

**SUPPLEMENTARY DOCUMENTS FOR
DEVELOPMENT MANAGEMENT COMMITTEE
Wednesday 1 July 2020 at 7.30 pm
Zoom - Online**

The attached documents are due to be considered at the meeting listed above and were unavailable for circulation when the agenda for the meeting was published. The agenda items to which the documents relate is noted below.

AGENDA

8. HW/FUL/19/00431 - Car Park Rear Of Market House and Mobility House, Stone Cross, Harlow (Pages 2 - 3)
9. HW/FUL/20/00036 - Kings Acre, Third Avenue, Harlow (Pages 4 - 5)
10. HW/FUL/20/00107 - 4 The Hill, Harlow (Page 6)

Agenda Item 8

Committee Update - HW/FUL/19/00431- Car Park Rear of Market House and Mobility House, Stone Cross

Amended Floor Plans

Amended Floor Plans were received throughout the application process which helped to rationalise the external design and ensured that the proposed development would meet or exceed the National described space standards. This resulted in the following alteration to the housing mix:

- 1 studio flat
- 24, 1 bedroom flats
- 6, 2 bedroom flats
- 2, 3 bedroom flats.

The approved plans condition (condition 10) should be updated to include the amended plans as follows:

Plan Reference	Version No.	Plan Type	Date Received
119-1076-M01	First Floor	MVHR Plan	13.11.2019
119-1076-M02	Seventh Floor	MVHR Plan	13.11.2019
19002-A100-001	Existing	Location & Site Plan	18.10.2019
19002-A100-002	--	Proposed Site Plan	18.10.2019
19002-A100-003	Rev 1	Existing Ground Floor Plan	11.03.2020
19002-A100-004	Rev 4	Proposed Ground Floor Plan	11.03.2020
19002-A100-005	Rev 3	Proposed First Floor Plan	01.07.2020
19002-A100-006	Rev 2	Proposed 2 nd -5 th Floor Plans	01.07.2020
19002-A100-006A	Rev 2	Proposed 6 th Floor Plan	01.07.2020
19002-A100-007	Rev 2	Proposed 7 th Floor Plan	01.07.2020
19002-A100-008	Rev 2	Proposed Roof Plan	01.07.2020
19002-A100-009	Rev 4	Existing & Proposed Front Elevations	11.03.2020
19002-A100-010	Rev 4	Existing & Proposed Rear Elevations	11.03.2020
19002-A100-011	Rev 3	Existing & Proposed West Elevations	11.03.2020
19002-A100-012	Rev 3	Proposed Section A-A	11.03.2020
19002-A100-013	--	Proposed Wall Details	18.10.2019

Parking

An overall requirement of 8 disabled car parking spaces is required. Due to the size of the car park within the application site, the applicant has confirmed that 6 disabled car parking spaces could be provided (2 for the public, 3 for the residents and 1 for the commercial unit). It is considered that a condition is necessary to require the submission of the proposed car parking layout to the Local Planning Authority, including details pertaining to the 6 disabled car parking spaces. The condition shall read as follows:

Notwithstanding the approved plans and prior to the commencement of development, full details of the number, size, layout, identification and location of car parking spaces including the 6 required parking spaces for people with disabilities, within the application site, have been submitted to, and approved in writing by, the Local Planning Authority. The parking spaces shall be provided in accordance with the approved details and thereafter retained in perpetuity for the sole use of parking for the development hereby approved.

REASON: To ensure that appropriate parking and access is provided in accordance with policy T9 of the Adopted Replacement Harlow Local Plan and the Highway Authority's Development Management Policies. The details are required to be approved before works commence to ensure the impacts of the development are acceptable.

