

**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE**  
**20 September 2023**

**REFERENCE:** HW/FUL/22/00220

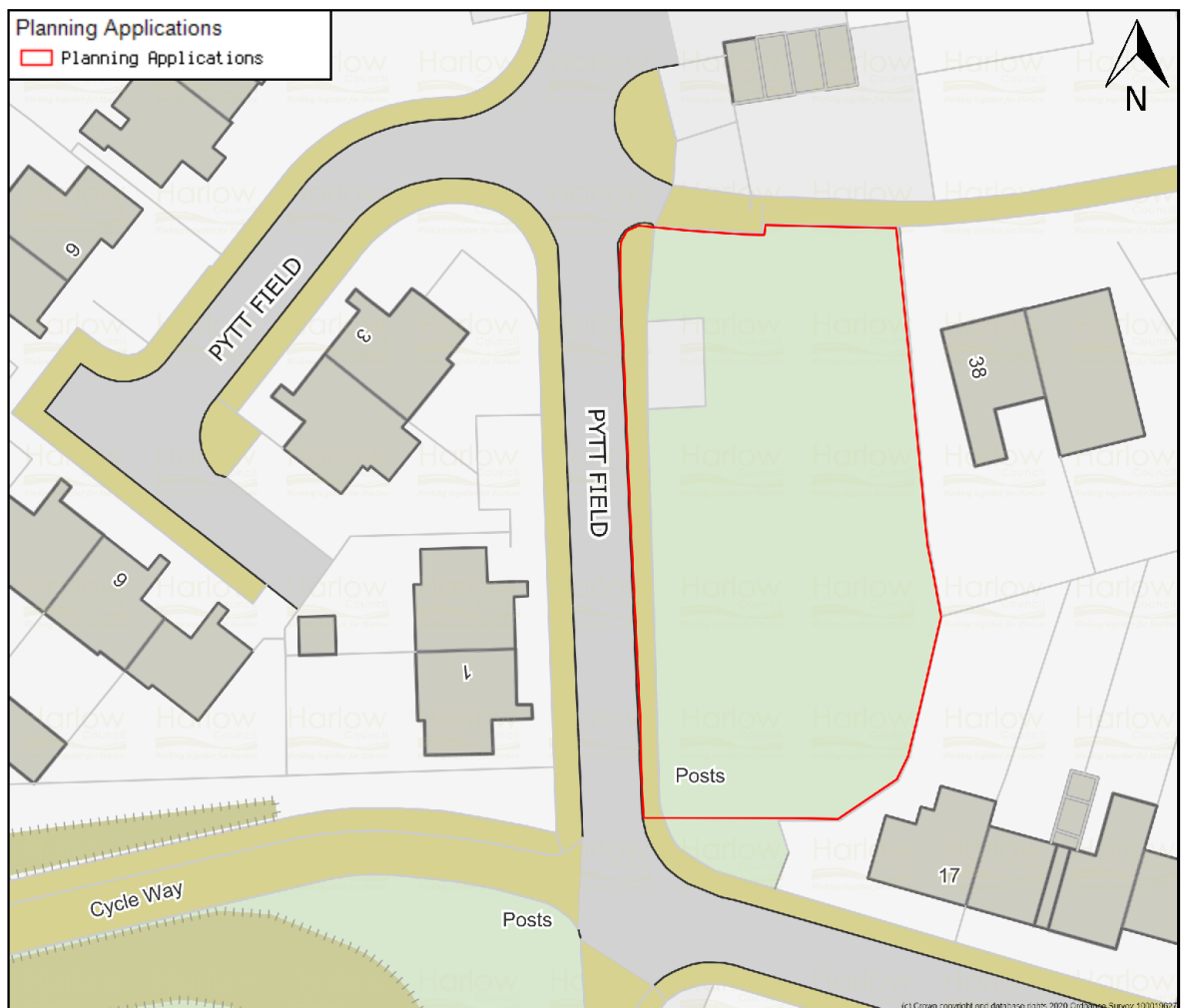
**OFFICER:** Elizabeth Beighton

**APPLICANT:** Andrew Start (HDC)

**LOCATION:** Land at Pytt Field  
Pytt Field  
Harlow  
Essex  
CM17 9AA

**PROPOSAL:** Proposed development of 2no two bed – three person and 3no three bed – five person dwellings for social rent.

**LOCATION PLAN**



## **Reason for Committee**

The scheme is a Harlow Council application is considered to be of sufficient public interest to be considered by the Planning Committee.

