

**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE**  
**10 April 2024**

**REFERENCE:** HW/HSE/24/00029

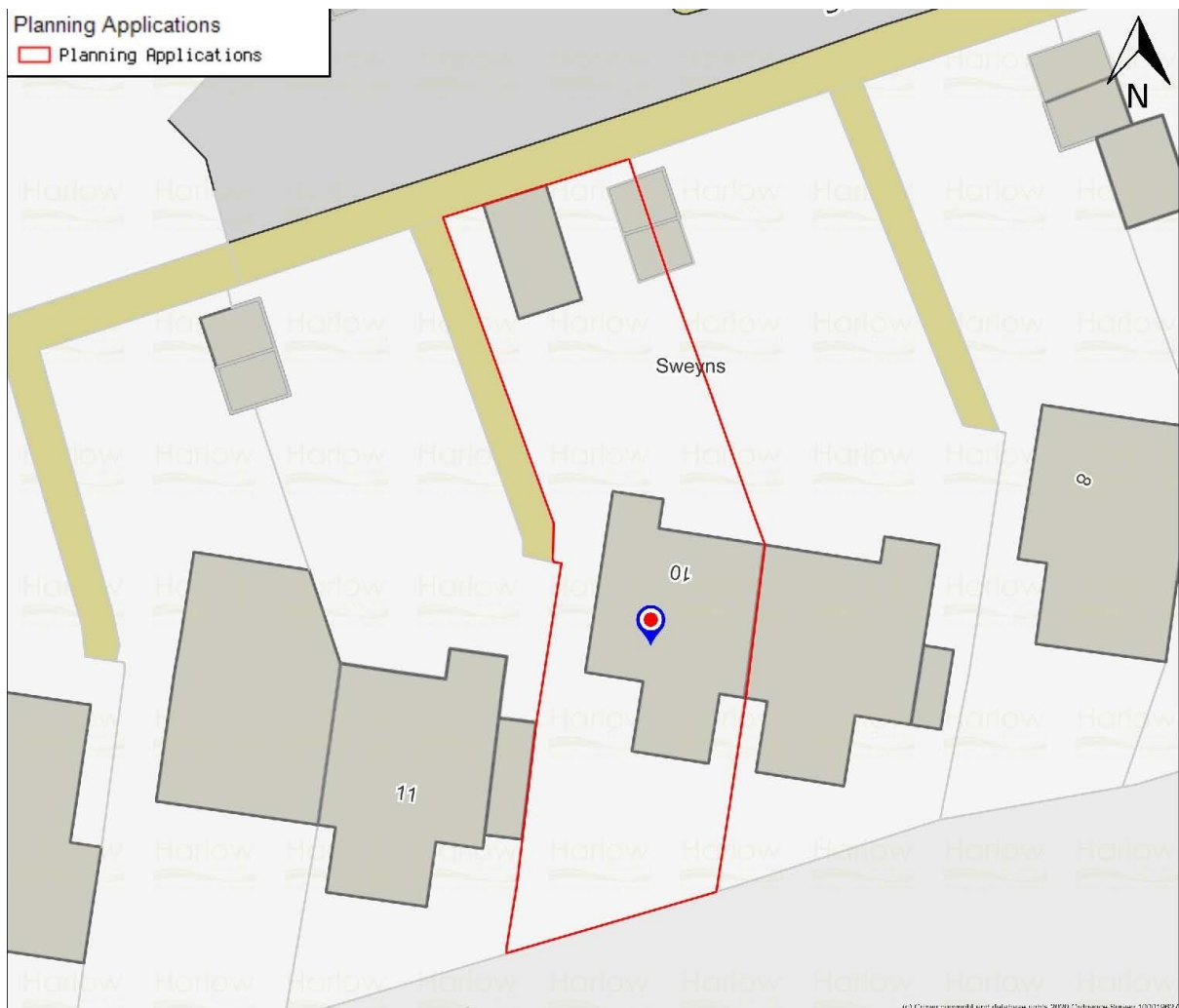
**OFFICER:** Chris Walter

**APPLICANT:** Mr Yusuf Chaudhri

**LOCATION:** 10 The Sweyns  
Harlow  
Essex  
CM17 9BL

**PROPOSAL:** Render finish to elevations

**LOCATION PLAN**



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**REASON BROUGHT TO COMMITTEE:** More than two letters of objection have been received which are contrary to the officer recommendation of approval.

