council SUDS team.

The site is allocated for the development of 15 dwellings in the Local Plan.

Details of the Proposal

The application seeks the demolition of the existing building, positioned centrally on the site, and in lieu develop 14 dwellings for social rent by the council. The proposed development comprises the following:

- 6 x two-bedroom dwellings having a gross internal floor area of 80m²;
- 5 x three-bedroom dwellings having a gross internal floor area of 96m²; and
- 3 x four plus bedroom dwellings having a gross internal floor area of 109m².

There are two access points proposed to the site. The access off Three Horseshoes Road is to serve the three frontage units (plots 1-3). The remainder of the plots would be served via an existing access from Jerounds, which runs to the rear of existing residential properties and garaging.

Each of the properties has private amenity space and on plot parking.

A further pedestrian access to the site is proposed to the north linking to an existing pedestrian route from Jerounds to Three Horseshoes Road. Lighting will be provided on this in the interest of security, and this is covered by a proposed condition.

RELEVANT PLANNING HISTORY:

App Number	Proposal	Status	Decision Date
HW/PL/09/00218	Renewal of Planning Consent for Siting of 7 No. Mobile Homes as Temporary Accommodation at the Side and Rear of Sherards House.	Approved	5 November 2009
HW/ST/00/00129	Renewal of Planning Consent For Siting of 7 no.	Approved	19 July 2000

	Prefabricated Mobile Homes Providing Temporary Accommodation		
97/00104	Renewal of planning consent for siting of 7 no. prefabricated mobile homes providing temporary accommodation	Approved	1 July 1997
94/00162	Renewal of planning consent for siting of 7 no. prefabricated mobile homes providing temporary accommodation	Approved	21 June 1994

CONSULTATIONS

Internal and external Consultees

The comments below are a summary of the consultation responses.

Essex County Council – Highways

The Highways Authority is satisfied that the proposal will not be detrimental to highway safety, capacity or efficiency at this location or on the wider highway network. Conditions are recommended, and subsequently imposed should permission be granted, relating to submission of a Construction Management Plan and before any occupation the implementation of proposed pedestrian access, construction of parking and turning areas and the distribution of Residential Travel Information Packs.

HDC - Cleansing And Environment

No comments received. Any comments received will be updated at Committee.

Designing Out Crime Officer For E Forest & Harlow

The Design Out Crime Officer has confirmed that all the recommendations made following earlier detailed discussions have been taken on board and that the applicant fully understands the benefits for incorporating crime prevention through environmental design into the development. It is further stated that if the applicant was to apply for a Secure by Design award at least silver would be achieved.

For note, the comments from the DOCO are as follows:

- All doors and windows to be to PAS 24 16.
- All rear gates to have a key and locking mechanism.
- All sheds to be of robust construction with either a ground anchor or cycle hoop.
- Dusk to dawn lighting to be installed over (or near) each front entrance door.
- External lighting to be designed to meet BS 5489-1:2020
- All pathways to be well lit.

Sustainable Drainage Team

Further information was provided during the life of the application to satisfy the concerns of the LLFA and accordingly there is no objection to the application subject to conditions seeking details of a drainage scheme and maintenance arrangements.

Tim Moya Associates (Arboriculture)

Initial response - following submission of updated arboricultural reports it is evident that the proposed development has too greater impact to trees and green infrastructure, which runs contrary to policies PL1, PL7, PL8 and WE1 of the Local Development Plan. Specifically, land proposed for development will use the full extent of available land. Whereas the current site does not fully utilise all available space. Land specifically to the south, in the areas of plot 4, 5, 6 and 14, along with parking and access routes is at present full of trees and large shrubs (pictured below). This area whilst not an intentional space for plants and wildlife, links up with the adjacent strip of trees and shrubs. Such degradation in favour of soft landscaping will not provide the same ecosystem services or character, and it is felt that the provided tree protection plan and arboricultural impact assessment does not provide enough detail or clarity on this area, as it appears to only show T11 and G4 (there are many other trees here), which don't account for the amount of vegetation and trees clearly seen on site. The lack of clarity on degradation really must be addressed in such plans, so it is transparent to all what is being lost on site, as is seen with trees over on the northern side for example, such as T7, 8 and 9, where it is clear that such individuals will be lost. The loss in the south area, is greater than visually portrayed.

The area of concern could provide a larger amenity space but is instead mainly proposed as developed land, which will become more formal and not allow any natural development in trees and shrubs. It should be stated that within the rest of the site, the degradation of trees and shrubs is somewhat addressed by the potential to replant, however even with more formal tree planting in the street scene, it will have a limited impact in comparison to what is already afforded to the site. Given that the above insufficiencies present – in terms of the current proposed development – irreconcilable adverse impacts with regard to trees and more broadly green infrastructure, this planning application must be considered only for refusal.

Updated response – note that the planting of an additional five trees (19 as opposed to 14) considers that it improves the potential linkage of green infrastructure on site. However, it is still felt that the degradation of a 'wilder' area of land, into roads, formal planting, fences, buildings and all the rest is on balance a degradation of green infrastructure that cannot be supported. It is suggested that plots 4 and 5 are removed with that area of land being retained as green space. Notwithstanding, there is no formal objection to the application.

Essex Fire & Rescue Services (Water Section)

Access for fire services is considered to be satisfactory. Further detailed observations will be provided at the Building Regulations stage.

Neighbours and Additional Publicity

Number of Letters Sent: 97

Total Number of Representations Received: 68

Date Site Notice Expired: 19 May 2022

Date Press Notice Expired: 26 May 2022

Summary of Representations Received

67 objections and one neutral comment has been received, raising the following material planning considerations (inter alia) have been raised:

Matters of objection:

Highways Matters

- The road suffers from speeding cars.
- Increase traffic on the road.
- The site is opposite a children's play area and bus stop heightening safety concerns.
- There are existing parking issues in the locality.
- Vehicular access to the site is not large enough.
- The vehicular access is too close to existing properties and garaging associated with properties (this is in relation to the access off Jerounds).
- Concern over the safety of the road with construction traffic
- Insufficient on-site parking provision and deviation from the Essex Parking Standards
- The proposed access will remove on street parking which is currently used by local residents (this is in relation to the access off Jerounds).
- Request an assessment is made to paint double yellow lines on the road.

Design and Appearance

- The design is out of keeping with the character of the local area and is overly reliant on Jerounds as a design precedent.
- The units facing Horseshoe Road are overtly vertical in scale.
- Proposal represents over-development.
- The side pedestrian access is not safe. Lighting will be needed, and vegetation removed.
- The town was built with green spaces in mind and this proposal results in a loss.
- The existing history should be preserved, and the building retained.

Principle of Development

- Demolition of an attractive building.
- Will result in unaffordable housing.
- Nos. 9-12 have north facing gardens with no access to sunlight.
- The site could be turned into something that the community needs.

Amenity Issues

- Additional noise generated.
- Increase in air pollution.

Landscape and Ecology

- The development will result in damage to the local wildlife.
- Concern over the removal of trees. The Arboricultural report only deals with the trees impacted construction not all the trees and some of the heights are inaccurate. The retention of all trees would be significant.
- Object to the removal of trees that are not dead.

Infrastructure

- Existing infrastructure, particularly doctors and schools, is over capacity.
- Concern over drainage and flooding of neighbouring properties.

Neutral Comments:

- Development will be a good use of the space
- The planting between the properties and Horseshoe Road is welcomed and contributes to the street's 'green' atmosphere, creates an acoustic barrier and provides privacy. Suggests that the plants should be tall and well-established when planted.
- Unclear as to whether a bat survey has been undertaken.
- Can the retaining wall behind plots 13 and 14 be extended along the entire boundary to improve security?

PLANNING POLICY:

PLANNING STANDARDS

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). The relevant strands are considered further in the report.

Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that in regard to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. For the purposes of this application, the Development Plan comprises the HDLP.

The NPPF (2019) is a material planning consideration and also states in paragraph 47 that:

"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing".

Paragraph 38 of the NPPF further states that:

"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."