The scheme delivers a number of key benefits, namely the provision of much needed affordable housing in a sustainable location within the town, contributes to meeting the identified Council's housing needs and is compliant with the Local Plan. Furthermore, the scheme represents the vacant site which is supported by local and national policy and will also yield biodiversity net gain (BNG) enhancements and ecological improvements. The site is currently fenced off and is a poor state of repair and considered to be unsightly in its current form. The scheme will therefore represent significant visual enhancement of a prominent site which currently detracts from the street scene and character of the area with the scheme responding positively to the prevailing character of the area.

It is considered that these benefits outweigh any limited harm that would arise from developing the site.

The application is therefore recommended for approval.

## **Application Site and Surroundings**

The 0.115 hectare application site is located to the east of Harlow in the Potter Street area of the town, set between Second Avenue and the A414 and is located in a predominately urban area.

It is a vacant site which is currently fenced off with heras fencing and formally was occupied by a scout hut. The site is not subject to any landscape designations and is not considered an important green space within the urban area requiring protection.

Pytt Field is a cul de sac with concrete bollards at the southern extent of the site at the junction with Carters Mead.

A footpath runs to the north of the site linking Pytt Field with Potter Street.

## **Details of the Proposal**

The application seeks the demolition of the existing building, positioned centrally on the site, and in lieu develop five two-storey dwellings ( 2 x two bed and three x three bed) for social rent by the council. The properties are laid out in a staggered terrace, fronting Pytt Field, immediately opposite Nos 1 and 2 Pytt Field. The properties are all fitted with photovoltaic roof panels and additional ecological enhancements are proposed.

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

To the northern extent of the site there is an area of open space, within which there is a wildlife pond and two visitor parking spaces.

The rear gardens would be contained by a new 1.8m high fence.

## **RELEVANT PLANNING HISTORY:**

There is no planning history relevant to this application.

## **CONSULTATIONS**

### **Internal and external Consultees**

The comments below are a summary of the consultation responses.

#### **Essex County Council – Highways**

No objection but queried if it would be possible to re-orientate the on plot parking. This was clarified with the architect who has confirmed that ingress and egress can be achieved and that the bays are wider than policy requirement.

#### **HDC - Cleansing And Environment**

No objection

#### **Designing Out Crime Officer For E Forest & Harlow**

Suggest further details on security and boundary treatment and cycle provision.

## **Sustainable Drainage Team**

Recommend that the proposed infiltration drainage should not be approved until soakage tested has demonstrated that it will be practicable.

## **Tim Moya Associates (Arboriculture)**

The proposed development at Land At Pytt Field Harlow (the 'application site') is for Development of vacant scout hut site comprising 5 no. dwellings for social rent comprising 2 no. two bedroom homes and 3 no. three bedroom homes with associated hard and soft landscaping (the 'proposed development').

With regard to planning policy and statutory responsibility, Harlow Council (HC) must – in accordance with Section 197 of The Town and Country Planning Act 1990 – “*ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees*”. In terms of policy, with regard to the National Planning Policy Framework 2021 (NPPF), paragraph 174( b) states that HC must recognise the “benefits from natural capital and ecosystem services - including the economic and other benefits of [...] trees and woodland”. and more broadly ensure landscape resilience to the effects of climate change “through the planning of green infrastructure” paragraph 154(a). Therefore, it is crucial that HC ensure that green infrastructure including trees is considered sufficiently within the planning and development process.

Following a site visit to assess any potential arboricultural constraints on the 9th of June 2023 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.

Specifically, whilst the proposal seeks to remove various trees on site, most are not in ownership, and therefore this may not occur. The trees earmarked for removal are not of high amenity value and are limited in long term value unless the land is left to nature.

In consideration of the value of trees close to site, and the supplied landscaping scheme, it is felt that if trees are planted according to those landscaping plans. The proposal will provide a longer-term benefit for trees.

The supplied arboricultural impact assessment & method statement provides suitable details and analysis of the trees in situ. It is felt that if trees are retained, there will be suitable protective measures in place to ensure trees are not wilfully damaged during any works.

Therefore, the proposed development can be considered for consent, having satisfied arboricultural matters sufficiently at this stage of the planning process.

However, it will be necessary for the issued decision notice to ensure that the proposed development will be undertaken in full accordance with the fit-for-purpose Arboricultural Method Statement (AMS) that follows the recommendations of BS 5837:2012 - Trees in relation to design, demolition and construction. This therefore requires a performance condition be attached to the decision notice. The necessary condition (L004) has been included.

## **Essex Fire & Rescue Services (Water Section)**

Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13 and appears to be acceptable provided that the arrangements are in accordance with the details contained in the Approved Document to Building Regulations.

### **Thames Water**

Do not wish to make any comments.

