

**MINUTES OF THE DEVELOPMENT MANAGEMENT COMMITTEE
HELD ON**

9 December 2020

7.30 - 9.22 pm

PRESENT

Committee Members

Councillor Phil Waite (Chair)
Councillor Nancy Watson (Vice-Chair)
Councillor Jean Clark
Councillor Mike Danvers
Councillor Bob Davis
Councillor Michael Garnett
Councillor Michael Hardware
Councillor Maggie Hulcoop
Councillor Sue Livings
Councillor Clive Souter

Officers

Patricia Coyle, Principal Planning Officer
Sangeeta Ratna, Senior Planning Officer
Julie Galvin, Legal Services Manager
Alex Chrusciak, Interim Planning and Building Control Manager
Jade Clifton-Brown, Principal Planning Officer
Hannah Criddle, Governance Support Officer
Andrew Bramidge, Head of Environment and Planning
Emma Crouch, Corporate Support Officer

Other Councillors

Councillor Simon Carter
Councillor Tony Edwards

97. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

None.

98. **DECLARATIONS OF INTEREST**

Councillor Jean Clark declared a non-pecuniary interest in agenda items 8 (HW/REM/20/00415 – PHE) and 9 (HW/FUL/20/00373 – Greenway House) as a Little Parndon and Hare Street Ward Councillor.

Councillor Mike Garnett declared a non-pecuniary interest in agenda item 10 (HW/FUL/20/00450 – 61 to 63 Churchgate Street) as an Old Harlow Ward Councillor and Essex County Councillor for Harlow North.

Councillor Maggie Hulcoop declared a non-pecuniary interest in agenda item 10 (HW/FUL/20/00450 – 61 to 63 Churchgate Street) due to a

personal connection to the applicant and confirmed she would withdraw from the debate.

Councillor Sue Livings declared a non-pecuniary interest in agenda item 10 (HW/FUL/20/00450 – 61 to 63 Churchgate Street) as an Old Harlow Ward Councillor.

Councillor Clive Souter declared a non-pecuniary interest in agenda items 4 (HW/FUL/19/00290 – Part of Terminus Street Car Park and Land South of the Car Park), 8 (HW/REM/20/415 – PHE) and 9 (HW/FUL/20/373 – Greenway House).

Councillor Phil Waite declared a non-pecuniary interest in agenda item 10 (HW/FUL/20/00450 – 61 to 63 Churchgate Street) due to a personal connection to the applicant and confirmed he would withdraw from the debate.

99. **MINUTES**

RESOLVED that the minutes of the meeting held on 11 November 2020 are agreed as a correct record and signed by the Chair.

100. **MATTERS ARISING**

None.

101. **WRITTEN QUESTIONS**

None.

102. **PROCEDURE FOR CONSIDERATION OF PLANNING APPLICATIONS**

RESOLVED that the procedure for the conduct of the meeting is noted.

103. **HW/FUL/19/00290 - PART OF TERMINUS STREET CAR PARK AND LAND SOUTH OF THE CAR PARK, VELIZY AVENUE**

The Committee received a report and application (HW/FUL/19/00290) on the partial demolition of the existing car park and redevelopment of the site for a mixed-use development comprising a part 9, part 10 and part 11 storey building, providing 150 residential dwellings, 1,808.7 sqm of commercial floorspace in flexible A1/A3/A4/B1/D1 use, a gym, a re-configured car parking layout, cycle parking and storage and refuse stores. Plus public realm improvements and the creation of a new landscaped pedestrian and cyclist entrance to the Town Centre.

The Committee also received a supplementary report containing information which had been received after the publication of the agenda. This included further correspondence received from the applicant.

Presentations were heard from one objector and the applicant's agent.

RESOLVED that planning permission is **GRANTED** subject to the applicant entering into an appropriately worded Section 106 Legal Agreement based on the requirements identified within the report, the additional proposed conditions and amended recommendations as per the Supplementary Agenda, and the following amendments agreed by the Committee:

- i. The claw back provision/review mechanism to be included in the S106 shall require the Planning and Building Control Manager consult with the Chairman of the Development Management Committee and the Leader of the Council as to allocation and prioritisation of any monies recovered against the submitted list of planning contributions sought.
- ii. The allocation of the £150,000 contribution shall be delegated to the Planning and Building Control Manager in consultation with the Chairman of the Development Management Committee and the Leader of the Council.
- iii. The claw back provision/review mechanism within the S106 shall require details of sales values but also construction and other costs.
- iv. Amendment to condition 14 as set out below:
Prior to first occupation of the development hereby approved, the developer shall submit details of the proposed location of the 11 affordable housing units within the development and secure approval for the details from the Local Planning Authority. These submitted details shall demonstrate how the location of the affordable housing units has been "pepper potted" and dispersed through the development as a whole. The location of the affordable housing units shall be implemented in accordance with the approved location details.
Reason: To ensure the location of the affordable housing units is acceptable.

104. **HW/REM/20/00415 - PHE, COLDHARBOUR ROAD**

The Committee received a report and application (HW/REM/20/00415) on the reserved matters approval (access, appearance, landscaping, layout and scale) for the development of 22,625sqm gross internal area of new floorspace for research and development uses (Use Class B1) and the refurbishment of existing buildings for research and development uses and ancillary uses following outline planning permission HW/OUTAM/17/00372.

The Committee also received a supplementary report containing information which had been received after the publication of the agenda. This included further correspondence received from the applicant.

RESOLVED that planning permission is **GRANTED** subject to the conditions in the main published agenda and supplementary agenda.

105. **HW/FUL/20/00373 - GREENWAY HOUSE, PARKWAY**

The Committee received a report and application (HW/FUL/20/00373) on planning permission for the erection of four storey building comprising office space and 32 flats, together with parking, refuse area and rooftop amenity space.

The Committee also received a supplementary report containing information which had been received after the publication of the agenda. This included an update to the recommendation in the main published agenda.

A representation was heard from the applicant's agent.

RESOLVED that planning permission is **REFUSED** for the following reasons:

- a) The proposed residential use fails to accord with the site allocation within the Adopted Replacement Harlow Local Plan 2006 and the Harlow Local Development Plan Pre-Submission Publication 2018 which allocates the site for employment use within the Pinnacles Employment Area. The proposed residential use within the Employment Area would not therefore accord with the aspiration of the Development Plans, and the proposal fails to have sufficient regard to the proximity of the incompatible adjacent employment uses on the health, safety, amenity and wellbeing of future residents, contrary to policies ER5, ER6, SD3 and SD5 of the Adopted Replacement Harlow Local Plan 2006 and policies PL1, PL2 and PR1 of the Harlow Local Development Plan Pre-Submission Publication 2018.
- b) The proposed development by reason of its location, access to and distance from local services and facilities with poor public transport links and choices would create a functionally isolated development whereby future occupants would be reliant on private car journeys to access sufficient facilities and services for everyday life which would represent unsustainable development that would result in additional vehicles within the Employment Area to the detriment of pedestrian and highway safety. The development is therefore found to be contrary to the provisions of policies SD3 and

SD5 of the Adopted Replacement Harlow Local Plan 2006 and policies PL1 and IN2 of the Harlow Local Development Plan Pre-Submission Publication 2018.

- c) The proposed development would not provide an acceptable level of private amenity space for occupants. The mitigation offered by the applicant in terms of a proposed open space contribution would not provide for suitable amenity space locally, contrary to policy PL2 of the Harlow Local Development Plan Pre-Submission Publication 2018.

106. **HW/FUL/20/00450 - 61-63 CHURCHGATE STREET**

Councillors Mike Danvers and Maggie Hulcoop left the meeting at this point and did not return. Councillor Phil Waite withdrew from the debate for this item. Councillor Nancy Watson acted as Chair for the consideration of this item.

The Committee received a report and application (HW/FUL/20/00450) on planning permission for the conversion of existing dwelling back into 2 dwellings alongside the extension of the front single storey bay and the creation of a new courtyard garden at no.61.

RESOLVED that planning permission is **REFUSED** for the reason as set out in the published Agenda report.

107. **REFERENCES FROM OTHER COMMITTEES**

Councillor Waite returned to the meeting and resumed as Chair for the remainder of the meeting.

None.

108. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE