

**SUPPLEMENTARY DOCUMENTS FOR
DEVELOPMENT MANAGEMENT COMMITTEE
Wednesday 30 September 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

7. HW/FUL/20/00161 - North Of Aylmer House, Kitson Way, Harlow
(Page 2)
8. HW/FUL/18/00064 - Enterprise House, Perry Road, Harlow (Pages 3 - 4)

Committee Update - HW/FUL/20/00161 - Land North Of Aylmer House

Consultation responses:

One late third party response has been received since the publication of the committee report:

“Mitre Building which has both offices and PD residential accommodation still requires spaces in alternative parking for these uses. The carpark being built on was specific for this purpose. The applicant should allocate some of the parking in the development to these people or buy some alternative parking in the multi-storey carparks as the Market House development.

The allocation for affordable housing is inadequate in line with council policy. 49 divided by 30% = 14.7 which equates to 15 not 14 as offered by the applicant.”

Officer response:

The car park is under used and rarely reaches capacity which demonstrates that the land is not being used to its potential. Moreover, alternative parking arrangements can be found elsewhere within the town centre. Office to residential conversions do not come with an associated stipulation to provide parking.

The 14 units offered is within the parameters recognised by the Council.

Matters arising since the publication of the committee report:

Corrections concerning conditions 16 and the wording of the s106 obligation concerning affordable housing.

Recommendation:

Condition 16 shall be updated as follows:

Affordable Housing - Prior to completion or first occupation of the development hereby approved, whichever is the sooner; a scheme showing the location of the affordable housing units within the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved scheme. Those dwellings providing Affordable Housing shall be made available to occupants in accordance with the approved scheme or as otherwise agreed in writing by the Local Planning Authority.

Reason: To promote tenure mix and ensure the suitable provision of Affordable Housing

The S106 Agreement shall be updated as follows:

14 of the Dwellings shall be provided as Affordable Housing of which: 12 of the Affordable Housing Dwellings shall be provided as Affordable Housing for Rent and 2 shall be Intermediate Affordable Housing (as set out in Annex 2 of the NPPF).

Committee Update - HW/FUL/18/00064 - Enterprise House, Perry Road, Harlow

Description of Development

The description of the development within the Committee report is as follows:

Change of Use from B8 Storage and Distribution to Sui Generis (Gym Studio and Beauty Space)

The beauty use has been removed and it is considered that the other activities at the site i.e. the exercise classes provided would fall within the new Use Class E. It is therefore considered that the description of the development should be as follows:

Change of Use from B8 Storage and Distribution to Sui Generis (Use Class E and Storage and Distribution).

According to Planning Practice Guidance (PPG), where an application has been amended it is up to the local planning authority (LPA) to decide whether further publicity and consultation is necessary in the interests of fairness. In deciding what further steps may be required local planning authorities should consider whether, without re-consultation, any of those who were entitled to be consulted on the application would be deprived of the opportunity to make any representations that they may have wanted to make on the application as amended.

The proposed development would still relate to the change of use from B8 Storage to Distribution to a Sui Generis use, and its proposed use is considered to be more aligned with its previous and originally allocated use. Based on the PPG guidance, the LPA did not therefore consider it necessary to re-consult on the change to the description in this circumstance.

Condition 1

Condition 1 currently states the following:

No classes shall be undertaken on the site at any time before 9.30am Monday to Friday and between midday and 6pm on a Monday or between 11am and 6pm Tuesday to Friday. There shall be a 15 minute period between classes ending and beginning on Monday to Friday before 6pm. The number of external attendees (not including staff) at each class shall be limited to 15 people. A log of the number of attendees shall be kept for a minimum of 18 months and shall be made available for inspection upon request by the Local Planning Authority.

REASON: To ensure that the operation of the unit does not result in detrimental impacts to parking, the highway and to the adjacent employment units and the

Employment Area, in accordance with policies ER6 and T9 of the Adopted Replacement Harlow Local Plan.

The timings put forward in the condition were taken from the submitted Design & Access Statement, which has subsequently been amended to accommodate two classes between 9.30am to 11.30am Monday to Friday. The applicant has therefore requested that the timings within the condition be altered.

Revised Condition 1:

*No classes shall be undertaken on the site at any time **before 9.30am or between 11.30am to 6pm Monday to Friday**. There shall be a 15 minute period between classes ending and beginning on Monday to Friday before 6pm. The number of external attendees (not including staff) at each class shall be limited to 15 people. A log of the number of attendees shall be kept for a minimum of 18 months and shall be made available for inspection upon request by the Local Planning Authority.*

REASON: To ensure that the operation of the unit does not result in detrimental impacts to parking, the highway and to the adjacent employment units and the Employment Area, in accordance with policies ER6 and T9 of the Adopted Replacement Harlow Local Plan.

Taking into consideration the remainder of the condition which limits the class to 15 people (to reflect the number of car parking spaces available on site) and that there would be a 15 minute period between classes to prevent customers parking on-street, it is considered that the proposed timings would be acceptable.