

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

8th June 2021

REFERENCE: HW/FUL/21/00148

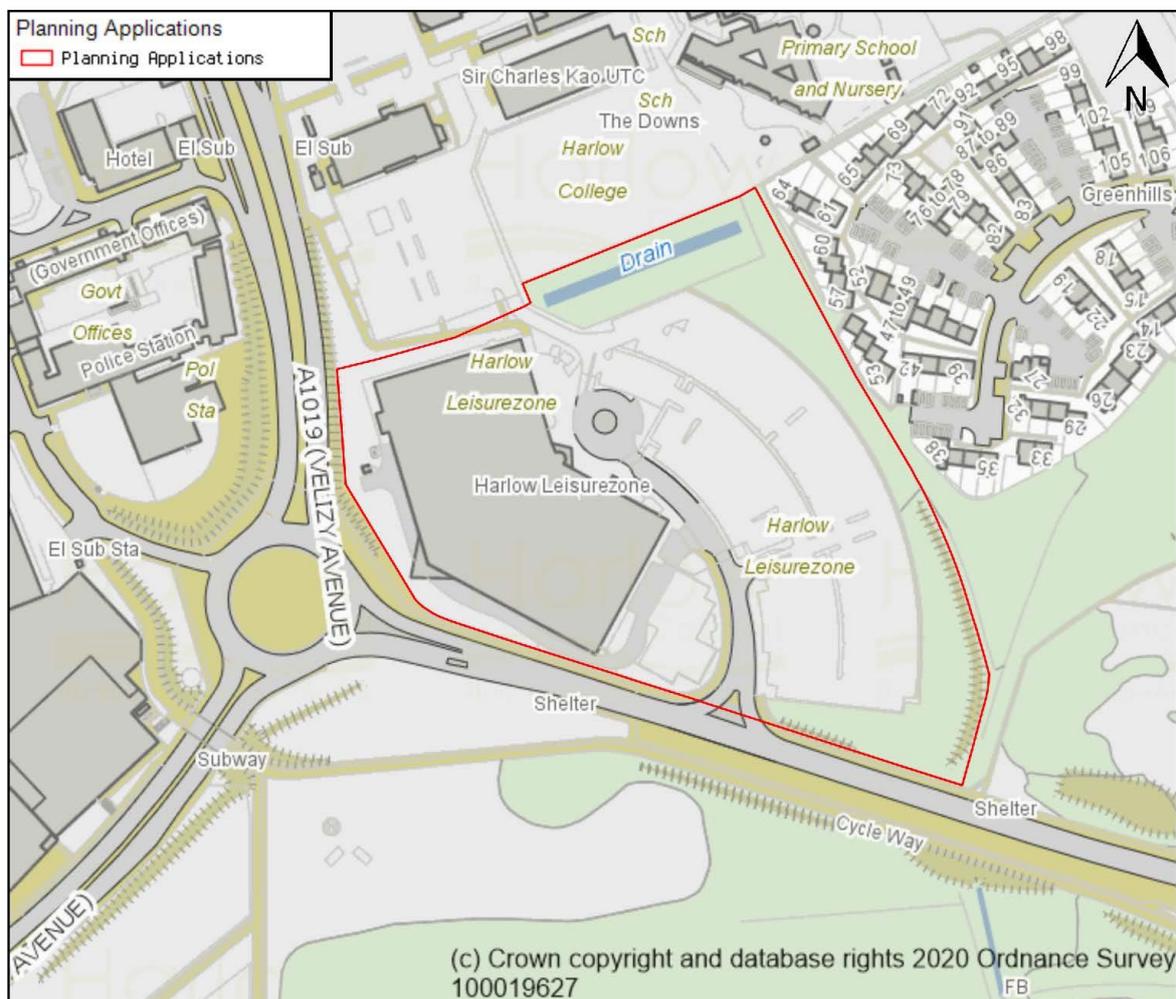
OFFICER: Nicholas Fu

APPLICANT: Brass Architecture

LOCATION: Harlow Leisurezone
Second Avenue
Harlow
CM20 3DT

PROPOSAL: Change of use of science education area to accommodation for religious teachings (Use Class F) (amended description)

LOCATION PLAN



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REASON BROUGHT TO COMMITTEE: More than two representations have been received which are contrary to the officer recommendation

Application Site and Surroundings

The application relates to the Harlow Leisurezone, which sits on the junction between Velizy Avenue and Second Avenue, to the south of the Harlow Collage. The Leisurezone is identified as part of the Town Centre on the Harlow Local Development Plan (HLDP) Policies Map 2020.

The Leisurezone was developed following the Outline Permission HW/PL/03/00449 and the subsequent Reserved Matters Permission HW/PL/05/00016, both of which were granted in 2005. The development as permitted consists primarily of sports and recreation facilities, while it also has a nursery and a science education and exhibition area. The Leisurezone is served by a 510 spaces car park to the front and a 136 spaces car park to the rear.

This application relates to a 575m² area within the existing science education and exhibition area, which is located on the northeast corner of the building. The site includes a large open-plan area which has been used for exhibitions and workshop sessions. The site has been left vacant since science education has ceased to operate in 2018, until recently when it was used as a temporary Covid vaccination centre.

Details of the Proposal

Planning permission is sought for the change of use from science education area to accommodation for religious teachings. The applicant also indicates that there Sunday and holiday worship services.

The external appearance of the building would not be affected. The submitted drawings show some internal alterations would be carried out, noticeably the two classrooms/meeting rooms, two study rooms and an assembly hall are worth mentioning.

RELEVANT PLANNING HISTORY:

Planning Applications

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
HW/PL/05/00016	Construction of Wet & Dry Sports Centre and Parking - Phase 1 and Office Accommodation (Reserved Matters Permission)	Granted	21.04.2005
HW/PL/03/00449	Construction of Wet and Dry Sport Centre and Parking, together with Replacement Car Parking for Harlow College and Office Accommodation (Outline Permission)	S106	09.02.2005

CONSULTATIONS

Internal and External Consultees

Essex County Council - Highways

No Objections

Neighbours and Additional Publicity

Number of Letters Sent: 29

Total Number of Representations Received: 7

Date Site Notice Expired: 22 April 2021

Date Press Notice Expired: 22 April 2021

Summary of Representations Received

7 local residents object to the application for the following planning reasons:

- The Leisurezone should be retained for sporting activities;
- The Leisurezone should be used by all cultures and religions, and not affiliated to a specific religious group; and
- There are other more suitable locations within the district for religious activities.

The Harlow & District Sports Trust, who manages the Harlow Leisurezone, wrote in to express their support to this application. They noted that the lease is an important stream of income to support the operation of the Leisurezone. The existing sports and recreation activities within the Leisurezone would not be affected. There are also other non-sport community uses within the Leisurezone such that the proposal would not be incompatible.

PLANNING POLICY

The following policies of the Harlow Local Development Plan (2020) are relevant to this application:

L2: The Provision and Loss of Recreational, Sporting, Cultural and Community Facilities

RS1: Retail Hierarchy

RS2: Future Retail Floorspace

PL2: Amenity Principles for Development

IN1: Development and Sustainable Modes of Travel

IN2: Impact of Development on the Highways Network including Access and Servicing

IN3: Parking Standards

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/Current Planning Guidance

The Harlow Design Guide SPD (2011)

The Harlow and Gilston Garden Town Design Guide (2018)

Planning Practice Guidance (PPG)

The draft Harlow Town Centre AAP (HTCAAP) was submitted to Cabinet in December 2019 and was to be the subject of further public consultation. A recent review has concluded that the HTCAAP will not progress any further. A masterplan will build on the work undertaken for the HTCAAP and will inform a future review of the HLDP. Even though the HTCAAP work has

been halted, the policies contained within the HLDP still apply and represent the Council's wider objectives for Harlow Town Centre.

Summary of Main Issues

The proposal relates to a change of use of the application site, and the associated internal alterations. There is no operational development and the external appearance of the building is not affected. The proposal would therefore have no material impact on the character and appearance of the surrounding area.

The application site is stipulated as a science education and exhibition area on the approved drawings of HW/PL/05/00016, which is considered to be a sui generis use. It was used as such since the opening of the Leisurezone until 2018 when the science education centre ceased to operate, and the site has been left vacant. The proposal is to use the vacant space for religious education space, including church service sessions mostly on Sundays and holidays.

While the large site is mostly a sport centre with sports and recreation facilities, there are other uses co-existed within the building. Specifically, there is a nursery on the other side of the building, and the application site itself was designed for science education and exhibition. It is therefore considered that the proposed church and religious education use would be a compatible use in this location.

The site is currently used as a Covid vaccination centre during the pandemic, but this is a temporary provision during a stage of emergency and therefore carries limited weight in the determination of this application.

Policy L2 of the HLDP supports the provision of recreational, sporting, cultural and community uses and/or facilities. This policy considers a range of different community and cultural buildings and uses, including places of worship, healthcare and education facilities, libraries and social facilities such as community halls. Both the existing and proposed uses fall under the provision of Policy L2 and are given equal weight in terms of their acceptability. It is not found that the proposed change of use would result in any demonstrate harm to the community in accordance with Policy L2.

The Leisurezone is identified as part of the Town Centre on the HLDP Policies Map. However, with the absence of an adopted Town Centre Area Action Plan at the moment, and that this application does not relate to a retail opportunity, the proposal would be considered in accordance with the policies set out in the Harlow Local Development Plan.

Policies RS1 and RS2 relates to developments of the Town Centre. Although the policies focus mainly on retail opportunities, the core principle is to maintain and protect the vitality and viability of the Town Centre area. The proposal would take up an otherwise vacant unit within the Town Centre. The proposed community and cultural use also allow a diversity of different uses within the Town Centre area without comprising existing retail spaces. The proposal provides the diversity, range and quality of the services within the Town Centre, which is considered to have a positive contribute towards to sustainability and vitality of the Town Centre.

The proposed change of use, therefore, is in principle acceptable and would comply with the Harlow Local Development Plan.

Impacts on nearby residents

The application site is located within the Leisurezone, which is located to the east of the Town Centre and to the south of the Harlow Collage. The west and south of the application site is bounded by busy highways. The nearest residents are located at Greenhills and circa 130m away. It is therefore considered the proposal would not result in any demonstrable harm to the living conditions of nearby residents.

The original permissions for the development of Leisurezone include conditions restricting the opening hours to between 6.00am and 11.00pm on Mondays to Saturdays, and 7.00am and 9.00pm on Sundays and Bank Holidays. There are also conditions preventing deliveries outside the hours of 8.00am and 5.00pm Mondays to Fridays, and at any time on Sundays and Bank Holidays. It is reasonable that these restrictive hours also apply to the proposed use.

Parking

According to the Essex Parking Standards, the car parking provision for public/exhibition hall is 1 space per 25m², for place of worship is 1 space per 10m², and for education is 2 spaces per 15 students.

The application site has an internal floor area of 575m². A breakdown of floor space for each use is not provided. Nevertheless, it is noted that services would be held mostly on Sundays, and in other times the site would be used for meetings and workshop sessions. It is not likely that the application site would be at full capacity at all times. Even in the unlikely scenario which the entire application site is operated purely in the use with the greatest number of parking spaces requirement, which is 'Place for worship' in this instance, 58 parking spaces would be required.

The 600+ car parking spaces at the Leisurezone would be more than sufficient to accommodate the proposed use. The Leisurezone is also located within a sustainable location which is served by existing bus routes and cycle paths, and within 10 minutes walking distance to the Town Centre bus terminal. The sustainable transport connections would reduce the pressure on parking.

It is therefore considered that the proposal would be acceptable in terms of parking.

Local Representations

Concerns were raised regarding the loss of existing sporting and leisure space. It should however be noted that the application relates to the existing science education and exhibition area which has a separate entrance on the side of the building. The sports and leisure facilities of the Leisurezone would not be affected by the proposal.

There are also comments on an alternative site, but an application must be considered on its own merits. In this instance, there are no other material considerations, such as local development plan policies, suggesting the current location should not be considered for the proposed use.

The culture, religious or ideology, which the further occupier is promoting or advocating, is not a material planning consideration.

CONCLUSION

The proposal relates to a change of use from science education and exhibition area to accommodation for religious education and assembly. The HLDP identified both uses as of community benefit and is given equal weight in supporting both uses. In accordance with Policy L2, it is not found that the proposed change of use would result in any demonstrable harm to the community. The community and cultural use in this location is considered to have a positive impact on the sustainability and vitality of the Town Centre, in accordance with Policies RS1 and RS2. The proposal is therefore in principle acceptable.

The proposal does not include any alteration to the exterior of the building. It is also not considered to have any demonstrable impact on the living conditions of nearby residents. Given the extensive number of parking spaces available onsite and the sustainable location of the Leisurezone, it is considered that the proposal would be acceptable in terms of parking.

It is therefore considered that the proposal would comply with Policies L2, PL2, IN1, IN2 and IN3 of the Harlow Local Development Plan 2020. Accordingly, it is recommended for approval subject to conditions.

RECOMMENDATION

That Committee resolve to **GRANT PLANNING PERMISSION** subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The use shall not operate except between the hours of 6.00am and 11.00pm on Mondays to Saturdays, and 7.00am and 9.00pm on Sundays and Bank Holidays. No deliveries shall be taken at or despatched from the site outside the hours of 8.00am and 5.00pm Mondays to Fridays, nor at any time on Sundays or Bank Holidays.

REASON: To ensure that the development does not prejudice the enjoyment by neighbouring occupiers of their premises, in accordance with Policy PL2 of the Harlow Local Development Plan December 2020.

- 3 The development hereby permitted shall be carried out in accordance with the approved plans as shown listed in the table below.

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

Plan Reference	Version No.	Plan Type	Date Received
0001 A 00	--	Site Location Plan	17.03.2021
0004 A 00	--	Proposed Plans	17.03.2021
002 A 00	--	Site Location Plan	07.05.2021

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.