

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

16 December 2020

7.30 - 8.23 pm

PRESENT

Committee Members

Councillor Phil Waite (Chair)
Councillor Nancy Watson (Vice-Chair)
Councillor Jean Clark
Councillor Mike Danvers
Councillor Jodi Dunne (substitute for Councillor Bob Davis)
Councillor Michael Garnett
Councillor Michael Hardware
Councillor Maggie Hulcoop
Councillor Clive Souter

Officers

Andrew Bramidge, Head of Environment and Planning
Alex Chrusciak, Interim Planning and Building Control Manager
Hannah Criddle, Governance Support Officer
Julie Galvin, Legal Services Manager
Adam Halford, Garden Town Lead Officer for Harlow Council
John Hoad, Garden Town Consultant for Harlow Council
Adam Rees, Governance Support Officer

Other Councillors

Councillor Tony Edwards

109. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Bob Davis and Sue Livings. Councillor Jodi Dunne was in attendance as a substitute for Councillor Bob Davis.

110. **DECLARATIONS OF INTEREST**

None.

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

RESOLVED that the procedure for the meeting is noted.

112. **3/19/1045/OUT - LAND NORTH OF THE STORT VALLEY AND THE A414 GILSTON HERTFORDSHIRE - HARLOW COUNCIL CONSULTEE RESPONSE**

The Committee received an update report on the Gilston Area development.

RESOLVED that the Committee noted the update report.

The Committee also received a report which recommended a Harlow District Council consultee response to the East Hertfordshire District Council Application (3/19/1045/OUT).

A representation was made by the Applicant.

RESOLVED that the Committee **APPROVED** the following consultation response:

- A** The Council is supportive of development of the Gilston Area as it contributes greatly to achieving important growth aims for Harlow and Gilston Garden Town (HGGT).
- B** However, the Council's support for any particular application is dependent on confidence that a planning permission will achieve development that accords with both the Development Plan as a whole, (in this case, particularly the East Herts District Plan Policy GA1) and the HGGT Vision.
- C** The Council supports the application amendments on design of the site accesses and the commitments to internal circulation principles. The changes should provide essential dedicated space and prioritisation for public and active transport to help achieve the mode share targets, together with traffic signal controls that can manage traffic flows from the development onto the road network. This provides the opportunity for the village development itself to accord very well with the HGGT vision for transport. The Council will continue to work with EHDC and the applicant on appropriate conditions and obligations to secure these aspects of the scheme.
- D** Generally, the Council considers that agreement of appropriate planning obligations for the development is fundamental to securing development quality and mitigating its impacts in a manner compliant with policies and guidance and with due regard to other material considerations.

- E** The Council cannot support the application on the basis of the planning obligations presently set out, or suggested in general terms by the applicant as adequate. The Council considers the obligations proposed would fall considerably short of the commitments required to address Development Plan policies and supporting HGGT guidance and evidence.
- F** In particular the Council identifies the following concerns:
- i) There are still many uncertainties on how far the applicant is prepared to commit to HGGT principles
 - ii) On essential sustainable transport matters commitments to adequate funding for, and timely delivery of, the Stort Valley Crossings and proportional contributions to the funding of the Sustainable Transport Corridor network are still not confirmed
 - iii) Due to the lack of clarity on planning obligations it is unclear how the application will support effective use of the Housing Investment Grant (HIG) funding which the Councils have been awarded to help 'unlock' the delivery of the Gilston Area development. This is particularly the case in respect of the lack of commitment to the provision of adequate repayment of 'grant' into the Rolling Infrastructure Fund (RIF) that will support the provision of the wider Sustainable Transport Corridor (STC) infrastructure that is essential to support sustainable growth
 - iv) Other important HGGT matters are unresolved; the details of affordable housing for Harlow residents to support social mobility; provision of adequate employment land and premises to support balanced economic growth of the Garden Town; energy strategy measures; and future community facility stewardship arrangements
 - v) The promised formal Memorandum of Understanding (MoU) between the applicant and the V7 landowner / applicant on comprehensive development and shared and consistent commitments in planning obligations has still not been provided. The result is that, in effect, the V1-6 application and future V7 application are put forward for decision in isolation. This position could, if permissions are granted in the wrong form, result in significant planning harm. In particular, failure to establish an

effective mechanism for the phasing of development and coordination of its infrastructure, including transport planning and funding, the overall provision of employment land and social and community facilities and the stewardship approach are all seriously affected and subject to much greater uncertainty and risk

- G** The Council’s position of general support for the application is dependent upon these matters being satisfactorily addressed in advance of the LPA determining the application. The Council wishes to contribute to that endeavour through a continuation of engagement with partners and the applicant on planning conditions and planning obligations.
- H** The Council provides notice that, to reflect the conditional nature of its support, it may seek to comment further at the point that greater clarity on planning conditions and obligations is provided, for example upon production of draft recommended conditions and applicant agreed Heads of Terms that support an officer report to the LPA.
- I** EHDC and the applicants are asked to take note of more detailed points explaining these concerns - set out in the Table ‘Analysis of Application – Key Issues for Harlow’ (Report Appendix 2). The Council therefore requests that EHDC should only contemplate a grant of planning permission after these points have been fully considered; to the extent that they can be either resolved, or weighed in the decision balance.
- J** To delete the first bullet in Appendix 2 ‘Commitments’ and ‘Strategies’ secured C Employment; Points of Concern and replace with:

“The amended application appears to indicate that provision will now be made for the minimum amount of employment land and floor-space required by the Development Plan. However, this depends largely on an enlargement of the Village 6 developable area. The feasibility of the resultant land use and highway access changes is unclear.”

113. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE