

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
10 April 2024

REFERENCE: HW/FUL/23/00488

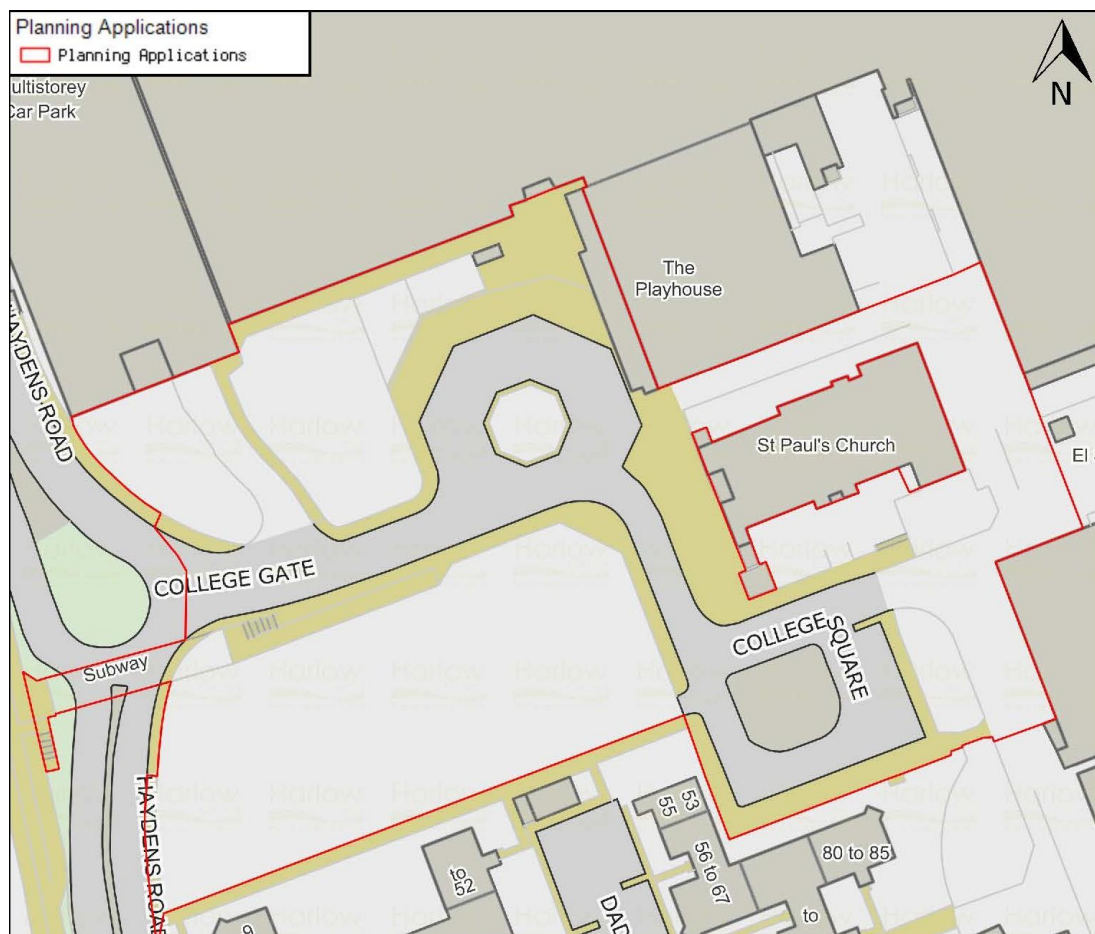
OFFICER: Ross Breton

APPLICANT: Harlow District Council C/O McBains

LOCATION: Land to the West of Harlow Playhouse, College Gate, Harlow

PROPOSAL: Redevelopment of land to the west of Harlow Playhouse, including Occasio House, to provide a 2 no. storey detached extension to Harlow Playhouse to provide creative studios and performing arts space, music school and recording studio, cafe, changing rooms and booking office (Sui Generis); and an additional part 6 no. and part 5 no. storey building to provide flexible commercial and community floorspace at ground floor level (Use Class E and Use Class F.1/F.2) with residential flats above (Use Class C); together with landscaping, public realm improvements, improvement works to the Haydens Road subway, re-direction of College Gate and re-location of the taxi rank; and associated access and parking provision.

LOCATION PLAN



Reason for Committee Referral

This planning application is submitted by Harlow District Council and proposes to redevelop a large swathe of Harlow town centre.

Recommendation

Following a thorough assessment of the planning application it is considered that the proposed development accords with National and Local planning policy and is recommended to the Planning Committee for approval, subject to planning conditions.

Details of the Proposal

Harlow District Council (HDC) has been awarded £19.6m, following a successful bid to secure funding from the Government's Levelling Up Fund, to support plans to deliver a new mixed-use Arts & Cultural Quarter. The proposed development would form the new western gateway into Harlow town centre and build upon the existing and cultural use offer of the Harlow Playhouse.

The proposed development is focused around an underutilised area of land to the south-west of Harlow town centre. The money awarded to the Council would secure its long-term future through the delivery of the following elements that form this planning application:

Block E – A 2-storey dedicated arts building with flexible performance and creative arts studio spaces, providing rehearsal, dance, teaching hire and classes, music school with rehearsal and recording space, new café and booking office with ancillary supporting spaces and facilities. This building has been designed to complement and expand upon the existing offer of the neighbouring Playhouse Theatre building;

BLOCK ABC – A part-5, part-6 storey mixed-use building comprising flexible ground floor commercial/community and arts/culture gallery spaces (including areas for hire, ancillary supporting spaces and facilities, and 47no. 1 and 2-bedroom flats (100% affordable) with private and shared amenity space above; and

Public Realm – New public realm including extensive hard and soft-landscaping, an outdoor performance stage, seating/play areas and pocket park.

These core elements would be supported by a new access road to south of Block ABC to replace College Gate. This would create direct, continued access between Haydens Road and the Playhouse and Water Gardens servicing yards. The purpose of this to enable the creation of a new, pedestrianised public square. Access to the Harvey Centre multi-storey car park would remain from Haydens Road.

Site and Surroundings

The site is located within the western part of Harlow Town Centre and spans across an area approximately 1.33ha. Vehicular access is available from College Gate via Haydens Road to the west.

The site is bounded by the Harvey Centre shopping centre and the associated multistorey car park to the north and north-west respectively, the Playhouse Theatre to the north east, St Paul's Church to the east, College Square to the south west, Dad's Wood residential estate to the south, and Hayden's Road and the Sharpecroft residential estate to the west.

The site itself comprises the following land:

- Vacant brownfield land that previously sited Occasio House – a four and six storey ‘S shaped’ building previously in educational and residential use. Both buildings have been vacant since 2016 and were subsequently demolished in August 2023 due to health and safety concerns;
- An access road to the Harvey Centre multistorey car park via Haydens Road, bound by two grassed areas and the ‘Chief’ sculpture;
- Playhouse Square –a turning circle providing a taxi and drop off point for visitors using facilities in Harlow town centre, including the Playhouse Theatre, and a pedestrianised area providing access to the Harvey Centre shopping centre;
- College Square – a turning area to the south of St Paul’s Church, including accessible car parking and coach spaces;
- Pedestrian and servicing access surrounding St Paul’s Church (the Church itself does not form part of the application site); and
- A pedestrian underpass beneath Hayden’s Road.

In terms of Local Plan designations, the site is located in Harlow town centre. No other policy constraints cover the site.

The site is located within Retail Core 1 – *Harvey Centre* as outlined in the Harlow Town Centre Masterplan Framework (HTCMF) SPD. This area is protected for the continued operation of retail and commercial leisure uses [at ground level] with leisure, community, office and residential uses on upper floors, particularly where these enhance the overall vitality and viability of the town centre.

The site is not located within a conservation area but does envelope the Grade II listed St Paul’s Church. The entire site is located within Flood Zone 1 (lowest risk).

RELEVANT PLANNING HISTORY:

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
HW/DEM/23/00144	Demolition of Occasio House.	Prior approval not required	29/01/2021
HW/FUL/16/00485	Installation of ‘Chief’ sculpture.	Granted	23/12/2016
HW/PL/13/00025	Installation of enclosed disabled persons lift to rear of Playhouse. Provision of new opening in wall of service yard for pedestrian access. Provision of new door to rear wall	Granted	03/04/2013

	of Playhouse.		
HW/PL/12/00327	To add a complementary design to the rear external wall of the Playhouse building, to be viewed from the walkway adjacent to BHS retail store.	Granted	29/11/2012
HW/PL/11/00274	Provision of disabled access ramp and landing to the existing loading bay to the rear of the Playhouse. Provision of new opening in wall of service yard for pedestrian access. Provision of new door to rear wall of Playhouse.	Granted	12/12/2011
HW/PL/06/00281	Internal alterations to existing office accommodation. Internal construction of healthcare centre and associated provision of new DDA compliant access. Alterations to façade to include new window to training kitchen.	Granted	14/09/2006

RELEVANT APPEAL HISTORY:

There is no relevant appeal history for the site.

CONSULTATIONS

Internal and external Consultees

HDC Town Centre Management

No representation received.

ECC Highways

The Highway Authority has concluded that the proposed development will not be detrimental to highway safety, capacity or efficiency at the site or on the wider highway network, and will greatly improve facilities for sustainable travel.

They add that the development is not proposing to provide any parking provision (with the exception of accessible parking bays), which given the location, and the easy access to other modes of sustainable travel within the vicinity, is considered to be acceptable from a highway safety perspective. Additional cycle parking will be provided across the site.

Furthermore, the scheme includes the implementation of a section of the Local Cycle and Walking Plan 1, which will encourage and improve access by sustainable modes into and around the town centre.

HDC Trees Officer

The Council's Trees Officer has confirmed that the application has sufficiently considered the impact to trees and green infrastructure. It is noted that the redevelopment of the site would involve the removal of 27 trees but would be replaced by 33 new trees, thereby creating a benefit. One tree would be translocated and retained outside of St Paul's Church, whilst two commemorative Handkerchief trees that hold an important tie to the past, and which act as a welcome gateway to the church, is commended.

The opportunity to form a more cohesive and planned enhancement of the landscaping for trees and green infrastructure is felt to be of more value in the long term than the retention of the current trees in situ and is therefore welcomed.

The details concerning trees and green infrastructure is considered acceptable, subject to relevant planning conditions which are proposed as part of the recommendation.

Place Services (Heritage)

Places Services note that the site is within the setting of the Grade II Listed St Paul's Church. At present, the setting of the church is cluttered and includes a variety of buildings, some of which are of poor quality and design. Therefore, the proposed development is, overall, considered to contribute to and enhance the church's immediate setting.

A degree of 'less than substantial harm' is recorded by Places Services as the proposal would result in the loss of a significant view of the church from Haydens Road. However, the overall positive impact on the setting of the church, and proposed public benefits, is considered to outweigh this harm. The proposed central framing of the Church from Haydens Road would also reinstate the building as a key focal point and landmark.

In terms of the design of the buildings, the introduction of a glazed corner and curtain wall at the ground floor of Block E is considered to contribute to a more visually permeable and lightweight appearance, making it less prominent within views toward the church.

The proposed design approach and materials are also considered to be in keeping with the local character and offer a bespoke and contemporary response to the architecture of the church. Place Services do note that the removal of the proposed artwork at pre-application stage offered the opportunity to break the extensive use of metal cladding. Consideration should now be given to introducing some variety in the pattern/density of the perforated panels.

The proposed landscaping has been further revised since pre-application stage and is considered not to be intrusive or prevent an appreciation of the church from Haydens Road and from within the new public square to be created. The proposed lighting scheme is considered to have been designed with care to maintain the church as a focal point at nighttime.

Place Services would prefer to see the removal of the underpass but consider that the proposed artwork strategy offers an opportunity to integrate this feature within the landscape layout in a creative and attractive way.

Conditions requiring detailed drawings of the finalised proposal for Block E external cladding, and the proposed railings to the underpass are recommended should planning permission be granted.

ECC SuDS (Lead Local Flood Authority)

The LLFA have withdrawn their original holding objection following the submission of additional detail by the applicant's hydrologist. ECC have requested conditions relating to the submission of a detailed surface water drainage scheme, details of maintenance arrangements, ensuring the maintenance of yearly logs for the installed sustainable drainage system and requiring pipes used to convey surface water to be cleared of any blockages.

ECC Growth & Development

No representation received.

