

Appendix B

Supporting Statement

Article 4 Direction for Use Class E conversions

Background

In March 2020 the Council put in place several Article 4 Directions across the town in order to protect remaining offices from being converted to residential use. The office market in Harlow was significantly affected by the Permitted Development Right, so much so that the town was frequently in the local news showcasing the issues of poorly converted and poorly located housing development. In the same year the Council adopted its ambitious and proactive Harlow Local Development Plan which sets out a housing target greater than the town's need to assist with regeneration and affordability issues. The Council has always proactively sought to deliver housing growth in the town both through private and Council owned sites, but this has been done in a strategic and coordinated manner through the Local Plan and planning application processes. In addition, the loss of office floorspace would inhibit the economic development strategy set out in the Local Plan that seeks to maintain and secure a range of employment sites that meets the regeneration needs of the town.

As a former New Town, Harlow differs from the more organically developed market towns that surround it. It was created and developed with purpose, in accordance with an agreed Masterplan. The principles laid out in the Masterplan, developed by Sir Frederick Gibberd, are instilled within the Council to this day and the policies and allocations in the Local Plan and planning application decisions still consider these principles. The New Town was built around a series of neighbourhoods, dissected by large areas of natural and semi-natural spaces, known as Green Wedges and more importantly (in respect of this paper) a central shopping centre (the town centre) and two major industrial sites close to the railway line, north and west of the district. The main employment areas were deliberately separated from residential areas; however, each neighbourhood is serviced by its own Neighbourhood Centre providing some shopping and employment services and smaller hatches for day-to-day needs. This [purposefully Master Planned](#) layout means that there is very little 'blurring' of uses, with residential and employment uses having their own appropriate locations within the town.

Harlow forms part of the Harlow and Gilston Garden Town. This consists of a partnership between Harlow, East Hertfordshire and Epping Forest District Councils and Hertfordshire and Essex County Councils who are facilitating growth through four Garden Communities in and around Harlow. Harlow also lies within the Core of the UK Innovation Corridor stretching from London to Cambridge. The Innovation Core is an inward investment partnership of the 7 local authorities of Broxbourne, East Herts, Epping Forest, Harlow and Uttlesford as well as Essex and Hertfordshire County Councils. The Core aims to raise the profile of the region in the eyes of investors from both home and abroad, promoting the impressive connectivity, affordability, skills and supply chain credentials to a wide-ranging audience. Therefore, what Harlow has to offer this region in respect of a range of employment and business opportunities, including office and research space, is strategically important. This also supports the Council's own economic strategy of protecting and promoting Life

Science and MedTech, ICT and Digital Industries. Protecting office and research and development space to support these industries is extremely important for Harlow as a town, the wider Garden Town and the sub-region as a whole.

It also important to recognise and protect the role Harlow Town Centre plays in the sub-region. The town centre provides a broad range of day-to-day retail needs, community and leisure facilities and is also an important source of employment for Harlow. Other areas rely on the services it provides including the 23,000 homes planned for Harlow and Gilston Garden Town. The Council adopted a [Masterplan Supplementary Planning Document](#) (SPD) for the Town Centre in March 2022 in order to coordinate and facilitate growth, both in respect of retail and commercial uses and residential development. The Masterplan identified the potential for over 2,000 homes across the town centre in addition to already consented schemes. These have been identified within a series of opportunity areas ensuring that the town centre retains its core retail function.

The Council therefore considers it important to continue protecting Use Class E uses across the town to support Harlow's Local Plan strategy, the wider Garden Town growth ambitions and the sub-region in respect of both retail and employment uses.

Review of Article 4 Directions

At a meeting held in May 2022 officials from DLUHC provided comments in respect of the Article 4 Directions that had been submitted to Secretary of State in October 2021. It was indicated that the Secretary of State was unlikely to support the extent of the Directions that had been submitted. Arising from these comments officers have reviewed what further changes could be made to the Directions in order for them to be supported by the Secretary of State. This has taken into consideration the NPPF's requirements of being able to demonstrate wholly unacceptable adverse impact and ensuring the Directions apply to the smallest geographical area possible.

The Council has removed approximately 73% of the land which would be covered by the proposed Article 4 Directions. Approximately 2.3% of the entire Harlow district (3,054 hectares) would therefore be covered by the revised Article 4 Direction.

Each Direction is justified individually below. Revised maps are attached separately to this paper.

Employment Areas

Burnt Mill

Burnt Mill is situated to the north of the town on the approach into Harlow at the A414. It is within walking distance of Harlow Town Railway Station. The western part of Burnt Mill has been removed from the Article 4 Direction as it predominantly consists of B2 industrial units or offices connected with B2 uses or distribution yards. There are however two important landmark office blocks, Goodman House and Field House, located to the east of Burnt Mill which provide the only remaining office accommodation in this key strategic location. Former purpose-built office accommodation nearby, Pearson House, was converted under the Prior Approval regime which resulted in existing businesses having to relocate from the premises. Both Goodman House and Field House currently have occupants, one of which was relocated from another Prior Approval office conversion in the district. This highlights the negative impact such approvals have on existing businesses that hinders the economic well-being of the town.

Their strategic location on the A414, just over 100 metres away from Harlow Town Railway Station and on the proposed Sustainable Transport Corridor route (to be implemented as part of the Garden Town's sustainable transport measures and consisting of a bus rapid transit route) means that these are important strategic office sites. Importantly, the sites are not within walking distance of day-to-day amenities, primary school education or healthcare provision and are not considered to be sustainable locations for residential development. They have therefore been retained in the Burnt Mill Article 4 Direction as specific office blocks to be protected.

Approximately 65% of the area has been removed from the Burnt Mill Article 4 Direction.

Templefields

Templefields North-East

Two separate Article 4 Directions were made in this part of the town;

- 1) Templefields; and
- 2) Templefields North-East.

Both areas are designated in the Local Plan and Policies Map as employment areas and are situated north-east of the town along the A414. Templefields North-East is also close to Harlow Mill Railway Station. Policies have been put in place to protect these areas so they can they serve the employment needs of the Garden Town and Innovation Core and retain local employment opportunities.

Having undertaken a more recent review of the area most units are industrial or logistical in nature (B2 or B8). Any offices in this area are considered ancillary to a general industrial or logistical use and are therefore B2 or B8 overall. Furthermore, the Council considers the north-east part of Templefields to be a heavily industrial location, and this is now a consideration for any Prior

Approval application. Therefore, if there were offices in this location, they would likely not be determined as appropriate for conversion under the new Prior Approval considerations.

The remainder of Templefields consists of a variety of uses from very large storage and distribution units, heavy industrial units and light industrial units, supermarkets and some offices. There are also offices ancillary to manufacturing and distribution uses, car showrooms and research and development buildings. Officers have gone through a process of removing units already converted under the Prior Approval process, units of over 1,500sqm in size and units which are known not to be in Use Class E. The remaining areas are considered by the Council to warrant protection through the Article 4 Direction. These remaining areas include buildings that may be used for office, research and development or light industrial uses and support the Council's employment strategy as set out in the Local Plan.

In the circumstances it would not be considered appropriate to pursue the Article 4 Direction for Templefields North-East.

Approximately 80% of the area has been removed from the Templefields Article 4 Direction.

The Pinnacles

The Pinnacles is designated as an employment area in the Local Plan and Policies Map. It is one of the largest employment areas in the town situated on the west side of the district. It was home to the former GSK site where the UK Health Security Agency will now be relocating. There are several larger distribution centres, smaller industrial estates housing various warehouses and units, both large and smaller trade units and showrooms. Furthermore, there are businesses that carry out research and development activities. Approximately 4.6 hectares of land at The Pinnacles has been allocated for Use Class E(g) (i, ii and iii) in the Local Plan and will be protected for this use through Local Plan policies.

Like Templefields, the Pinnacles is a major employment area providing a range of jobs for the area and local residents. It has lost several major office units due to Prior Approvals forcing some businesses to relocate. There is now a risk that research and development activities may also be lost under the new Permitted Development Rights – a major contributor to Harlow's economy and uses which the Council is actively encouraging and pursuing through the Local Plan economic strategy. The area is not within walking distance of any local amenities including education provision, healthcare, shopping facilities or a railway station and bus services are limited in this area. Although the Council is hoping to improve this by routing the Sustainable Transport Corridor to The Pinnacles, it would still be an unsustainable and unattractive place to live.

Officers have undertaken the same review process for The Pinnacles as it has done for Templefields; units which have already been converted under Prior Approval, units of over 1,500sqm in size and units which are known not to be in Use Class E have been removed. The Council's Local Plan allocation and buildings associated with the relocation of the UK Health Security Agency have also been removed. The remaining areas are those which the Council wishes to continue protecting

through the Article 4 Direction. This includes buildings which may be used for office, research and development or light industrial purposes and therefore at risk from conversion.

Approximately 70% of the area has been removed from The Pinnacles Article 4 Direction.

Town Centre

R – Removed

R - Retained

2-3 Wych Elm	R
13-26 Wych Elm	R

Wych Elm forms part of Harlow Town Centre as designated on the Council's Local Plan Policies Map. It is situated at the northern most part of the town centre close to the existing Princess Alexandra Hospital (PAH) site which lies to the west, a Sainsbury's store to the north-east and Rectory Wood to the north. The Wych Elm area is identified in the Council's Town Centre Masterplan SPD for a mix of homes, workspaces, community uses and flexible retail floorspace. Wych Elm suffers from legibility and layout issues, and it consists of separate landownerships and distinct parcels of land. The Masterplan SPD identified a comprehensive approach for this area and this is set out in more detail in a [draft development brief](#) which is due to be published for consultation.

To bring forward a successful development at Wych Elm it will need to be delivered comprehensively rather than in a piecemeal way. It is important therefore that existing units in Use Class E at Wych Elm are protected and not converted to ensure that this can happen. This will then deliver the homes and community facilities required in this area as well as improving layout, legibility, connections to the town centre and improvements to landscaping. The Article 4 Direction has been amended to include only units which are in Use Class E and in private ownership i.e. 13-26 Wych Elm. These units are currently occupied by a mix of small retail units on the ground and first floor including a Motorcycle shop, bathroom showroom and paint shop.

Westgate House	R	Mitre Buildings	R
Rothwell House	R	Aylmer House	R
2 East Gate	R		

These blocks are situated within the Harlow Town Centre boundary as designated on the Local Plan Policies Map. They are located north of the town centre close to the northern entrance of the Harvey Centre shopping centre, backing onto Kitson Way and North Gate. Westgate House already has Prior Approval for floors four to seven with offices below and this has been completed. The Mitre Buildings also have Prior Approval and are currently being built out. Rothwell House and 2 East Gate are occupied, and Aylmer House is also occupied by the NHS with a Wetherspoons at ground floor. Although this area forms part of the town centre, it is not considered to form part of the retail core with few shops and leisure facilities. It also has several existing Prior Approval conversions and in addition plans for more residential development have been submitted to the Local Planning Authority.

The Town Centre Masterplan SPD shows these buildings being retained and therefore there may be opportunity for conversion rather than redevelopment, taking into consideration existing prior approval conversions that have already taken place.

Therefore, it is proposed to remove this area entirely from the Town Centre Article 4 Direction.

1-39 Broad Walk	R	Area formerly known as 1-22 Little Walk	R
5-9 West Walk	R		

It is considered these three areas form part of the retail core of the town centre along with the Harvey Centre and the Water Gardens further south. In particular, 1-39 Broad Walk lies within the heart of the town centre and forms part of the primary frontage. It is accessed via a pedestrian link to the bus station close to a multi-storey car park.

Broad Walk was the first part of the town centre to be developed in the early days of constructing the New Town. The basic plan for the town centre was a rectangle north to south axis at the heart of which were two shopping malls, one being Broad Walk. This was to be home to larger stores with Little Walk designed for small independent retailers.

The proportion of vacant frontage in Broad Walk as of April 2022 was 5.4%, which is lower than the proportions of overall vacant primary frontage (11%) and vacant secondary frontage (22.1%). The Masterplan SPD identifies the importance of retaining Broad Walk, in order for it to support retail and hospitality provision in the area. This has therefore been retained in the Article 4 Direction for the town centre. The Council is already looking to improve the area around Broad Walk through the Towns Fund Bid win providing an improved transport hub at the bus station and public realm improvements into East Gate. This is to cascade into Broad Walk into the future.

The remaining areas of 5-9 West Walk and the area formerly known as 1-22 Little Walk have been removed from the Article 4 Direction. The units of 5-9 West Walk do not form part of the retail core of the town centre, although it is worth noting that they still contribute towards retail provision in this area and are designated as secondary frontage. Furthermore, 1-22 Little Walk will form part of a much larger redevelopment project which is currently being considered by the Council and is likely to be demolished to enable this to come forward.

1-7 Harvey Centre Approach	R	Harlow Central Library	R
Harvey Centre	R R		

These areas constitute the Harvey Centre shopping area which includes an indoor shopping centre (closed to the public overnight) and several units that face outwards onto Broad Walk. It also includes the library to the south of the area. The Harvey Centre, which is an important component of the retail core, consists mostly of indoor units including independent and national retailers, places to eat and a six-screen cinema. It is served by a multi-storey car park. Upon further review the conversion of this part of the Harvey Centre would be very difficult to accomplish without the need for major renovation and reconfiguration, this likely requiring planning consent. Furthermore, it would need to open at least parts of the centre overnight which are currently inaccessible to the public. This area has been removed from the Article 4 Direction along with Harlow Central library as it is not a Class E use and is undergoing major internal and external refurbishment.

Part of Harvey Centre approach and units which front Broad Walk are to be retained in the Article 4 Direction as they could be converted independently from the rest of the Harvey Centre and their retention would help maintain the retail core in this area.

1-5b Civic Walk	R	Redstone House	R
Harlow Civic Centre (1st floor above Civic Walk)	R	1-16 The Water Gardens	R

These four areas, the ground floors of which are all primary frontage, predominantly reflect the Water Gardens element of the town centre. The Water Gardens itself is Grade II Listed and situated south of the town centre with access to a multi-storey car park. The current Direction includes 1-5b Civic Walk which includes several eating establishments along with the entrance into the Harlow Civic Centre which has offices above.

The Water Gardens includes several large retail units mostly selling clothing and usually incorporating a mezzanine floor. Numbers 1-16 have been retained in the Article 4 Direction. These are smaller in nature and form part of the core shopping area. The eating establishments at Civic Walk and the offices of the Civic Centre have also been retained within the Article 4 Direction. The larger retail warehouse type units (Matalan/Asda/TK Maxx) were originally excluded from the Article 4 Direction and remain excluded.

The Masterplan SPD recognises the important function this area serves both in the local area, the Garden Town and wider sub-region and that it's retention will support the future viability of the town centre. Therefore, it continues to be designated as primary frontage and is to be retained in the Masterplan as a Retail Core along with the Harvey Centre and units along Broad Walk. They have been retained in the Article 4 Direction.

Redstone House was granted Prior Approval and has been removed from the Article 4 Direction.

Essex County Council, Water Garden Offices	R
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These offices are located adjacent to the Harlow Council Civic Offices. It is one of a handful of offices left in the town centre and is occupied by Essex County Council. Harlow Council is developing proposals to improve the Playhouse Quarter further north of this office building. This will create a vibrant arts and cultural plaza which will improve the setting of two iconic buildings: The Playhouse Theatre and St Paul's Church. Along with an improved Playhouse and outdoor space it will also include the redevelopment of Occasio House for housing.

The retention of the Essex County Council offices, along with the Harlow Civic Offices, will support the offering of facilities and services in this location along with the cultural improvements at the Playhouse Quarter. This building has therefore been retained in the Article 4 Direction.

Beaufort House is located in an area known as Crown Gate Island. This area is situated to the south-east of the town centre, bordered by Velizy Avenue, Crown Gate and South Gate and currently occupied by the Police Station, Magistrates Court and Job Centre. The site is a key gateway into the town centre with good connections to and from the main shopping area. There are opportunities through redevelopment and public realm projects to strengthen this, creating an impressive and enticing gateway. The Town Centre Masterplan SPD identifies this area for a mixed-use civic quarter which should be delivered in a comprehensive way with consolidation or relocation of existing uses to suitable and viable sites. Beaufort House is currently occupied by the Job Centre and is one of the remaining office blocks in this location. Not only would its conversion remove an occupied office building, but it would also prevent a comprehensive development from coming forward in this location which is greatly supported by the Masterplan work.

Therefore, Beaufort House remains in the Article 4 Direction and the Council is considering the preparation of a separate development brief for Crown Gate Island in order to deliver a comprehensive scheme.

Approximately 60% of the area has been removed from the Town Centre Article 4 Direction.