

5a 3/13/1215/RP – Application for approval of reserved matters in respect of 3/11/0554/OP for appearance, landscaping, layout and scale for erection of 200 residential units and associated roadworks, landscaping, materials' and Public Open Space at Terlings Park, Eastwick Road, Eastwick, Harlow, Herts, CM20 2QR for Bloor Homes South Midlands

Date of Receipt: 15.07.2013

Type: Full – Major

Parish: GILSTON

Ward: HUNSDON

RECOMMENDATION:

(a) That East Herts Council agree to a variation of the Section 106 agreement, associated with lpa references 3/11/0554/OP and 3/13/1023/FO, to remove wording regarding Designated Protected Areas which prevents shared ownership units being staircased to 100%.

(b) That the Reserved Matters be **APPROVED** subject to the following conditions:

1. Approved plans (2E10)

(TERLINGS – LP, N532 – 118, N532/mat rev, NO – TERL – SL – 002, JBA 13/17 – DT1, JBA 13/170-07B, JBA 13/170 – 06B, JBA 13/170 – 05B, JBA 13/170 – 04B, JBA 13/170 - 03A, JBA 13/170 – 02A, JBA 13/170 – 01A, NO – TERL – SL – 001K, NO – 0002 – 13 – STSC.01B, NO – 002 -13 – STSC.02B, SM532 – EN – 123 C, 5F.01, 5F.02, 4H.04, 4H.05, 4H.06, 4G.03, 4G.04, 3E.03, 3E.04, 3F.01, 4J-4K.05, 4J-4K.06, 66a-66b.01, 66a-66b.02, 4J-4K.03, 4J-4K.04, 4J-4K.07, 4J-4K.08, 4J-4K.01, 4J-4K.02, 3B.01, 3B.02, 3B.03, 3B.04, 3E.09, 3E.10, 4A.01, 4A.02, 4B.02, 4B.03, 4I.01, 4I.02, 4D.01, 4C.01, 4C.02, 4G.05, 4G.06, 4D.02, 4C.03, 4C.04, 2AA.01, 2AA.02, 2AA.03, 2AA.04, 2AA.05, 2BA.05, 2BA.03, 2BA.04, 1AA and 2BA.01, 1AA and 2BA.02, 1AA and 2BA.03, 2BA and 3AA.03, 2BA and 3AA.04, 2BA and 3AA.05, 2BA and 3AA.06, 2BA and 3AA.01, 2BA and 3AA.02, 2BA.01, 2BA.02, 3B.05, 3B.06, 3B.07, 3B.08, 5C.03, 5C.04, 2C.01, 2B.03, 2B.04, 2D.01, 2D.02, 2D.03, 2D.04, 2D.05, 5C.01, 5C.02, 5G.05, 5G.06, 5G.03, 5G.04, 5G.01, 5G.02, 4P.03, 4P.04, 4P.01, 4P.02, 5G.09, 5G.10, 3A.01, 3A.03, 3A.02, 5B.01, 5B.02, 4F.02, 2A.01, 2B.01, 2B.02, 5B.03, 5B.04, 5B.11, 5B.12, 4F.03, 3E.05, 3E.06, 3B and 3C.01, 3B and 3C.02, 4J-4K.09, 4J-4K.10, 4J-4K.11, 4J-4K.12, 3D.01, 3D.02, 3D.03, 3D.04, 4J-4K.13, 4J-4K.14, 4J-4K.15, 4J-4K.16, 4N.03,

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4N.04, 4N.01, 4N.02, 4E.01, 5B.05, 5B.06, 4M.01, 4M.02, 4N.05, 4N.06, 4B.01, 3E.07, 3E.08, 5F.07, 5F.08, 5F.05, 5F.06, 5B.07, 5B.08, 5G.07, 5G.08, 4H.01, 4H.02, 4H.03, 5B.09, 5B.10, 4G.07, 4G.08, 5D.01, 5D.02, 5F.03, 5F.04, 5E.01, 5E.02, 5A.01, 5A.02, 5A.01, 5A.02, 3E.01, 3E.02, 4G.01, 4G.02, HOG-01, HOG-SALES, Gar.01, Gar.02, Gar.03, 2AA.01).

2. Prior to the commencement of works above ground level for the dwellings hereby approved, the external materials of construction shall be approved in writing by the Local Planning Authority and the development shall thereafter be implemented in accordance with the approved materials.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

3. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development Order), 1995 the erection or construction of gates, fences, walls or other means of enclosure adjacent to a highway used for vehicular traffic as described in Schedule 2, Part 2, Class A of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity and in accordance with policy ENV9 of the East Herts Local Plan Second Review April 2007.

4. All materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas shall be approved in writing by the Local Planning Authority prior to the commencement of the works associated with this hardsurfacing. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development does not detract from the appearance of the locality, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

5. Prior to the commencement of the development, full details of both hard and soft landscape proposals in respect of the western site boundary with Burnt Mill Lane shall be submitted to and approved in writing by the Local Planning Authority. These details shall

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include, as appropriate: (a) Means of enclosure (b) Planting plans (c) Written specifications (including cultivation and other operations associated with plant and grass establishment) (d) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (e) Implementation timetables. Thereafter the development shall proceed in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

6. Prior to the commencement of the works associated with pedestrian and cyclist access points C and D, further details shall be submitted to and approved in writing by the Local Planning Authority to include sections showing the changing land levels in the case of access point C and for both access points full details of both hard and soft landscape proposals. These details shall include, as appropriate: (a) Means of enclosure (b) Hard surfacing materials (c) Minor artefacts and structures (e.g. furniture, signs, lighting) (d) Planting plans (e) Written specifications (including cultivation and other operations associated with plant and grass establishment) (f) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (l) Implementation timetables. Thereafter the development shall proceed in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

7. All hard and soft landscape works shown on the submitted drawings and additionally required by Conditions 5 and 6, shall be carried out in accordance with the approved details. New planting shall take place by the end of the first available planting season following the first occupation of the dwellings. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance

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of a reasonable standard of landscaping in accordance with the approved designs, in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007 and national guidance in section 7 of the National Planning Policy Framework.

8. Prior to the occupation of the first dwelling detailed plans to show the boundary treatment around the vehicular access into the site from Eastwick Road and the pedestrian public access into the open space shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details prior to the first occupation of 51% of the dwellings.

Reason: To ensure that the development does not detract from the appearance of the locality and the openness of the Green Belt and to ensure that an adequate public access is made into the public open space in accordance with the aims of Policies ENV1 and GBC1 of the East Herts Local Plan Second Review April 2007.

9. Provision and retention of parking spaces (3V23)
10. Prior to the occupation of the first dwelling house the public footpaths/cycle paths and play areas within the public open space as shown on the approved plans shall be provided in accordance with the agreed details, and thereafter retained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate provision within the public open space areas is made, in accordance with policies ENV1 and LRC3 of the East Herts Local Plan Second Review April 2007.

Directives:

1. 07OP Outline permission relationship
2. 08PO Planning Obligation
3. The applicant is advised that development should proceed with caution and should the presence of any European protected species, and in particular Bats and Great Crested Newts, be found during the implementation of the development works should cease and advice should be sought from a suitably qualified ecologist on how to proceed lawfully.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2012 (as amended). The balance of the considerations having regard to those policies and the Outline planning permission granted under Ipa references 3/11/0554/RP and 3/13/1023/FO is that permission should be granted.

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1.0 Background:

- 1.1 The application site is shown on the attached OS extract. The site is located within the Metropolitan Green Belt, south of the village of Gilston. Eastwick is situated approximately 1 km west of the application site. The River Stort, which is within close proximity of the southern boundary of the site marks the boundary between Hertfordshire and Essex. A short distance beyond the river is Harlow Town train station and beyond that the residential and commercial areas of the town.
- 1.2 The site is designated as a Major Developed Site (MDS) in the adopted Local Plan.
- 1.3 The site was previously occupied by a variety of single, two and three storey buildings that provided approximately 46,460 sqm of floor space for laboratories, offices and ancillary buildings that were used by a medical research and development company. The site has been vacant for some time and the buildings have recently been demolished.
- 1.4 Outline planning permission was granted for the redevelopment of the site for residential purposes in March 2013 under Ipa reference 3/11/0554/OP and variations to the approved parameter plans were agreed under Ipa reference 3/13/1023/FO. These applications approved the principle of residential development at the site and the access, with all other matters being reserved.
- 1.5 The Outline permission was granted subject to a Section 106 agreement which, amongst other obligations, requires a 20% affordable housing contribution. Some of this affordable housing is to be provided on a 'shared ownership' basis – where the occupier can purchase a

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percentage share of the equity of the property from the Registered Provider. The agreement also currently allows for further shares of the affordable units to be purchased by the lease holder (known as 'staircasing') but subject to a maximum limit of 80% of the property. This is in accordance with the Council's general policy on affordable housing in 'Designated Protected Areas' (usually rural areas where it is desirable to protect small pockets of affordable housing).

- 1.6 The current proposal, the subject of recommendation (a) above, is to remove this restriction, to allow 100% 'staircasing' of these shared ownership units on this site. This change is sought because of the current lack of grant funding for these units which results in a need for higher deposits from purchasers and which, in turn, makes them less affordable and deliverable.
- 1.7 The application for reserved matters in this case relates to appearance, landscaping, layout and scale. In addition to these matters, details have also been submitted in relation to the proposed boundary treatment, materials and the Green Travel Plan which was required by condition on the Outline planning permission.
- 1.8 A total of 200 dwellings are proposed at the site. The mix of dwellings proposed is as follows:
 - 4No. 1 bedroom affordable apartments;
 - 12No. 2 bedroom affordable apartments;
 - 19No 2 bedroom affordable houses;
 - 5No. 3 bedroom affordable houses;
 - 26No. 2 bedroom market apartments;
 - 27No. 3 Bedroom market houses;
 - 80No. 4 bedroom market houses;
 - 27No. 5 bedroom market houses.
- 1.9 The dwellings are proposed to be sited within the development plots that were approved by the Outline planning permission. A large area of public open space is proposed to the east and southern edges of the site. Public footpaths, play spaces and balancing ponds are proposed within this open space. A corridor of additional open space is proposed leading from the main site access, through the centre of the site and into the public open space to the south.
- 1.10 A total parking provision of 495 car parking spaces are proposed within the site, 163 of these spaces are provided within garages, with the remaining being within the private driveways or spaces that have been

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made within the street. Most of the market dwellings have space to park a minimum of 2 cars on their driveways in addition to the garages. Most of the affordable dwelling houses benefit from two parking spaces, with some benefiting from 1 space with a number of shared visitor spaces. The 3 blocks of market apartments contain 6 units, each with a garage at ground floor and additional shared visitors spaces. The affordable apartments each have 1 space and benefit from a number of shared visitor spaces.

- 1.11 Following discussions that took place between Officers, the Parish Council and the applicant, amended plans have been submitted in respect of the proposed landscaping and boundary treatment. The gates that were previously shown at various points within the site have now been removed with the exception of the gates into the 3 market apartment blocks.

2.0 Site History:

- 2.1 The relevant planning history for the site is as follows:
- 2.2 Members will recall that authorisation was given at the September 2013 Development Management Committee meeting to grant planning permission for a Section 73 application for a variation of conditions to agree amended plans in relation to the minimum building heights, the maximum developable plot boundaries and the removal of the pedestrian Access Point B. The planning reference number for this application is 3/13/1023/FO.
- 2.3 Outline planning permission was granted in March 2013 under reference 3/11/0554/OP for the redevelopment of the site comprising a residential scheme of up to 37,068 sq.m. (GIA) residential floor space and ancillary facilities and services.
- 2.4 Officers determined that Prior Approval was not required for the demolition of the existing building at the site in October 2012 and they have now been demolished.

3.0 Consultation Responses:

- 3.1 Thames Water have commended that the application does not affect them and therefore have no observations to make.
- 3.2 The Herts Biological Records Centre (HBRC) initially commented that the surveys carried out at the site identified the presence of bats within the Coach House and therefore the Planning Authority would need to

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apply the '3 derogation tests', a bat license would be needed before any works start on the Coach House and measures would need to be taken to protect badgers and all of the ecological reports submitted needed to be repeated and conditions imposed to protect specific species and their habitats.

- 3.3 However, HBRC confirmed to Officers in an email dated 11th June 2013, following the demolition of the buildings at the site that no further ecological surveys were required to be carried out. A subsequent representation has been received which confirms that bat surveys are not now required. However they recommend that clarification is sought in respect of active badger setts and written confirmation should be provided from the developers ecological consultants in respect of whether there are any outstanding ecological issues that are relevant to the site.
- 3.4 The Council's Engineers have commented that the proposals show significant green infrastructure SUDS such as pond swales and other above ground features. Such infrastructure, once constructed, will provide enhanced flood risk reduction, water quality improvements and associated environmental benefits to the development and the surrounding area.
- 3.5 The Environment Agency has no objections to the proposals. The conditions applied to the Outline permission still apply and address all of their concerns.
- 3.6 The Herts and Middlesex Wildlife Trust have recommended that the proposed landscaping is revised to make a positive contribution to the ecological network of the Stort Valley, ensure that a habitat management plan is produced, secure positive ongoing management of the green spaces and habitats in accordance with an agreed management plan.
- 3.7 County Highways do not wish to restrict the grant of permission subject to conditions that relate to details of hard surfacing for vehicular areas, areas of parking for construction workers to be provided within the site and the provision of wheel washing facilities.
- 3.8 Natural England has commented that the Planning Authority should ensure that ecological surveys are carried out and the applicant should consider measures to enhance biodiversity.
- 3.9 The County Historic Environment Unit comment that a report on archaeological evaluation is yet to be submitted and therefore the

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condition placed on the Outline permission cannot yet be discharged.

- 3.10 The Council's Conservation Officer has recommended approval. They have commented that the proposed development would have limited impact on the significance of the adjacent listed Lodge building. The different housing typologies, design, use of materials and density reflect their location within the site. Local distinctiveness has been achieved through the palettes of materials and colours between the different areas of development which reflect the wider character and appearance of Gilston and the associated Listed Building. The hard surfacing used within the site should be of a high quality.
- 3.11 The Council's Landscape Officer has recommended approval. They have commented that there would be no unacceptable impact upon protected trees and that the landscape proposals are acceptable, however, further details are required in respect of the proposed pedestrian access points onto Burnt Mill Lane where some re-grading will be required.
- 3.12 The Council's Housing Officer has commented that the Terlings Park scheme is unusual in terms of its location adjoining the village of Gilston with many services and facilities being located in Harlow. It is a significant rural scheme and the 'Designated Protected Areas' status is intended to protect small rural schemes particularly where affordable housing is to be grant funded. The scheme includes 20 shared ownership properties which is a significant number for a rural location and there is no grant funding.

The current funding situation for potential buyers means that there are limited mortgage providers for shared ownership units which cannot be 'staircased' to 100%. These mortgage products often require a higher deposit. This would limit their attractiveness to eligible buyers.

Registered Providers seeking to acquire the affordable housing properties have raised concerns about the level of risk the shared ownership units would bring if they cannot be 'staircased' to 100%.

The Housing Team would like the wording removed to allow the properties to be 'staircased' to 100% to provide potential buyers with a wider choice of mortgages product and for Registered Providers to manage the stock with a lower financial risk to their business.

4.0 Parish Council Representations:

- 4.1 There has been an ongoing dialogue between Officers, the Eastwick

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and Gilston Parish Council and Bloor Homes and a meeting took place between all three parties to discuss some initial concerns raised by the Parish Council. The following matters were discussed during the meeting:

- Gated Areas;
- Light pollution and security lighting;
- Security Fencing and boundary treatment;
- Landscape Management and Public Access;
- Social Housing.

4.2 Since the meeting, the applicant has submitted a number of amended plans. The Parish Council has been re-consulted on the amended plans and their comments will be reported to Members at the Committee meeting.

5.0 Other Representations:

5.1 The application has been advertised by way of press notice, site notice and neighbour notification.

5.2 Two letters of representation have been received which can be summarised as follows:

- No consideration has been given to the increased amount of traffic congestion that would be created, the road is already difficult to cross as congestion is frequent every morning;
- The scheme fails to optimise the site for the community, East Herts and the developer;
- The site will double the size of the community but does not integrate the new housing into the community;
- The affordable housing is poorly designed on the edge of the site;
- The design promotes social exclusion through creating gated communities;
- The design seeks to retain existing barriers sitting behind 'terrorist fencing';
- The scheme fails to provide a comprehensive landscape management plan;
- A CABE design panel review has been requested.

6.0 Policy:

6.1 The relevant 'saved' Local Plan policies in this application include the following:

GBC1	Green Belt
GBC4	Major Developed Sites
SD1	Making Development More Sustainable
SD2	Settlement Hierarchy
SD3	Renewable Energy
HSG1	Assessment of Sites not Allocated in This Plan
HSG3	Affordable Housing
HSG4	Affordable Housing Criteria
HSG6	Lifetime Homes
TR1	Traffic Reduction in New Developments
TR2	Access to New Developments
TR3	Transport Assessments
TR4	Travel Plans
TR7	Car Parking- Standards
TR8	Car Parking-Accessibility Contributions
TR20	Development Generating Traffic on Rural Roads
EDE2	Loss of Employment Sites
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV3	Planning Out Crime-New Development
ENV9	Withdrawal of Domestic Permitted Development Rights
ENV11	Protection of Existing Hedgerows and Trees
ENV16	Protected Species
ENV18	Water Environment
ENV19	Development in areas liable to flood
ENV20	Groundwater Protection
ENV21	Surface Water Drainage
ENV23	Light Pollution and Floodlighting
ENV24	Noise Generating Development
BH1	Archaeology and New Development
BH2	Archaeological Evaluations and Assessments
BH3	Archaeological Conditions and Agreements
IMP1	Planning Conditions and Obligations

6.2 The National Planning Policy Framework (NPPF) is also a material consideration in the determination of the application.

7.0 Considerations:

7.1 As already stated, outline planning permission has been granted for a residential development at the site. This permission authorised the residential use and the access arrangements with all other matters remaining reserved. The considerations relating to the principle of the residential use, the loss of the previous employment premises, and the

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access into the site have already been considered and accepted by the Council. The determining issues in respect of the current application are in relation to the proposed appearance, landscaping, layout and scale of the development.

Scale

- 7.2 The Outline permission agreed a maximum residential floor space, maximum build areas and building heights. However, a precise number of dwellings and the scale of individual plots were not known at that stage.
- 7.3 The current application proposes a total of 200 dwellings in the form of detached, semi-detached and terraced dwelling houses with 4 blocks of apartments spread across the site. A mix of 2 and 3 storey dwellings are proposed, with all of the apartment blocks being 3 storeys in height.
- 7.4 Whilst it is acknowledged that the scale of development proposed is considerable, given the size of the existing village of Gilston, the proposed development has been designed with the aim of reducing the impact of this on the village and surroundings. All of the proposed dwellings retain a set back from the north and western boundaries of the site with Eastwick Road and Burnt Mill Lane, with rear gardens adjoining these boundaries. This design will enable the maximum protection of the boundary landscaping and the set back will reduce the amount of development that can be seen from public views outside of the site. This would ensure that the development would not appear unduly conspicuous in relation to the existing village.
- 7.5 It was determined within the Outline permission that the proposed residential development would not have a greater impact upon the openness of the Green Belt than the previous development at the site. The detailed matters that have now been submitted show a total floor space and building heights that are considerably lower than the maximum parameters agreed with the Outline permission. The overall scale of development has reduced from that anticipated at the Outline stage. Furthermore, the scale of the individual buildings appears to be appropriate for the site.
- 7.6 Having regard to the parameters of development permitted by the Outline planning permission, Officers consider the scale of the proposed development to be acceptable.

Layout

- 7.7 The layout of the site has been largely dictated by the development plot boundaries that were agreed within the Outline permission. The recently approved Section 73 application, which allowed some changes to these plot boundaries, has allowed some flexibility to the proposed site layout which Officers consider has led to an improved overall design and appearance.
- 7.8 The large areas of public open space to the east and south is a benefit to the scheme which is unusual for a residential development of this kind. As well as the public access points into this open space from Eastwick Road and Burnt Mill Lane, there would be a number of pedestrian links into this space from the residential site itself. The additional corridor of open space that leads through the centre of the site will be beneficial for future residents; will enhance connectivity to the public open space and will provide good legibility through the site.
- 7.9 The proposed layout provides sufficient spacing between dwellings to protect the amenities of the occupiers and to break up the block of buildings. In most places the dwellings front onto a highway which will create active street scenes.
- 7.10 Members may recall that Officers raised some concerns in respect of the indicative site layout that was submitted with the original Outline permission. Officers commented as follows: *'the layout would result in a development that would appear to lack character due to the rigid blocks of houses, which in some cases offer a small area of amenity space and would have a close relationship to one-another resulting in overlooking and a poor outlook'*. Officers consider that the site layout has considerably improved since the plans that were submitted at Outline stage. Whilst the previously agreed development plots, which reflect the positions of the previous development at the site, do divide the site into broad blocks of development, these areas are no longer rigid and lacking in character as was the case with the previous plans for the site.
- 7.11 Officers are satisfied that the current proposal reflects a high standard of layout and therefore consider this aspect of the Reserved Matters to be acceptable.

Appearance

- 7.12 The proposed buildings are generally of a traditional design. All of the dwellings have pitched roofs and a number of them have design features that include gable ended projections, bay windows, porches,

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chimneys and window lintels which add interest to the detailed design of the dwellings. Furthermore, these are features that appear within a number of the dwellings which front onto Eastwick Road, within the village of Gilston.

- 7.13 The apartment buildings are 3 storeys in heights with pitched roofs. The elevations of these buildings are fragmented and additional interest has been added to the design by the use of balconies and Ashlar rendering.
- 7.14 A plan has been submitted to detail the proposed external materials of construction. The plan submitted details 3 kinds of red brick, white render, white Ashlar render, black weatherboarding, slate, red clay tiles and red concrete tiles. The proposed materials would be mixed across the site. Officers have considered the details of materials submitted and consider the proposed bricks, render and weatherboarding to be acceptable. However, Officers are concerned by the proposed use of concrete roof tiles. The dwellings where the concrete roof tiles are proposed include a number of Plots adjacent to both the northern and western site boundaries with Eastwick Road and Burnt Mill Lane. Officers are concerned by the appearance of the proposed concrete tiles which would be visible in these locations from outside of the site and suggest that a clay tile would be more appropriate. Officers would also suggest that the developer considers the use of different roof materials for the outbuildings to those used for the roofs of the dwellings to break up the materials used. This would be particularly beneficial in the cases of Plots 19-23 and 65-71 where there are large elevations that are broken up by single storey car port structures. Additional information in respect of the colour of the render is also required, with an 'off-white' being preferred to white. Due to these concerns in respect of the current submission a condition is recommended to require details of materials to be submitted and agreed by the Planning Authority.
- 7.15 Notwithstanding the above concerns in respect of the proposed materials of construction, Officers consider that the detailed design of the proposed development is of a high standard that would create attractive street scenes within the site itself and would not be detrimental to the character of the village as a whole.

Landscaping

- 7.16 Full landscape plans have been submitted for the site showing all of the soft landscaping to be retained and details of new planting. The plans show that the existing landscaping along the Eastwick Road boundary would be retained and 'gapped up'. The current plans that have been

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submitted stop short of the boundary with Burnt Mill Lane and therefore Officers have recommended a condition to require the submission of a full landscape plan for this area, which would be expected to show that the existing boundary landscaping would be retained and 'gapped up' as is the case for the boundary with Eastwick Road. Officers consider that it is important to ensure that the existing landscaping along the boundaries with Eastwick Road and Burnt Mill Lane is retained to provide some screening of the dwellings, maintain the existing rural character of the village and ensure that the resulting development would not have a significantly greater impact upon the openness of the Green Belt than the previous use and buildings at the site.

- 7.17 The Council's Landscape Officer has confirmed that there would be no unacceptable impact upon significant trees and that the landscape proposals are acceptable.
- 7.18 Further details in respect of the creation of pedestrian and cyclist access points C and D are required to be submitted and agreed in writing by condition. Whilst some sections have been provided for access point D, detailed plans and sections are not currently available for access point C. Furthermore, it is anticipated that both access points may require some form of lighting, signage and hard standing, details of which should be agreed by the Planning Authority.
- 7.19 Following concerns that were raised by the Parish Council, amended plans have been received, including a boundary treatment plan. The Parish raised concerns in respect of the number of gates that were shown on the plans which would create 'gated communities' within the site. Following discussions with the developer, all of these gates have now been removed with the exception of the gates proposed leading into the 3 market apartment blocks. Officers consider that the removal of most of the gates improves the scheme and increases legibility and accessibility within the site. As the apartment blocks do not have any private amenity space or driveways, the benefits of gates to provide secure courtyards are understood and therefore there are no objections to the retention of gates for the apartments. As was discussed during the meeting that took place between the Parish Council, Bloor Homes and Officers, a condition is recommended to restrict 'Permitted Development' rights so that no gates, walls or fences can be erected adjacent to or across a highway without the need for planning permission. Officers consider this condition to be reasonable in this case to ensure that the site is integrated into the existing village by enabling good accessibility through the site for the existing residents of the village as well as the new residents.

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- 7.20 An indicative plan has been submitted to show brick walls and a pedestrian archway providing access into the public open space to the entrance of the site from Eastwick Road. As these plans are only indicative at this stage and do not form the final plans for this part of the site, a condition is recommended to require the submission of full details to be agreed by the Planning Authority.

Affordable Housing

- 7.21 At the meeting that took place between the applicant, Officers and the Parish Council, the location of the affordable housing units was discussed, following concerns that had been raised by the Parish Council.
- 7.22 The affordable units are proposed to commence within the north west corner of the site and extending south adjacent to the western site boundary. A total of 40 affordable units will be provided at the site. The Council's Affordable Housing SPD, January 2008, states that on sites incorporating 30 or more residential units the affordable housing should be provided in groups of no more than 15% of the total number of the units being provided, or 25 affordable units, whichever is the lesser.
- 7.23 Whilst the affordable units in this case are generally located within the North West and western sections of the site, they all front onto the access roads with market housing on the opposite side. The affordable units are not located within isolated sections of the site, which the SPD seeks to avoid, but instead are integrated within the site as a whole. Furthermore, Officers consider the location proposed for the affordable units to be the most sustainable part of the site as it is close to the pedestrian access points that lead out onto Burnt Mill Lane. The close proximity to the pedestrian access points is a benefit to the affordable housing units as it will allow easy access on-foot to the train station, bus stops and other services within Harlow that can be reached using the new footpath to be provided along Burnt Mill Lane.
- 7.24 Having regard to the circumstances of the site and the overall proposed layout, Officers consider the proposed siting for the affordable units to be acceptable in this case. The issues around 'staircasing' are discussed later in this report under the subtitle 'Section 106'

Biodiversity

- 7.25 Biodiversity is a matter that was considered at Outline planning permission stage as it is relevant to the principle of the development of the site. In respect of the comments received from HBRC and the

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Wildlife Trust, Officers question the need for any additional information to be submitted in respect of protected species. Following the demolition of the existing buildings at the site, Officers received confirmation from HBRC that no further ecological surveys were required to take place. A directive is recommended to advise that the development should proceed with caution and that works should stop in the event that any European protected species are found. Furthermore, it is anticipated that some of the details suggested by the Wildlife Trust will be submitted within the open space management plan which is required to be submitted under the terms of the existing Section 106 agreement.

