

## REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

**REFERENCE:** HW/FUL/23/00462

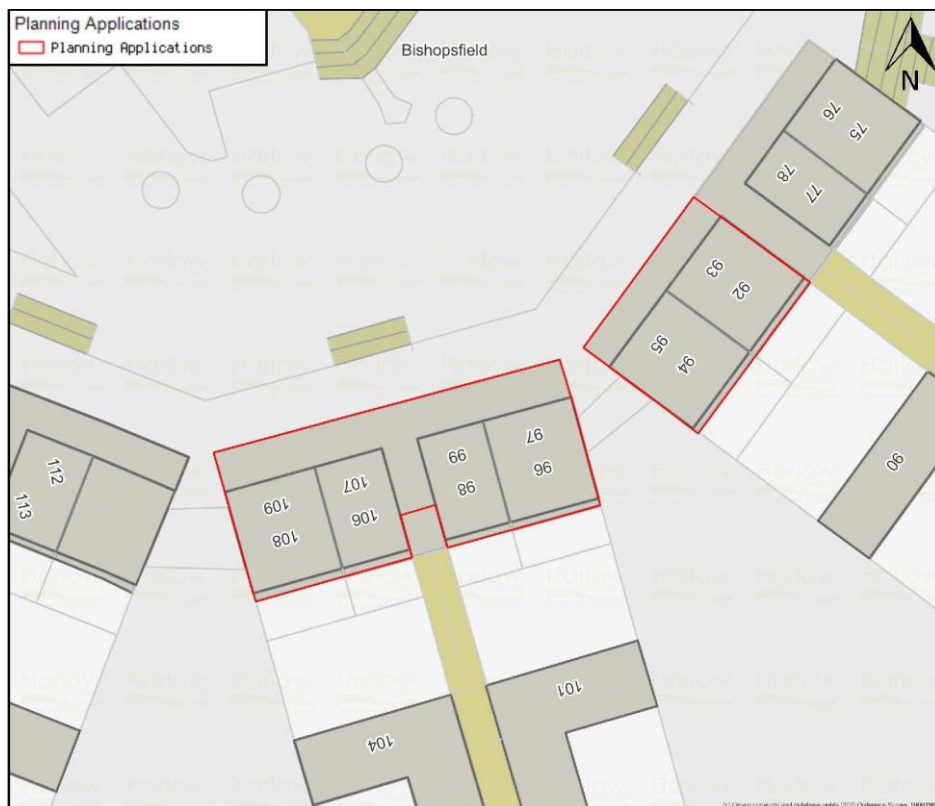
**OFFICER:** Mick Gavin

**APPLICANT:** Harlow Council

**LOCATION:** 92 - 109 Bishopsfield  
Harlow  
Essex

**PROPOSAL:** Replacement of an externally fixed steel framed and glazed curtain walling system. Replacement works will be a new recessed uPVC framed window system. The system will expose the concrete slabs and dividing party walls which will have rendered remedial works. The proposal includes the replacement of the existing 2-storey curtain walling system with a new internally framed uPVC system to enhance both Tenant comfort and thermal efficiency. The new system will include toughened glass at low level to all windows.

## LOCATION PLAN



**PROPOSED DEVELOPMENT:** Replacement of an externally fixed steel framed and glazed curtain walling system. Replacement works will be a new recessed uPVC framed window system. The system will expose the concrete slabs and dividing party walls which will have rendered remedial works. The proposal includes the replacement of the existing 2-storey curtain walling system with a new internally framed uPVC system to enhance both Tenant comfort and thermal efficiency. The new system will include toughened glass at low level to all windows.

### **Reason for Committee Referral**

The application has been referred to Committee as the applicant is Harlow Council.

### **Recommendation**

The proposed development is considered to accord with the Development Plan and with supplementary design guidance and therefore is recommended for approval.

### **Site and surroundings**

The Bishopsfield Estate comprises five blocks of flats/ maisonettes forming a crescent overlooking a central courtyard to their front. It sits at an elevated level to its surroundings and is a prominent and distinctive element in the townscape.

The application relates to the rear windows of three blocks fronting the south edge of the courtyard.