## Recommendation

The proposed development, on balance, is acceptable with regards to character, appearance and sustainable design considerations. It complies with the relevant policies within the HLDP and supplementary documents and is recommended for approval by the Development Committee.

## Application Site and Surroundings

The application relates to 10 The Sweyns, a semi-detached dwelling located towards the end of a cul-de-sac within a residential area of Harlow Common. It shares a boundary to the east with No.9 and one to the west with No.11. There is a garage block to the north of the site.

This section of The Sweyns comprises of semi-detached properties set at an angle to the highway to the front of them, so the houses are arranged in an echelon type pattern. The gardens are unique in that the front gardens are comparatively larger to the rear.

The site is not in a Conservation Area, or within the setting of listed buildings.

## Details of the Proposal

Planning permission is sought for the application of render to the front, side and rear elevations.

### RELEVANT PLANNING HISTORY:

<b>App Number</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision Date</b>
HW/PALHE/23/00211	Construction of a single storey rear extension	PNRQ	26.06.2023
HW/HSE/23/00212	Construction of a ground floor front extension	GTD	05.07.2023
HW/CV/02/70065	Car Port	COVA	

## CONSULTATIONS

### Internal and External Consultees

No Comment Received.

### Neighbours and Additional Publicity

Number of Letters Sent: 2

Total Number of Representations Received: 3

Date Site Notice Expired: N/A

Date Press Notice Expired: N/A

## Summary of Representations Received

Three objections have been received during the prescribed consultation period. Their comments can be summarised as follows:

### Planning Objections

- Character and Appearance: this will result in significant harm to the character of the area as no other dwelling in The Sweyns, including a number where extensions have been constructed, have used a rendered finish. All other dwellings respect the brick material finish which maintains the character of the area. Conditions attached to previous consents requiring the use of matching materials. The application to render will in no way contribute positively towards the aesthetics of The Sweyns.

### Non-Planning Objections

- Tidiness of the site

Officer's Comments: The issues raised within these representations, including the impact of the proposal on the character/appearance of the area, will be dealt within the appropriate sections of the report. Issues in relation to the tidiness of the site would be dealt under separate Environmental Health legislation and is not a material planning consideration.

## **PLANNING POLICY**

### National Planning Policy Framework (NPPF)

The Development Plan is prepared taking account of the National Planning Policy Framework (NPPF) (as extant at the time - the NPPF is regularly updated; currently in its 2023 version) and the associated Planning Practice Guidance (PPG) (first published in March 2014 but also regularly updated with the NPPF).

### Harlow Local Development Plan 2020

Planning law requires that proposals should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan for the site consists of the Harlow Local Development Plan 2020 (HLDP), Essex and Southend-on-Sea Waste Local Plan 2017 and Essex Minerals Local Plan 2014.

Relevant HLDP policies are:

PL1: Design Principles for Development

PL3: Sustainable Design, Construction and Energy Usage

Harlow and Gilston Garden Town (HGGT) is a designated 'Garden Community' under the Government's Garden Communities Programme.

### **Supplementary Planning Documents (SPD) /Other Guidance**

The following local planning guidance is relevant to this application:

HDC Design Guide SPD (2011)

Design Guide Addendum SPD (adopted December 2021).

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

## HGGT Guidance

Harlow and Gilston Garden Town (HGGT) is a designated 'Garden Community' under the Government's Garden Communities Programme.

NPPF Para.72 provides the national policy context for Harlow and Gilston Garden Town (HGGT) as a location for larger scale (housing) development. Of particular note is the emphasis on; existing or planned investment in infrastructure, the areas economic potential and the scope for net environmental gains..... plus; clear expectations for the quality of development and how this can be maintained (such as by following garden city principles).

The HGGT (Local Authorities) Partnership has published a series of documents that set the standards expected for developments in the Garden Town and are therefore relevant to this application.

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.

## Summary of Main Issues

### Principle of Proposed Development

The acceptability of the principle of the proposed development is dependent on its compliance with the relevant policies within the Harlow Local Development Plan (HLDP) 2020 and supplementary documents, as assessed below.

### Character, Appearance and Sustainable Design

Policy PL1 of the HLDP and the Harlow Design Guide SPD indicate that proposals should not result in unacceptable harm to the character and appearance of the application dwelling or area. Development should protect, enhance or improve local distinctiveness without restricting style and innovation, whilst taking account of local character and context, including patterns of development, urban form and landscape character.

As the application site is a semi-attached property, there would be a 'lip' where the rendering meets the neighbour's house. While the proposed alterations would represent a departure from the design language and characteristics of the two properties as a pair, it would provide a modern external appearance that adds visual interest to the dwelling individually. Furthermore, the front elevation is not highly visible within the public realm, being set back from the highway and located towards the end of a cul-de-sac. Public views of the rear elevation would largely be obscured by surrounding development.

Attention has been drawn to a recent planning appeal at 34 Red Lion Crescent under reference APP/N1540/D/21/3280311. It will be seen that the appeal was dismissed insofar to the external alterations to the dwellinghouse, including the proposed external rendering and installation of wooden cladding strips. While considered in the assessment of this application, No.34 Red Lion Crescent forms part of a distinct housing group where there are consistent design characteristics such as painted external rendered surfaces (mainly white or pastel coloured). It was considered that the external alterations here would disrupt from an attractive uniformity of design provided by the colour of the render. Therefore, whilst the appeal decision has had due regard to, it is considered by officers that there are differences

with this property which would mean that the same decision would not always follow. Whilst a material consideration, each site should be considered on its individual merits.

In the context of No. 10 The Sweyns, no distinctive architectural features would be lost following the application of render to all elevations.

Any limited visual harm associated with the render should also be assessed against its sustainability benefits. The application of exterior wall rendering would provide better insulation to the property, thereby improving energy efficiency and contributing to sustainable development. This is considered to give weight in favour of the proposed development according to policy PL3 of the HLDP.

In conclusion, while it is recognised that there would be a 'lip' where the rendering meets the neighbour's house, it is considered that the level of harm is not significant to justify refusal. On balance, the proposal would have an acceptable impact on the character and appearance of the surrounding area, and therefore comply with policy PL1.

### 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, on balance, is acceptable with regards to character, appearance and sustainable design considerations. It complies with the relevant policies within the HLDP and supplementary documents and is recommended for approval accordingly.

### **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 Acceptable construction hours are between 8:00 to 18:00 on Mondays to Fridays and 8.00 and 13.00 on Saturdays. No construction work should take place or plant operated outside these hours.  
REASON: In the interests of neighbouring amenity, in accordance with policy PL2 of the Harlow Local Development Plan, December 2020.
- 3 The development hereby permitted shall be carried out in accordance with the approved plans as shown listed in the table below.  
REASON: For the avoidance of doubt and in the interests of proper planning.

<u>Plan and Document Reference</u>	<u>Date Received</u>
NA-10TS-301-A Existing & Proposed Plans	22.01.2024
NA-10TS-302-A Existing & Proposed Roof Plans	22.01.2024
NA-10TS-303-A Approved & As Built Proposed Front & Rear Elevations	22.01.2024
NA-10TS-304-A Approved & As Built Proposed Side Elevations	22.01.2024
NA-10TS-305-A Existing & Proposed Section	22.01.2024
NA-10TS-306-A Existing Site Plan	22.01.2024
NA-10TS-307-A Proposed Site Plan	22.01.2024
NA-10TS-308-A Location Plan	22.01.2024
Planning Statement	22.01.2024

### **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.

Elizabeth Beighton  
Development Manager

Contributing Officer  
Chris Walter