

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

2 July 2025

REFERENCE: HW/HSE/25/00076

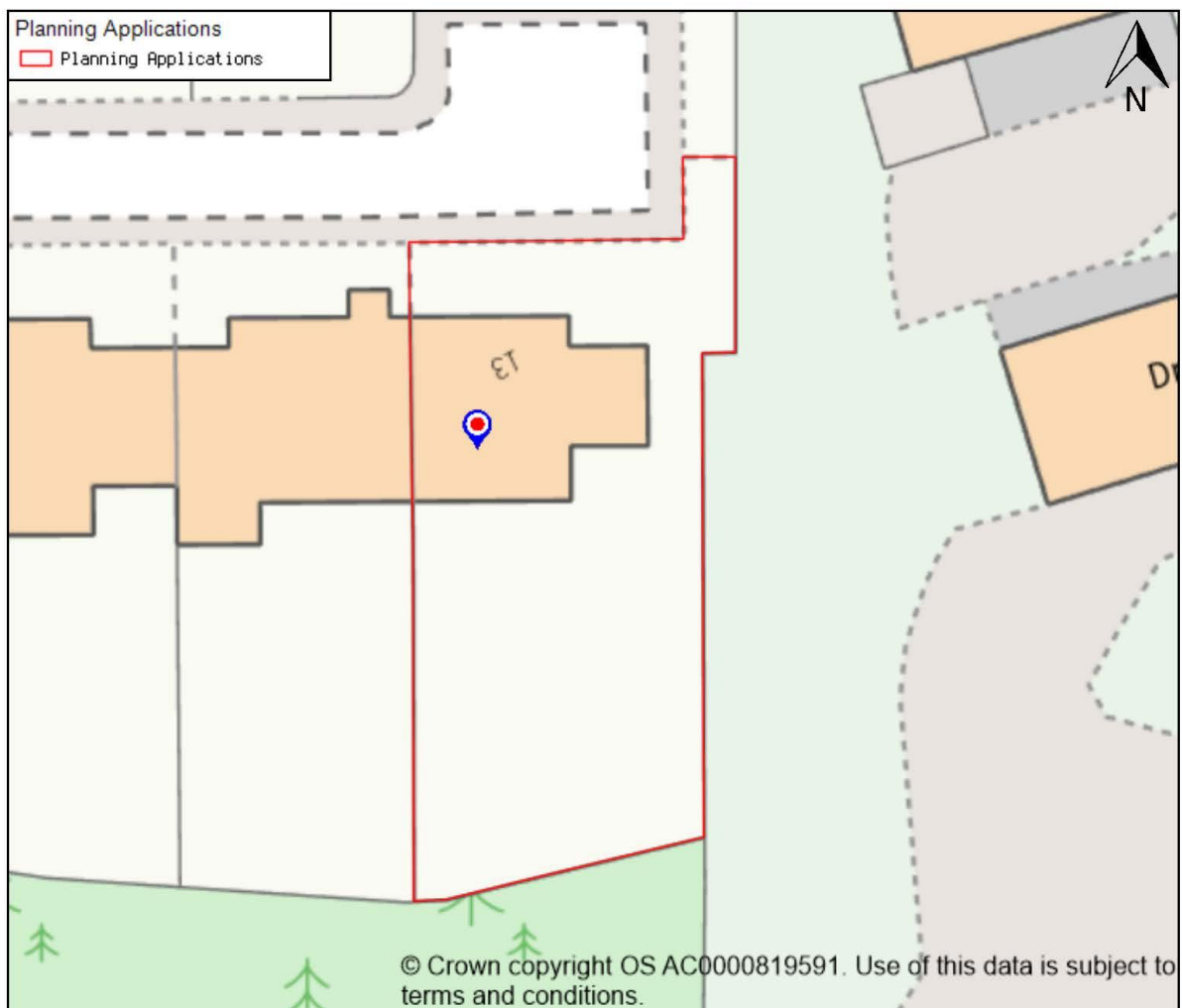
OFFICER: Chris Walter

APPLICANT: Mr Roy Keep

LOCATION: 13 Upper Park
Harlow
Essex
CM20 1TN

PROPOSAL: Construction of a two-storey side extension (Amended Proposal Description)

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 proposal is considered acceptable in terms of character and appearance, residential amenity, tree/Green Infrastructure/landscaping impact and parking/highways considerations. It complies with the relevant policies within the Local Plan and supplementary documents and is recommended for approval accordingly.