ECC Infrastructure

ECC's Infrastructure have reviewed the proposed development and expect it to generate a need for up to 1.26 Early Years and Childcare (EY&C) places, 4.20 Primary School places, and 2.80 Secondary School places. They confirm that there is sufficient capacity for Primary and Secondary places, but a contribution is required to accommodate the 1.26 EY&C places. This would amount to £24,476 (plus indexation).

No School Transport contribution is sought given the proximity of schools to the site.

A further contribution towards Libraries is sought amounting to £3,656.60 (plus indexation), along with the preparation of an Employment and Skills Plan to drive forward an increase in construction employability levels and workforce numbers.

Place Services (Urban Design)

Place Services consider that the proposed development is acceptable from an urban design perspective, and compliant with national and local design policy and guidance. A number of refinements relating to legibility and landscaping were suggested which have been addressed by the applicant during the determination period.

Conditions requiring the submission of material details, and precise details of the soft landscaping are recommended should planning permission be granted.

Harlow Arts Trust

No representation received.

Harlow Civic Society

The Harlow Civic Society supports the application, noting it will provide important new facilities for the town, and significantly improve this part of the town centre. They have made several suggestions relating to access, use of the public square, and safety features which have been addressed by the applicant, and included as planning conditions.

HDC Assets and Facilities Management

No representation received.

HDC Cleansing & Environment

The Council's Waste department initially objected to the proposed development based on the submission of insufficient information relating to parking restrictions along the new access road; dropped kerbs; the number of bins and distances between flats and the refuse store; and layout of the refuse stores.

The applicant has since remedied these queries, resulting in the Waste department removing their objection.

HDC Regeneration Projects Manager

No representation received.

Essex Police Designing out Crime

Essex Police commented that it is important the development is designed to incorporate the maximum achievable benefit of Crime Prevention Through Environmental Design for which Secured by Design is the preferred enabler.

The LPA held a meeting with Designing out Crime Officers (DOCO) to discuss the proposed development, which led to further internal consultation with the Force's road safety and counter terrorism teams.

The DOCO has recommended several conditions including the achievement of Secured by Design, the preparation of a security management plan for the commercial uses and public realm, and further consultation with Essex Police on the safety of the proposed pocket park and improvement works to the Haydens Road underpass.

ECC Strategic Planning

No representation received.

Essex County Fire & Rescue Service

Essex County Fire & Rescue Service have provided commentary regarding access, building regulations, water supply and sprinkler systems. These would be imposed as informatives should planning permission be granted.

Thames Water

Thames Water raise no objection to the proposed drainage strategy, subject to the inclusion of a condition requiring the submission of a piling method statement prior to the commencement of development. Informatives concerning surface water drainage, foul water

sewerage infrastructure and petrol and oil interceptors are also recommended to be attached to any grant of planning permission.

HDC Environmental Health (Contamination and Noise)

The Council's Environmental Health team responded to the consultation on noise and pollution matters. They raise no objection to the proposed development subject to planning conditions relating to intrusive site investigation, construction management, working hours, bonfires, dust control, internal sound insulation, details of double glazing and ventilation, and noise arising from external amenity space.

Theatres Trust

The Theatres Trust welcome and support the principle of development, as well as the investment being made into theatre and the arts in Harlow. They make comment in relation to the internal layout of the extension but acknowledge that such matters can be dealt with at the detailed design stage.

Harlow and Gilston Garden Town (HGGT)

HGGT have submitted a comprehensive response to the application supporting the proposed development overall.

Their comments are summarised as follows:

- Supportive of the principle of development.
- Consideration required for the safety management of Block E.
- Suggestion that permitted development rights for the ground floor of Block E are removed to protect it as an arts and performance space.
- Use of artwork is commended.
- Supportive of 100% affordable residential units on the upper floors of Block ABC.
- Supportive of the overall design and encourage conditions relating to material detail.
- Consideration required to control noise between ground floor and residential uses of Block ABC.
- Sustainability aspects and energy efficiency details are commended.
- Public realm, including proposed soft and hard landscaping, is a significant positive for the town centre and is supported, subject to ensuring safety, lighting details and ensuring the setting of St Paul's Church.
- Preference for removal of underpass but funding limitations are noted.
- Recommendation that the proposed development to link to LWIP1.
- Car free development and use of electric vehicle charging points are positive for the town centre.

Affinity Water

Affinity Water have confirmed they have no comment to make on the proposed development.

HDC Licensing

The Council's Licensing department have submitted representations in relation to licensed hackney carriages and private hire vehicles operating in Harlow.

They have requested that consideration be given to the proposed taxi rank not to double up as a drop-off / pick up point; that it be able to accommodate eight taxi bays; that an electric vehicle charging point be installed, and that electric vehicle charging also be made available in the nearby vicinity for private car users.

The applicant has responded to these comments, and such matters are dealt with by condition.

NHS Hertfordshire and West Essex Integrated Care Board (HWE ICB)

No representation received.

Health and Safety Executive (HSE)

The HSE have confirmed that the proposed development does not meet the relevant conditions (seven storeys or 18m+ in height, and containing two or more dwellings) to require a statutory response.

Neighbours and Additional Publicity

Number of Letters Sent: 330

Total Number of Representations Received: 4

Date Site Notice Expired: 1 February 2024

Date Press Notice Expired: 1 February 2024

Summary of Representations Received

Four representations have been received and are summarised as follows:

- Public realm may worsen drug problems and anti-social behaviour.
- Dust and traffic may worsen during construction and post-development.
- Concerns about noise arising from commercial premises.
- Money could be spent on other infrastructure in Harlow.
- Lack of parking provision for new homes.
- Increase in height will cause privacy issues to Dads Wood.
- Loud music arising from site will cause amenity issues to nearby residents.
- Impact to St Paul's Church – arrivals to front of church (e.g. limousines for funerals and weddings), rear parking numbers and servicing.
- Poor access for emergency vehicles.
- Inadequate coach parking.
- Location of pocket park within the vicinity of the servicing road may cause safety issues.

These comments have been addressed by the applicant and are dealt with in the assessment of the application and proposed planning conditions.

PLANNING POLICY

National Planning Policy Framework (NPPF) (2023) 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.

Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. For the purposes of this application, the Development Plan comprises the Harlow Local Development Plan (HLDP), adopted December 2020.

The NPPF (2023) is a material planning consideration. Paragraph 47 states:

“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing”.

Paragraph 38 adds:

“Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”

This is echoed in HLDP Policy SD1 which advises that development that is in accordance with the Local Plan should be supported unless material considerations indicate otherwise.

The relevant HLDP policies referred to in the determination of this application are as follows:

- SD1 – Presumption in Favour of Sustainable Development
- HS1 – Housing Delivery
- ED4 – Developing a Visitor Economy
- WE1 – Strategic Green Infrastructure
- WE3 – General Strategy for Biodiversity and Geodiversity
- WE5 – Heritage
- PL1 – Design Principles for Development
- PL2 – Amenity Principles for Development
- PL3 – Sustainable Design, Construction and Energy Usage
- PL7 – Trees and Hedgerows
- PL8 – Green Infrastructure and Landscaping
- PL9 – Biodiversity and Geodiversity Assets
- PL10 – Pollution and Contamination
- PL11 – Water Quality, Water Management, Flooding and Sustainable Drainage Systems
- PL12 – Heritage Assets and their Settings
- H2 – Residential Development
- H5 – Accessible and Adaptable Housing
- H6 – Housing Mix
- H8 – Affordable Housing
- PR4 – Improving Job Access and Training
- PR5 – The Sequential Test and Principles for Main Town Centre Uses
- PR6 – Primary and Secondary Frontages in the Town Centre
- PR11 – Evening and Night Time Economy

L1 – Open Spaces, Play Areas and Sporting Provision and Facilities in Major Development
The Provision and Loss of Recreational, Sporting, Cultural and Community Facilities
L3 – Development Involving the Provision or Relocation or Loss of Public Art
L4 – Health and Wellbeing
IN1 – Development and Sustainable Modes of Travel
IN2 – Impact of Development on the Highways Network including Access and Servicing
IN3 – Parking Standards
IN6 – Planning Obligations

Supplementary Planning Documents / Current Planning Guidance

Town Centre Masterplan Framework SPD (2022);
Wych Elm Development Brief (2022);
Green Infrastructure and Public Open Space SPD (2022)
Affordable and Specialist Housing SPD and Addendum (2021 and 2022);
Harlow Design Guide (2011); and
Harlow Design Guide Addendum (2021).

SUMMARY OF MAIN ISSUES

The key planning matters assessed in the determination of this application are as follows:

- Principle of development;
- Provision of cultural and community facilities;
- Provision of residential uses;
- Housing details;
- Affordable housing;
- Layout and design;
- Public realm;
- Designing out crime;
- Heritage;
- Highways and servicing;
- Energy and sustainability;
- Noise;
- Daylight and sunlight;
- Flood risk and drainage;
- Ecology and biodiversity net gain;
- Land contamination;
- Health and wellbeing; and
- Financial contributions.

Principle of Development

The proposed development plans to redevelop an area measuring approx. 1.33ha in the west of Harlow town centre. This site includes the land between Haydens Road, the Harvey Centre, the former BHS unit and Dad's Wood (excluding St Paul's Church).

The planning application proposes to construct a detached extension to the Harlow Playhouse to provide creative studios and performing arts space, a music school and recording studio, and ancillary café, changing rooms and a booking office (Sui Generis); a separate building comprising flexible commercial and community floorspace at ground level (Use Class E and Use F.1/F.2) with residential flats above (Use Class C); together with extensive public realm and landscaping, improvements to the Haydens Road subway, the

re-direction of College Gate and re-location of the taxi rank, associated access and parking provision.

NPPF Paragraph 90 states that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. It adds that local planning authorities should allow them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries and allow a suitable mix of uses, including housing. The NPPF also recognises that arts, cultural and tourism development, including theatres and galleries, are appropriate Main Town Centre Uses.

At a local policy level, Policy PR5 specifies that Main Town Centre Uses must be directed to the town centre in the first instance unless there are no suitable or available sites, and will be supported (*inter alia*) if an active frontage is achieved at the ground floor, the vitality and viability of the retail centre is preserved and enhanced to provide facilities and services for local residents, and it is well related to public transport facilities.

The proposed development would achieve all the requirements of Policy PR5 insofar that it would be located within Harlow town centre, provide active frontage in both buildings and would enhance cultural and community facilities to be made available to local residents that would bolster the vitality of the centre. In addition, Harlow town centre is at the top of the local centre hierarchy and provides the best access to public transport modes in the district.

More specifically, the Harlow Town Centre Masterplan Framework (HTCMF) SPD provides guidance to inform the future planning and design of Harlow town centre and divides the town centre into opportunity areas.

The proposed site is located within the area designated as Retail Core 1 - *Harvey Centre*. TC Guidance Note 11 (f) states that infill development to the south of the Harvey Centre and west of Harlow Playhouse will be supported for flexible active ground floor uses including retail, office, commercial leisure and community uses, with residential development above. It adds that the redevelopment of Occasio House for residential uses will also be supported.

Furthermore, Guidance Note 11 adds that development proposals should facilitate or contribute towards improvements to the public realm (including St Paul's Church and College Square) through the use of tree planting and amenity green spaces, materials, public art, seating and surface treatment complementing the Water Gardens and Market Square improvements. Development proposals should also maintain pedestrian gateway connections through to the town centre from surrounding neighbourhoods to the west.

Having assessed the proposed development in the context of national and local planning policy, and supplementary guidance, the principle of development for commercial, leisure, arts and cultural space, with residential development, and public realm improvements, is considered to broadly align with key principles and is supported.

Provision of Cultural and Community Facilities

Policy ED4 states that the Council will develop a visitor economy, which partly builds upon the district's arts and cultural attractions. Proposals which enhance Harlow's visitor economy will be supported where they are of a scale, type and appearance appropriate to the locality, provide local economic benefits and are underpinned by appropriate infrastructure.

The provision of cultural and community facilities would be primarily focused around Block E. This would be a detached building that extends and enhances the facilities currently offered by the Harlow Playhouse. The building is proposed to be 1,981sqm (GIA), extending across

ground and first floor levels. The main entrance lobby would be double storey and located at the south-eastern corner of the longer arm of the building fronting the proposed public square.

The focal point of the ground floor would be a 364sqm (including stage area) flexible performance space. This would enable an indicative capacity of up to 350 patrons (depending on internal arrangements). A smaller 150sqm creative space would be situated at the southern end of the shorter arm of the building to provide an additional/alternative space for performances. Both spaces would be surrounded by ancillary facilities including changing rooms, bar, kitchen, staff areas and toilets. An area on the western side of the building is earmarked for deliveries and back of house performance equipment. This adjoins the external servicing area. A restricted area between the Harvey Centre and proposed building would be secured to allow for refuse servicing and deliveries to the kitchen, for example.

The layout of the first floor largely mirrors the ground floor. The largest area would be a creative space at the southern end of the short arm of the proposed building measuring 179sqm. This area would be adjoined by two small flexible studios (approx. 20sqm each). The centre of the first floor would accommodate two large studios amounting to 187sqm, a 65sqm music school, recording studio and control booth. Similar to the ground floor, the outer areas would provide changing rooms, toilets and circulation corridors.

The Theatres Trust, which are a statutory consultee, have responded to the application confirming their support for the proposed development. They write that the facility would enhance the Playhouse's offer and versatility, and contribute to the overall vision of creating an arts and cultural quarter in Harlow town centre. They add that the principle is welcomed and supported, as is the investment being made to theatre and the arts in Harlow.

In addition to Block E, Block ABC proposes to create 763sqm of flexible commercial floorspace. The bid scheme that was awarded Levelling Up funding details that this would provide a gallery space exhibiting Sir Frederick Gibberd's Watercolour Collection, and provide a centre for visual art. The proposed floor plan illustrates the applicant's intention to devise the majority of this space to the gallery, and create three smaller creative, studio and maker spaces.

Whilst it is important that this area is allowed as much flexibility as possible, it is also crucial that this space is given the opportunity to facilitate its intended end use that aligns with the broad principles of creating an arts & cultural quarter. Therefore, a planning condition would be imposed restricting the use of this floorspace to arts & cultural provision under Use Class F1 (a) *for the provision of education*, (b) *for the display of works of art (otherwise than for sale or hire)* and F1(c) *as a museum*.

Use Class E floorspace would be suitable in this location but the proposed planning condition would require an application for a change of use if it can be demonstrated that occupation of the floorspace for Class F1 is limited.

Furthermore, the provision of cultural uses has the potential to diversify Harlow's evening and night-time economy. Policy PR11 requires such uses to be directed to Harlow town centre first and meet criteria that proves the development would have a positive effect on the vitality and viability of the centre, its night-time economy and the local area, whilst minimising negative impacts on the local area.

The proposed development is considered to have a positive effect on the vitality and viability of Harlow town centre, as it would provide a new offering to attract more people to the area, particularly during the evening and night-time. This is likely to have a positive effect on other

town centre uses that operate into the evening such as leisure, and food and beverage establishments.

In terms of its location, the site is situated in an area of the town centre largely free of residential development. The nearest existing residential areas are Dad's Wood to the south, and Sharpecroft to the west of Haydens Road. In addition, the future residential amenity of the Block ABC must also be considered.

The positioning of Block E would be located to the north east of the site boundary, close to the Harvey Centre and Playhouse. This would ensure that noise generating uses are located as far away from residential uses.

To enable the proposed uses to function into the evening and night-time, a flexible operating condition would be imposed allowing the uses of both Block E and the ground floor of Block ABC to operate between the hours of 07:00 and 23:00 Monday to Sunday, including Bank Holidays. With the exception of Block E, to allow touring companies to depart immediately after an evening performance, for example, servicing must also take place within these hours. These hours are considered to provide a suitable balance to allow the evening and night-time economy of Harlow town centre to flourish, whilst providing adequate protection to existing and future residents.

Overall, the provision of cultural and community uses to Harlow town centre is a significant benefit of the proposed development and would help to meet the Council's aspirations of developing both a visitor and evening/night-time economy. It, therefore, meets the requirements of both Policies ED4 and PR11.

Provision of Residential Uses

Policy HS1 identifies sites to deliver at least 9,200 dwellings during the Local Plan Period.

Whilst the site is not allocated in the Local Plan to deliver a proportion of this identified need, NPPF Paragraph 70 states that small and medium sized sites can make an important contribution towards meeting the housing requirement of an area, adding that to promote the development of a good mix of sites, local planning authorities should (inter alia) support the development of windfall sites through decisions, giving great weight to the benefit of using suitable sites within existing settlements for homes. The site is within the town centre and considered a sustainable location for housing delivery.

As noted above, the Retail Core 1 opportunity area, which covers the site, states the re-development of Occasio House for residential uses will be supported. The proposed residential uses in Block ABC would be located on the upper floors to ensure the ground floor provides active commercial frontage in the town centre.

For reference, Block B refers to the flats to the west of the building, and Block C refers to the smaller portion to the east of the building. Block A relates to the ground floor commercial space.

The provision of residential development in the town centre is positive and welcomed. It would provide highly sustainable development close to existing facilities and services, whilst enabling close access to alternative modes of transportation.

Housing Details

Housing Mix

Policy H6 states an appropriate mix of housing tenures, types and sizes will be expected to be provided to create balanced communities, which reflect Harlow's housing needs and local character. To achieve this, developers should take account of the latest Strategic Housing Market Assessment or other additional appropriate evidence directly related to Harlow's housing need.

The proposed housing mix for Block ABC is as follows:

No. of units	1-bed	2-bed
47	19	28
Proportion	40%	60%

The total number of units would be split between Block B and Block C. This separation is to facilitate a communal terrace at first floor level. Block B would contain 35 units on levels 1-5 whilst Block C would contain 12 units on levels 1-4. Each block would be served by its own lift and stair core and refuse and cycle stores. These would be accessible from towards the rear (south and west elevations) of the building to ensure active commercial frontage onto the newly proposed public square. A post room would be located at the ground floor of Block B.

Whilst no family accommodation is proposed as part of this development, the HTC MF SPD acknowledges that the town centre could meet a range of housing needs, from higher density smaller units in the core of the town centre, grading down to family-sized units on the edges. Given that this site is within the heart of the town centre, a mix of 1 and 2 bedroom units is acceptable in this location.

Standard of Accommodation

The Nationally Described Space Standards (NDSS) set out the requirements for the Gross Internal Area of new dwellings across all tenures. The NDSS is also supported by the Harlow Design Guide Principle DG46.

All homes would meet and exceed the minimum gross internal floor areas for the proposed unit types of 1b2p (50sqm), 2b3p (61sqm) and 2b4p (70sqm) units.

It is noted that all units would provide a good standard of accommodation which include spacious combined kitchen/living/dining areas with full bathrooms and adequate built-in storage.

The majority of units provide dual aspect with the exception of 10 1-bedroom units in the western core of Block ABC. Of these units, five are east facing and five are north facing. The matter of single aspect units has been raised with the architect during the determination period. They state that the scheme footprint has been developed based on constraints such as the new road access, daylight/sunlight impact on neighbouring properties and enhancing views towards the church. This has resulted in the proposed massing of the scheme, leading to some longer elevations in Block B. Due to the length of these facades it has not been possible to ensure that all units are dual aspect but have been limited to 1-bedroom units only. Regarding the five north facing units, an inset balcony has been introduced to improve the outlook of this unit. This is accompanied by taller windows to ensure increased natural light into the units, an enhanced mechanical ventilation system to ensure that the units have

adequate air movement, and taller ceilings. When balanced against the affordable housing benefit of the scheme, the architect's justification is accepted on this occasion.

In addition, HLDP Policy H5 (Accessible and Adaptable Homes) requires all new dwellings to meet at least the Building Regulations Part M4(2) standard for accessible and adaptable homes. In major residential developments, a suitable proportion of Building Regulations Part M4(3) standard dwellings for wheelchair users should be provided based on the latest SHMA or other appropriate evidence directly related to the housing needs of Harlow. For affordable housing, the requirement for Part M4(3) dwellings is 15%.

The development proposes to provide five M4(3) dwellings which equates to a provision of 10.6%. The reason for this shortfall is due to limited parking provision. The applicant considers that it is important that each M4(3) dwelling is served by its own parking bay but that there is a very limited space in the proposed car park when balanced against a 10% increase in biodiversity net gain (with the inclusion of the pocket park), maintaining existing access to the town centre service yards, providing a new taxi-rank and publicly accessible parking spaces. An increase in the number of M4(3) units would require the applicant to reduce the number of publicly accessible parking spaces. Therefore, on balance, the lower provision of M4(3) dwellings is justifiable and accepted, particularly as other Council-led housing schemes have far exceeded the 15% increase (e.g. Perry Road and Elm Hatch).

Amenity Space

The Harlow Design Guide Addendum SPD provides guidance for residential amenity space. The minimum standard for flats is 20sqm, which can include balcony space and a proportion of informal and formal communal areas, roof-top gardens, amenity areas above ground floor and children's play spaces.

It adds that a lower standard may be considered appropriate if the site is within a 10-minute walking distance (or 800m as the crow flies) of an alternative, appropriate and accessible multi-functional (formal and informal) green space.

Each flat would be served by a private balcony either measuring 6sqm or 7sqm, alongside a 356sqm communal terrace for all residents at first floor level of Block ABC. Therefore, the average amenity space per unit amounts to 14.4sqm, which is lower than guidance specifies. This, however, needs to be balanced by the significant public open space, including pocket park, that is also proposed as part of this application. Furthermore, there are several areas of publicly accessible informal green space within 800m of the space, including the Northbrooks Sports Ground and Todd Brook. Therefore, on balance, the provision of amenity space proposed is acceptable.

Affordable Housing

Policy H8 requires at least 30% affordable housing to be provided in residential developments of more than 10 dwellings.

The application proposes that all 47 residential units within Block ABC would be 'affordable housing for rent', as defined by the NPPF, but no further details have been confirmed at the application stage.

This affordable housing type is required to meet conditions set out within the NPPF definition for affordable housing for rent, therefore, a condition would be imposed requiring the developer to submit details including who the registered provider would be, that rents would be at least 20% below local market rent levels and demonstrate that provisions for the units would remain at an affordable price for future eligible households.

Subject to further information on the proposed affordable housing product, the residential element complies and far exceeds the requirements of Policy H8 and would be a significant benefit of the proposed development.

Layout and Design

NPPF Paragraph 131 states that the creation of high-quality places and buildings is fundamental to what the planning and development process seeks to achieve.

Paragraph 135 adds that planning decisions should ensure that developments will function well and add to the overall quality of the area; be visually attractive as a result of good architecture, layout and effective landscaping; are sympathetic to local character and history; establish a strong sense of place; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible, and promote health and well-being.

HLDP Policy PL1 (Design Principles for Development) requires a high standard of urban and architectural design for all development and must meet the criteria set out within the policy. This requires development to demonstrate design rationale; provide local distinctiveness; respond to scale, height, massing and architectural details; provide legibility; provide a logical and legible layout, form inclusive development; provide flexibility and create a safe and secure environment.

The HLDP is supported by the design principles set out in the 2011 Harlow Design Guide (and 2021 Addendum).

The applicant has undertaken several rounds of pre-application consultation with the Council, stakeholders and the local community, and the proposed design has been evaluated by an independent Quality Review Panel (QRP).

The application is supported by a package of proposed plans and a comprehensive Design & Access Statement, which explains the evolution of the design from inception to the proposed scheme, and how the applicant has taken into consideration comments received during the pre-application stage including QRP.

This section of the report details the final proposed external layout of the scheme, and a description of the external design of both Block E and Block ABC. Details of the internal layout are set out in the proceeding sections of this report.

Existing Site

The existing site is considered to be utilitarian in appearance and function, and now largely comprises vacant land, poor quality public realm and road environments. This makes for a poor contribution to the existing townscape but equally presents an opportunity to redevelop an underutilised brownfield site and revitalise the western gateway into Harlow town centre.

Layout

The layout of the proposed scheme has been designed to put pedestrianisation at its heart. This is achieved by removing College Gate from the centre of the site to enable the creation of a public square. This would be replaced with a new road that would run to the south of Block ABC to provide continued servicing and access to taxis and accessible parking bays.

Only access to the Harvey Centre multi-storey car park and a new servicing area for Block E would remain from the existing College Gate. The remainder of College Gate would be Stopped Up to accommodate the new public square.

The proposed buildings would be located adjacent to the Harvey Centre, and on the former Occasio Site between the proposed square. This would enclose the area and focus views towards St Paul's Church when pedestrians enter the town centre from the west. Both buildings would provide active frontage onto the square that would enable footfall whilst providing natural surveillance.

Regarding the existing Haydens Road underpass, it is of the opinion of officers, stakeholders, and the QRP that the scheme would benefit from its complete removal. However, it is accepted that funding is limited to fill this in and create an above ground level pedestrian crossing at this time. The applicant instead proposes to integrate the underpass within the development by making improvements to the internal surfacing and lighting, and the external aesthetic appearance, including the street level railings. Nevertheless, when a person emerges from the underpass, they would be greeted by new landscaped public realm, modern buildings either side, and an improved view towards St Paul's Church. Further details on the underpass are set out within the public realm section below.

At the south eastern end of the site, nearest to the Water Gardens, the development proposes the introduction of a pocket park which would provide green space and children's play equipment. This would also include a footpath that would lead from the Water Gardens into the public plaza. The pocket park and footpath are welcomed elements of the scheme that would provide child friendly activity and green space, and help to integrate the Arts & Cultural Quarter with the wider town centre.

It is also important to note that the proposed layout broadly aligns with the indicative masterplan for Retail Core 1 as set out within the HTC MF SPD in terms of the location of Blocks E and ABC centred around a public square. The only exception to this is the omission of a building located where the pocket park and footpath is proposed. However, this is considered acceptable because it would enable accessible parking and intensify greenery and the public realm to improve the scheme's ability to meet a 10% biodiversity net gain. On this basis, the proposed layout is commendable and acceptable.

Block E Design

Block E relates to the proposed Playhouse extension. It is proposed to be a two storey 'L shaped' building with a long and short arm which would dovetail with Block ABC to the south. This shape helps to define the character of the proposed public square and frame views of St Paul's Church when viewing the site from the west.

The proposed building has progressed through considerable evolution to arrive at the final design. The proposed design approach has been informed by a character study of the existing and emerging architecture of Harlow whilst the massing is consistent with the prevailing mid-rise character of the local townscape character.

The façade of the building has been designed to incorporate a vertical emphasis with a geometric pattern to respond to the church without detracting from it. A fundamental component of the design approach is to improve permeability and legibility to create a strong visual connection to the proposed public square and indeed, the church.

The design proposes to use high quality materials. The eye would be drawn to a combination of solid and perforated bronze metal cladding that would cover approximately three quarters of the building. These panels would also protrude slightly above roof level to

negate views of plant equipment. Aluminium framed windows would punctuate the cladding at first floor; some of which would sit behind the perforated cladding to enable privacy whilst still allowing light into the building. The base of the building (street level) would comprise a combination of dark brickwork and glazing. Glazing would be the dominant material fronting the square, whilst brick would be used primarily along the servicing areas on the west and north elevations.

Of particular interest is the corner of the west and southern elevation. This section would introduce a curtain wall system formed by glazing to enable views through the corner of the building and to break up its massing, particularly at ground level. A smaller curtain wall with decorative metal framed glazing would be introduced at first floor level to continue this feature through the entirety of the corner. The southern arm along the west, south and east elevation would also incorporate an overhang above street level to further break up the massing and provide articulation.

At the eastern end of the building would be the main entrance to the building. This is proposed to be a double height curtain wall atrium which would be recessed within the overall massing of the building. This design is considered to emphasise the entrance and create a focal point when viewing the building from the proposed public square.

The building would include elements that are to be investigated at the detailed design stage. These include signage, primarily on the southern elevation and main entrance. The lettering as shown on the plans is only indicative and it is the applicant's intention to agree the final design with the Council at a later date. A condition would be imposed to allow the Council control over the style and font of the final iteration but should be located in the same areas as illustrated. The location of the signage on the southern elevation, for example, draws the eye to the corner of the building, and St Paul's Church.

Overall, Block E is considered to be of exceptional architectural design that would act as a landmark within the west of the town centre and benefit the range of arts and cultural uses it would facilitate.

Block ABC

Block ABC is proposed to be built on the former Occasio House site. This building is considered to be a significant improvement to the previous built form. Occasio House was a single form, six storey 'S shaped' building covered in grey metal cladding. It was dated, unsightly and no longer safe for its intended end use. As a result, the building was demolished in late 2023 to make way for the proposed development.

As described above, Block ABC would house community floorspace at ground level with 47 affordable residential units above. The proposed built form would comprise a single storey base with a six storey element at the western end to create a landmark corner building with Haydens Road (Block B), and a smaller five storey block at the eastern end which has purposely been stepped down to respect the historical importance of St Paul's Church (Block C). Each block would have their own entrances on either side of the building.

Both blocks would include additional detailing such as small insets to break up the massing, and setback balconies on the north elevation to allow undisturbed sightlines towards the church. The area between the two blocks at first floor level would provide a communal amenity deck.

It is also noted that the layout of Block ABC has considered the relationship with the surrounding townscape, particularly the residential amenity of Dads Wood in terms of access

to daylight and sunlight. The creation of the lower amenity deck between the two blocks helps to achieve this.

In terms of the external design and materiality, Block ABC would incorporate a clear vertical articulation by ensuring the fenestration and brick detailing are mirrored on each floor. This would enable a coherent and rhythmic appearance to be developed across the facades and reference the design approach of St Paul's Church.

Furthermore, the elevational treatment strategy proposes a clear delineation between the base of the building, the middle, and the crown. For example, the ground floor would comprise of grey brick, the middle with buff brick, and the crown with buff brick and recessed/protruding features. Each layer would be divided by protruding concrete coping to emphasise this elevational treatment.

The fenestration for the residential units would be recessed into the brickwork and feature bronze-coloured aluminium frames and bronze spandrels to match the detailing of Block E and contrast with the brickwork. This colour would also mirror the proposed balustrade balconies, the amenity deck parapet at first floor level and the windows and doors at ground level. These features would be either solid, louvered or perforated, depending on their use.

Conclusions

Overall, the proposed height, massing, built form, and layout of Block E and Block ABC would represent high quality, beautiful buildings that would function well for their intended uses during their lifetime. The architecture promotes visual attractiveness and is sympathetic to the surrounding built environment and history of Harlow.

Place Services Urban Design officers have also reviewed the proposed development and consider it to be acceptable from an urban design perspective, compliant with national and local design policy and guidance. It is also commendable that the architect has taken into consideration comments to improve the design throughout the pre-application and determination process, and implemented them where possible.

Therefore, subject to the developer providing details of the external materials to be used for the finish of the development, the proposed development is considered to align with NPPF design guidance and HLDP Policy PL1.

Public Realm

HLDP Policy PL8 requires green infrastructure and landscaping to be protected and enhanced as part of development. It adds (inter alia) that new green infrastructure and landscaping should be well planned, taking into consideration the practicalities and requirements of future management and maintenance.

The Development Plan is supported by HTCMF SPD Guidance Note 3B which sets out the public realm principles for Harlow town centre. Proposals should consider high quality hard landscaping, good legibility, public art, the creation of informal play spaces, the provision of multi-functional green spaces and ensuring safety and security to users.

The applicant has submitted a Landscape General Arrangement plan which illustrates the layout of the proposed public realm. This is described in three parts below.

Firstly, the scheme proposes to introduce a pocket park in the location of College Square. This would include a footpath through its centre to create a walkway between the Water Gardens and the Arts & Cultural Quarter. It has been designed to create a suitable desire

line between the two destinations and to separate the proposed Local Equipped Area of Play (LEAP) and grassed area that form the pocket park.

To the north-west of the pocket park is the proposed public square. This area of public realm would form the heart of the Arts & Cultural Quarter and would contain uniquely shaped areas of soft landscaping, including trees, and a public performance stage in front of Block E. These spaces would be surrounded by high-quality hard landscaping including a mixture of granite paving and cobbled stones to create contemporary flooring. An area at the front of the access road to the public square would be designated for public art.

To the far east of the site, immediately south of the Harvey Centre multi-storey car park, would be another area of new landscaping including planting, trees and street furniture. This would significantly improve the existing bland grassed space to create a positive first impression of the area as people travel along Haydens Road.

As discussed throughout this report, it would be the local planning authority's and stakeholders' preference to see the removal of the Haydens Road underpass. However, it is accepted that this is not possible at this time due to funding constraints. Therefore, it has been agreed that the underpass can remain providing that significant improvements are made to its appearance including resurfacing, improved lighting, and railings that properly integrate with the new public realm proposed at street level.

To support the proposed public realm arrangement, the applicant has submitted a detailed lighting strategy. This has considered the surrounding townscape and proposed elements of the scheme, and proposes a range of low, medium and high illuminance lighting for both the public realm and buildings. This would create different lighting zones to emphasise the proposed development at nighttime (e.g. low level to light planted areas, medium levels to light pathways, and higher levels to light the pocket park and outdoor performance space).

The proposed public realm has been reviewed by stakeholders including Place Services urban design and heritage teams, and Essex Police's designing out crime team. Each consultee raised no objection to the proposed public realm, with urban design and heritage noting that it would offer the opportunity to provide a socially active, green area with enhanced pedestrian routes that enhances the setting of St Paul's Church. Essex Police confirm that the applicant has taken their pre-application feedback into consideration to create a safe and welcoming environment (more information is set out in the relevant section below).

Several planning conditions are recommended to be imposed to ensure that the public realm is brought forward in an effective and sustainable manner. These conditions would be as follows:

- The proposed lighting strategy and hard landscaping to be delivered in accordance with approved plans;
- A detailed soft landscaping scheme and management plan for both the public realm and first floor communal amenity deck;
- To liaise with the Harlow Arts Trust to bring forward suitable public art;
- The preparation of a security management plan to include the public realm;
- Details of play equipment to be installed in the pocket park; and
- Details of the proposed improvement works to the Haydens Road underpass.

Based on the proposed landscaping strategy, and the satisfactory discharge and compliance of the proposed planning conditions, the proposed public realm is considered exemplar and would provide significant improvements to the west of Harlow. It would provide extensive

urban greening to an otherwise utilitarian space, new street furniture to improve dwell time, play equipment for children, an informal performance space that would link with Block E, safety and security measures, and new public art. It is therefore considered to accord with both HLDP Policy PL8 and the HTCMF SPD.

Designing out Crime

NPPF Paragraph 96 states (inter alia) that planning decisions should aim to achieve places that are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. This includes high quality public space, which encourages the active and continual use of public areas.

This is further reiterated by HLDP Policy PL1 which requires development to create safe and secure environments which help to reduce opportunities for crime, and to minimise the fear of crime.

The applicant's Design & Access Statement confirms that a pre-application meeting took place with the DOCO to discuss the security provisions of the proposed development.

A further meeting took place between the Council and the DOCO during the determination of the application. Essex Police have confirmed that they do not have any objections to the proposed development, subject to a series of planning conditions being imposed should planning permission be granted.

Firstly, the DOCO considers the schemes offers an opportunity to present exemplar development for Harlow town centre and therefore requests that both Block E and Block ABC achieve Secured by Design accreditation.

The DOCO is also eager to ensure that the commercial uses and the public realm are kept as safe as possible to ensure that they provide high quality spaces, which encourage use during the day and at nighttime. In order to control this, the DOCO has requested that a security management plan is prepared in consultation with Essex Police that identifies possible threats and the ways in which they could be negated.

To improve and enhance public safety throughout the Arts & Cultural Quarter, the DOCO has requested further details of the pocket park and the Haydens Road underpass; all of which can be dealt with by condition.

Subject to the satisfactory discharge of the proposed conditions, in liaison with Essex Police, the applicant has demonstrated their commitment to reducing opportunities for crime, and minimising the risk of crime in accordance with NPPF Paragraph 96 and HLDP Policy PL1.

Heritage

NPPF Paragraph 200 states local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 205 adds that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is

irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The national requirements to assess the impact of development on heritage assets is mirrored in HLDP Policies WE5 and PL12, which concern heritage conservation.

The application is supported by both a comprehensive Heritage Statement and Townscape Characterisation Appraisal with Townscape Visual Impact Assessment (TVIA). Both documents are prepared by Heritage Information Ltd.

The Heritage Statement confirms that the proposed development affects only the Grade II Listed St Paul's Church. The church was designed by Humphry's & Hurst and built between 1956 and 1959 as the main church of the new town. It was the first building to be completed in the Civic Square complex and uses brown brickwork to distinguish it from the concrete of the civic buildings. Other positive features of the church include a tall copper-clad fleche over the crossing to provide the church with landmark status; large expanses of clear glass with thin concrete tracery to enable views into the building; a detached bell tower linked to the main building by a covered way on a raised platform; and a projecting west end porch with mosaic inserts.

The Heritage Statement concludes that there would be a moderate and positive impact on the setting of St Paul's Church. The design of the proposed developed is considered to have taken full account of the setting of the church by sustaining and enhancing its status as a landmark building through appropriate and contextual forms, height, scale, massing, materiality and articulation to create an architectural relationship with the church whilst remaining subordinate to it. It adds that the proposed buildings and the proposed landscaping within the public realm not only provide a new designed framed view of the church at the gateway to the town centre from the west (realising an ambition of the 1952 masterplan), but also help to re-integrate the church into the overall layout and activity of the town centre by encouraging new patterns of pedestrian movement and connectivity between the open spaces of the civic and shopping areas. The site will likely become more of a destination in its own right with the proposed square, pocket park and performance space in which the architectural and artistic interest of the church (as the focal point of the plaza) will be better and more widely experienced. The proposals are therefore not considered to cause harm to the setting of the Grade II Listed church but if any detriment was perceived, then it would highly likely be outweighed by the public benefits of the scheme.

The TVIA has undertaken an appraisal of the character and appearance of the townscape surrounding the site using eight views that were agreed during pre-application discussions. These views comprise mid-range views, from where the form and proportions can be appreciated and from where the proposed buildings make a positive contribution to the local townscape in terms of legibility, proportions and materiality; and immediate views, where the proposed buildings and public realm establish a direct relationship with the open space of the square to enhance the character and vitality of the urban space, and provide a designed framed vista towards St Paul's Church. The proposed buildings are considered to reinforce the spatial significance of the new square as a re-established gateway to the town centre with the church as the focal point. The architectural quality, materials and landscaping are considered to be of high standard and the proposals have taken full account of and avoided harm to the significance of the listed church. Overall, the proposed development has been assessed to have a moderate to substantial and positive impact on the townscape from the eight chosen views, which similarly mirror the findings of the Heritage Statement. These views are illustrated below.

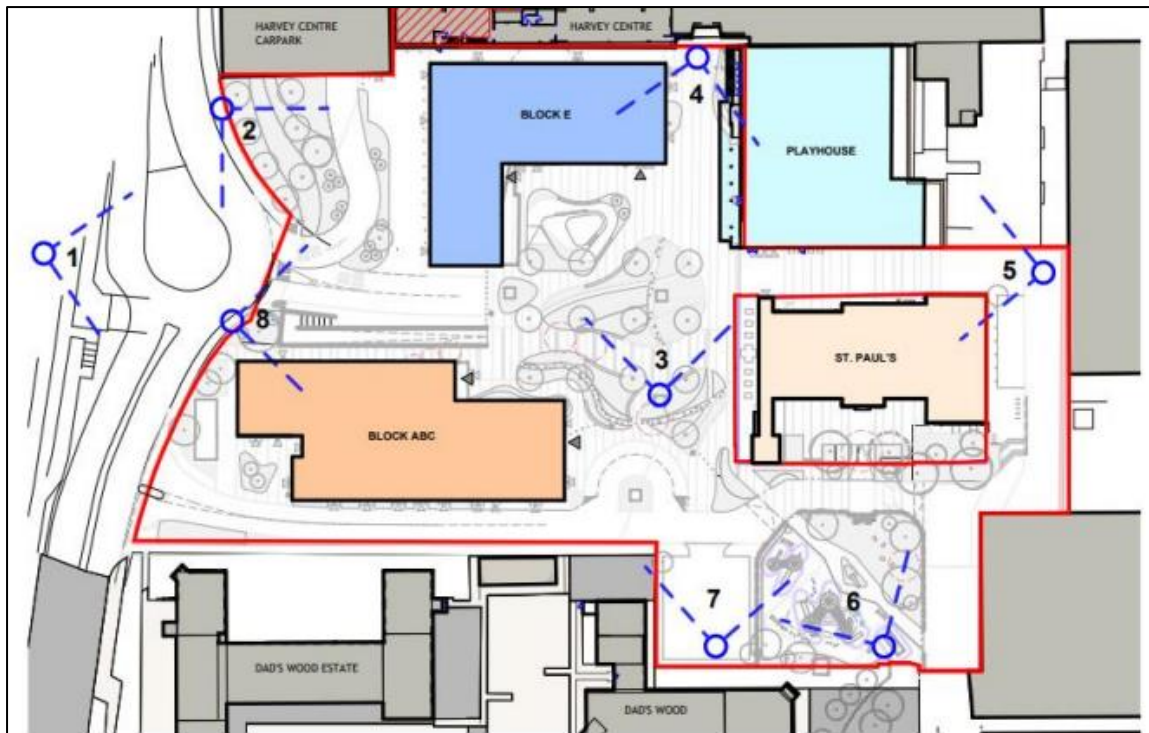


Figure 1 - Townscape Viewpoints

The application and its supporting heritage documents have been reviewed by Place Service's Heritage team. They agree that that the proposed development is, overall, considered to contribute to and enhance the immediate setting of St Paul's Church.

They do, however, note that the proposed development would result in a degree of less than substantial harm due to the loss of a significant view of the church from Hayden's Road (viewpoint 2 as shown in Figure 1). In such circumstances, this triggers the requirements of NPPF Paragraph 208 whereby a proposal which is considered to lead to less than substantial harm to the significance of a designated heritage asset must be weighed against the public benefits of the proposal.

The public benefits of this scheme would include significant investment in the arts for the benefit of the local and wider community, 100% affordable housing and new open space, including extensive public realm improvements, landscaping and a new park. Therefore, on balance, this less than substantial harm is outweighed.

Nevertheless, Places Services acknowledge that the design of Block E has been revised to introduce a glazed corner and curtain wall at ground floor which contributes to a more visually permeable and lightweight appearance making it generally less prominent in views towards the church. This reduction in view must also be tempered by the retention of a central open view towards the church (viewpoint 1) to reinstate its role as a focal point and landmark site as part of the redevelopment of the area. This is considered to better frame the church (see Figure 2).



Figure 2 - Framed View of St Paul's Church

Furthermore, Place Services consider the design approach and materiality would be in keeping with the local character and offers a bespoke and contemporary response to the architecture of the church. They also commend the proposed lighting plan and add that the proposed landscaping has evolved since pre-application stage to ensure it would not be intrusive or prevent an appreciation of St Paul's Church from within the square and further afield from Haydens Road. Place Services recommend two planning conditions be imposed should planning permission be granted requiring external material details of Block E and detailed drawings and the specification of the proposed railings to improve the Haydens Road underpass.

To conclude, the application is supported by a comprehensive assessment of the likely impacts on St Paul's Church. Subject to the satisfactory discharge of the proposed conditions, the proposed development is considered to enhance the overall setting of St Paul's Church and would offer substantial public benefits that outweigh the less than substantial harm identified from viewpoint 2. Therefore, on balance, the proposed development is considered to accord with the requirements of NPPF Paragraphs 200, 205 and 208, and HLDP Policies WE5 and PL12.

Highways and Servicing

NPPF Paragraph 115 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

HLDP Policy IN1 states all development should have regard to the modal hierarchy, adding that major development proposals should identify ways to reduce the use of the car and promote alternative ways to travel. This should be detailed in a supporting Travel Plan.

HLDP Policy IN2 requires development not to cause a severe residual cumulative impact on highway congestion and movement; would not cause a detrimental impact on the safety of all highways users; and provide for adequate, safe and convenient loading and servicing

arrangements, access points and drop-off areas, and consideration to the movement and turning of emergency and refuse vehicles.

HLDP Policy IN3 requires vehicle parking to be provided in accordance with the adopted Essex Vehicle Parking Standards, unless otherwise indicated elsewhere in the Local Plan and/or supporting documents.

Proposal

The application is supported by a Transport Statement, prepared by TTP Consulting. The report confirms that College Gate would be stopped up, but replaced with a new route along the southern boundary of the site between Block ABC and Dads Wood. This would provide continued and improved, direct access to the Water Gardens retail and Playhouse service yards. The new route would remain in private ownership and be provided prior to the closure of College Gate to ensure that there would be continued access throughout the construction period.

The existing access to the Harvey Centre multi-storey car park would be re-aligned to facilitate a new service area for Block E. The works would include a shared surface to the west of the proposed building which would facilitate the servicing requirements for the building along with a pedestrian route between the multi-storey car park and the Playhouse. The area beyond the servicing point to Block E would be pedestrianised.

In terms of car parking, the residential units are proposed to be car free with the exception of five accessible units. Each unit would be served by one accessible parking bay in the proposed parking area to the west of the pocket park. A further eight accessible parking bays, matching the existing provision, are to be provided between the proposed parking area and to the rear of St Pauls Church. An additional three standard spaces would be provided to the rear of the church for its users. It has been sufficiently demonstrated that parking to the rear of the church would not impede large vehicles entering or exiting the Playhouse service yard.

A total of 64 cycle parking spaces, including 48 long stay spaces within Block ABC and 16 short stay spaces in the form of Sheffield stands to be located in the public square, are proposed. This number exceeds the requirements for the scale of the development.

The existing site contains a taxi rank and pick-up area which would be replaced as part of a turning circle to the east of Block ABC to enable the pedestrianisation of the proposed square. This is considered to be the best location, providing the closest access to town centre services and the proposed development.

The potential number of trips associated with the proposed development has been estimated, which concludes that it would not impact on the operation of the local or wider highway or transport network. Block ABC is expected to receive on average 8-9 deliveries per day; the majority of which would be associated with online purchases and undertaken using a transit sized vehicle. The delivery vehicle would pull up along the new road to the south of the building. Servicing to Block E would be less frequent and likely to be synonymous with visiting shows and food and beverage deliveries, for example.

Consultation and Amendments

Throughout the determination period, the applicant has consulted with the LPA, ECC Highways, HDC Cleansing & Environment and HDC Licensing. This has resulted in several amendments to the proposed development to improve access and safety.

Of particular concern was the possible conflict of the new access road with the pocket park. In its original form, this would have required refuse collection vehicles to drive into the accessible parking area and reverse close to the entrance to the pocket park raising safety concerns.

To mitigate this, the applicant has since enlarged the drop-off area and turning circle to prevent unnecessary vehicular movements close to the pocket park entrance and pedestrian crossing. This would prevent vehicles that do not require access to the parking spaces at the rear of the church, or the servicing yards, to have to drive beyond the turning circle. This would also enable vehicles to turn around safely if they were to accidentally drive down the road. In enlarging the turning circle, this has also satisfied the Licensing department's recommendation in facilitating a larger taxi-rank.

In consultation with ECC Highways, the applicant has also re-designed the road junctions and incorporated a cycle/pedestrian path to the west of the site along Haydens Road. A pedestrian crossing between Dads Wood and Block ABC is also proposed on the new access road. The applicant has also confirmed that yellow lines would be painted on the access road to prevent parking and would include dropped kerbs to facilitate safe refuse servicing.

Following consultation with relevant stakeholders, and the amendments made to improve safety and access, the proposed development is considered to accord with the requirements of transport policy set out within the NPPF and Local Plan.

Several planning conditions are proposed including the submission of a construction management plan; details of the Haydens Road underpass; the installation of active and passive fast-charging electric vehicle points; delivery of the access arrangements, parking and turning areas; implementation of the cycle parking provision and the distribution of a residential travel information pack to new residents.

Energy & Sustainability

NPPF Paragraph 157 states that the planning system should support the transition to a low carbon future in a changing climate and help to shape places in ways that contribute to radical reductions in greenhouse gas emissions; minimise vulnerability and improve resilience; encourage the reuse of existing resources; and support renewable and low carbon energy and associated infrastructure.

This is supported by HLDP Policy PL3 (Sustainable Design, Construction and Energy Usage), which states new development will be expected to deliver high standards of sustainable design and construction and efficient energy usage, taking account of predicted changes to heating and cooling requirements as a result of climate change. The supporting policy text outlines that for development proposals, the minimum requirement for the conservation of fuel and power should be exceeded, preferably by at least 19%.

The applicant has submitted a comprehensive Sustainability Statement, prepared by McBains. This report covers a range of matters including green infrastructure, water management, social and economic sustainability and sustainable movement. Only matters pertaining to energy efficiency, carbon reduction and renewable energy are discussed below.

The report confirms that the proposed measures following the energy hierarchy. Energy demand would be reduced by proposing high levels of insulation and air tightness to reduce heat loss, the use of energy efficient glazing, passive ventilation measures, implementation

of mechanical ventilation heat recovery units to ensure occupant comfort and efficiency in space heating, and provision of energy efficient lighting and heating systems.

The development would maximise the use of renewable energy sources by providing air source heat pumps in both Block E and Block ABC to provide heating and domestic hot water, and installing a 175sqm PV array on Block E and 113sqm on Block ABC to contribute towards the electrical load of the development and to deliver on-site renewable energy.

These measures are estimated to achieve a site wide reduction in regulated CO₂ emissions of 49.4% against Part L 2021 of the Building Regulations, which far exceeds the requirements of Policy PL3.

In addition, the Sustainability Statement has considered overheating mitigation, circular economy and waste management, embodied carbon reduction strategies, and air quality, for example.

Based on the commentary set out within the Sustainability Statement, the proposed energy strategy to reduce CO₂ emissions is estimated to significantly exceed the requirements of Policy PL3. A planning condition would be imposed requiring the developer to follow the measures set out within the Sustainability Statement during construction, and ensure the development achieves at least 19% above Part L 2021 Building Regulation.

Noise

HLDP Policy PL2 states that in assessing the acceptability of development on amenity, the compatibility and sensitivity of adjacent uses will be considered. This is further supported by Policy PL10 (Pollution and Contamination) which requires all development proposals to minimise, and where possible, reduce all forms of pollution, which includes noise pollution.

The application is supported by a Noise Impact Assessment, prepared by E3P. The report confirms that two unattended weekday and weekend background and ambient sound measurements were undertaken to quantify the levels of noise associated with the surrounding roads and to also quantify the existing levels of background sound at existing and proposed receptors. Assessments of the peripheries of the site were also undertaken to ascertain whether any other sources of sound have the potential to impact the site, but none were found.

The assessment recommends higher specification glazing for certain residential units nearest to Haydens Road. Plant noise emission has also been assessed but found to fall below appropriate limits at all noise sensitive facades. Guidance has also been provided for the sound insulation between sensitive rooms (i.e. commercial ground floor and first floor residential).

The report concludes that providing mitigation measures set out within the report are implemented, no adverse impact is predicted day or night on sensitive existing or proposed receptors.

The Council's Environmental Health team have reviewed the application and do not raise any objection to the proposed development subject to imposing conditions to control noise impact. Providing such conditions are satisfactorily complied with and discharged, the proposed development is considered to minimise and reduce noise pollution on existing and proposed residential amenity in accordance with Policies PL2 and PL10.

Daylight and Sunlight

HLDP Policy PL2 (Amenity Principles for Development) requires the Council to determine the acceptability of development on loss of daylight and sunlight.

The NPPF is largely silent on daylight and sunlight but notes in Paragraph 129 that local planning authorities should take a flexible approach in applying policies or guidance on such matters where they would inhibit making efficient use of a site for housing.

The application is supported by a Daylight & Sunlight Report, prepared by Consil. This document has assessed the effect the proposed development would have on the daylight and sunlight of amenity to neighbouring residential properties, and the light levels within the proposed habitable rooms of Block ABC.

The study has been undertaken by preparing a 3D computer model of the site and surrounding buildings and analysing the daylight and sunlight levels received by the neighbouring buildings and within the proposed development.

The report concludes that all the windows serving the neighbouring properties (Dads Wood and Sharpecroft Estates) would comply with Building Research Establishment (BRE) guidelines. Regarding the proposed habitable rooms, the analysis shows that 95% of habitable rooms assessed would meet or exceed the BRE guidelines for daylight amenity, which is acceptable in an urban area. In addition, the proposed communal amenity area at first floor level would receive high levels of sunlight, well in excess of the BRE guideline figure.

Therefore, the proposed development is considered to protect existing daylight and sunlight amenity, and provide adequate levels to the proposed habitable rooms and communal terrace, to ensure accordance with the requirements of Policy PL2.

Flood Risk and Drainage

NPPF Paragraph 173 states local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment (FRA). NPPF Paragraph 175 adds that major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

These national requirements are further supported by HLDP Policy PL11 (Water Quality, Water Management, Flooding and Sustainable Drainage Systems), adding that development proposals should identify how there is sufficient surface water, foul drainage and treatment capacity which can serve the development. The use of SuDS in all development proposals is encouraged and will be supported.

A comprehensive joint Flood Risk Assessment (FRA) and Drainage Strategy (DS), prepared by McBains, is submitted with the application as the site area exceeds 1ha. Regarding flood risk, the report confirms that the report has been prepared in accordance with national, regional and local planning policies and in consultation with the Environment Agency, Essex County Council as Lead Local Flood Authority (LLFA) and Thames Water. The FRA is summarised as follows:

- The proposed site is within Flood Zone 1 based on the Environment Agency's latest flood mapping. The flood risk from rivers and the sea is assessed as Very Low.
- The flood risk from groundwater is assessed as Low.
- The flood risk from surface water is assessed as Medium. However, the implementation of a Sustainable Drainage System (SuDS) will reduce this and make it more resilient to climate change.

- The flood risk from surface and foul water sewers is assessed as Low.
- The flood risk from reservoirs is assessed as Very Low.

Regarding the drainage strategy, the report notes that infiltration and discharging into a watercourse are not feasible. Therefore, surface water would be discharged to the existing Thames Water surface water sewer at a restricted rate. The required volume of attenuation at the development is proposed to be provided by implementing geocellular attenuation tanks, permeable paving and bioretention features (e.g. raingardens and tree pits).

The LLFA originally reviewed the proposed drainage strategy and requested further information from the applicant's technical experts. Following re-consultation, the LLFA have since removing their holding objection, subject to conditions being imposed requiring the submission of a detailed surface water drainage scheme and maintenance plan, the maintenance of yearly logs, and ensuring pipes used to convey surface water are cleared of any blockages.

Therefore, subject to the satisfactory compliance and discharge of the proposed planning conditions, the proposed development is considered not to increase flood risk elsewhere and would incorporate a sustainable drainage system in line with national and local planning policy.

Ecology and Biodiversity Net Gain

NPPF Paragraph 180 requires planning decisions to contribute to and enhance the natural and local environment by (inter alia) minimising impacts on and providing net gains for biodiversity. This is further supported by HLDP Policy PL9 which states development must conserve and enhance existing biodiversity features to ensure a net gain.

The application is supported by an Ecological Impact Assessment, prepared by Delta Simons. This report addresses the potential effects of the proposed development on ecology and nature conservation. The report describes the methods used to assess the effects; the baseline conditions currently existing at the site and within the immediate surrounding area; the mitigation measures required to prevent, reduce or offset any significant adverse effects and the likely residual effects after these measures have been adopted, as well as any proposed enhancement measures.

An ecological desk study was undertaken in March 2023 which identified two international statutory designations within 6km of the site, and two national statutory designations and 23 non-statutory designations within 2km of the site. The report concludes that no impacts to these designated sites are anticipated.

The report also confirms that habitats on site were surveyed and assessed for their value and suitability to support protected and/or other notable species. It found that the site is formed predominantly of buildings and sealed surfaces with pockets of modified grassland, shrub beds and scattered trees. These types of habitats are widespread on a local and national scale with none being considered rare.

The loss of existing habitat will be compensated through the provision of newly created hedgerow planting, amenity grassland, and newly planted trees (27 to be lost, 33 to be planted). In terms of enhancement, the report recommends the introduction of six bird boxes and two bat boxes.

A Biodiversity Net Gain Assessment has also been submitted with the application which demonstrates that the proposed new habitat would result in a 15.06% net gain. This application is exempt from meeting the 10% target set out in the Environmental Act 2021 as

it was submitted before this became a legal requirement in February 2024. Nevertheless, it is a significant benefit of the scheme and would assist with the biodiversification of Harlow town centre.

The report does highlight that the loss of trees would result in the loss of suitable bird nesting habitat including trees and shrubs. Therefore, its removal should either take place outside of the main nesting bird season or a check undertaken by a suitably qualified ecologist prior to works taking place. The survey also recorded *Cotoneaster horizontalis*, which is listed as an invasive species. It is considered that such matters can be dealt with by imposing a planning condition requiring the submission of a Construction Ecological Management Plan.

Whilst the proposed development would ultimately lead to a temporary delay in achieving biodiversity objectives (whilst new habitats become established), it is anticipated that in the long term there would be no significant residual effects on designated sites, habitats or protected species resulting from the proposed development. Therefore, the proposed development is considered to accord with national and local planning policy, subject to the satisfactory compliance and discharge of the planning conditions set out above.

Land Contamination

NPPF Paragraph 189 requires that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination. This is supported by HLDP Policy PL10 (Pollution and Contamination) which requires that all development proposals must minimise and, wherever possible, reduce all forms of pollution and contamination.

The application is supported by a Phase I Geo-Environmental Desk Study to inform risks associated with the potential ground contamination associated with the redevelopment of the site. The report establishes the likely geology and hydrogeography of the site, includes a conceptual site model and preliminary qualitative risk assessment of potential contamination issues, and provides recommendations based upon the results of preliminary enquiries and in accordance with current technical guidance.

The Council's Environmental Health department have reviewed the submitted report and agree with its recommendations. As a result, they have requested conditions be imposed requiring the developer to submit an intrusive site investigation before development commences, and to submit a remediation strategy should unidentified contamination be found. Subject to the satisfactory discharge and compliance of these planning conditions, the proposed site is considered suitable for the proposed development and accords with the requirements of NPPF Paragraph 189 and HLDP Policy PL10.

Health and Wellbeing

HLDP Policy L4 (Health and Wellbeing) states that the Council will seek to deliver development and growth which has a positive impact on health and wellbeing of residents, and address issues of health deprivation and health inequality in the district.

The policy adds that applications should have regard to infrastructure required to encourage physical exercise; the provision of accessible open space, green infrastructure and landscaping; and the location and links between community facilities, homes, education and employment opportunities and sustainable travel options, for example. Applicants may be required to prepare a Health Impact Assessment (HIA) to determine the extent of potential health impacts from the development proposals and set out appropriate mitigation measures.

Given the proposed development's scale and financial backing by the Government's Levelling Up Fund, a HIA has been submitted. This document sets out a series of recommendations in regard to NHS capacity, access to open space and nature, air quality and noise mitigation, accessibility and active travel, access to work and training facilities, social inclusion and cohesive design, minimising the use of resources and maximising renewable and low carbon technology.

It is evident from the proposed development that the recommendations set out within the HIA have been incorporated. This includes the provision of public realm and amenity space, addressing pollution matters such as air quality and noise impacts, the use of renewable energy sources, the creation of an additional seven full-time and three part-time roles once operational, and the preparation of a Skills and Employment Plan to maximise local labour opportunities during construction.

Therefore, based on the evidence submitted, the proposed development has considered and implemented recommendations to promote health and wellbeing to ensure accordance with the requirements of HLDP Policy L4.

Financial Contributions

Policy IN6 states that planning permission will only be granted for development if provision is secured for related infrastructure, affordable housing, services, facilities and environmental protection, and any other planning contributions which are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind.

The provision of such requirements shall be secured either as part of development proposals, through the use of conditions or through planning obligations.

Several consultees have responded to this application setting out the financial contributions sought for local infrastructure. Given that the applicant is Harlow District Council, the requested sums would be secured by planning condition and are as follows:

- £24,476 to Essex County Council for the provision of additional local Early Years and Childcare provision.
- £3,656.60 to Essex County Council for the provision of library services.
- A non-financial contribution to prepare an Employment and Skills Plan to set out how the developer will engage with and maximise local labour and skills opportunities.

A separate planning condition would be imposed requiring all residential units to remain as 'affordable housing' in perpetuity, notwithstanding the occupier's Right to Buy or Right to Acquire.

Subject to the compliance of the proposed planning conditions, the proposed development is considered to offer the necessary infrastructure to make the development acceptable in planning terms and therefore accords with the requirements of Policy IN6.

Conclusions

The application seeks detailed planning permission to regenerate an underutilised area in the west of Harlow town centre to deliver an arts & cultural quarter. This would be delivered using £19.6m of investment following a successful bid to the Government's Levelling Up Fund.

The development would deliver a dedicated arts building offering a host of performance and creative spaces; and a separate building to provide cultural/community floorspace at ground level with 47 affordable residential units above and extensive public realm improvements, including a public square, pocket park, landscaping and improvements to the Haydens Road underpass. The development would also be supported by a new access road to facilitate continued access to taxis, drop-offs, church-users, town centre servicing yards and accessible parking bays.

The applicant has demonstrated extensive pre-application engagement with stakeholders, which has culminated in the evolution of the design from inception to determination. They have also responded positively to consultation responses to ensure that the proposed development has sufficiently addressed the variety of planning matters that are relevant and addressed in this report.

The key benefits of the scheme include: continued regeneration of Harlow town centre to enable the expansion of the visitor and night-time economies; new temporary and permanent job opportunities; dedicated spaces to enable local creativity and expression; energy efficient, affordable residential units in a sustainable location; high-quality, contemporary design that enhances the setting of St Paul's Church and contributes to the local townscape; new public realm with extensive landscaping and pedestrianisation that will be managed to ensure continuity and safety; a children's play area; improvement works to the Haydens Road underpass; biodiversity net gain; sustainable drainage and financial contributions towards local infrastructure.

Therefore, the proposed development is considered exemplary and aligns with the requirements of the relevant policies within the NPPF, the HLDP and supporting SPDs.

Recommendation

That it is resolved that the Development Management Committee **GRANT PLANNING PERMISSION** subject to the planning conditions listed below:

1	<p>The development hereby permitted shall be begun before the expiration of the three years from the date of this permission.</p> <p>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.</p>
2	<p>Prior to the commencement of development, the developer shall prepare an Employment and Skills Plan which demonstrates its commitment to providing construction employment opportunities for residents of the Harlow district to deliver the approved development. The plan shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To enable employment opportunities for the construction of the approved development and to ensure accordance with Policy PR4 of the Harlow Local Development Plan, December 2020.</p>
3	<p>Before development commences other than for investigative work:</p> <p>a) Using the information already submitted in the Phase 1 Geo-environmental Desk Study, prepared by Sevenoaks Environmental Consultants (ref: 4968.23.06.14 Rpt 01 Rev C RC.MB), an intrusive site investigation shall be conducted for the site using information obtained from the Desktop</p>

	<p>Study and Conceptual Model. The site investigation must be comprehensive enough to enable: a risk assessment to be undertaken, refinement of the Conceptual Model, and the development of a Method Statement detailing the remediation requirements.</p> <p>b) The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority which shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.</p> <p>c) Where remediation of contamination on the site is required, completion of the remediation detailed in the method statement shall be carried out and;</p> <p>d) A report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.</p> <p>Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.</p>
4	<p>If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.</p> <p>Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with Paragraph 189 of the National Planning Policy Framework.</p>
5	<p>Prior to the commencement of development, a Construction Ecological Management Plan addressing how potentially adverse impacts to ecology will be managed and mitigated, as identified within the Ecological Impact Assessment, prepared by Delta-Simons (ref: 98647.582479, dated 29 November 2023), shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be prepared by a qualified ecologist and adhered to throughout the construction period.</p> <p>Reason: To ensure the protection of species identified on and near to the site, and to accord with Policy PL9 of the Harlow Local Development Plan, December 2020.</p>
6	<p>No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for the following all clear of the highway where possible:</p> <ol style="list-style-type: none"> a. Proposed hours of operation. b. Safe access into the site. c. The parking of vehicles of site operatives and visitors. d. Loading and unloading of planting and materials. e. Storage of plant and materials used in constructing the development.

	<p>f. Wheel and underbody washing facilities. g. Noise and dust control measures.</p> <p>Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, to ensure that loose materials and spoil are not brought out onto the highway in the interest of highway safety, and to minimise airborne pollution.</p>
7	<p>No development shall take place on site, including site clearance, tree works, demolition or any other works, until the details relevant to the safe retention and protection of on-site and any relevant off-site trees are submitted within an Arboricultural Method Statement (AMS) in accordance with BS 5837:2012 – Trees in relation to Design, Demolition and Construction.</p> <p>Following the written approval of the AMS, the proposed development shall be undertaken in accordance with the approved details unless otherwise agreed by the Local Planning Authority in writing. The AMS shall include a detailed Tree Protection Plan showing the positions and dimensions of protective fencing (and if necessary, temporary ground protection) to safeguard all retained vegetation.</p> <p>The AMS shall include all relevant details such as level changes, demolition and construction techniques (including methods of access and construction traffic management), location of services and drainage, design detail of structures and foundations, and the control of potentially damaging operations such as burning, storage, and the handling of materials, and access and the parking of vehicles during construction. Details of supervision at key stages of development will also be included.</p> <p>Reason: To ensure that damage to vegetation identified for retention is avoided and to comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 and Policies PL1, PL7, PL8 and WE1 of the Harlow Local Development Plan, December 2020.</p>
8	<p>No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.</p>
9	<p>No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and certified as technically acceptable by the LLFA or other suitably qualified persons. The certificate shall thereafter be submitted by the developer to the Local Planning Authority as part of the developer's application to discharge the condition. No development shall commence until the detailed scheme has been approved by the Local Planning Authority.</p>

	<p>The approved scheme shall subsequently be implemented prior to occupation and should include but not limited to:</p> <ul style="list-style-type: none"> • Limiting discharge rates to 2l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the relevant third party. • Final modelling and calculations for all areas of the drainage system. • The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753. • Detailed engineering drawings of each component of the drainage scheme. • A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features. • A written report summarising the final strategy and highlighting any minor changes to the approved strategy. <p>The scheme shall subsequently be implemented prior to occupation.</p> <p>Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to ensure the effective operation of SuDS features over the lifetime of the development; to provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.</p>
10	<p>The development hereby permitted shall not be commenced until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.</p> <p>Reason: To ensure that the drainage system implemented at the site will adequately function and dispose of surface water from the site. Failure to carry out the required maintenance before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.</p>
11	<p>Prior to the commencement of development, the acoustic performance of the design and construction of the development, including private and communal amenity spaces, shall be agreed in writing by the Local Planning Authority before construction commences. The design and construction should provide the performance to provide reasonable resting / sleeping conditions, and the performance for private and communal external amenity spaces, with reference to British Standard BS8233: 2014 – Guidance on Sound Insulation and Noise Reduction for Buildings – Code of Practice (or such standard which may supersede it from time to time).</p> <p>To achieve a minimum in situ level of airborne sound insulation of 50 dB DnT, w+Ctr to the commercial premises at ground level of Block ABC, the proposed separating floors should be specified to achieve a weighted sound reduction index (Db Rw+Ctr) at least 5 dB to 10 dB higher than the in situ criterion (i.e. a minimum specified performance of 55 dB Rw+Ctr to 60 dB Rw+Ctr). This minimum specified level of performance (circa 60 dB Rw+Ctr) can be readily achieved by a typical concrete floor construction with the addition of mass barrier ceilings on proprietary resilient hangers or equivalent.</p>

	<p>Reason: To protect the amenity of occupiers of the development, and to ensure accordance with HLDP Policy PL2 of the Harlow Local Development Plan, December 2020.</p>
12	<p>Prior to the development of Block E, the details of the proposed signage to be installed at the entrance, and on the western elevation, shall be agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure the signage is appropriate for the building and townscape, and enhances the setting and character of St Paul's Church.</p>
12	<p>All habitable rooms within the development hereby approved shall be provided with sufficient double glazing and acoustically treated trickle ventilators, or other means of ventilation that will provide adequate ventilation with the windows closed, to ensure that the occupiers are provided with reasonable resting / sleeping conditions with reference to British Standard BS8233:2014 – Guidance on Sound Insulation and Noise Reduction for Buildings – Code of Practice (or such other standard which may supersede it from time to time).</p> <p>Details of the proposed acoustic glazing and ventilation specification, as recommended within the Noise Impact Assessment, prepared by E3P (ref: 50-872-R1-7, dated 30 November 2023) shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of Block ABC.</p> <p>Reason: To protect the amenity of occupiers of the development, and to ensure accordance with HLDP Policy PL2 of the Harlow Local Development Plan, December 2020.</p>
14	<p>Prior to the first use of the external materials to be used for the finish of the development, a detailed materials schedule which clearly depicts the external materials proposed to be used in the development (including, but not limited to, cladding, windows, doors, soffits, eaves, balconies and rainwater goods) and the exact location of each material, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and maintained in perpetuity.</p> <p>Reason: To ensure the external appearance of the development is appropriate to the locality and promotes high quality design in accordance with Policy PL1 of the Harlow Local Development Plan, December 2020.</p>
15	<p>The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design.</p> <ol style="list-style-type: none"> 1. Prior to the commencement of above ground works, details of these measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details. 2. Prior to first occupation of each relevant building, a satisfactory Secured by Design inspection must take place and a Secured by Design certificate for each relevant building shall be submitted to and approved in writing by the Local Planning Authority.

	<p>Reason: To ensure the development creates a safe and secure environment and reduces opportunities for crime, and to ensure accordance with Policy PL1 of the Harlow Local Development Plan, December 2020.</p>
16	<p>Prior to the installation of the approved pocket park, the developer shall:</p> <ul style="list-style-type: none"> a) Engage with Essex Police to agree the detailed design and layout of the play provision, inclusive of equipment and public furniture, and obtain written confirmation of its acceptability. b) Submit detailed drawings and specifications of the proposed equipment, and surface treatments, signage and fencing to minimise the risk of conflict between vehicles and pedestrians, to be approved in writing by the Local Planning Authority. <p>The approved details shall be implemented before first use of the pocket park.</p> <p>Reason: To ensure that the space is adequately designed to be inclusive of age and gender, ensures safety of users and functions properly during its lifetime.</p>
17	<p>Prior to first occupation of the development, a security management plan for the commercial uses and public realm shall be submitted to, and approved in writing, by the Local Planning Authority.</p> <p>The security management plan shall be prepared in cooperation with Essex Police. The plan should detail risk management and identify measures to deliver a robust security strategy, including (but not limited to) the likelihood of each threat occurring within the public realm and surrounding environment, the vulnerabilities of the site, and the risks associated with a particular threat, during the lifetime of the development.</p> <p>Reason: To ensure the development creates a safe and secure environment and reduces opportunities for crime, and to ensure accordance with Policy PL1 of the Harlow Local Development Plan, December 2020.</p>
18	<p>Prior to the first occupation of the development, details shall be submitted for approval in writing to the Local Planning Authority for a scheme of works for improving the existing Haydens Road underpass. The details shall include, but not be limited to, improved lighting, signage, drainage, surfacing etc. and anything else that may be considered necessary.</p> <p>The developer shall also engage with Essex Police and obtain their written confirmation of its acceptability.</p> <p>Reason: To ensure the design, safety and security of the improvement works to the Haydens Road underpass is acceptable in accordance with Policy PL1 of the Harlow Local Development Plan, December 2020.</p>
19	<p>Prior to first occupation of the development, the access arrangements, as shown in principle on drawing no. ALA687-ALA-00-XX-DR-L-9008 Rev P01, including the cycle/footway facility shall be fully implemented, with all details being agreed with the Highway Authority. This shall be retained as such in perpetuity for its intended purpose.</p>

	Reason: To ensure that appropriate and safe access is provided for all highway users.
20	<p>Prior to first occupation of the development, the parking and turning areas as indicated on the approved plans shall be provided and retained as such for the life of the development.</p> <p>Reason: To ensure that appropriate parking and turning is provided.</p>
21	<p>Prior to first occupation of the development, the cycle parking, as indicated on the approved plans, shall be provided and retained as such for the life of the development.</p> <p>Reason: To ensure that appropriate cycle parking is provided for accessibility.</p>
22	<p>Prior to first occupation of the residential units in Block ABC, the developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.</p> <p>These packs (including tickets) are to be provided by the developer to each dwelling free of charge.</p> <p>Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.</p>
23	<p>Prior to first occupation, a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.</p> <p>Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.</p>
24	<p>Prior to first occupation of the commercial floorspace, a waste management plan, to include details of how recyclable and non-recyclable waste will be collected from Block E and the ground floor unit(s) of Block ABC shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.</p> <p>Reason: To ensure the development makes adequate provision for private refuse collection, in accordance with Policy H2 of the Harlow Local Development Plan, December 2020.</p>
25	<p>The hard landscaping, as illustrated on the approved STC Landscape General Arrangement plan (ref: ALA687-ALA-00-XX-DR-L-9009 P01) shall be implemented prior to first use of the pedestrianised area, including the public square.</p>

	Reason: To enable pedestrian navigation to and from other areas of the town centre and beyond.
26	<p>Prior to first occupation, plans and particulars showing precise details of the soft landscaping, boundary treatments and utilities which shall form part of the development hereby permitted, shall be submitted to and agreed in writing by the Local Planning Authority. Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority shall include details of:</p> <ul style="list-style-type: none"> • Schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted; • Planting methods of the trees to be planted, including the use of structural soil cell systems as necessary; • Existing trees to be retained; • Areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment; • Means of enclosure and other boundary treatments; • Minor artifacts and structures (including street furniture e.g. waste bins and seats); • Communal notice board; • Wayfinding signage; • Six Vivara WoodStone house sparrow nest boxes and two Beaumaris Woodstone bat boxes; • Existing and proposed functional services above and below ground level (e.g. drainage, power and communication cables, pipelines, together with positions of lines, supports and manholes etc). <p>The soft landscaping, boundary treatment and utilities shall be implemented in their entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority.</p> <p>A programme of maintenance shall also be submitted requiring any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.</p> <p>Reason: To enable the Local Planning Authority to retain adequate control over the landscaping of the site, in the interests of visual amenity and to accord with Policy PL8 of the Harlow Local Development Plan, December 2020.</p>
27	<p>Prior to first occupation of the development hereby permitted, the developer shall liaise with the Harlow Arts Trust to curate suitable pieces of public art to be installed in the areas identified on the approved STC Landscape General Arrangement plan (ref: ALA687-ALA-00-XX-DR-L-9009 P01). The chosen public art shall be installed during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure the form of public art would comply with Policy L3 of the Harlow Local Development Plan, December 2020 and principle DG22 of the Harlow Design Guide.</p>

28	<p>Prior to first occupation of the residential units within Block ABC, the developer shall submit details of the affordable housing registered provider, demonstrate that rents would be at least 20% below local market rent levels and that provisions have been made to ensure the units remain at an affordable price for future eligible households.</p> <p>Reason: To ensure that the affordable housing units are responsibly managed and maintained for their lifetime, and to ensure compliance with Policy H8 of the Harlow Local Development Plan, December 2020.</p>
29	<p>The cumulative rating level of any mechanical plant installed on the site (as defined by BS4142:2014) shall not exceed the prevailing background noise level. If the background noise level is exceeded, the use of the mechanical plant shall cease until it is brought below this level. The measurement position and assessment shall be made according to BS4142:2014.</p> <p>Reason: To protect residential amenity, and to ensure accordance with HLDP Policy PL2 of the Harlow Local Development Plan, December 2020.</p>
30	<p>The external lighting for the public realm and buildings will be implemented in accordance with the following approved plans, prepared by Elektra, dated September 2023 (ref: 946-101, 946-201, 946-202, 946-203, 946-204, 946-301, 946-302, 946-303, 946-304 and 946-401).</p> <p>Reason: To ensure suitable lighting provision across the site to enable safety and security, high-quality design, and to protect amenity and biodiversity.</p>
31	<p>The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.</p> <p>Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.</p>
32	<p>The communal amenity space at first floor level of Block ABC shall be made accessible to all occupiers of the residential units and retained as such for the lifetime of the development.</p> <p>Reason: To ensure inclusive public space is provided as part of the development, in accordance with Policy PL1 of the Harlow Local Development Plan, December 2020.</p>
33	<p>The flats identified as M4(3) on the approved plans shall be implemented and retained as such for the lifetime of the development. All remaining flats will be M4(2) compliant.</p> <p>Reason: To ensure that homes are both accessible and adaptable to meet the changing needs of occupants, in accordance with Policy H5 of the Harlow Local Development Plan, December 2020.</p>
34	<p>All residential units within Block ABC shall remain in use as 'Affordable Housing' in</p>

	<p>perpetuity as defined within the National Planning Policy Framework (NPPF) or any policy document or legislation revoking or replacing it, notwithstanding the occupier's Right to Buy / Right to Acquire, or unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure the retention of affordable housing and in accordance with Policy H8 of the Harlow Local Development Plan, December 2020.</p>
35	<p>The development shall be carried out in accordance with the measures outlined within the approved Sustainability Statement, prepared by McBains (ref: P04, dated 30 November 2023), to ensure the development achieves carbon savings that exceed Building Regulation requirements by at least 19%.</p> <p>Reason: In the interests of ensuring sustainable design, construction and efficient energy use, in accordance with Policy PL3 of the Harlow Local Development Plan, December 2020.</p>
36	<p>Block E, and the commercial floorspace at ground floor level of Block ABC, shall be restricted to hours of operation between 07:00 and 23:00 Mondays to Sundays, including Public Holidays.</p> <p>No servicing shall take place outside of these hours in Block ABC only.</p> <p>Reason: In the interests of protecting amenity, and to ensure accordance with Policy PL2 of the Harlow Local Development Plan, December 2020.</p>
37	<p>The accessible parking area to the west of the pocket park shall include five active fast-charging electric vehicle points. The remaining spaces shall be provided with passive provision to enable additional charging points to be installed when necessary.</p> <p>Reason: To provide suitable provision for electric car charging in Harlow town centre.</p>
38	<p>Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the commercial floorspace at ground level of Block ABC shall be restricted to Learning and Non-residential Institutions Use Class F1 (a, b and/or c) only and shall not be used for any other purpose unless approval is obtained for a variation of this condition through the submission of a planning application.</p> <p>Reason: To ensure that the commercial floorspace aligns with the broad principles of creating an arts and cultural quarter.</p>
39	<p>The developer shall be responsible for paying the following financial contributions (index linked) at the appropriate trigger points:</p> <ul style="list-style-type: none"> a) £24,476 to Essex County Council for Early Years & Childcare provision. Payment shall be made prior to first occupation of the residential units. b) £3,656 to Essex County Council for library service provision. Payment shall be made prior to first occupation of the residential units. <p>Reason: To contribute towards infrastructure as required by Policy IN6 of the</p>

	Harlow Local Development Plan, December 2020, and to make the development acceptable in planning terms.
40	No bonfires shall be held on site during the construction of the development. Reason: To prevent unnecessary air pollution, and to ensure accordance with Policies PL2 and PL10 of the Harlow Local Development Plan, December 2020.
41	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 interest of proper planning.

Plan Reference	Version No	Plan Type	Date
HARPQ-MCB-ZZ-SI-DR-A-0100	P01	Location Plan	27/03/2024
HARPQ-MCB-ZZ-SI-DR-A-0101	P05	Existing Site Plan	27/03/2024
HARPQ-MCB-ZZ-SI-DR-A-0140	P08	Proposed Site Plan	27/03/2024
HARPQ-MCB-ABCZ-00-DR-A-0300	P09	Ground Floor Plan – Block ABC	27/03/2024
HARPQ-MCB-ABCZ-01-DR-A-0301	P07	First Floor Plan – Block ABC	27/03/2024
HARPQ-MCB-ABCZ-02-DR-A-0302	P07	Second Floor Plan – Block ABC	27/03/2024
HARPQ-MCB-ABCZ-03-DR-A-0303	P06	Third Floor Plan – Block ABC	27/03/2024
HARPQ-MCB-ABCZ-04-DR-A-0304	P06	Fourth Floor Plan – Block ABC	27/03/2024
HARPQ-MCB-ABCZ-05-DR-A-0305	P07	Fifth Floor Plan	27/03/2024
HARPQ-MCB-ABCZ-RF-DR-A-0306	P06	Roof Plan	27/03/2024
HARPQ-MCB-ABCZ-ZZ-DR-A-0400	P07	General Arrangement – Sections 1 of 2 – Block ABC	27/03/2024
HARPQ-MCB-ABCZ-ZZ-DR-A-0401	P07	General Arrangement – Sections 2 of 2 – Block ABC	27/03/2024
HARPQ-MCB-ABCZ-ZZ-DR-A-0500	P08	Elevations – Sheet 1 of 3	27/03/2024
HARPQ-MCB-ABCZ-ZZ-DR-A-0501	P08	Elevations – Sheet 2 of 3	27/03/2024
HARPQ-MCB-ABCZ-ZZ-DR-A-0502	P08	Elevations – Sheet 3 of 3	27/03/2024
HARPQ-MCB-ABCZ-ZZ-DR-A-0503	P02	Plans Sections Elevations – Substation	27/03/2024
HARPQ-MCB-EZ-00-DR-A-0300	P09	General Arrangement Plan – Ground Floor Level – Block E	27/03/2024
HARPQ-MCB-EZ-01-DR-A-0301	P10	General Arrangement Plan – First Floor Level – Block E	27/03/2024

HARPQ-MCB-EZ-RF1-DR-A-0302	P10	General Arrangement Plan – Roof Level – Lower – Block E	27/03/2024
HARPQ-MCB-EZ-RF2-DR-A-0303	P05	General Arrangement Plan – Roof Level – Higher – Block E	27/03/2024
HARPQ-MCB-EZ-XX-DR-A-0400	P09	General Arrangement – Sections – Block E – Sheet 1 of 2	27/03/2024
HARPQ-MCB-EZ-XX-DR-A-0401	P07	General Arrangement Sections – Block E – Sheet 2 of 2	27/03/2024
HARPQ-MCB-EZ-XX-DR-A-0500	P09	Proposed Elevations – Block E – Sheet 1 of 2	27/03/2024
HARPQ-MCB-EZ-XX-DR-A-0501	P11	Proposed Elevations – Block E – Sheet 2 of 2	27/03/2024
HARPQ-MCB-ZZ-XX-DR-A-0210	P02	Existing Site Sections – Sheet 1	27/03/2024
HARPQ-MCB-ZZ-XX-DR-A-0211	P02	Existing Site Sections – Sheet 2	27/03/2024
HARPQ-MCB-ZZ-XX-DR-A-0810	P02	Proposed Site Sections – Sheet 1	27/03/2024
HARPQ-MCB-ZZ-XX-DR-A-0811	P02	Proposed Site Sections – Sheet 2	27/03/2024
ALA687-ALA-00-XX-DR-L-9001	P01	Illustrative Plan	27/03/2024
ALA687-ALA-00-XX-DR-L-9002	P01	Landscape General Arrangement	27/03/2024
ALA687-ALA-00-XX-DR-L-9004	P01	Outline Specification	27/03/2024
HARPQ-ALA-00-XX-DR-L-9005	P01	Planting Strategy	27/03/2024
ALA687-ALA-00-XX-DR-L-9006	P01	Tree Planting Plan	27/03/2024
ALA687-ALA-00-XX-DR-L-9008	P01	STC Illustrative Plan	27/03/2024
ALA687-ALA-00-XX-DR-L-9009	P01	STC Landscape General Arrangement	27/03/2024
946-101	-	Landscape Low Level Lighting Plan	28/11/2023
946-201	-	Block ABC North Elevation	28/11/2023
946-202	-	Block ABC East Elevation	28/11/2023
946-203	-	Block ABC South Elevation	28/11/2023
946-204	-	Block ABC West Elevation	28/11/2023
946-301	-	Block E South Elevation	28/11/2023
946-302	-	Block E East Elevation	28/11/2023
946-303	-	Block E West Elevation	28/11/2023
946-304	-	Block E North Elevation	28/11/2023
046-401	-	Existing Playhouse West Elevation	28/11/2023

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.
2	Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read [Thames Water] 'working near our assets' to ensure workings will be in line with the necessary processes that need to be followed when working above or near to [Thames Water] pipes or other structures. Should you require further information please contact Thames Water.
3	There may be public sewers crossing or close to the development site. If a sewer is discovered, it's important that risk of damage is minimised. Thames Water will need to check that the development does not limit repair or maintenance activities, or inhibit the services they provide in any other way. The applicant is advised to read Thames Water's guide 'working near or diverting pipes'.
4	Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167, 168 & 169 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to their website.
5	Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
6	The site is affected by wayleaves and easements within the boundary of or close to the application site. Thames Water will seek assurances that these will not be affected by the proposed development. The applicant should undertake appropriate searches to confirm this. To discuss the proposed development in more detail, the applicant should contact Thames Water Developer Services.
7	Access for fire service purposes has been considered in accordance with the Essex Act 1987 – Section 13 and is considered to meet the requirements of Section B5 Approved Document "B" Fire Safety Volume 1 and 2. Further consideration should be given to any impact on the fire service change of access to the existing Playhouse building front entrance and the existing Harvey Centre Entrance. The developer is advised to refer to Essex Fire Applicant weights and measurements. More detailed observations on access and facilities for the Fire Safety will be considered at Building Regulation consultation stage.
8	It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or appoint an Approved Inspector. Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural

	Guidance". Approved Inspectors will consult with the Authority in accordance with Regulation 12 of the Building (Approved Inspectors etc.) Regulations 2010 (as Amended).
9	The architect or applicant is reminded that additional water supplies for firefighting may be necessary for this development. The architect or applicant is urged to contact Water Section at Service Headquarters, 01376 756000.
10	The applicant is advised that even where not required under Building Regulations guidance, Essex County Fire & Rescue Service would strongly recommend a risk-based approach to the inclusion of Automatic Water Suppression Systems (AWSS), which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met.
11	Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk .
12	Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
13	Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
14	It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
15	The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
16	[ECC] will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.
17	A Stopping Up Order will be required to remove the relevant sections of highway rights from the proposed development. Please note that the development should not be commenced, and subject land, shall not be enclosed from the Highway, until such time as an order has been confirmed extinguishing all highway rights therefrom, to protect the public's right and ease of passage over the Highway. The

	applicant should establish title to the land. The Stopping Up process should be initiated with Essex Highways as soon as possible to ensure that it does not delay the delivery of the development.
18	Any trees and non-standard materials/equipment proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction.
19	All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org .
20	The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance, and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.