This is echoed in policy SD1 of the HDLP which advises that development that is in accordance with the Local Plan should be supported unless material considerations indicate otherwise, any adverse impact *significantly* (my emphasis) outweigh the benefits or specific national policies indicate that development should be restricted.

For the purposes of this application, the Development Plan consists of the Harlow District Council (HDC) Harlow Local Development Plan 2020 (HLDP). Policies of most relevance to the proposal are:

SD1 – Presumption in Favour of Sustainable Development
HS1 – Housing Delivery
HS2 – Housing Allocations
PL1 - Design Principles for Development
PL2 - Amenity Principles for Development
PL3 – Sustainable Design, Construction and Energy Use
PL7 – Trees and Hedgerows
PL9 – Biodiversity and Geodiversity Assets
PL10 – Pollution and Contamination
PL11 – Water Quality, Water Management, Flooding and Sustainable Urban Drainage Systems
H1 - Housing Allocations
H2 - Residential Development
H4 - Loss of Housing
H5 – Accessible and Adaptable Housing
H6 – Housing Mix
H8 – Affordable Housing
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/Current Planning Guidance

The Harlow Design Guide SPD (2011)
The Harlow Design Guide Addendum SPD (2021)
Essex Parking Standards Design and Good Practice (2009)
ECC Development Management Policies (2020 – living document with regular updates)

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.

Summary of Main Issues

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

- Principle of development;
- Character of the Area;
- Layout Considerations;
- Affordable housing, mix and accessibility;
- Energy and Sustainability;

- Highways and parking;
- Impact on amenity;
- Biodiversity/ecology;
- Other matters; and
- Equalities.

Principle of Development

The application site is located within the defined settlement boundary of Harlow and is within an established residential area. There are a number of key services and facilities within easy reach of the site, by means other than the private car, adding to the sustainable credentials of the site.

Policy HS2-8 of the Local Plan allocates Sherards House for residential development of 14 dwellings, which contributes to meeting the Council's overall housing target of at least 9200 dwellings in the plan period. Furthermore, Policy H1 states that development on sites allocated through Policy HS2 will be supported.

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.

It is acknowledged that the proposal results in the loss of a building used as a House of Multiple Occupation (HMO), and indeed this is a matter which has been raised through a number of third-party consultation responses, however Policy H4 supports such loss where there would be a resulting net gain in residential accommodation or development at a higher density. The proposal seeks a net increase of dwellings. It is accepted that the proposed development is one dwelling below the policy requirement, however, this ensures that the detailed elements remain acceptable.

The development would utilise a brownfield site which accords with paragraph 120 (c) of the NPPF which states that "*planning decision should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land*". Furthermore, regard is had to paragraph 4.10 of the HDLP which advises that the Council should seek to maximise the use of previously developed land for new homes and minimise the impact on the environment. This capitalises on opportunities for regeneration and redevelopment, taking advantage of nearby services and facilities, making the best use of walking, cycling and public transport links.

The proposal is therefore compliant with policies SD1, H1, H4 and HS2 of the HDLP. It is therefore necessary to assess the detailed elements of the proposal.

Character of the Area

Promoting good design is fundamental to achieving high-quality, inclusive development and is an important consideration for new buildings and public and private spaces. It goes beyond aesthetic considerations, addressing issues such as connectivity between people and places and the integration of development into the natural, built and historic environment. Policy PL1 of the HDLP seeks to ensure that a high standard of design is sought for all developments and seeks to ensure, amongst others, that due regard is had to the existing urban form and character, there are active frontages and creates safe and

secure environments. It is important to note that in respect of reducing opportunities for crime, the Design out Crime Officer has raised no objections to the application and believes the scheme could secure a silver standard. The layout ensures that there is natural surveillance of public space and parking areas.

The design of the proposed development seeks to respond to the prevailing character of the area whilst establishing a distinct architectural identity for the new development, complementing the surrounding housing areas without mimicking them. Existing landscape features, trees and shrubs are retained wherever appropriate and integrated within the design of the proposed development.

