

## REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

10 July 2024

**REFERENCE:** HW/FUL/23/00469

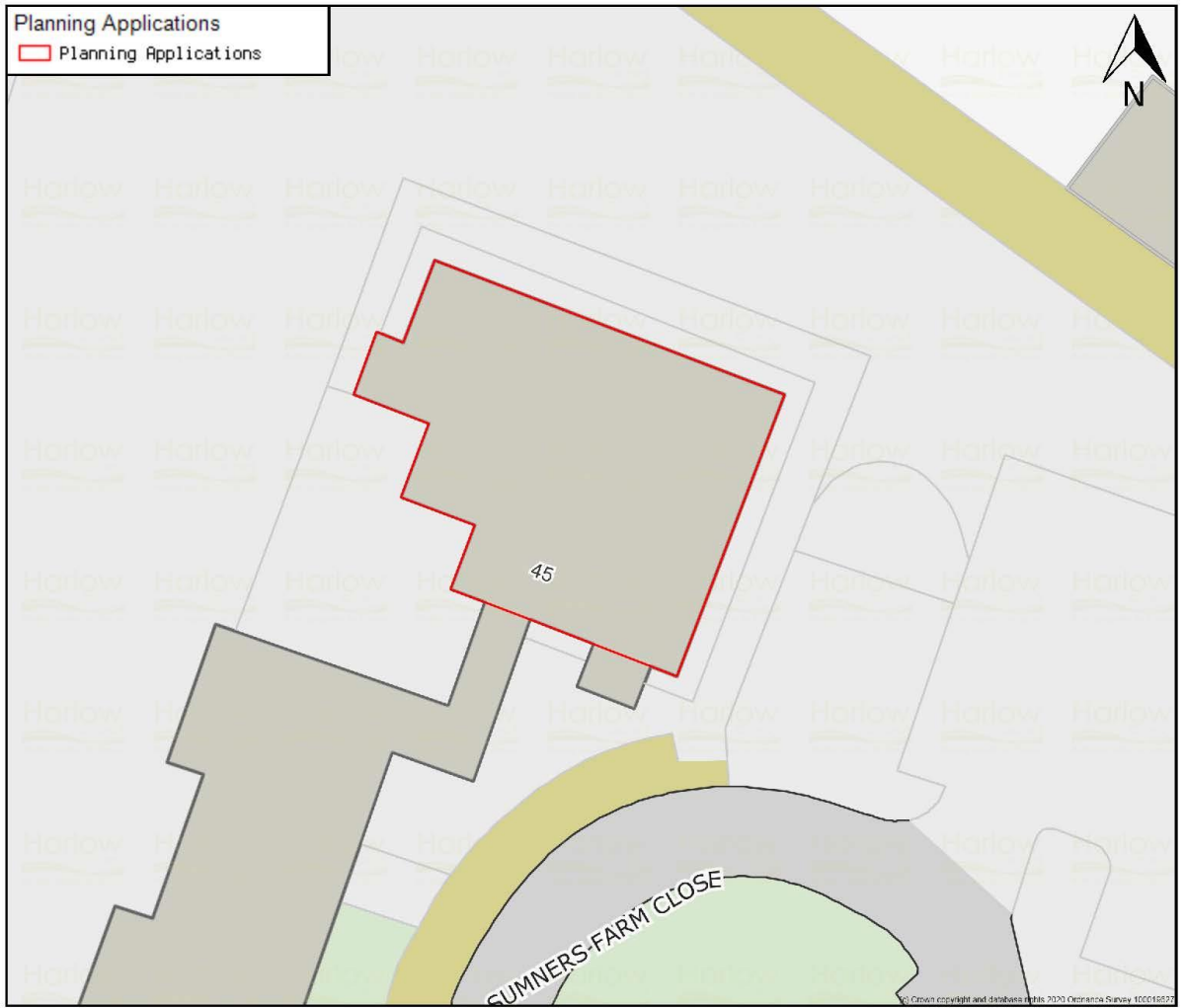
**OFFICER:** Mick Gavin

**APPLICANT:** Harlow Council

**LOCATION:** 45 Sumners Farm Close  
Harlow  
Essex  
CM19 5SL

**PROPOSAL:** Construction of a single storey rear extension in the form of a conservatory to the rear elevation. Installation of double heighted lobby to access flat no.1 and flat no. 2. Extension of GO2 shower room to flat no.2. Replacement of existing staircase with a new timber staircase. Relocation of entrance door to flat no.1 and change of layout to suit new entrance door location & amendments to entrance lobby to flat no. 4.

### LOCATION PLAN



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**REASON BROUGHT TO COMMITTEE:** The applicant is Harlow District Council.

**PROPOSED DEVELOPMENT:** Construction of a single storey rear extension in the form of a conservatory to the rear elevation. Installation of double height lobby to access flat no.1 and flat no. 2. Extension of GO2 shower room to flat no.2. Replacement of existing staircase with a new timber staircase. Relocation of entrance door to flat no.1 and change of layout to suit new entrance door location & amendments to entrance lobby to flat no. 4

### Summary

The proposal is for the addition of a conservatory to the building, together with various internal works, to enhance the living accommodation of four existing flats providing care accommodation.

It is considered that the proposal accords with National and Development Plan policies and it is recommended for approval.

### Site and surroundings

45 Sumner's Farm Close is a two-storey building, originally a farmhouse it is now Grade II listed. The building is linked by a corridor to the Sumners Farm Close development which is an extra care supported housing scheme consisting of 42 one bedroomed properties which is a joint project between Harlow Council as the landlord, and Essex County Council as the procurer of care services to provide independent living services for frail elderly people to negate the need for in-home residential care.

### Details of Proposal

Following permission granted in 2018 the building was converted from previous office and flat use to four flats, two at ground floor and two at first floor. The current application seeks planning permission sought for:

1. Addition of a conservatory  
The single storey conservatory would wrap around the building's side (west) and rear (south) elevations, with a maximum depth of 8.4m and width of 9.0m
2. Internal works and minor external alterations to convert the existing two ground floor flats to adapted supported accommodation and convert the two existing first floor flats to unadapted supported accommodation.  
The works principally comprise:
  - new staircase to be omitted, space to be retained and provide a double height lobby to access flats 1 and 2
  - shower Room to flat 2 extended to suit location of wall
  - relocation of entrance door to flat 1 and change of layout to this flat to suit new entrance door location a
  - amendments to entrance lobby to flat 4.

A concurrent application for listed building consent is considered in the following item (HW/FUL/23/00469).

### RELEVANT PLANNING HISTORY

Application Number	Proposal	Status	Decision Date
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HW/FUL/18/00463	Change of use from offices to four one bed flats, linking to existing care home, internal alterations and refurbishment	Approved	04.07.2019
HW/LBC/18/00362	Conversion to four one-bed flats with link existing care home including internal alterations, removal of glazed porch, new dormer and replacement windows	Approved	04.07.2019

## CONSULTATIONS

### Internal and external Consultees

#### Heritage - Place Services

##### *Internal alterations:*

Overall the alterations are considered acceptable, not resulting in additional harm than the works approved in 2018

##### *Ground floor extension and external alterations:*

The conservatory is out of scale and wraps around the side and the front elevations as an incongruous and non-traditional addition to the historic building resulting in an overall cluttered appearance of the site.

The additional glazed porch to the new staircase would be prominent as part of the main elevation.

### Neighbours and Additional Publicity

Number of Letters Sent: 12

Total Number of Representations Received: 0

Date Site Notice Expired: 11 January 2024

Date Press Notice Expired: 4 January 2024

### Summary of Representations Received

None received

## 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). 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  
PL1 – Design Principles for Development  
PL3 – Sustainable Design, Construction and Energy Use  
PL12 – Heritage Assets and their Settings

### **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)

### 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.

### **Main Considerations**

#### Principle

The proposal is to extend and internally alter an existing building. There is no in principle objection, subject to compliance with Development Plan policies, in particular relating to the building's significance as a heritage asset.

### Heritage

Policy PL12, Heritage Assets, seeks to protect the significance of heritage assets including listed buildings

The Council's Heritage Consultant considers that the conservatory fails to preserve the special interest of the listed building and identifies this as 'less than substantial harm', pursuant to the National Planning Policy Framework (NPPF) 2023. As such the harm must be weighed against any public benefits of the proposal (NPPF paragraph 208).

The proposal seeks to bring the historic building to its optimum viable use which would lead to the investment and maintenance necessary to secure its long-term conservation and use. There is a growing elderly population in Harlow with an increased waiting list for properties of the sort provided at Sumners Farm Close. The proposed remodelling of the building and addition of the conservatory would enhance existing accommodation thereby helping to meet the needs of the diverse population of Harlow. It is noted that the remodelling of the farmhouse was proposed within the Supported Housing Review Report that was presented to the Scrutiny Committee in November 2017 and agreed by Cabinet in February 2018.

Pursuant to paragraph 208 officers consider that the public benefits of the proposal outweigh the harm identified. The proposal is therefore considered to be acceptable in terms of heritage impact and to be compliant with policy PL12.

### Character and appearance

Policy PL1 requires that development demonstrates a high standard of design and respect for its setting.

The proposed conservatory is considered acceptable in scale and design. It is suitably subservient in scale and would not result in any adverse impacts on the appearance and character of the street scene or its wider setting.

The proposal is acceptable pursuant to policy PL1.

### Other matters

No adverse impacts would result to neighbouring occupiers of the care home, or to any other nearby residents.

There are no implications for parking demand or highway safety given that the property remains four flats, as existing.

### **Equalities**

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

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

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

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

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

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

**Conclusion**

The proposed development is considered to comply with relevant Development Plan policies, including policy L2 which supports uses that provide the necessary infrastructure that underpins a healthy and prosperous community. The proposal is supported.

**RECOMMENDATION**

**That Committee resolve to grant 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>
P23617-BA-A1-FF-DR-A-3012 Rev P01 Existing First Floor Plan	28.11.2023

P23617-BA-A1-FF-DR-A-3201 Rev P02 Proposed First Floor Plan	28.11.2023
P23617-BA-A1-GF-DR-A-3010 Rev P01 Existing Site Plan and Location Plan	28.11.2023
P23617-BA-A1-GF-DR-A-3011 Rev P01 Existing Ground Floor Plan	28.11.2023
P23617-BA-A1-GF-DR-A-3200 Rev P02 Proposed Ground Floor Plan	28.11.2023
P23617-BA-A1-RF-DR-A-3013 Rev P01 Existing Roof Plan	28.11.2023
P23617-BA-A1-RF-DR-A-3202 Rev P02 Proposed Roof Plan	28.11.2023
P23617-BA-A1-XX-DR-A-4000 Rev P01 Existing Elevations	28.11.2023
P23617-BA-A1-XX-DR-A-4001 Rev P01 Existing Elevations	28.11.2023
P23617-BA-A1-XX-DR-A-4100 Rev P02 Proposed Elevations	28.11.2023
P23617-BA-A1-XX-DR-A-4101 Rev P02 Proposed Elevations	28.11.2023

## **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.

Elizabeth Beighton  
Development Manager

Contributing Officer  
Mick Gavin