

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

2nd September 2020

REFERENCE: HW/FUL/20/00209

OFFICER: Nicholas Fu

APPLICANT: Ms W Makepeace

LOCATION: Land South Of Barn Mead
Partridge Road
Harlow
Essex

PROPOSAL: Installation of 9 car parking spaces, including 1 no. disabled parking bay. Proposed knee-rail fence along the parameter of the existing green

LOCATION PLAN



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REASON BROUGHT TO COMMITTEE

The application has been made by Harlow Council and more than two objections representations have been received which are contrary to the officer recommendation

Application Site and Surroundings

The site is a Council owned open grassed piece of land split into two halves by a vehicular access provided to the Abbot Care Home and the Barn Mead playing field. The site is located to the east of Partridge Road.

The northern portion of the site includes a piece of grassland, which measures approximately 30m by 90m, adjacent to the residential developments at Barn Mead. The southern portion of the site backs onto the properties at Five Acres with some trees along the boundary.

Details of the Proposal

The proposal seeks planning permission for the provision of nine parking spaces on the southern portion of the site, one of which would be a disabled parking space. The spaces would be orientated at an angle to the road. Each parking bay would be 2.8m wide by 5.5m deep except for the disabled bay which would be 3.9m in width. The existing tree would be retained, and the application indicates a “no-dig” construction method.

The proposal also includes knee-rail fence to be installed along the perimeter of the greenspace that forms the northern portion of the site.

RELEVANT PLANNING HISTORY

Planning Applications

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
HW/FUL/19/00389	Installation of 9 car parking spaces including 1 disabled car parking space	WDN	06.12.2019

CONSULTATIONS

Internal and External Consultees

HDC - Consultant Arborist

No objection – The proposal is achievable if in accordance with the construction methods as detailed in the arboricultural report, and a condition as such is recommended.

HDC - Senior Landscape Officer

The proposed surfacing materials with loose gravel might not be acceptable adjacent to the highway.

Essex County Council - Highways

1. It is worth noting that this ‘road’ is actually designated a cycleway officially and officially the only vehicular access is for the uses along its length.
2. Public footpath no.50 Harlow, is officially designated on the footway, opposite the proposed parking, through this section so will not be effected by the parking or the knee high railing proposed on the grassed area.
3. The main difference from the previous application is the gravel grid surface finish. In our experience gravel will still spill out of these grid systems, especially as these are set right to the very edge of the metalled surface; consequently it would be detrimental

to highway safety with specific regard to cyclists through this section. A buffer zone of unbound material 1-2m from the edge of the metalled surface would be required to limit gravel spilling out.

Neighbours and Additional Publicity

Number of Letters Sent: 43

Total Number of Representations Received: 5

Date Site Notice Expired: 10 July 2020

Date Press Notice Expired: N/A

Summary of Representations Received

5 representations were received, including a petition letter signed by 11 local residents. They raised the following concerns:

- The proposed layout does not make use of the site to its full potential. The number of spaces is not sufficient in meeting the local demands.
- The proposed knee rail fence would prevent the current informal parking on the grass area, in turn reducing the parking provision of the local area. This will have a knock-on effect on the existing parking problem in the nearby area
- The grassed area is currently a short-cut. The proposed knee rail fence will require pedestrians to take a longer path and prevent residents at Barn Mead from accessing their gardens from the back
- HGV and white goods vans should be banned from parking in this area
- This might result in Anti-Social Behaviour as the parking spaces could become a meeting spot

PLANNING POLICY

BE1:"Character and Identity" new and extended buildings should relate to their setting to strengthen, enhance, protect or create local character. Permission will be granted for new development providing: it is well connected to and integrated with the wider settlement; the height massing, layout, appearance and landscape makes an appropriate visual relationship with that of the form, grain, scale, materials and details of the surrounding area; building design is specific to the site and its context; it enhances the character, image and perception of the area when highly visible.

T9:"Vehicle Parking" parking shall be provided in accordance with the adopted vehicle parking standards. Justification is required for the amount of car parking proposed on an operational need and, if applicable, a Green Commuter Plan.

NE11:"Trees and Hedgerows" in considering applications for development affecting trees or hedges the following may be required: a survey of the site and trees and hedges concerned; oppose the loss of trees and hedgerows of amenity value and wildlife importance; serve TPO's to protect trees with public amenity value; may impose conditions to ensure the retention or replacement of trees and hedgerows of amenity value or wildlife importance and their protection during construction.

NE7:"Internal Open Spaces" proposed development on internal open spaces will only be permitted for: leisure and recreation; community uses, including associated facilities.

Harlow Local Development Plan Pre-Submission Publication (2018)

The new Harlow Local Development Plan is currently being examined by an Inspector appointed by the Secretary of State.

Paragraph 48 of the NPPF sets out that weight may be given to relevant policies in emerging local plans according to the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The 'Harlow Local Development Plan Pre-submission Publication' (the 'emerging Local Plan') was submitted for examination in October 2018. The Examination started with public hearings which ran between March and April 2019.

In December 2019, the Inspector wrote to the Council with suggested modifications to the emerging Local Plan. The modifications are necessary in order to ensure the Plan is sound, that issues raised during the Examination have been considered, and that the Plan can, therefore, be formally adopted by the Council.

The detailed Main Modifications to the emerging Local Plan, was consulted upon between 12 March and 31 May 2020. The Inspector is considering any representations made to these modifications, before issuing his final report, but it is anticipated the Plan will be formally adopted by the Council in autumn 2020.

It is considered, therefore, that the policies within the emerging Local Plan are consistent with the policies in the 2012 NPPF, as it was submitted during the transition period between the 2012 and 2018 NPPF versions. Significant weight can, therefore, be given to relevant emerging Local Plan policies at this stage. Relevant policies are discussed within the Planning Assessment section.

PLANNING STANDARDS

National Planning Policy Framework (NPPF) (2019) - 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.

Supplementary Planning Documents/Current Planning Guidance

The Harlow Design Guide SPD (2011)
The Essex Parking Standards: Design and Good Practice (2009)
Planning Practice Guidance (PPG)

PLANNING ASSESSMENT

The main issues in consideration of this application are the principle of development, its impact on the character and appearance of the area, neighbour amenity, and pedestrian and highway safety.

Principle of development

The application site is currently being used for informal parking. The proposal to provide organised parking arrangement in this location is considered to be in principle acceptable. The community benefit of providing parking spaces for local residents is a material consideration that weighs in favour of the scheme.

The proposal is on land that constitutes Internal Open Space and therefore Policy NE7 of the ARHLP is relevant. The aim of Policy NE7 is to ensure that development does not compromise the landscape principles of the town. The proposal would provide a community benefit while retaining the openness of the site. Therefore, on balance, it is considered to accord with Policy NE7 in terms of the use of the land proposed.

The proposed development is therefore considered acceptable in principle.

Character and appearance

Policy BE1 of the ARHLP requires development to enhance the character and appearance of the surrounding area. In addition, Policy NE7 of the ARHLP requires that the landscape principles of the town are not compromised by development.

The area surrounding the site is residential in nature with mostly two storey terraced houses. The application site is, therefore, an important green space providing a spatial relief to the high-density developments of this area. The green space to the north of the site would be retained which is in line with the objectives of Policy NE7 of the ARHLP.

The proposal includes 9 parking spaces on the southern portion of the application site, which would result in some changes to the appearance of the streetscene. Nevertheless, there are still sufficient soft landscaping elements provided the trees. It is considered that the visual value would not outweigh the provision of parking which is required at this location. Moreover, with the green space to the north being retained, the openness of the site would not be significantly affected. It is therefore considered that the impacts on the overall character and appearance of the wider area would be acceptable.

The proposed knee-rail fence would be installed along the perimeter of the grassed area. The design of the knee-rail fence is not provided, but it is expected to be at knee-height and have a simple appearance. Open Space should be retained for public enjoyment and restricted access should not be encouraged. However, it is understood that the purpose of the fence is to prevent inappropriate parking onto the grassed area. It is considered that small openings or gates would allow the public to access this green space by foot while still prevent inappropriate parking. This can be secured by a condition.

Trees

The proposed parking spaces would be in close proximity to the existing trees. An Arboricultural Report has been submitted which indicates no trees are required to be removed. The method statement contains therein indicates the use a "no-dig" construction method. The Council's Arboricultural Officer reviewed the submission and is satisfied with the proposed

tree protection. The proposal is therefore on balance considered acceptable in arboricultural terms, subject to a condition ensuring the proposed works would be carried out in full accordance with the details contained within the approved Arboricultural Report.

Amenities of neighbours

The proposed parking spaces would be separated from the properties at Five Acres by the existing trees and vegetation.

It is considered that proposed off-street parking spaces would provide a more organised parking arrangement when compared to the existing situation, and therefore would have a positive impact to the amenities of neighbours.

A neighbour is concerned that the parking spaces could become a meeting spot which encourages anti-social behaviour. However, the application site is currently being used as informal parking. The current proposal would provide a more organised parking arrangement than the current situation, which is considered to be an improvement.

Pedestrian and Highway Safety

The proposal would provide 9 parking spaces. Except for the disabled spaces, the proposed spaces are 0.1m narrower than the Essex Parking Standards requirement but this would not be sufficient to constitute a refusal to the application.

In order to achieve the no dig construction method to protect the nearby trees, the proposed parking spaces would be surfaced with gravel within a grid system. The Highway Authority raised concerns regarding the proposed surfacing materials, as any loose gravel spilled onto the road could result in potential risk to other road users especially cyclists. The Highway Engineer reiterates there is no objection to the use of the proposed surfacing materials, but there should be no loose materials within 1m from the road kerb. This can be controlled by a condition.

Some local residents pointed out the 9 proposed spaces would not be able to cope with the local demands. The assessment of this application was based on the information presented to Local Planning Authority. It would also be outside to scope of this application to request more parking spaces to be provided in other locations. Notwithstanding this, it is considered that the proposal includes an optimal number of parking spaces in view of the arboricultural constraint and the overall character and appearance of this site.

CONCLUSIONS

The proposal would provide much needed parking spaces within the site by use of a formal layout. It would have an acceptable impact in terms of character and appearance. The existing trees within the site would be retained and the submitted arboricultural report proposed satisfactory level of protection to the trees. The proposal would not result in significant adverse effects on the residential amenities of neighbours. It is therefore recommended for approval subject to conditions.

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 Notwithstanding the approved details, no development shall take place until full details of the proposed knee rail fence are submitted to and approved in writing by the Local Planning Authority. The submission shall include detailed dimensions, design, materials and appearance of the knee rail fence. The fence shall include openings or gates to allow for pedestrian and disabled access. Prior to the first use of the car parking spaces hereby approved, the approved fencing details shall be fully implemented and thereafter retained in perpetuity for their intended purpose.
REASON: In the interest of visual amenity and to ensure the internal open space remains accessible to the public, in accordance with policies BE1 and NE7 of the Adopted Replacement Harlow Local Plan, July 2006.
- 3 The proposed development shall be completed in full accordance with the approved arboricultural report (Prepared by Chris Davies Consultant Arboriculturalist, reference 1234.2, dated March 2020). Any alterations to the agreed details must be first submitted to and approved by in writing the Local Planning Authority.
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 Policy NE11 of the Adopted Replacement Harlow Local Plan, July 2006.
- 4 Notwithstanding the approved details, there shall be no unbound material 1m from the highway kerb.
REASON: To limit gravel spill out in the interest of highway safety.
- 5 The development hereby permitted shall be carried out in accordance with the following approved plans:
REASON: For the avoidance of doubt and in the interests of proper planning.

Plan Reference	Version No.	Plan Type	Date Received
2379 SK01	REV B	Proposed Parking Layout	06.05.2020

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.

- 2 No demolition or construction work shall be undertaken outside of the hours of 8.00am to 6.30pm Monday to Friday and 8.00am to 1.00pm on a Saturday. No work shall be carried out on a Sunday or public/bank holiday.