The site is located in an area of Harlow where open frontages is part of the prevailing New Town character and, therefore, a similar approach is adopted in line with Principle DG35.

In this instance the approach is to set the proposed dwellings back from the highway with parking and soft landscaping providing an open frontage whilst retaining a sense of 'public and private' space.

Whilst the proposals do include developing on a redundant housing site the proposed dwellings would not result in an over-intensification of the area. The proposed density of the site would be 31 dwellings per hectare which is typical in urban areas, and indeed looser than Jerounds. It is considered that this represents efficient use of land and complies with paragraph 125 of the NPPF which seeks to ensure that developments in sustainable locations should seek an uplift in densities and discourage inefficient use of land unless there are specific reasons for such. It is noted that there are objections from interested parties on it representing over-development, but it is considered to represent an efficient use of land at a recognised urban density and provides sufficient levels of parking, amenity space and acceptable garden sizes.

Layout Considerations

The proposed development is of a similar scale, massing and height to surrounding buildings and proposed plot widths are also similar to the surrounding precedent set in the area. The design of rooflines, projections, entrances and building materials reflect the character of the adjacent housing areas.

The entrances to the proposed dwellings are accessed from the access paths, some shared between two dwellings to reduce the amount of hard surfacing within the site, and are visible from the public realm. They will present a welcoming and easily identifiable feature, making a positive contribution to the composition of the terrace architecturally and in respect of surveillance and legibility whilst providing protection from the weather. All entrances will be well lit, creating an attractive urban feature at night as well as secure and safe entrance areas.

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.

In terms of the development the following space standard apply:

	Internal Required	Internal Proposed	Garden Required	Garden Proposed
Two bedroom	80	80	50	1 x 60 1 x 70 1 x 72 1 x 77 1 x 79 1 x 82
Three bedroom	96	96	70	3 x 70 2 x 72
4+ bedroom	109	109	90	1 x 101 1 x 104 1 x 110

The development therefore accords with the required space standards in terms of both the internal accommodation but also the private amenity space.

Waste

Bins for the proposed dwelling will be stored within their rear gardens. Sufficient space is provided in each rear garden to accommodate the current requirements for low-rise properties which are for two wheeled bins (approximately 600x800 millimetres footprint) and a kitchen caddy (approximately 350x400 millimetres) with secure access allowing the bins to be moved to the bin collection points.

Updated waste strategy plans have been received showing the location of both the bins with properties (located in the rear gardens) and their collection points to the front of properties. The swept path analysis confirms that refuse vehicles can manoeuvre within the site and via the two access points to service the site.

Affordable Housing, Mix and Accessibility

Policy H8 of the HDLP indicates that major residential development (of over 10) must provide at least 30% affordable housing and that the reduction of this percentage will require an independent viability assessment. The provision will be expected to be 85% of those to be provided as affordable rent with the remaining 15% to be intermediate affordable housing. It is noted that all the dwellings proposed are for social rent.

In terms of housing mix, policy H6 of the HDLP identifies a target mix for affordable housing as follows:

	Policy Requirement	Proposed Development
2 bed	28.1%	42%
3 bed	41.8%	35%
4 bed	10.7%	21%

It is accepted that the scheme is at slight variance with this policy however given the small nature of the scheme its is considered acceptable and it is noted that the scheme delivers mainly two- and three-bedroom dwellings which is the aim of the policy. The policy is to create balanced communities, and in this instance, there is a sufficient mix to ensure that the aim of this policy is met.

The Council recognises its commitment to promote accessibility for all in the realisation of development schemes. Therefore, the proposal to be developed in accordance with Policy H5 of the HDLP in that all dwellings are, as a minimum, constructed to the requirements of Part M(2) of the Building Regulations.

The proposed development has been designed to exceed the requirements of Standard M4(2) of Approved Document M of the Building Regulations and will be accessible and adaptable dwellings with sufficient space for users (including those with mobility needs) to safely and conveniently access the new dwellings without adversely affecting neighbours. To permit flexible use and adaptation, the proposed dwellings have been designed to be adaptable and flexible with open plan living spaces at ground floor and generous bedrooms at first floor.

