

# Planning, Design, Access, and Heritage Statement

Demolition of existing outbuildings, and erection of 2 dwellings at Valley View, Roydon Road



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## Section 1: Introduction

- 1.1 This statement has been written to meet the requirements of Article 4 of the Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2013.
- 1.2 The planning application proposes the demolition of two existing outbuildings and the construction of two new five-bedroom dwellings at Land West of Valley View, Roydon Road.
- 1.3 Plans and reports have been submitted for formal approval as part of this application, consisting of the following:-
  - 633 x 001 Site and Location Plan
  - 633 x 002 Site as Proposed
  - 633 x 003 Shed 01 as Existing
  - 633 x 004 Shed 02 as Existing
  - 633 x 400 Plot 01 as Proposed
  - 633 x 500 Plot 02 as Proposed

## Section 2: The Proposal

2.1 The planning application proposes the following development components:

- Two no. five bedroom Chalet Bungalows with double garages.
- Landscaping to enhance and reinforce the existing boundary vegetation and bio-diversity of the site.
- Bin store and collection, and turning head.
- Alterations to existing parking arrangement

2.2 The above elements are shown on the drawings and explained by the reports that comprise this planning application.

## Section 3: Site and Surrounding

- 3.1 The application site lies within the western edge of the administrative boundary of Harlow Council. It is currently garden land associated with Valley View to the east and is located to the south of three houses currently under construction, approved under HW/FUL/20/00093.
- 3.2 To the west lies East End Farm, a substantial utilitarian complex, which includes the Grade II listed building located in its north-eastern corner. The Farmhouse is separated from the proposed house by the residential curtilage and planting associated with the dwellings under construction to the north of the site and there is limited intervisibility.
- 3.3 The land to the south of the site forms part of the generous gardens of Hillside a large residential dwelling.
- 3.4 The site forms part of the gardens of Valley View and includes two large sheds that are to be demolished as part of this application. The arial photos on the next page show the site in 2020 and 2000.



*(Satellite images of the site 2020 top and 2000 bottom)*



*(Valley View)*



*(Valley View outbuildings proposed to be demolished)*



*(The Old House)*



*(Skins Farm Barn)*



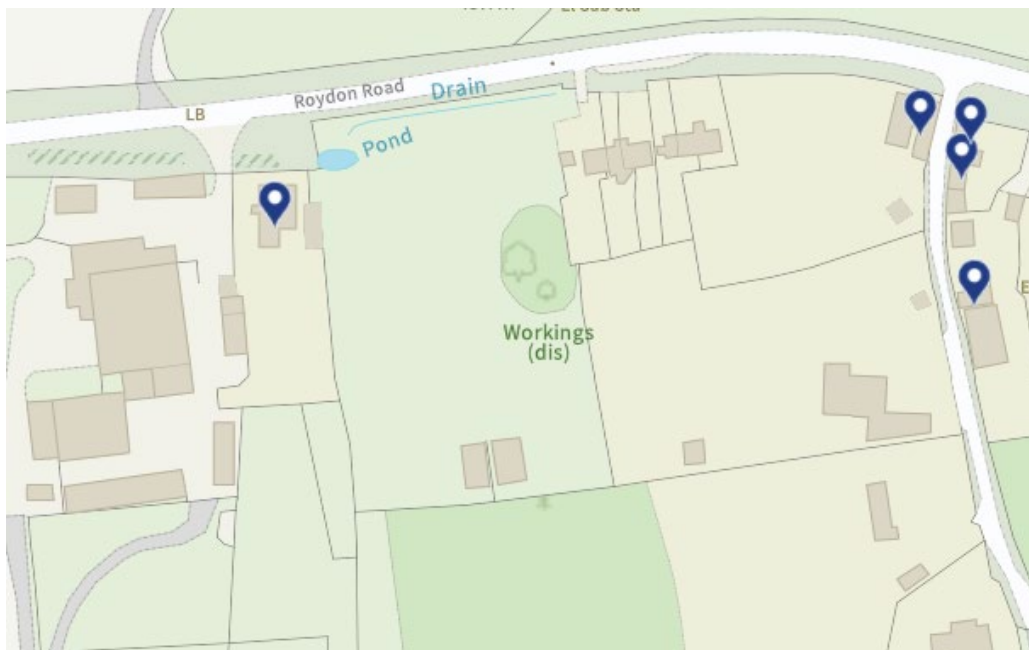
*(House approved under HW/FUL/20/00093)*



- 3.5 As noted above the nearest listed building to the site is East End Farmhouse, identified on the listed buildings map below. The site is not within a conservation area.