Amenity

- 7.26 The closest neighbouring dwelling houses to the site are those situated along Burnt Mill Lane to the west of the site, with the other neighbouring properties commencing some 90 metres away from the access into the site from Eastwick Road. The proposed layout with the dwellings being set back from the boundary with Burnt Mill Lane, will allow a minimum distance of approximately 25 metres to be maintained between the proposed and existing dwellings along Burnt Mill Lane. The Grade 2 listed Lodge building is located at a lower ground level than the application site. Planning permission has recently been granted for the change of use of this building into a single dwelling house (Ipa reference 3/13/1097/FP). Having regard to the changing land levels, the number of existing trees and landscaping that are currently proposed to be retained to the boundaries of The Lodge and the set back proposed to the dwelling houses, Officers consider that the proposed development would not result in an unacceptable impact upon the amenities of the future occupiers of this neighbouring property.
- 7.27 Having regard to the circumstances of the site and the details of the proposed dwellings, Officers consider that the proposal would not result in any unacceptable impact upon the amenity of neighbouring occupiers. Furthermore, Officers consider that the proposed development would offer an acceptable level of amenity for future occupiers of the dwellings that are currently proposed.

Setting of Listed Building

- 7.28 The Conservation Officer has commented that the proposed development would have limited impact upon the significance of the Grade 2 Listed Lodge Building.
- 7.29 Whilst the proposed dwellings would be partially visible through the

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boundary trees from The Lodge, they would be set back sufficiently to ensure that they would not appear overbearing or detrimental to the setting of this Listed Building.

Parking

- 7.30 A total parking provision of 495 car parking spaces are proposed at the site. In accordance with Appendix II of the Local Plan the maximum parking standard recommended for this site would be 483.5 spaces. Whilst it is acknowledged that 41 of the proposed parking spaces are within integral garages to the dwelling houses, this is nevertheless a high parking provision for the site. However, whilst the pedestrian access points and footway improvements along Burnt Mill Lane have improved access to sustainable modes of transport, the site is nevertheless within a rural location, where there is no capacity for on street parking on the existing highways outside of the site. Officers therefore consider that the high provision of parking is justified and acceptable for this site.
- 7.31 The condition recommended by County Highways to require details to be submitted in respect of parking for construction workers and wheel washing facilities is not required as a condition to cover these matters is already in place on the Outline planning permission.

Section 106

- 7.32 Recommendation (a) of this report seeks to agree a variation to the Section 106 agreement already in place for the site to remove wording regarding Designated Protected Areas which prevents shared ownership units being staircased to 100%. This variation is requested following discussions that have taken place between the Council's Housing Officers and the Registered Provider that will be taking responsibility for the affordable housing units proposed at this site.
- 7.33 Having regard to the comments received from the Council's Housing Team, it would appear to Officers that the proposed variation to the Section 106 agreement would allow greater financial certainty for both the Registered Provider that takes on the affordable units and the future occupiers of these dwellings.
- 7.34 Based upon the advice from Housing Officers, it is recommended that authorisation is given for a variation to the Section 106 agreement as detailed above.

8.0 Conclusion:

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- 8.1 Officers have assessed the outstanding Reserved Matters in respect of the proposed appearance, landscaping, layout and scale of the proposed development and have found these to be acceptable.
- 8.2 It is therefore considered that the development complies with the relevant policies of the Local Plan and the NPPF and it is recommended that planning permission be granted.