Energy and Sustainability

The NPPF requires the planning system to support the transition to a low carbon future in a changing climate. HDLP 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 and Sustainability Statement by DW Design has been submitted alongside the submission. The report outlines that the assessment has been undertaken in accordance with the Energy Hierarchy of the London Plan. Using the 'Be Lean' (building energy efficiency, including insulation and lighting), 'Be Clean' (scope to link to an Area Wide Heat Network, other secondary source, or combined heat and power system) and 'Be Clean' (scope to use renewable energy technologies).

The report outlines that savings would be made through the building's construction and air permeability and an efficient lighting system. Photovoltaic panels would be installed to provide electricity power to contribute to energy demand for the proposed dwellings. Air Source Heat Pumps would provide heating and domestic hot water for the proposed dwellings. The report details that the development would achieve a reduction of 112% CO₂ emissions when measured against the original Part L of the Building Regulations 2013.

The Harlow & Gilston Garden Town Sustainability Checklist applies to all Council led housing schemes. A Sustainability Checklist has been submitted that demonstrates that Environmental Sustainability and Socio-Economic Sustainability issues have been adequately considered.

The proposed dwellings are orientated in the most efficient manner as a building's orientation combined with its glazing ratio is key to minimising energy demand.

North facing windows have been kept to a minimum, as these lead to a net heat loss if oversized, whilst south facing windows have been optimised with the introduction of a projecting element to prevent overheating during the summer months. Care has been taken to ensure that windows to habitable rooms are sufficiently sized so that each room enjoys better than adequate natural lighting, reducing energy demand associated with lighting indoor spaces.

All dwellings are designed to be dual aspect, allowing cross ventilation during summer and reducing the need for mechanical air handling equipment and its associated energy demand.

The adoption of terraced and semi-detached forms reduces the ratio between external surface area and floor area, improving the efficiency of each dwelling and reducing the energy demand associated with heating.

In addition to ensuring that the form and orientation of the proposed dwellings is as efficient as possible given the site constraints, we have adopted a 'fabric first' approach.

The building 'fabric' is made up of the materials that make up walls, floors, roofs, windows and doors. The more insulation contained within these elements, the better their thermal performance. However, 'fabric' also includes the building's overall airtightness, as well as the impact of thermal bridges where the insulation layer is not continuous. It is anticipated that 50% of the materials will be re-usable and 80% of the materials used can be easily extracted, recycled and manufactured.

It is envisaged that the proposed dwellings will be highly insulated, with minimal thermal bridging and excellent air-tightness to ensure that heat loss is minimised and, therefore, the demand for energy associated with heating the homes is reduced even further.

The document confirms that the anticipated internal water usage is 110 litres per person per day. In addition, the dwellings would have water butts and water saving devices installed, such as smaller baths and low flush toilets.

However, in order to fully demonstrate this and provide additional information on some matters not covered in the submission, a condition is recommended that requires the submission of a completed Sustainability Checklist for the development prior to works commencing, alongside any further additional information necessary to demonstrate the scores allocated within the completed checklist. On this basis, the development is considered to meet the requirements of policy PL3 of the HLDP.

Highways and Parking

Policy IN1 states that all developments must consider the modal hierarchy and states that new developments will be required to link to or provide public transport services. The application site is well related to the existing bus network with stops providing future residents with opportunities to access services and facilities by means other than the private car.

In terms of on-site parking, the standards laid out in the Essex Parking Standards are as follows:

2+ bed – 2 spaces per dwelling and one secure covered cycling

Visitor – 0.25 per dwelling

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

Policy IN3 of the Local Plan states that:

“Vehicle parking must be provided in accordance with the adopted Essex Vehicle Parking Standards, unless otherwise indicated elsewhere in the Local Plan and/or supporting documents.”

and, in the supporting text,

“This policy, through reference to the Essex Vehicle Parking Standards, provides a flexible approach to the provision of parking. It allows the Council to secure more spaces in areas

that already experience parking problems or accept fewer parking spaces in areas of good public transport accessibility.”