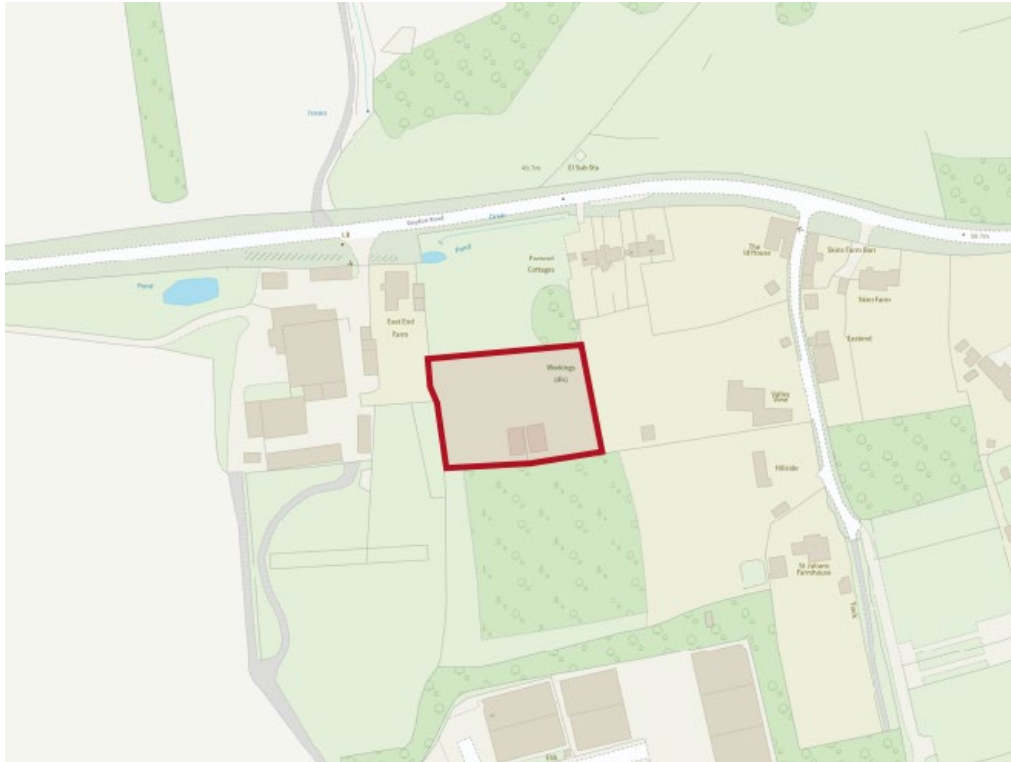


(East End Farmhouse)



(Historic England Listed Buildings Map)

- 3.6 As indicated on the flood risk map below, the proposed dwellings are located within Flood zone 1, with the lowest risk of flooding.



*(Flood Zone Map)*

## Section 4: Planning History

- 4.1 There is no relevant planning history on the site itself. However, the recently granted planning permission to the north of the site is a material consideration.
- 4.2 The planning permission on the land to the north granted 3 dwellings, 2no. semi-detached, 1no. detached dwelling, and a new entrance onto the highway. The dwellings are vernacular in style drawing on the character of the properties found along Roydon Road.



*(Plans Approved under HW/FUL/20/00093)*

## Section 5: Planning Policy & Case Law

- 5.1 This section sets out the statutory planning policies, material consideration and guidance which have informed this planning application.
- 5.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that if 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.
- 5.3 The PPG clarifies (Paragraph: 010 Reference ID: 21b-010-20140306) that the NPPF represents up-to-date Government planning policy and must be taken into account as a material consideration in the determination of a planning application or appeal.
- 5.4 A revised NPPF was published on 24 July 2018 (updated December 2023) and replaced the original NPPF, which was published in March 2012. Alongside the revised NPPF, the Government published a Housing Delivery Test Measurement Rule Book and updated Planning Practice Guidance (“PPG”) sections on Housing and Economic Development Needs Assessment and on Viability, and further updates to the Planning Practice Guidance are intended.

### National Planning Policy

- 5.5 The principle aim of the planning system is to contribute towards the achievement of sustainable development, which in the context of the NPPF is development that contributes positively to the economy, society and the environment. Paragraph 8 sets out the three mutually dependent dimensions of sustainable development. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as individuals’ quality of life.
- 5.6 Paragraph 131 states the great importance the government attaches to the creation of high quality, beautiful and sustainable buildings and empathises that good design *“is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*
- 5.7 Section 15 of the NPPF concerns conserving and enhancing the natural environment and Paragraph 180 provides guidance to Local Planning Authorities when determining applications with the aim of conserving and enhancing biodiversity.
- 5.8 While paragraph 186 is clearly directed at protecting and enhancing biodiversity, it also acknowledges that it is only “if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less

harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning should be refused.”

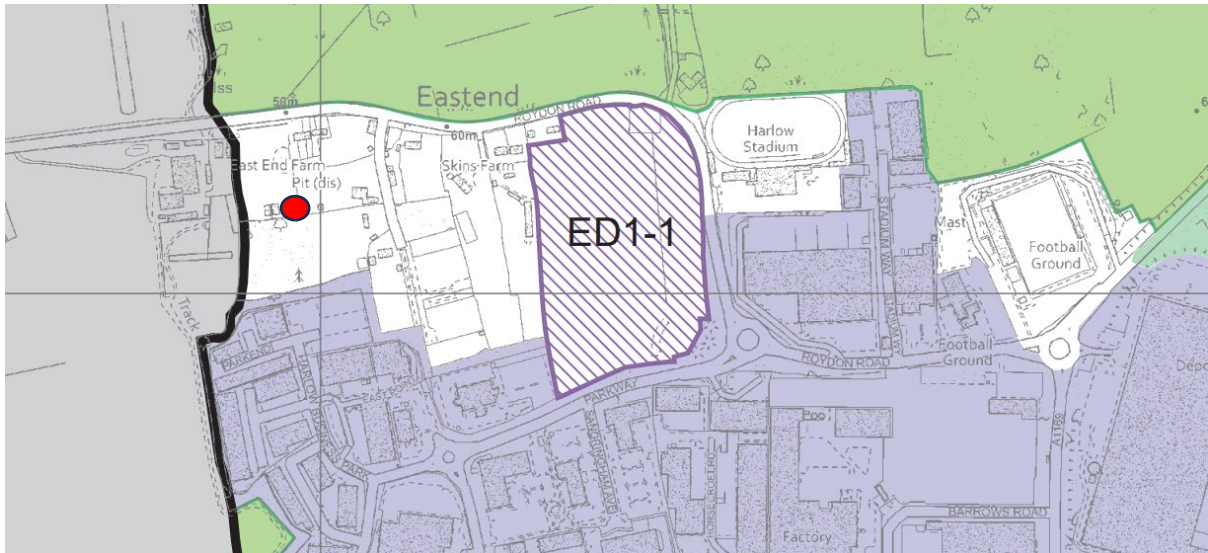
- 5.9 Sections 3 and 4 of the NPPF concern plan-making and decision-taking.
- 5.10 In October 2019 the Government published the National Design Guide, which sets out characteristics of well-designed places and demonstrates what good design means in practice.
- 5.11 As with its predecessor, the NPPF sets out the Government’s planning policies for England and how these should be applied and is (from the day of its publication) a material consideration in planning decisions. As a statement of Government policy, it is required to be interpreted objectively in accordance with the language used, read in its proper context, and not as if it were a statute or contract: see *R (Timmins) v Gedling BC* [2015] P.T.S.R. 837 at [24] per Richards LJ.

## The Development Plan

- 5.12 The Council published the Harlow Local Development Plan Adopted 2020 (LP). The relevant policies of the emerging plan include:

SD1	Presumption in favour of sustainable development
WE5	Heritage
PL1	Design Principles for Development
PL2	Amenity Principles for Development
PL3	Sustainable Design, Construction and Energy Usage
PL7	Trees and Hedgerows
PL9	Biodiversity and Geodiversity Assets
PL9	Pollution and Contamination
PL11	Water Quality, Water Management, Flooding and Sustainable Drainage Systems
PL12	Heritage Assets and their setting
H2	Residential Development
H5	Accessible and Adaptable Housing
IN1	Development and Sustainable Modes of Travel
IN2	Impact of development on highways network including access and servicing
IN3	Parking Standards

- 5.13 The site is not shown on the LP Mapping to be designated for any purpose. Therefore, H2 is relevant in the determination of this application.