Condition 8 - Glazing, Overheating and Ventilation

It is a requirement of The Town and Country Planning (Development Management Procedure) (England) Order 2015 for Local Planning Authorities to include the reason for imposing a condition in their decision notices. The pre-commencement conditions imposed include the following statement within the reason for imposition: **The details are required to be approved before works commence to ensure the impacts of the development are acceptable.** Condition 8 is a pre-commencement condition and this statement is therefore required to be added to the reason within the condition as follows:

Prior to commencement of the development, details of the glazing, overheating and ventilation system and the non-glazed external fabric shall be submitted to and approved in writing by the Local Planning Authority. The approved noise mitigation measures shall be installed and retained in perpetuity.

REASON: To ensure appropriate noise levels within the building in the interest of amenity and to accord with policy BE2 of the Adopted Replacement Harlow Local Plan. The details are required to be approved before works commence to ensure the impacts of the development are acceptable.

Recommendation

That Committee resolve to **GRANT PLANNING PERMISSION** subject to the Applicant entering into an appropriately worded Section 106 Legal Agreement, the revised conditions 8 and 10, an additional condition in relation to parking and the remaining conditions as set out in the published report.

Committee Update - HW/FUL/20/00036 - Kings Acre, Third Avenue

Additional representation received - Applicant

Reviewed the report and comment as follows:

The proposal is for a change to Use Class C2 rather than C1 as indicated in the officer report. I can confirm I am happy for you to amend the Council's description of development to explicitly reference C2.

Secondly I am happy that the description of development is amended to reference the re-cladding of the existing building. I would be grateful if you could please then amend the wording of proposed condition 2 to remove the requirement for materials to match the existing facing work, this is clearly not appropriate in the context of the re-cladding of the existing building. I am happy if you want to agree samples of the cladding prior to commencement of development.

Officer response

Description of development used for the original public consultation on this application did not include direct reference to the Use Class, but was explicit that the proposed use for the building was to be as a rehabilitation centre. On this basis it is not considered that any alteration to the description of development to add in reference to the Use Class for a rehabilitation centre would be a material change that would require any form of re-consultation.

The Use Class in the report and Condition 3 was in error and should be Use Class C2 (residential institutions). Changes to the report should substitute C2 for C1. A change to the description to insert "(C2)" to be made in addition to change indicated below. Condition 3 to be amended to read:

3. *The development hereby permitted shall only be of the use identified within Use Class C2 as a rehabilitation facility ancillary to the main facility at Passmores House and for no other use.*

REASON: To retain control over the future use of the application site.

Second amendment to description to include re-cladding of existing building to match materials for extension and amendment of Condition 2 so that the proposed materials for this development are conditioned to be provided in accordance with the details submitted. It is however proposed to amend proposed wording to refer to the Material Strategy Plan, as follows:

2. *The external facing materials (including for windows and doors) to be used in the construction of the development hereby permitted shall be those materials as submitted in relation to the development hereby permitted, unless alternative materials are proposed.*

REASON: In the interest of visual amenity and to accord with policy BE1 of the Adopted Replacement Harlow Local Plan, July 2006

The description of the development to be amended as follows:

"Change of use and extension to existing bungalow (Use Class C3) to a rehabilitation centre (Use Class C2) and cladding of the existing bungalow to match"

Recommendation

That Committee resolve to **GRANT PLANNING PERMISSION** subject to the revised description, the revised conditions 2 and 3 and the remaining conditions as set out in the published report.

Committee Update - HW/FUL/20/00107 – 4 The Hill

Additional representation received - Member of the public

There are concerns on underground Thames Water assets, and the lack of roof and surface water drainage information. Covenant consent should be added as a condition of the right to buy when the property was sold. The correspondence also pointed out that the applicant will need to enter into a Party Wall Agreement with both adjoining property owners.

Officer response

The application is made by the Harlow Council, and therefore a restrictive covenant would not be necessary. The buying and selling of the proposed dwellings in the future would be outside the scope of this application, whilst Condition 2 as set out in the published officer report would secure affordable housing.

Given the scale of the proposed developments, concerns on underground services and surface water drainage would be addressed during construction and by Building Control. Building Regulations and Party Wall Act matters are separate and are not material planning considerations.

Recommendation

The recommendation remains as set out in the published agenda papers