### **Place Services (Archaeology)**

Recommend condition.

## **Neighbours and Additional Publicity**

Number of Letters Sent: 86

Total Number of Representations Received: 14

Date Site Notice Expired:

Date Press Notice Expired:

## **Summary of Representations Received**

14 objections have been received, raising the following material planning considerations (inter alia):

Matters of objection:

- Not enough parking provided.
- Already problems with on street parking.
- Lack of access could cause issues for emergency vehicles.
- Environmental destruction and local residents not consulted which resulted in loss of wildlife.
- Will be able to look into residential properties.
- Children play on the site.
- Loss of only green space in street.
- Contradicts the protection of green belt land.
- Construction vehicles will cause hazards.
- Harm caused during construction.
- Design is not in keeping with the wider area.
- Social rent will disrupt the community.
- Money should be spent on existing council properties.

Matters of support (included within an objection letter):

- The plans are good with what they offer to our wildlife and inclusion of water butts and solar panels.
- Addition of facilities for some families who have disabilities.

## **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 regard is to be had 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 Harlow District Local Plan (HDLP).

The NPPF (2023) 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
- 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
- H2** - Residential Development
- 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;
- 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.

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

The site is considered to be a windfall site within the defined settlement boundary and therefore there is a presumption in favour of development. It is also important to acknowledge that the housing allocation for the district is the minimum level and the

message from government is clear through the NPPF and appeal decisions, that council's should be looking to significantly boost the supply of housing.

Policy H2 of the HDLP is of relevance in this consideration and is a positively worded policy to encourage additional residential development subject to meeting the following criteria:

- (a) the development would not have an unacceptable adverse effect on the character of the locality, the appearance of the street scene, or the amenities enjoyed by the occupiers of neighbouring dwellings;
- (b) off-street parking and access arrangements can be provided for both existing and proposed dwellings, in accordance with the adopted Harlow Design Guide Supplementary Planning Document (SPD) and adopted Vehicle Parking Standards;
- (c) the development would make adequate provision for refuse storage and collection; and
- (d) the development would not prejudice the potential for comprehensive development of adjacent land.

These matters are considered further in the report but the officer consideration, having due regard to all these aspects and consultation responses, is that the proposal is therefore compliant with policies SD1 and H2 of the HDLP.

### **Character of the Area and Layout Considerations**

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.

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. There are concerns that the modern approach would jar with the existing properties, however officers are of the view that there is sufficient variety of property styles in the wider locality which provides greater flexibility for design solutions.

In Carters Mead, due south of the site there is a row of six staggered terraced properties not too dissimilar to what is proposed and in Pytt Field itself there are instances of smaller rows of staggered properties.

The proposed density of the site would be 42 dwellings per hectare which is typical in urban areas, indeed similar to the immediate area. 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. The proposal 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.

### **Standard of Accommodation**

The Technical Housing Standards was produced by central government in 2015 and provides national minimum space standards that should be met in new residential



developments. Policy PL2 of the HLDP sets out that development which preserves or enhances the level of amenity for existing and future occupants will be supported.

The Harlow Design Guide Supplementary Planning Document (SPD) 2011 also sets out minimum space standards that should be met for new residential development. HLDP policy H5 requires that all new dwellings should meet at least the Building Regulations Part M4(2) standard for accessible and adaptable homes. The application confirms that all dwellings will be built to Part M(4) standards as a minimum.

In terms of the development the following space standard apply:

	Bedrooms	Internal Required (m2)	Internal Proposed (m2)	Garden Required (m2)	Garden Proposed (m2)
Plot 1	3	96	95	70	102.5
Plot 2	2	80	99	50	68
Plot 3	3	96	95	70	70
Plot 4	2	80	99	50	60
Plot 5	3	96	95	70	88

It is important to note that the proposed two-bedroom dwellings have lifts in them to enable access to the first floor. It is accepted that the proposed three-bedroom dwellings are 1m2 smaller than required but officers feel that this is acceptable and the proposed layout plans show a well-designed interior with sufficient space for future residents with the ground floor being open plan and not cramped. This has also enabled larger gardens to be provided, all which exceed the standards which is beneficial given the family nature of the proposed dwellings.

The closet play area is Nicholls, due west the other side of the A414.

### **Waste**

Bins for the proposed dwelling will be stored within secure compounds to the front of the properties and they can be presented on the roadside for collection times. Sufficient space is provided in these compounds 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).

### **Affordable Housing, Mix and Accessibility**

It is welcomed that the proposed development is 100% affordable housing which is below the threshold advocated in planning policy. This is a beneficial addition to the Council's housing stock and provides high quality much needed affordable accommodation.