5.14 LP Policy H2:

Residential development, including infill development, the sub-division of garden plots, minor redevelopment schemes and the development of vacant plots, must meet the following criteria:

- (a) the development would not have an unacceptable adverse effect on the character of the locality, the appearance of the street scene, or the amenities enjoyed by the occupiers of neighbouring dwellings;
- (b) off-street parking and access arrangements can be provided for both existing and proposed dwellings, in accordance with the adopted Harlow Design Guide Supplementary Planning Document (SPD) and adopted Vehicle Parking Standards;
- (c) the development would make adequate provision for refuse storage and collection;
- (d) the development would not prejudice the potential for comprehensive development of adjacent land.

## Heritage Policy Context

5.15 The statutory requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention be given to the desirability of preserving or enhancing the character and appearance of a conservation area.

5.16 The relevant sections of the act are:

- Section 16(2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- Section 66(1) When determining applications, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting of any features of special architectural or historic interest which it possesses.
- Section 72(1) With respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2) (which include the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

5.17 Heritage policy is found within NPPF Chapter 16. T 5.9. The underlying sentiment of Chapter 16 is an ambition to conserve and enhance the historic environment. This is an ambition and not a binary need. The statutory duty recognises the ‘desirability to...’ and the High Court has guided us that in planning judgements this means placing “considerable weight and importance” on this desire but it is not an absolute. The NPPF follows this lead.

5.18 Paragraph 203 directs local planning authorities to take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

5.19 Paragraph 205 sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to an asset’s conservation. Paragraph 202 sets out the position where less than substantial

harm to the significance of a designated heritage asset is held to occur. Any such harm should be weighed against the public benefits of the proposals.



## Section 6: Assessment of Significance

6.1 The NPPF (2023) sets out at paragraph 200 that in determining applications local planning authorities should require applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. It also makes clear that the level of information required should be ‘proportionate to the assets’ importance, and no more than is sufficient to understand the potential impact of the proposal on their significance’.

6.2 Heritage interests are defined as follows:

- *Archaeological interest: in a heritage asset is if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point. (NPPF, Annex 2)*
- *Architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture. (NPPG para 006)*
- *Historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation’s history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity. (NPPG para 006)*

6.3 Setting is defined in Annex 2 of the NPPF as follows:

*The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*

6.4 Historic England’s ‘Historic Environment Good Practice in Planning: 3 The Setting of Heritage Assets’ (2nd ed. 2017) makes it clear that setting is not a heritage asset and can only contribute towards the significance of a heritage asset. This document sets out a series of attributes that it may be appropriate to consider when assessing significance listed under two main headings: the physical surroundings of the asset, including its relationship with other heritage assets; and the way that the asset is experienced.

- 6.5 A detailed Heritage Assessment was prepared and submitted as part of HW/FUL/20/00093, which approved the three houses to the north of the site. This document was considered by the appeal inspector, who concluded that the *“the principal elevation of Eastend Farmhouse faces in the opposite direction, so it is the rear of the house, standing behind a simple outbuilding, that can be perceived from this direction through substantial boundary planting. The farmhouse therefore has a weak relationship with the appeal site.”* They then go on to conclude that *“As a consequence, and taking into account the separation, this dwelling would have a comfortable relationship with the listed building and the development as a whole would not harm how this designated asset was experienced. Accordingly, it would not adversely affect its setting.”*
- 6.6 As noted above the application site is separated from Eastend Farmhouse by the curtilage of the house under construction to the north. It is therefore considered that the application site has no relationship with the Farmhouse and that the development of this site will have no impact on its significance.

## Section 7: Design

### Use & Amount

7.1 The application proposes two five-bedroom dwellings.



(Floor Plans)

### Layout

7.2 As noted above the site is part of the residential curtilage of Valley View. It currently has established hedges along the southern and western boundaries of the site. There is existing planting between the site and the under-construction development to the north, which is proposed to be enhanced by HW/FUL/20/00093.

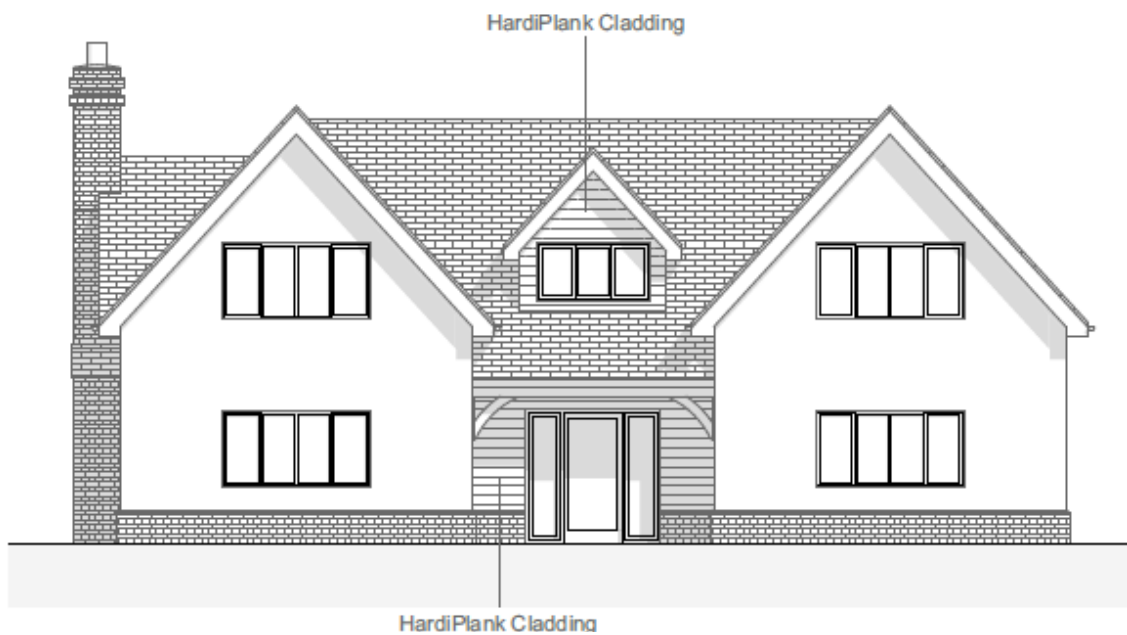
7.3 The site utilises the access approved under HW/FUL/20/00093 creating a new track between the under-construction dwellings creating a lane characteristic of those along Roydon road which provide access to the existing development at depth in this location.



(Site Plan)

## Scale & Appearance

- 7.4 The surrounding dwellings on Roydon Road are largely traditional vernacular design, with pitched roofs, gables, and dormer details. The material pallet is generally render, brick, or boarding, with slate or tiled roofs. The proposed dwellings are designed in a chalet bungalow style characteristic of the properties such as Valley View in the local vicinity.
- 7.5 Both proposed dwellings are the same in-built form with predominantly rendered finish with slate roofs.



*(Plots 1 and 2)*

## Access

- 7.6 The site utilises the access approved under HW/FUL/20/00093, which is more than sufficient for the additional traffic.

## Landscaping

- 7.7 As shown on the site plan, all existing vegetation is to be retained. With additional boundary hedging proposed, as well as the planting of two new trees. This will create high quality amenity space with significant bio diversity gains.

## Section 8: The National Design Guide (NDG)

- 8.1 The National Design Guide (NDG) advises that the long-standing, fundamental principles for good design are that it is “fit for purpose; durable; and brings delight”. The design merits of the scheme are considered in detail below against the ten design characteristics set out in the NDG:

### Context

- 8.2 The context of the site is detailed above and is the residential curtilage of Valley View on Roydon Road Harlow. The site has residential development on all four sides and is screened from outside views by vegetation/ built form.

### Identity

- 8.3 The proposed dwellings seek to reflect the identity of houses and other buildings found locally, consisting of vernacular style cottages and detached dwellings, utilising traditional building materials, e.g., brick, boarding, render and slate roofs.

### Movement

- 8.4 The two dwellings will create a modest amount of additional trip generations.

### Nature

- 8.5 There are several biodiversity measures proposed in the application, including the planting of native species trees, hedging, and the installation of bat boxes and bird boxes.

### Uses

- 8.6 The proposed use is for 2 additional dwellings.

### Homes and buildings & Resources

- 8.7 The dwellings are proposed to be constructed to the highest standards in regard insulation and renewable technology. As shown on the site plan and set out in the accompanying sustainability statement the properties are all proposed to have solar panels and Air Source Heat Pumps, which should be very energy efficient.

## Lifespan

- 8.8 The proposed house will be built to the highest standards, and it will have a significant life span.

## Summary

- 8.9 Careful consideration has been given to factors such as layout, form, scale, appearance, landscape, materials, and detailing, all informed by an assessment of the surrounding context, local character, and identity.

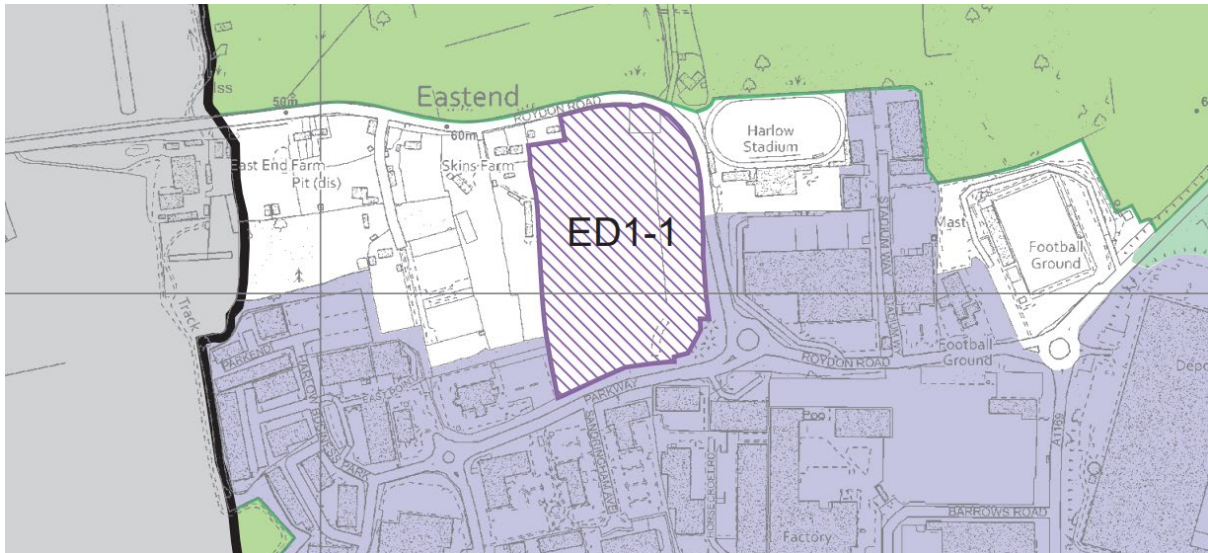
## Section 9: Planning Appraisal

### Previously Developed Land

- 9.1 As set out above the site is within the residential curtilage of Valley View and includes two substantial structures, which are proposed to be demolished as part of this application. The definition of previously developed land set out in the glossary to the NPPF excludes *“land in built-up areas such as residential gardens”*. In *Dartford Borough Council v Secretary of State for Communities and Local Government*, 21 January 2016, Charles George QC sitting as a Deputy High Court Judge handed down judgment that the wording of the exemption to previously developed land within the NPPF was significant. The Deputy Judge found that only residential gardens within the “built-up area” were exempt from the definition of previously developed land whereas, residential gardens outside “built up areas” were “brownfield”. The Court held there to be a rational explanation for the distinction, namely that undeveloped land in the urban area was at more of a premium and thus required greater protection.
- 9.2 Further weight in support of the proposal arises from the provisions of Section 11 of the NPPF: that as “much use as possible” should be made of previously developed land for accommodating objectively assessed needs; that planning policies and decisions should *“give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs”*, and *“promote and support the development of under-utilised land”*.

### Policy H2

- 9.3 Policy H2 sets out support for Residential development, including infill development, and the sub-division of garden plots within non designated areas. As the LP map extract below shows the site is not designated and therefore Policy H2 applies.



9.4 The site to the north of a site was approved as infill development, and this site is garden land, which is proposed for sub-division to make more efficient use of the land.

9.5 H2 goes on to state that development should meet the following criteria:

- a) The development would not have an unacceptable adverse effect on the character of the locality, the appearance of the street scene, or the amenities enjoyed by the occupiers of neighbouring dwellings;

Comment: The houses have been designed in a sensitive vernacular style and their location and low ridge heights mean they will not be visible from wider views and will therefore not have an adverse effect on the locality. The location served via a lane from Roydon Road is characteristic of the development in depth in this area and the properties will benefit from generous gardens that are comparable to surrounding properties, which will protect the residential amenity of existing and future residence.

- b) Off-street parking and access arrangements can be provided for both existing and proposed dwellings, in accordance with the adopted Harlow Design Guide Supplementary Planning Document (SPD) and adopted Vehicle Parking Standards;

Comment: The Development has been designed in line with the Essex Design Guide and as compliant parking.

- c) The development would make adequate provision for refuse storage and collection;

Comment: Both properties have double garages with ample storage for bins, a bin collection point is provided as well as a size 3 turning head is provided to allow access for refuse vehicles.

- d) The development would not prejudice the potential for comprehensive development of adjacent land.



Comment: The site is surrounded by residential properties and there are no nearby residential allocations. It is therefore considered that this will not prejudice development of adjacent land.

## Transport and access

9.6 A safe new access to the site has been approved under planning reference HW/FUL/20/00093, which will provide safe access to the site.

9.7 the NPPF at Paragraph 115 states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”* In this regard the traffic generation from two houses is minimal and cannot be considered ‘severe’ and planning permission should therefore not be withheld on these grounds.

## Drainage/ Flooding

9.8 Flood Risk: as identified above the site is with flood zone 1, an area with a low probability of flooding. The scale of development doesn’t require a SUDs scheme, but the size of the site and modest level of development means that there will be ample opportunity to control the water within the site and potentially reduce the runoff rate from the site.

## Green Infrastructure

9.9 Paragraph 180 of the NPPF states that *“The planning system should contribute to and enhance the natural and local environment by:*

*“a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

*b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*

*c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*

*d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*

*e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*

*f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate”*

9.10 Paragraph 181 of the NPPF states, development plan documents “*should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework.*”

9.11 Green infrastructure elements of the proposals, including the presence of protected species and/or habitats suitable for protected species have been assessed. Trees and landscape features on and adjacent to the site have also been assessed and the conclusions and recommendations of these assessments have influenced the layout and design of the proposals.

9.12 The application site comprised low-value land in terms of its habitat value given its garden use and the proposals offer the opportunity to create ecological benefits. The application is accompanied by a survey which addresses this matter.

## Design considerations

9.13 Section 12 of the NPPF sets out the government’s desire to achieve well-designed places. Paragraph 131 states:

*“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”*

9.14 As set out in the design section of this document the design of the dwellings has taken its inspiration from the character of the local area and the proposed homes will be high quality in both design and materials used, creating a development that will blend seamlessly into its environment. Additional planting of hedging, trees and a new orchard will create a beautiful street scene whilst adding significant biodiversity gains.

## Summary

- 9.15 LP Policy H2 support the subdivision of garden plots as proposed by this application. Planning permission has been previously granted on the neighbouring site for three houses, confirming the policy support for development in this locality. The site is currently underutilised garden land with two substantial outbuildings on it and its redevelopment would represent a more efficient use of land.
- 9.16 The site is surrounded on all sides by residential property and thick vegetation meaning there are limited views into the site, and there will be a minimal impact resulting for the creation of these dwellings.
- 9.17 The nearest listed building is separated from the property by the residential curtilage of the under construction neighbouring dwelling and it is therefore considered that this site has no relationship with the listed building and there will therefore be no harm to it resulting from the construction of these two additional dwellings.
- 9.18 It is considered that these two well designed properties will provide new homes in a sustainable location, whilst being sensitive to the character of the surrounding area. Therefore, the proposals are supported by policy at a national and local level and planning permission should be granted accordingly.
- 9.19 Therefore, for the reasons set out above the proposed dwellings represent a well design scheme in a sustainable location, which will provide two additional family homes contributing towards the housing need of the area. It is therefore supported by both National and Local planning policy.