### **Details of proposal**

Permission is sought for works to replace an external steel framed and glazed curtain walling system with a new recessed uPVC framed window system. The works are to the rear elevations of the blocks and would replace the rear doors and window system in its entirety.

### **RELEVANT PLANNING HISTORY**

There is no relevant planning history.

### **CONSULTATIONS**

#### **Internal and external Consultees**

No consultations undertaken.

#### **Neighbours and Additional Publicity**

Number of Letters Sent: 52

Total Number of Representations Received: 4

Date Site Notice Expired: 11 January 2024

Date Press Notice Expired: 4 January 2024

#### **Summary of Representations Received**

Four representations, of which three object and one in support have been received which raise the following material planning consideration:

- Goes against grain of New Town aesthetic and PVC is an ugly alternative; design of original windows is unique; frames and smaller panes would not fit with look of estate or be aesthetically pleasing

## **PLANNING POLICY**

National Planning Policy Framework (NPPF) (2023) sets out the Government's key economic, social and environmental objectives and the planning policies to deliver them. These policies will provide local communities with the tools they need to energise their local economies, meet housing needs, plan for a low-carbon future and protect the environmental and cultural landscapes that they value. It seeks to free communities from unnecessarily prescriptive central government policies, empowering local councils to deliver innovative solutions that work for their local area.

### **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 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).

The relevant HLDP policies referred to in the determination of this application are as follows:

- PL1 – Design Principles for Development
- PL2 – Amenity Principles for Development
- PL3 – Sustainable Design, Construction and Energy Usage

## **Supplementary Planning Documents / Current Planning Guidance**

Harlow Design Guide 2011

Harlow Design Guide Addendum 2021

Planning Policy Position Paper for Net Zero Carbon Homes and Buildings in Greater Essex (November 2023)

### **SUMMARY OF MAIN ISSUES**

#### **Principle of development**

The Bishopsfield Estate is a distinctive development, dating from the 1960s. The design emerged from a design competition and the estate was completed in 1966. It is understood that in 2009 there was an attempt to obtain listed status but that this was rejected owing to the extent of alterations to the scheme as originally built. It is also noted that the development is not locally listed. The proposed alterations are relatively minor external changes in the context of the overall estate.

The works are considered to be necessary. The applicant has explained that as *the existing curtain walling system is external this increases the likelihood of cold bridging and also creates a fire hazard*. It is explained that the whole framed system poses these issues and that they would be addressed by the proposed works.

Polich PL3 (Sustainable Design, Construction and Energy Usage) seeks high standards of sustainable design and construction and efficient energy usage. A recent ECC Position Paper (November 2023), Net Zero Carbon Homes and Buildings, emphasises that reducing space heating is necessary to achieve net zero carbon buildings, and thermal efficiency is dependent among other issues on airtightness of windows and doors. The proposed works would improve insulation and accord with these aims.

The principle of development is considered acceptable.

#### **Design, character and appearance**

HLDP policy PL1 requires that development *responds to the scale, height, massing, architectural detailing, materials and front boundary treatments of the surrounding area and is visually attractive*.

The comments received regarding the impact on the appearance and character of the buildings have been considered. However, the works are to rear elevations which are not widely visible. The distinctive fenestration pattern at the front of the blocks facing onto the courtyard is not affected. While the original fenestration pattern may be lost for the affected units, the buildings are not subject to the more strenuous legal and policy tests that apply to alterations to listed or local listed buildings.

The proposal is considered to be acceptable pursuant to policy PL1.

### **CONCLUSION**

The proposed works are supported given the benefits for energy efficiency and fire safety. The applicant further points out that tenant comfort would also be enhanced.

### **RECOMMENDATION**

**That Committee resolve to grant planning permission subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: In order to comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the approved plans as shown listed in the table below.  
REASON: For the avoidance of doubt and in the interests of proper planning.

<b><u>Plan and Document Reference</u></b>	<b><u>Date Received</u></b>
23/1040/001 Site Location Plan	24.11.2023
23/1040/002 Block Plan	24.11.2023
23/1040/003 Existing and Proposed Rear Elevation	24.11.2023
23/1040/004 Existing and Proposed Rear Elevation	24.11.2023

**INFORMATIVE**

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.