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%	40%
3 bed	41.8%	60%

It is accepted that the scheme is at slight variance with this policy however given the small nature of the scheme it's is considered acceptable and it is noted that the scheme delivers 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.

## **Energy and Sustainability**

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

An Energy and Sustainability Statement by EEABS has been submitted alongside the submission. The assessment has been carried out by following a Be Lean, Be Clean, Be Green Energy Hierarchy.

- Be Lean

Savings have been made at the Be Lean stage thanks to increased performance of the building's constructions and air permeability. Further savings have also been realised through the use of highly efficient lighting throughout and by utilising natural ventilation over mechanical.

- Be Clean

Due to the small size of the development (5 No. dwellings) the possibility of connecting to an Area Wide Heat Network, other secondary heat source, or using a combined heat and power system (CHP) have all been deemed technically unfeasible. By following the LETI Heat Decision Tree an electric heating system was determined to be an ideal heating source for this development

- Be Green

From brief assessment of the various renewable technologies available we determined that Photovoltaic Solar panels would be the most feasible renewable technology to install for the proposed development. We have assumed that a 4 kW (16 No. 250-Watt Panels) Solar Photovoltaic system will be installed on the roofs of each of the properties. These are estimated to generate approximately 2,900 kWh of electricity per annum for each property. Although not counted towards the carbon reduction in the current Building Regulations SAP Calculation, electric vehicle charging is a minimum requirement within the Harlow District Council Sustainability Checklist and has been included for within the design.

The results show that by implementing the energy strategy as described within this report the carbon emissions would be 2.18 tonnes CO<sub>2</sub>, compared to 5.79 Tonnes CO<sub>2</sub> for the

Baseline. This would be an overall improvement of 62%, therefore comfortably satisfying the requirements of Part L 2021 Building Regulations.

As the latest Part L 2021 Building Regulations target represents an approximate 30% carbon reduction in comparison to the Part L 2013 standards, the proposed development will achieve significant carbon reductions in comparison to the Part L 2013 standard.

The design team's intention is to minimise waste during the construction process through careful consideration of materials and construction methodology. The dwellings, wherever possible, will use BRE Green Guide 'A' rated materials and manufacturers will be chosen that can demonstrate their products are sustainably sourced and manufactured, with low embodied carbon.

A water efficiency calculation will be undertaken once fittings are selected to show that the water usage for the dwellings will be lower than the 110 litres/person/day required by Part G of the Building Regulations and the Harlow Sustainability Guidance. Any demolition will be recycled where possible.

The extent of possible flooding on the site has also been analysed using data from the government flood warning information service. The flood map shows that the proposed development site is within Flood Zone 1.

The surface water flood map shows that the proposed site mainly sits within an area of very low risk from surface water flooding. The final drainage design should still ensure that peak flow and volume of water run-off for the proposed site will be no worse than that of the site prior to development.

The energy and sustainability statement has shown that the proposed new development of 5 No. low energy and sustainable dwellings at Pytt Field, Harlow would satisfy the energy and sustainability requirements of Part L 2021 Building Regulations and the Harlow District Council Sustainability Guidance and Checklist.

## **Highways and Parking**

It is accepted that highways is the most contentious issue with those who have commented on the application in terms of lack of on-plot parking and existing issues but also issues during construction.

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

A reduction of the vehicle standard may be acceptable 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.”*

It is considered that the site qualifies as such an area with local services available at close to the site including educational establishments, open space, shops and other community facilities. Public transport links are also available providing accessibility to the town centre and Tesco superstore.

The scheme provides one space per dwelling on plot and two additional visitor spaces giving a total provision of seven spaces. Each property will also be served by an electric car charging point.

Pytt Field is relatively narrow and is devoid of any parking restrictions. Other properties have on plot parking with the exception of Nos 15-27 (the five-storey block of flats) which has a mix of both garaging and courtyard parking. This is clearly denoted as residents parking only.

In the last 23 years there have been no recorded accidents in Pytt Field and two slight accidents on Second Avenue close to the junction of Pytt Field (2019 and 2021), both involving two vehicles. There have been no fatalities.

The secure store to the front of each property is of sufficient size to accommodate cycle parking.

Whilst the comments of local residents is noted, on street parking is not an uncommon feature in urban areas and there are no restrictions in place. All other properties have on plot parking available and given that it is a cul de sac, there is no through traffic and any parking will be those associated with the residential properties.

### **Impact on Amenity**

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.

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 2023.

No buildings or trees with bat roosting potential would be lost to the development. Further surveys are considered to be neither necessary nor appropriate.

The site does not contain significant tree lines/hedgerows and is unlikely to provide nor form part of a bat commuting/foraging network. Recommended ecological enhancements are provided in section 5.2. It is not considered reasonably likely that reptile or great crested newt species would be adversely affected by the proposal. No active or inactive badger setts were found, with no evidence of badger activity identified. No surveys have been advised.

Using Metric 4.0, from a baseline of 0.2924 habitat area units, the post development habitat units are calculated as 0.3040 habitat units, presenting a net gain of 3.95%. In respect of hedgerows, pre-development, the site has 0 hedgerow units (the site has no hedgerows) and post development, 0.1975 hedgerow units. Consequently, provided the enhancements are installed as proposed on the plan by DWW Design (HD21050-006 Rev1) the project will provide biodiversity net gain.

The plans show the incorporation of hedgehog highways and bat boxes close to the eaves of the dwellings.

Following the survey, the following recommendations have been made to ensure obligations in respect of protected species are met/the site is enhanced for the benefit of biodiversity if developed. The recommendations are considered to be appropriate and in context with the size of the proposals and based upon the findings of the impact assessment section of the report, and are included as informatives.

It has been raised by some local residents that the work undertaken by the Council to improve the visual appearance of the site amounts to environmental degradation. As the report notes, the site does not hold any ecological constraints and visually was overgrown and in poor state. The work undertaken did not require any consent or permission or engagement with the community as it was improving a vacant, derelict site. Furthermore, in either its overgrown state or fenced off, it does not provide a open space suitable for a children's play area.

### **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. Given the existing bollards, all construction traffic will come off Second Avenue.

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.

### **Equalities**

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

“(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

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

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The above duties require an authority to demonstrate that any decision it makes is reached “in a fair, transparent and accountable way, considering the needs and the rights of different members of the community and the duty applies to a local planning authority when determining a planning application.” Officers consider that the application does not give rise to any concerns in respect of the above.

## CONCLUSIONS

The proposed development secures the addition of five affordable rent properties in a sustainable location well related to services and facilities to meet the functional needs of additional residents.

The density is compatible with the surrounding urban grain at 42dph 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.

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 comments of local residents on parking is noted, however the benefits of five well designed houses for affordable rent outweigh this limited harm.

The proposed development also secures visual enhancements to what was a previously very overgrown site.

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 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.

- 6 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.

- 7 Prior to the first occupation of the development hereby approved, or subject to demonstration of all reasonable endeavours to ensure connection, 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.

- 8 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.

- 9 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.

- 10 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

- 11 The proposed development shall be completed in full accordance with the submitted arboricultural details of the consented submission package. Specifically this includes the following documents: arboricultural impact assessment & method statement by E Greenwood: Ref 1169.

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 HDLP.

- 12 No preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.



REASON: To ensure that archaeology is properly assessed and protected should there be any findings of note.

- 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.

<b>Plan Reference</b>	<b>Version No.</b>	<b>Plan Type</b>	<b>Date Received</b>
1001	Rev 3	Existing Site & Location Plan	26 May 2023
1005	Rev 6	Proposed Site Plan	26 May 2023
1006	Rev 1	Proposed Parking & Landscaping	8 August 2023
1007	Rev 1	Overlooking & Massing Sheet 1	26 May 2023
1008	Rev 1	Overlooking & Massing Sheet 2	26 May 2023
1010	Rev 6	Proposed Terrace Plans	26 May 2023
1011	Rev 1	Proposed Ground Floor	26 May 2023
1012	Rev 1	Proposed First Floor	26 May 2023
2002	Rev 4	Proposed Site Sections	26 May 2023
2010	Rev 6	Proposed Terrace Elevations	26 May 2023
2101	Rev 2	Proposed Site Section	26 May 2023
2102	Rev 1	Proposed Cross Sections	26 May 2023
3001	Rev 1	Proposed 3D Views	26 May 2023

## **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](mailto:development.management@essexhighways.org)
- 4 The following ecological suggestions from the ecological report should be undertaken.

## Construction Phase & General Precautions

- To protect any radiating mammals, it is recommended that any trenches be covered over with wooden sheeting at night and fencing off the demolition/construction zone and associated compounds would be advisable during the demolition/construction phase.
- Service pipes stored on site will be checked for sheltering mammals prior to installation.

## Nesting Birds

- As general best practice guidance, the bird breeding season is from March to September. If works to buildings/vegetation is proposed during the season, a general check should be made for nests prior to works commencing. In the unlikely event that nests are present, they should be left intact and undisturbed until the young have fledged.

## Enhancements

- Ecological enhancements to be installed as per DWW Design (HD21050-006 Rev1).

- 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.