

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

30 September 2020

REFERENCE: HW/FUL/18/00064

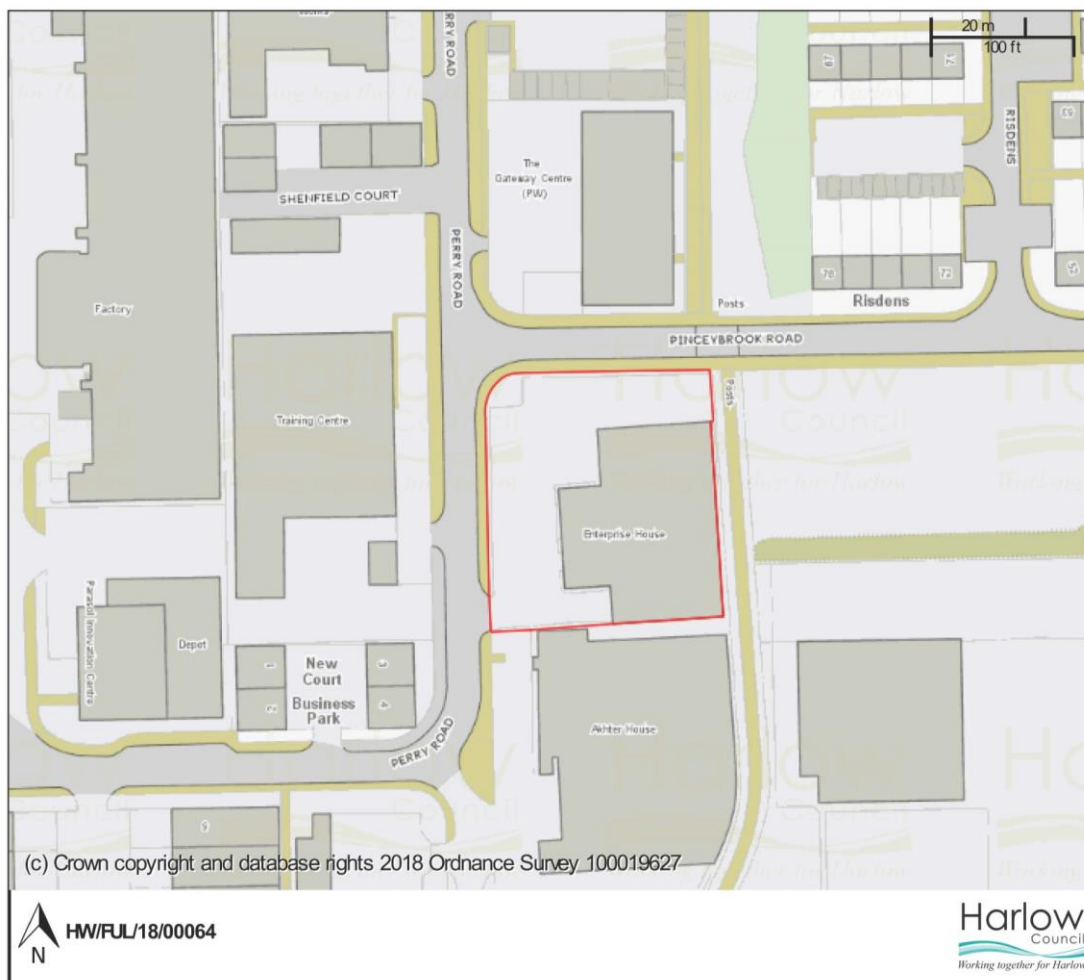
OFFICER: Jade Clifton-Brown

APPLICANT: Mr C Perry

LOCATION: Enterprise House
Perry Road
Harlow
Essex
CM18 7NR

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

LOCATION PLAN:



REASON BROUGHT TO COMMITTEE:

Two representations have been received which are contrary to the officer recommendation.

Application Site and Surroundings

The application site comprises Enterprise House on Perry Road, which is located within the Staple Tye Employment Area, according to the Adopted Replacement Harlow Local Plan Proposals Map 2006.

The site was previously within a B8 (Warehousing and Storage) Use but has been converted without planning permission to be used as '((Bounce))' Headquarters (Bouncefitbody Ltd)

The company originated in Harlow (previously located at Paringdon Sports Club) and has subsequently become a chain. '((Bounce))' also hold classes at Mark Hall Sports Centre.

The application unit offers trampoline, aerial yoga, pilates, circus and bungee classes. The unit also includes storage room for trampolines and associated products (approximately 1000 trampolines and thousands of items of active clothing are stored here).

Details of the Proposal

Retrospective planning permission was originally sought for the change of use of Enterprise House from B8 (Storage and Distribution) to a Sui Generis use (Sports, Recreation, Warehousing & Beauty). The unit was to be open for one hour during the day and after 6pm on a weekday and weekends.

The Development Management Committee resolved to defer the application on 27 May 2020 to address parking and highway safety issues. The following amendments have subsequently been made to the proposal:

- Additional car parking has been secured resulting in 16 standard car parking spaces and 1 disabled car parking space. The additional spaces belonged to the unit but had not previously been purchased from the landlord by the applicant.
- Studio ((B)), the beauty room and the mezzanine floor are now used for storage purposes.
- The application seeks permission to open during the mornings on Monday (9.30am-12am), Wednesday (9.30am-11am), Thursday (9.30am-11am) and Friday (9.30am-11am) with the remainder of classes to be held in the evenings and on weekends.

RELEVANT PLANNING HISTORY

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
HW/PL/04/00123	The Existing Warehouse be Subdivided Into Units For B2 And B8 Use With Existing B1 Office Use	GTD	26.05.2004

CONSULTATIONS

The Consultation period ran between 9th and 30th March 2018. The amended plans received increased the number of parking spaces on site and included additional storage areas, and therefore re-consultation was not considered necessary in this circumstance.

HDC- Environmental Health Services

No comment received.

Essex County Council – Highways

The site is reasonably located to other modes of sustainable transport and peak times at gyms do not tend to be outside of traditional working hours.

From a highway and transportation perspective the Highway Authority has no objections to make on this proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Further consultation was undertaken with the Highways team in relation to the potential for a Traffic Regulation Order (TRO). The Highways team comment that they would unlikely carry out a TRO as it would likely result in a detrimental impact to the Employment Area i.e. it would prevent cars associated with the employment uses from parking within the Employment Area.

Neighbours and Additional Publicity

Number of Letters Sent: 19

Total Number of Representations Received: 24

Date Site Notice Expired: 30 March 2018

Summary of Representations Received

Two objections have been received from local businesses:

- Lack of parking facilities available.
- The main access to Calibration House is being blocked by vehicles associated with Bounce customers and staff.
- Insufficient off-street parking to cater for the high number of Bounce visitors.
- The problem stems from timed activity sessions with visitors turning up at the same time.
- Visitors park along Perry Road which causes an obstruction to vehicles and pedestrians.
- Deliveries to employment units unable to be made due to associated vehicle parking.
- Parked cars cause pedestrian safety issues.
- Day nursery on Perry Road had to provide more off-street parking before a change of use was granted.

35 letters of support have been received. A summary of which is as follows:

- Benefit young and old.
- Created a local centre of community activities.
- Aiding and supporting health, fitness and wellbeing.
- Excellent facilities.
- Friendly and welcoming.
- Inclusive place.
- Caters for all ages and abilities.
- Positively impacting lives.
- No other convenient places.
- Committed to staying active due to convenient location.
- Improves mental health- self-esteem and happiness.
- No safety concerns with regards to access.
- Parking is ample, safe and accessible.
- Safe venue.
- Open after standard hours so not impacting business.
- Opening after standard hours creates a peaceful atmosphere.
- Gives the community a space to connect with each other.

- Well located.
- Child friendly.
- Safe and secure.
- Improved the purpose of the building.
- Regenerated an old building.
- Invested in Harlow.
- Created a unique space.

Following the Development Management Committee on 27 May 2020, one further representation has been received which noted that the parking issues had begun again following the re-opening of the unit after the COVID-19 lockdown period. This representation was received prior to the additional car parking spaces being secured.

PLANNING POLICY

Adopted Replacement Harlow Local Plan 2006

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.

ER5: "Existing Employment Area" within the following existing employment areas permission will usually be granted for B1, B2 and B8 uses: Templefields and Riverway; Pinnacles; Burnt Mill; Staple Tye; Bush Fair; Nortel Networks; and Church Langley.

ER6: "Retaining Existing Employment Areas" within the existing and allocated Employment Areas permission for change of use or redevelopment to uses other than those identified in ER5 will be permitted if: the amount, range or premises available would not be reduced below the level required within the Local Plan period; would not lead to the loss of a high quality employment site; demonstrable lack of market demand for employment over a long period and efforts made to Market the site for business, industry and warehousing have been demonstrated to the satisfaction of the Council; site is accessible by means other than the car; in accordance with the sequential approach to development; and would not generate unacceptable traffic levels on surrounding roads.

SD3: " Sequential Test" land allocation should have regard to the promotion of sustainable development; social inclusion, quality of life and wellbeing; preference given to previously developed land and existing buildings; facilitation of regeneration and there should be no loss of BAPs or damage to valuable ecology or biodiversity.

BE20:"Shopfronts, Signs and Advertisements" proposals to alter an existing shopfront, sign or advertisement should have regard to the following: a new or refurbished shopfront should be designed to take account of design, style and proportions of the building and character of the streetscene; advertisements, signs and noticeboards must be appropriate in scale, design and materials to the character and appearance of the building of which it forms part of and the character of the streetscene; proposals for external security measures on shopfronts will be resisted unless the need can be adequately demonstrated; new shopfronts should be accessible by wheelchair users and disabled people; hanging or projecting signs must not interfere with the visibility requirements of existing CCTV cameras; advertisements should present no threat to public or highway safety.

L4:"Recreational, Leisure and Sports Facilities" applications for new sports, leisure or recreational facilities must be supported by an analysis demonstrating that a sequential approach to site selection has been applied, and that no other site is available that is higher in the sequence.

RTCS1:"Sequential Approach" proposals for retail and other development which attract large numbers of people will be determined on a sequential basis by applying the descending order of preference. The need and capacity for development and how well the site is serviced by public transport and by means other than the car will be taken into account. Within areas of large scale new housing development, appropriate provision will be made for local shopping and associated services provided this does not undermine the vitality and viability of the town centre, or any nearby neighbourhood centre or hatch. Development must be appropriate to the function, size and character of the centre concerned.

T6:"Cycling and Walking" new developments, including re-developments, changes of use and town centre and transport interchange improvements will be required to provide: safe, direct cycleways within the development; appropriate contributions to improve and develop cycleways serving the development; links to the existing cycleway network; safe, secure and convenient cycle storage; other facilities for cyclists as appropriate.

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.

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 were consulted upon between 12 March and 31 May 2020. On the 8 September 2020: Harlow Council published a new report relating to housing need. A consultation on this report has started and runs until 12pm on Friday 25 September 2020. Subject to receipt of the Inspectors report, 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/Planning Guidance/Other Documents

The Essex Parking Standards: Design and Good Practice (2009)
Essex County Council's Adopted Development Management Policies (2011)
Planning Practice Guidance (PPG)

PLANNING ASSESSMENT

The key issues to be assessed include the principle of the proposed development, and its impact on:

- The Employment Area;
- Parking and the Highway;
- The Character and Appearance of the Employment Area;
- Neighbouring Amenity.

Summary of Main Issues

Principle of Proposed Development

The proposal seeks retrospective planning permission to change the use of the building from a B8 (Warehouse and Storage) use to a Sui Generis use (Indoor Sports, Recreation and Beauty) within an Employment Area.

Policy ER5 of the Adopted Replacement Harlow Local Plan (ARHLP) states that planning permission will normally be granted for B1, B2 and B8 uses within existing Employment Areas.

It should be noted that use class B1 has been replaced with use class E as of September 1st 2020 within The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

However ARHLP policy ER6, and policy PR1 of the Harlow Local Development Plan Pre-Submission Publication (hereby referred to as the emerging Local Plan), indicates that planning permission for a change of use or redevelopment to uses other than those identified in policy ER5 will be permitted subject to certain criteria being met. The criteria are assessed in the 'Impact on the Employment Area' section below.

Policy RTCS1 of the ARHLP states that proposals for developments which attract large numbers of people will be determined on a sequential basis to site selection. Policy RTCS1 states that if a development cannot be accommodated within the Town Centre, edge of centre locations, neighbourhood centres or hatches, and there is a demonstrable demand for it, out of centre sites elsewhere within the urban area may be considered, provided that they are accessible by a choice of means of transport.

Policy L4 of the ARHLP also states that applications for new sports, leisure or recreational facilities must be supported by an analysis demonstration that a sequential approach to site selection has been applied, in accordance with policy SD3 of the AHRLP.

Policy L2 of the Harlow Local Development Plan Pre-Submission Publication states that development for the provision of recreational, sporting, cultural and community uses and/or facilities, will be permitted where there is evidence of a demonstrable need for the use; the use/facility is easily accessible by all sectors of the community by both public and private transport and the development would redress the deficiency of recreational provision within the locality.

Paragraph 73 of the National Planning Policy Framework (NPPF) notes that opportunities for sport and recreation can make an important contribution to the health and well-being of communities and supports the introduction of new leisure facilities.

It is an objective of the emerging Local Plan to provide and enhance sporting, leisure and recreational facilities and cultural opportunities in the District. The Harlow Health and Wellbeing Partnership Strategy 2018-2028 forms part of the evidence base for the emerging Local Plan. This Strategy sets out how the Council will meet its corporate priority to improve and promote wellbeing and social inclusion within Harlow, by addressing health inequalities and delivering health and wellbeing with an emphasis on prevention and early intervention. The Strategy notes that the planning system can play a key part in this by creating and enhancing sporting, leisure and recreational facilities within the District. The Strategy identifies that the ward of Staple Tye, in which the application site is located, is an area with high deprivation and health inequalities.

It is noted that 35 letters of support have been received which indicate that the use is positively impacting the community by providing an accessible, secure and safe community space which is aiding and supporting the health, fitness and wellbeing of all ages. It is therefore considered that the site is providing a community benefit.

The acceptability of the principle of the development is thereby dependent on the compliance of the proposal with the aforementioned planning policies.

Impact on the Employment Area

The proposal would result in the loss of B1 (now use class E), B2 and B8 space within the Employment Area.

Policy ER6 of the ARHLP and emerging policy PR1 set out criteria for non B1(now E), B2 and B8 uses to meet in order to prevent detrimental impacts to the Employment Area from occurring. An assessment of the criteria is as follows:

Policy ER6

- 1. The amount or range of sites or premises available for employment use would not be reduced below the level required in the Local Plan period.*

The ARHLP is to be replaced by the emerging Local Plan. The strategy, policies and proposals in the new plan have been informed by a number of technical documents and assessments. The Harlow Employment Land Review (2013) noted that Harlow is a town with much economic potential but one facing serious challenges if it is to realise its potential. These challenges include the need to develop its economic base by attracting new investment, developing its local SME sector and generating clusters around growth sectors such as advanced manufacturing, health and allied industries led by medical technology, and ICT. It is a reasonable planning goal that Harlow should not only grow at a modest rate over this period

but should also replace the jobs lost during the recession in addition. More specifically at Pinnacles policy should not actively seek to lose employment land from the estate.

In addition the West Essex and East of Hertfordshire Assessment of Employment Needs (2017) identified the need to retain existing employment land and increase future provision in order to meet the expansion needs of the economy and the wider Harlow and Gilston Garden Town area. In this respect the emerging Local Plan identifies a need for an additional 20 ha of employment land provision in Harlow, as set out in emerging policy ED1. This is reinforced by Policy ED2 of that plan which highlights the need to protect existing employment floorspace to ensure a mix of workspaces of different sizes is retained to meet the needs of the economy now and in the future.

2. The proposal will not result in the loss of an employment site of high quality.

The actual quality of the building for B1 (now E), B2 and B8 purposes is difficult to assess given that the internal works have already taken place but taking in to consideration its age, the relatively small size of the building and footprint, and the comments from prospective buyers (discussed below), it is not considered that the site is of high quality.

3. There is a demonstrable lack of market demand for employment over a long period, and the efforts made to market the site for business, industry and warehousing have been demonstrated to the satisfaction of the Council.

One of the key objectives of the NPPF is to secure and support economic growth. It states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

Policy PR1 of the emerging Local Plan indicates that the site should have been marketed for one year before being considered for other uses.

A letter has been submitted alongside the application by an estate agent which states that the site was marketed on two websites and within the windows of their offices for three months, which is not considered to be a sufficient time period. The estate agent confirmed that the unit was viewed a number of times but was found unsuitable by prospective buyers due to its access and distance from other industrial areas.

The application site was not therefore marketed for one year and it cannot unequivocally be stated that there is no prospect of use classes B2 and B8 uses occupying the unit. However, the application site now predominantly comprises storage space which would align with its previous and allocated use. Notwithstanding this, it is noted that the new use class E allows for any other services which are appropriate to provide in a commercial, business or service locality including indoor sports, and the proposal would align with this.

4. The development would be accessible by means other than the car.

The development is accessible by means other than the car. This is further assessed in the parking and highway section below.

5. The proposal would be in accordance with the sequential approach to development.

A Sequential Test has been submitted which shows that the applicant viewed fourteen units across the District but found these unsuitable due to space, facilities, location and public access. At the time of submission, in view of the nature of the development including the need for high ceilings, it was considered that there were no sequentially preferably alternatives which were suitable, viable or available. However, since the submission of the Sequential Test, the BHS site in the Town Centre has become available. It is however noted that the current unit is adequate in size and configuration and is close to their existing customer base.

6. *The proposal would not generate levels of traffic on surrounding roads which would result in congestion or loss of amenity.*

The Development Management Committee resolved to defer the application on 27 May 2020 to address parking and highway safety issues. Additional parking has subsequently been provided and the majority of the site is now being used for storage purposes to overcome these issues. The impact of the proposal on congestion and amenity has been re-assessed in the 'Impact on Parking and the Highway' and 'Amenity' sections below.

Emerging policy PR1

- a) *evidence has been provided to demonstrate that the unit has been vacant and actively marketed to the satisfaction of the Council for at least one year and there is no prospect of use classes B1 (now E), B2 and B8 occupying the unit or any other more suitable alternative sites being available for the proposal;*

This has been assessed above. It is not considered that the site was marketed to the satisfaction of the Council.

- b) *The development will increase the number of jobs for local residents;*

The use has created some employment opportunities (1 full-time and 7 part time staff members) but it is unclear whether or not this use generates more or less jobs than the previous use.

- c) *the development provides a complementary benefit to the employment area or an ancillary benefit to an existing business, and would not have an adverse effect on the overall provision of employment land;*

It is considered that the employees of the Employment Area could make use of the site. However, this would need to be balanced against the impact on congestion within the Employment Area. It is not however considered that the associated vehicles are providing a complementary benefit to the Employment Area.

In relation to employment land, the proposal would adversely affect the overall provision of employment land i.e. it would result in the loss of one unit. However, the Council's Forward Planning team note that the scale of the effect, including the amount of floorspace being lost, would need to be considered.

It is not considered that the amount of employment floorspace lost significantly adversely affects the overall provision of employment floorspace overall. It is also noted that the floorspace includes storage and ancillary office space which would be acceptable under policy ER5.

- d) *where the development is for the sub-division of units into smaller units, that the resulting unit is flexible and the division is reversible.*

The unit has not been sub-divided into a smaller unit, rather it has been split into various rooms. It is considered that the unit is flexible and that the alterations could be reversed.

To summarise, the proposal was not marketed to the satisfaction of the Council. However, it is not considered to adversely impact the range of sites or premises available for employment use and would not result in the loss of an employment site of high quality. In addition, it is considered that the storage use aligns with the previous and allocated use of this site, and the indoor sports use aligns with the new use class E. It is considered that the other changes made are flexible and reversible. It is also considered that the development provides a minor

complementary benefit to the employment area insofar as the workers of the surrounding employment units could use the site. The site is also accessible by means other than the car and would be in accordance with the sequential approach to development.

Impact on Parking and the Highway

The Development Management Committee resolved to defer the application on 27 May 2020 to address parking and highway safety issues.

Policy T9 of the ARHLP indicates that proposals should not result in detrimental impacts to parking or the highway.

The application site is located within an Employment Area which included an on-street car parking issue prior to the implementation and operation of '(Bounce)'. Whilst on-street car parking is prevalent when the unit is closed, it is notably increased when the unit is open which exacerbated the existing parking issue, to the detriment of pedestrian and highway safety. The representations received (objecting) reflect this and further note that the site was detrimentally impacting access and deliveries to the adjacent units.

A key factor creating on-street car parking was the small size of the associated car park which included 5 standard off-street car parking spaces which equated to 12% of the required parking provision according to the Essex Parking Standards.

Subsequent to the Development Management Committee, additional car parking spaces have been provided at the site resulting in 16 standard car parking spaces and 1 disabled car parking space. This equates to 37% of the required standard car parking provision according to the Essex Parking Standards.

It is noted that the Essex Parking Standards indicate that a reduction to the standards can be applied in urban and well-connected areas. The site is located within an Employment Area which is surrounded by residential development, and is positioned adjacent to the Staple Tye Neighbourhood Centre. The site is also suitably connected in terms of cycle routes, as demonstrated by the applicant, with cycle routes shown from Southern Way, Staple Tye and Paringdon Road. The applicant has also submitted a variety of bus routes serving the site including routes 1, 2, 3, 86 and 87 for those travelling further afield, and states that a car share initiative is already in place. There is room for cycle spaces inside of the unit.

However, the proposed parking provision is still considered to be a significant reduction, and it is therefore imperative that associated vehicles do not obstruct neighbouring business premises or the free flow of traffic through the Employment Area.

In order to further address the shortfall of car parking spaces, the applicant has confirmed that the proposed morning classes could be capped to 16 attendees during the week to ensure that sufficient car parking is available. It is considered that a condition could be added to any consent granted to ensure that the class sizes include no more than 16 attendees.

It is noted that the morning classes are limited to 5 a week with the remainder of the classes to be held in the evenings or during the morning on weekends. It is considered appropriate for a condition to be added to restrict the hours to those currently put forward i.e. to prevent opening before 9.30am on weekdays and to prevent classes between midday to 6pm on a Monday and 11am and 6pm during the rest of the week. This would help to limit the impact on the Employment Area during the day and during rush hour.

The applicant has also indicated that neighbouring premises (Enterprise MOT and the car wash) are willing to offer their car parking spaces (approximately 15 spaces), and that sustainable modes of transport will be encouraged. The car parks would be outside of the control of the applicant and would therefore have limited weight in the assessment of this

application. The use of these car parks would also prejudice the future use/development of these employment sites. It is not considered that other car parks can be given limited weight in the assessment of this application. It should be noted that this application would not be taking car parking spaces from another unit as the spaces belonged to the application unit and were not being utilised.

It is noted that Essex County Council raised no objection to the scheme as originally submitted.

On balance, given the additional parking secured and subject to conditions, it is considered that the proposal would not result in detrimental impacts to parking or the highway, in compliance with policy T9 of the ARHLP.

Character and Appearance

There have been no external alterations to the building other than the erection of one sign on its frontage. Given the design of the proposed sign and its context within the Employment Area, it is not considered that it results in harm to the character and appearance area, in compliance with policy BE1 of the ARHLP. Separate advertisement consent would be required for the signage which has not been sought. If the Committee resolves to grant consent, an informative would be added to any decision notice to remind the applicant to apply for advertisement consent.

The Development Management Committee raised no concerns in relation to the impact of the proposal on the character and appearance of the proposal at the Committee meeting on 27 May 2020.

Amenity (Noise)

The development is currently in operation and the Council is unaware of any noise concerns relating to this site. Taking this in to consideration and given its use, indoor nature and location within the Employment Area, it is not considered that the development would create future issues with regards to noise. No comment was received by the Council's Environmental Health team and no representation received relates to neighbouring amenity concerns.

The Development Management Committee raised no concerns in relation to the impact of the proposal on amenity at the Committee meeting on 27 May 2020.

CONCLUSIONS

The proposal would retain a sports and recreation facility within Harlow, in compliance with Paragraph 73 of the NPPF and policy L2 of the Harlow Local Development Plan Pre-Submission Publication.

It is not considered that the proposal is resulting in harm to the character and appearance of the surrounding area or to neighbouring amenity in terms of noise, in compliance with policy BE1 of the ARHLP and policies PL1 and PL2 of the Harlow Local Development Plan Pre-Submission Publication.

The marketing information submitted demonstrates that the application site was marketed for three months. The application site was not therefore marketed for one year and it cannot unequivocally be stated that there is no prospect of use classes B2 and B8 uses occupying the unit. However, the proposal is not considered to adversely impact the range of sites or premises available for employment use and would not result in the loss of an employment site of high quality. In addition, the proposal would align with the new use class E, and it is considered that the use is flexible and that the changes are reversible. It is also considered that the development provides a minor complementary benefit to the employment area insofar

as the workers of the surrounding employment units could use the site. The site is also accessible by means other than the car and would be in accordance with the sequential approach to development.

In addition, it is considered that, subject to conditions, the proposal would not result in detrimental impacts to parking or the highway, in compliance with policy T9 of the ARHLP.

Whilst finely balanced, it is therefore considered that the application should be approved.

RECOMMENDATION

It is resolved that the Development Management Committee **GRANT PLANNING PERMISSION** subject to the following conditions:

1. 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.

2. The development hereby approved shall be carried out in accordance with the following plans:

Plan Reference	Version No.	Plan Type	Date Received
PR01 03	--	Location Plan	16.02.2018
--	--	Block Plan	01.09.2020
--	--	Ground Floor Plan	01.09.2020
--	--	First Floor Plan	01.09.2020

REASON: For the avoidance of doubt and in the interests of proper planning.

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.