The Vehicle Standards require a standard provision of 2.25 spaces per dwelling but allow for a reduction to the vehicle parking standard, particularly for residential developments in urban areas. 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.

It is considered that the site qualifies as such an area with local services available at Pollards Hatch, a third of a mile to the South, schooling within walking distance, the recreation ground opposite, the public house due north and excellent connections to both the public transport and cycle path networks and little in the way of on-street parking problems.

The scheme provides 16no 2.9x5.5m parking bays to the rear of the site (four being located adjacent the existing garages to make provision for those residents who may currently park their vehicles along the access road in Jerounds) and 6no 2.9x5.5m parking bays located on driveways adjacent each of the detached properties to the front of the site. Giving a total provision of 22no spaces, an average provision of 1.5 spaces per dwelling.

Each parking bay will be served by an electric car charging point.

Concern has been raised by local residents about the capacity of the existing road network and concerns over safety. In terms of Three Horseshoes Road, it is noted that only three of the dwellings are proposed to access the site at this point, therefore creating limited additional vehicular activity, and even though it is close to the access to the recreation ground, visibility is good in both directions. In the last 23 years there have been 16 accidents on this road, of which only three were considered serious and they all only involved on car. There have been no fatalities.

Turning to the access of Jerounds, whilst this is a narrower road, it is of sufficient width to accommodate two vehicles. It is noted that some residents park their cars to the rear of their properties on this road, however these properties have dedicated garages further down the road and as noted above a further four spaces are being provided within the site.

The highways authority does not seek to object to the proposal. It is considered that given the sustainable nature of the site, it is acceptable to have a lower level of on site parking, the two access points are suitably located and designed and the existing road network has capacity to absorb the limited additional traffic associated with the development.

Impact on Amenity

The Harlow Design Guide SPD (2006) and the Design Guide Addendum SPD (2021) provide guidance on how policies PL1 and PL2 should be applied. In particular in relation to privacy, minimum distances of 18m are indicated and how to measure 45-degree lines are provided.

In terms of the unit size, homes should be designed to be functional; meeting the demands of everyday life and providing enough space and facilities, such as privacy and storage, to enable residents to live comfortably and conveniently.

In terms of the proposed scheme, the dwellings have been designed to ensure there is no direct overlooking of neighbouring properties. In relation to the existing properties due east in Jerounds, plots 12, 13 and 14 have their gables positioned adjacent to the boundary and

at first floor level and no windows are proposed at first floor level. Within the site, the separation between properties is acceptable to ensure that there is no significant loss of amenity.

Furthermore, the orientation of the buildings, combined with the separation distances is sufficient to mitigate against loss of daylight and sunlight.

Biodiversity/Ecology

A preliminary ecological appraisal incorporating bat survey inspection has been prepared by T4 Ecology Ltd and is dated February 2022.

The proposed development area comprises the existing building/hardstanding and managed/unmanaged garden areas in a wider developed residential location. As such, the site and surrounds are subject to disturbance as would be reasonably expected in such a land use context.

The statutory designation search undertaken as part of the desk study identified that the site is not situated directly within nor bounding any statutory or non-statutory designated locations. No trees or buildings with roosting potential are situated on site, nor would be lost to the proposal. The buildings are considered to offer a negligible level of roosting potential. Further surveys are neither necessary nor appropriate. Since there was no evidence of bats at the site, a European Protected Species Licence is not be required.

Although no evidence of bats was found, it is probable that bats from nearby roosts will forage across the site and in the gardens of adjacent properties. This behaviour would be expected to continue after any building work has been completed and therefore it is considered that the proposed development will not have a detrimental effect on the local bat population.

It is not considered reasonably likely that great crested newt or reptile species would be adversely affected by the development proposals.

Under Biodiversity Net Gain Calculation, from a baseline of 2.1501 habitat units, the post development habitat units are calculated as 2.0141 habitat units, representing a net loss of - 6.32% habitat units. However, it is noted that the loss is as a result of proposed tree loss, and limited potential for retention as a result of the associated constraints of the site and development layout. However, in order to compensate, the site has sought to include significantly improved linear habitat through provision of 171m new native hedgerow planting, in addition to 33m of retained existing hedgerow. As such, pre-development, the site has 0.2478 hedgerow units and post development 0.7040 hedgerow units, representing a significant hedgerow net gain of 184.10%.

In addition, the site has included other initiatives identified in section 5.2, including wild grass area, permeable hard surfaces as part of SUDS, planting of new trees, creation of new scrub habitat, retention of existing scrub habitats just outside the application area to the north and south, lawn planted with bulbs and installation of habitat boxes.

Other Matters

Concern has been raised regarding disruption during construction phases. It is inevitable that there will be disturbance to local residents, but the intention is to keep this to the minimum. Conditions are therefore proposed to control hours of construction and also see the submission of a Construction Management Plan so that the council is able to control how

development takes place but also seeks to make the local residents aware of these matters also.

Construction will result in some noise disturbance, but the proposed hours (8-6 Monday to Friday and 8-1 on Saturday) will seek to limit this noise to the more sociable hours of the day and protect the more sensitive hours.

Impact on infrastructure has been raised by some local residents, particularly in relation to doctors and schools. The development of 14 dwellings is not considered of sufficient magnitude to have a significant impact on infrastructure.

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.

In relation to this application, protected characteristic (age) has been identified by virtue of the nature of the Children’s Home. Nevertheless, the officer has taken this in full into the consideration of this application.

CONCLUSIONS

The proposed development secures the addition of 14 affordable rent properties in a sustainable location well related to services and facilities to meet the functional needs of additional residents, and is on a site which is allocated in the Local Plan for 15 dwellings.

The density is compatible with the surrounding urban grain at 31dph and the layout is well thought out to ensure that each of the properties have policy compliant levels of garden space, on plot parking and residential amenity both within the site and to the neighbouring properties is protected. The design of the individual units is acceptable with environmental

credentials included. The scheme provides for a mix of housing to ensure a mixed and balanced community with all the units proposed for affordable rent.

The two vehicular accesses to the site are acceptable in highway terms and an additional pedestrian link is provided to the north of the site linking to an existing right of way. External lighting will be provided to this link in the interest of safety and security. Whilst there is less parking than required in the Essex Parking Standards, the policy does allow for such in sustainable locations, which this is.

The scheme proposes the planting of 19 trees within the site and a further landscaped area is to be located to the front of the site to soften the relationship to the street whilst still maintaining an active frontage.

There are no technical objections to the application.

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 Prior to the commencement of development a Construction Management Plan shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved document. 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: In the interests of the living conditions of neighbouring occupiers and to accord with policies PL2 and PL10 of the Harlow local Development Plan 2020.

- 3 No demolition or construction work whatsoever shall take place beyond the hours of 08:00 to 18:00 Monday to Friday and 09:00 to 13:00 on Saturdays and no demolition or construction work whatsoever shall take place on Sundays or public holidays.

REASON: In the interests of the living conditions of neighbouring occupiers and to accord with policies PL2 and PL10 of the Harlow local Development Plan 2020.

- 4 If unexpected contamination is discovered at any time during the implementation of the development to which this permission relates, work shall immediately cease and the contamination shall be reported to the local planning authority. Work shall not resume until works for the remediation of said contamination have been approved in writing by the local planning authority. The development shall then be carried out in accordance with any agreed remediation and verification measures.

REASON: In the interests of human health and to accord with policy PL10 of the Harlow Local Development Plan 2020.

- 5 Prior to the first occupation of the development the access arrangements, vehicle 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

- 6 Prior to the first occupation of the development the proposed pedestrian access to the north shall be fully implemented and appropriately tied into the existing footpath, Public Footpath no.94 Harlow.

REASON: To ensure that there are appropriate linkages for pedestrians.

- 7 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.

- 8 No works except demolition shall takes place until 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, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
- Limiting discharge rates to 1.8l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change. All relevant permissions to discharge from the site into any outfall should be demonstrated.
 - Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event. Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
 - Final modelling and calculations for all areas of the drainage system.
 - The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
 - Detailed engineering drawings of each component of the drainage scheme. A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
 - A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

- 9 The scheme shall subsequently be implemented prior to occupation.

REASON

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

To ensure the effective operation of SuDS features over the lifetime of the development.

To provide mitigation of any environmental harm which may be caused to the local water environment.

Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

- 10 Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

- 11 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

- 12 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.

- 13 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 application form; submitted in relation to the development hereby permitted, unless alternative materials are proposed. Where alternative materials are to be used, no development shall commence before details of those alternative external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Where materials other than those materials specified on the application form date stamped ^IN; are agreed in writing by the Local Planning Authority, the materials agreed shall be those used in the development hereby permitted.

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

- 14 Prior to first occupation details of any proposed external lighting shall be submitted to and approved in writing by the local planning authority. The approved lighting shall be maintained in its approved form in perpetuity.

Reason: To ensure any external lighting is designed in a manner having regard to visual amenity and residential amenity in accordance with Policy PL2 of the Local Plan

- 15 The windows serving bathrooms or en-suites at first floor or above on all the dwellings hereby approved shall be fitted with obscure glazing [glazed with opaque glass, or other appropriate screening] and shall be retained in that condition and retained as such in perpetuity.

REASON: To preserve the amenity of existing and proposed residential properties.

- 16 Prior to the first occupation of the development hereby approved, the Electric Vehicle Charging Points as indicated on the approved plans shall be installed and made operational, and shall be maintained as such for the lifespan of the development.

REASON: To ensure that appropriate parking provision for vehicles are provided, in accordance with policies IN2 and IN3 of the Harlow Local Development Plan, December 2020.

- 17 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 Harlow Local Development Plan 2020

- 18 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.

- 19 Prior to the commencement of all works on site, a completed Harlow & Gilston Garden Town Sustainability Checklist for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority, alongside any additional information necessary to demonstrate the scores indicated within the completed checklist and the development shall be carried out in accordance with the approved checklist.

REASON: To fully detail the sustainability credentials of the development, in accordance with policy PL3 of the Harlow Local Development Plan 2020.

- 20 The recommendations as laid out in the Preliminary Ecological Appraisal Incorporating Bat Survey Inspection, dated February 2022, shall be carried out in full.

REASON: To ensure that the biodiversity of the site is enhanced.

- 21 The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework 2019 or any future guidance that replaces it. The scheme shall include: (i) the numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than 30% of housing units; (ii) the timing of the construction of the affordable and its phasing in relation to the occupancy of the market housing; (iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved); (iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and (v) the occupancy criteria to be used for determining the identity of the occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON: To meet identified affordable housing needs and in accordance with policy H8 of the Local Plan

- 22 The development to which this permission relates shall be carried out in accordance with the plans as listed in the table below unless otherwise agreed in writing by the local planning authority.

REASON: For the avoidance of doubt and in the interests of proper planning.

Plan Reference	Version No.	Plan Type	Date Received
001		Site Location Plan	23 March 2022
101		Proposed Site Plan	23 March 2022
102		Proposed Site Sections	23 March 2022
103	Rev A	Hard and Soft Landscaping	23 March 2022
201		3D Iso Visuals View 1	23 March 2022

202		3D Iso Visuals View 2	23 March 2022
203		Perspective Views	23 March 2022
301		2 Bed Dwelling	23 March 2022
302		2 Bed Semi	23 March 2022
303		3 Bed Dwelling	23 March 2022
304		4 Bed Dwelling	23 March 2022
106	Rev A	Swept Path Analysis (inward)	23 March 2022
107	Rev A	Swept Path Analysis (outwards)	23 March 2022
Rev 1		Tree Protection Plan	5 August 2022

INFORMATIVE CLAUSES

- 1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
The development would not be considered for adoption by the Highway Authority as firstly, the site is not connected to the adopted highway, and secondly, owing to the geometric layout of the proposed access road.
- 2 There shall be no discharge of surface water onto the Highway.
- 3 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
- 4 Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.
- 5 We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below. <https://www.essex.gov.uk/protectingenvironment> Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. planning application with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)
- 6 The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the

numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises.