

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

13 February 2023

REFERENCE: HW/FUL/21/00251

OFFICER: Elizabeth Beighton

APPLICANT: SSRE Investments 4 Ltd (Strawberry Star)

LOCATION: West Gate on Market (Stone Cross) Square, Broad Walk, West Gate, East Gate, Harlow

PROPOSAL: Redevelopment Of Land at Harvey Centre at West Gate, on Market Square, Broad Walk, West Gate, Harlow Essex Hybrid planning application to demolish the existing buildings and provide a comprehensive re-development of the site with a mixed-use development comprising up to 578 residential units, up to 3,000sqm (GEA) flexible retail / drinking establishment / leisure /community / commercial space (Use Classes E and sui generis), communal residential amenity space, a new pedestrian boulevard, public realm improvements, car and cycle parking with associated plant and hard/soft landscaping. All matters are reserved for Blocks B, C2 and C3. Blocks A and C1 and associated public realm is submitted in detail.

LOCATION PLAN



Reason for Committee Referral

The application is referred to Committee as the application has been previously determined by the Planning Committee (see report) and it is therefore appropriate that Committee received the update to the report and re-determine the application.

Recommendation

The S106 has been signed and it is therefore recommended that the application be approved.

Update

The application was first presented to the Development Management Committee on 26 October 2022 with a recommendation of approval (see Appendix One). The supplementary pack is included as Appendix Two.

The resolution put to Committee, and subsequently endorsed, was as follows:

That the Committee resolve to GRANT (HYBRID; PART FULL AND PART OUTLINE) PLANNING PERMISSION subject to:

- (i) The applicant entering into an appropriately worded Section 106 Legal Agreement to secure important matters in relation to:
- Framework for implementation by block and phasing
 - Financial viability review
 - Travel planning
 - Public realm improvements
 - Stewardship
 - Energy performance
 - Local economy and employment
 - Monitoring fees
 - Architectural custodianship
- (ii) Should a S106 Legal Agreement not be completed by the applicant by 26 January 2023 (3 months from the date of the Planning Committee decision), powers be delegated to the Director of Strategic Growth and Planning to refuse the planning application for the following reasons:
- The transport needs of a development that is intended to encourage and support residents travelling by public transport and walking and cycling are not fully addressed. The proposal is therefore contrary to Policies SIR1, PL1, IN1 and IN6 of the Harlow Local Development Plan (2020).
 - The proposal provides no affordable housing to address local needs. The proposal is therefore contrary to Policy H8 of the Harlow Local Development Plan (2020).
 - The proposal provides no strategic and local open space and play, childcare, health and libraries infrastructure to meet local needs generated by the development. The proposal is therefore contrary to Policies L1, L4 and IN6 of the Harlow Local Development Plan (2020).

Appendix Three is an post Committee update report noting the further representation received from ECC Heritage.

The legal agreement has now been signed by both parties and accordingly the decision can now be issued. It is considered that due to it being signed beyond the three months specified in the initial resolution, it is appropriate to refer the matter back to the Development Management Committee to re-affirm their position.

In addition, since the Committee previously heard the matter, there has been a change in national planning policy with two more recent iterations of the NPPF, the most recent in December 2023. Officers have reviewed the updated NPPF and do not consider any of the changes alter the assessment or recommendation of this application. There have been no changes to local policy in the intervening period.

There have been no changes to the application details or the site which would require the re-assessment of the application.

The scheme, in the opinion of officers, remains acceptable and is an important element of the town centre renewal, is policy compliant and recommended for approval.

RECOMMENDATION

It is resolved that the Development Management Committee **GRANT PLANNING PERMISSION** subject to conditions listed in Appendix One (no changes proposed) and the signed Section 106 Agreement (unchanged from previous resolution).