Application Site and Surroundings

The application site relates to 13 Upper Park, an end-of-terrace dwelling located towards the end of a cul-de-sac within a residential area of the Little Parndon and Town Centre ward. It shares a boundary to the west with No. 12. Princess Alexandra Hospital lies to the east. To the south of the dwelling is land designated as Green Finger, and there are several trees along the eastern boundary protected by TPO Order 92/10.

The property is not located within a conservation area, nor within the setting of listed buildings.

Details of the Proposal

Planning permission is sought for a two-storey side extension, measuring 3.9 metres in width, 6.8 metre in height and 9 metres in depth. It would project 3 metres beyond the main rear elevation wall of the dwelling, with a further 1.5-metre-deep ground floor addition.

The proposal would provide an additional two bedrooms, taking the total within the property to six.

RELEVANT PLANNING HISTORY:

There is no relevant planning history.

CONSULTATIONS

Internal and External Consultees

Harlow District Council - Tree Officer

The Council's tree officer originally recommended refusal until the applicant provided an Arboricultural Impact Assessment (AIA).

Following the submission of an AIA by the applicant, the tree officer has submitted additional commentary confirming that the proposed development has sufficiently considered the impacts to trees and green infrastructure. A condition requiring the development to be completed in full accordance with the details is requested to be imposed should planning permission be granted.

Neighbours and Additional Publicity

Total Number of Letters Sent: 6

Total Number of Representations Received: 3

Date Site Notice Expired: N/A

Date Press Notice Expired: N/A

Neighbour Consultation Period 1 Expired: 20th March 2025

Neighbour Consultation Period 2 Expired: 23rd June 2025

Summary of Representations Received

A total of three letters of objection were received across the two statutory consultation periods (two during the initial consultation; one objection following re-consultation from an original objector).

The following comments were raised that are material to the determination of this planning application:

- Design: clear intention to create two separate dwellings; neighbouring properties share similar character
- Trees: application site is adjacent to trees and should be supported by arboricultural assessment
- Parking: loss of garage will exacerbate local parking stress; set precedence; highway safety

Officer Comment: The issues raised within these representations, including impact to the character and appearance of the area; trees and parking/highway safety, will be discussed further under the appropriate sections of this report. The application has also been subject to negotiation between the case officer and agent, with the two proposed side entrances removed and creating a set back from the principal elevation to maintain/accommodate off-street parking.

PLANNING POLICY

National Planning Policy Framework (NPPF) (2024)

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 2024 version) and the associated Planning Practice Guidance (PPG) (first published in March 2014 but also regularly updated with the NPPF). The NPPF is a material consideration in the determination of applications.

Harlow Local Development Plan (2020)

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

The HDLP is prepared in the context of the National Planning Policy Framework (NPPF).

Policies of most relevance to the proposal are:

WE1 – Strategic Green Infrastructure

PL1 – Design Principles for Development
PL2 – Amenity Principles for Development
PL7 – Trees and Hedgerows
PL8 – Green Infrastructure and Landscaping
IN2 – Impact of Development on the Highways Network including Access and Servicing
IN3 – Parking Standards

Supplementary Planning Documents

The following are material planning considerations in the determination of applications and appeals:

HDC Design Guide SPD (2011)
Design Guide Addendum SPD (adopted December 2021).
Essex Parking Standards (2009)
HGGT Guidance

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

The NPPF 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 area's 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

The key planning matters assessed in the determination of this application are as follows:

- Principle of Development
- Character & Appearance
- Residential Amenity
- Trees, Green Infrastructure & Landscaping
- Parking & Highway Safety

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 and Appearance

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. Principle DG47 of the Harlow Design Guide SPD states that proposals for householder developments should respect the size, grain, height, materials, features and layout of the building to be extended. Extensions should be subordinate to the host property.

In design terms, the proposed two-storey side extension is of an appropriate size and height, with a roof that integrates well with the original dwelling. Its front building line would be set back from the principal elevation of the main dwelling by 1.3 metres and would be less than two-thirds the width of the existing dwelling, helping to reduce its visual prominence and ensure an appearance of subservience.

Section 4.12 of the Harlow Design Guide Addendum 2021 indicates in general the depth of rear extensions will not normally exceed 4 metres. While the 1.5-metre-deep single storey rear addition to the two-storey side extension would mean the proposal would exceed this guidance at ground floor level (4.5 metres), given the extension would be largely be screened from the public realm by surrounding development and trees, it would not result in unacceptable harm to the character and appearance of the wider area. Properties within this section of Upper Park also benefit from sizable plots and as such, the proposal would not appear cramped or represent overdevelopment within the context of the site.

To accommodate the ground floor layout alterations, the existing garage door would be replaced with a new window. The submitted drawings indicate that the replacement fenestration would be of an appropriate scale and design.

The proposal, on balance, would not result in unacceptable harm to the character and appearance of the application dwelling or area and is in general compliance with policy PL1 of the HLDP and the Harlow Design Guide SPD and Addendum.

Neighbouring Amenity

Policy PL2 of the HLDP, and the Harlow Design Guide, aim to ensure that developments do not adversely affect adjacent residents, taking into consideration impacts on access to daylight and sunlight, overshadowing, privacy and overlooking.

Given its siting in relation to surrounding properties, the scale, bulk and design of the proposal would not worsen outlook or light conditions for neighbouring occupants or create unacceptable visual overbearing impact. It would not give rise to unacceptable overlooking or loss of privacy concerns.

As such, the proposal is acceptable with regards to amenity impact considerations, in compliance with policy PL2 of the HLDP and the Harlow Design Guide SPD.

Trees, Green Infrastructure & Landscaping

Part (b) of policy PL1 states that proposals 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, Green Infrastructure including trees and landscaping, building typology and the historic environment.

Policy PL7 indicates that proposals should not result in unacceptable impacts to trees.

Policies PL8 and WE1 requires green infrastructure and landscaping to be protected and enhanced as part of development.

Following the submission of an Arboricultural Impact Assessment in support of the proposed development, the council's tree officer has identified the arboricultural impact is low. All construction activity is located outside the Root Protection Areas, with only minor pruning to a boundary hedge required.

Although some of the nearby trees are subject to Tree Preservation Orders, the proposed works, if undertaken in strict accordance with the preliminary method statement, are not anticipated to result in significant harm. Should planning permission be granted, it is therefore recommended that a condition be attached requiring the development to be completed in full accordance with the approved arboricultural details.

Subject to compliance with this performance condition, the development would not result in unacceptable harm to trees or Green Infrastructure and Landscaping, in compliance with policies PL1, PL7, PL8 and of the HLDP.

Parking and Highways

Policies IN2 and IN3 of the Harlow Local Development Plan 2020 indicate that development should not have an unacceptable impact on highway safety and congestion and be in accordance with the Essex Parking Standards 2009.

The Essex Parking Standards (2009) requires any dwelling with more than two bedrooms should have two off-street parking spaces. While proposal seeks to increase the number of bedrooms to six, as the property already benefits from four bedrooms, no further parking provision would be required.

It is noted that the proposal would result in the loss of the existing garage and a minimum of one available parking space. Notwithstanding, the application site benefits from a dropped kerb, which provides access to generously sized front curtilage parking of a sufficient size to accommodate two vehicles. It is also noted that other properties within the cul-de-sac benefit from garages and/or front drives, and the site is situated in a relatively sustainable location, approximately a mile away from key local amenities and bus stops within the Town Centre.

Notwithstanding such, permitted development rights for garage conversions have not been removed and as such this part of the proposal does not require planning permission and can be undertaken without any recourse to the local planning authority.

The proposal would not result in unacceptable long-term impacts to parking or highway safety, in compliance with policies IN2 & IN3 of the HLDP and the Essex Parking Standards 2009.

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 proposal would not result in unacceptable harm to the character and appearance of the application dwelling or area, neighbouring amenity, tree/Green Infrastructure/landscaping or parking/highway safety conditions. It is therefore in compliance 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 All new external work shall be carried out in materials of such colour or texture and with architectural detailing to match the existing facing work of the building.
REASON: In the interest of visual amenity and to accord with policy PL1 of the Harlow Local Development Plan, December 2020.
- 3 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 - 20250403-170957147 Final V1 by Greenwood. Any alterations to the agreed details must be prior approved by the Local Planning Authority (LPA) in writing.
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 Harlow Local Development Plan, December 2020.

- 4 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.

- 4 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>
Location Plan	26.02.2025
2746.01 Existing Elevations	26.02.2025
2746.02 Existing Plans	26.02.2025
2746.05 Rev G Proposed Elevations	04.06.2025
2746.06 Rev G Proposed Plans	04.06.2025
2746.07 Rev A Proposed Site Plan	16.06.2025
2746.10 Rev B Parking Arrangement	16.06.2025

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.

Kie Farrell
Interim Development Manager

Chris Walter
Contributing Officer