

Committee Update - HW/FUL/19/00290 – Part of Terminus Street Car Park and Land South of the Car Park, Velizy Avenue, Harlow

Correspondence:

The applicants have written raising a minor change to the Committee report as follows:

We note that the Committee Report makes an incorrect reference to residents associations at paragraph 1 on page 3. Before you issue the update sheet please can you add in the following paragraph to correct the incorrect reference:

*“Paragraph 1 on page 3 of the report incorrectly makes reference to Residents Associations. Paragraph 1 should state:
In relation to “pepper-potting” of the affordable housing the Applicant confirmed that the affordable housing provided would be tenure-blind and to the same standard of the market housing provided. The affordable housing is currently allocated on the first and second floors of the building on the basis that Registered Providers prefer their properties to be located together (for management purposes); the Applicant did indicate that they would speak with RPs and provide a response. At the time of drafting this section of the report, it has not been possible to undertake this action and instead, the Applicant has accepted a pre-occupation condition in relation to the location of the affordable housing units as their commitment to exploring the scope for pepper-potting of these units.*

Officer Response:

The proposed amendment which identifies Registered Providers of affordable homes which is the correct reference. It is welcomed that the applicants accept the attachment of a suitably-worded condition.

Local Plan

The emerging Local Plan now has significant weight and is due to be adopted at the full Council meeting tomorrow (10th December 2020) Agenda item 10a - Harlow Local Development Plan Version for Adoption, December 2020.

It is therefore suggested, in line with emerging Policy H5 that wheelchair housing should be provided in line with the latest SHMA. The latest SHMA is dated 2015 and at paragraph 6.34 this indicates that “*The evidence therefore supports the need for 10% of market housing and 15% of affordable housing to meet Category 3 [Part M M4(3) of the Building Regulations] requirements*”. The applicants have offered to provide all housing across the site as adaptable (within Part M4(2) of the Building Regulations) with 10% wheelchair (including 2 of the 11 affordable housing units – 18%). Officers consider that the proposal would provide sufficient adaptable and wheelchair housing provision to be acceptable and therefore propose the following additional condition:

“Prior to first occupation of the dwellings hereby approved, the wheelchair adaptable (Part M4(2) and wheelchair-accessible housing (Part M4(3) shall be implemented in accordance with the approved plans

Reason: To accord with the NPPF and the emerging Local Plan Policy H5 of the Local Plan (as amended by the Major Modifications Document)”

Also, additional proposed conditions relating to climate, as follows:

“The proposal shall be built in accordance with the climate measures proposed within the submitted Energy Statement, July 2020/Sustainability Statement, July 2020 and shown on the approved plans; such implemented measures shall be retained and maintained.

“Reason: To ensure that the proposal is provided in accordance with climate reducing measures in accordance with the NPPF and emerging policy PL3 of the Local Plan”

“Prior to occupation, details for passive and active electric vehicle parking provision shall be submitted and once approved in writing by the Local Planning Authority shall be implemented in accordance with the approved plans and thereafter they shall be retained and maintained solely for use by electrical vehicles.

Reason: In the interests of reducing reliance on petrol/diesel fuels in accordance with the NPPF and Policy IN1 of the emerging Local Plan.”

The applicants confirm that they find the above conditions to be acceptable.

Alteration to recommendation:

It is proposed to the wording of the recommendation (set out on page 8 of the published agenda pack).

It is should now read as follows:

*That Committee resolve to **GRANT PLANNING PERMISSION** subject to:*

- i. The applicant entering into an appropriately worded Section 106 Legal Agreement to secure the proposed 7.4% affordable housing and a viability review mechanism; AND*
- ii. Delegated Authority being given to the Planning and Building Control Manager to negotiate a suitable viability review mechanism/claw-back mechanism to be secured within the S106 agreement. This delegated authority shall extend to the prioritisation and allocation of any funds secured in subsequent reviews to the infrastructure contributions requested during the consideration of this application. AND*
- iii. The conditions (Numbers 1 to 18) as set out in the published committee report, and the additional conditions sent out above.*