REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

REFERENCE: HW/FUL/17/00130
OFFICER: Carol Wallis

APPLICANT: Mr Peter Williams

LOCATION: Proposed Junction Of London Road, Link Road And Associated Road Works
London Road
Harlow
Essex

PROPOSAL: Second Primary Access and Associated Highway Works to Serve Newhall Phase II

LOCATION PLAN
**REASON BOUGHT TO COMMITTEE:** More than 2 representations received

**Application Site and Surroundings**

The application site covers a section of London Road from the junction of The Chase, Newhall, to the junction of B183 Gilden Way, in the south-western part of Old Harlow. The site is not within a Conservation Area. There is no listed building within the site nor in the surrounding area.

To the west of the site includes Mark Hall Academy, Mark Hall Sports Centre and the Harlow Science Park which is one of the Enterprise Zone sites. To the east of the site is the Newhall residential development (Phases 1 and 2) and Gravel Pit Spring which is a Local Wildlife Site designated on the Adopted Replacement Harlow Local Plan (ARHLP, 2006) Proposals Map. A piece of land to the north of Newhall, facing Gilden Way, is allocated for the provision of sport and recreational facilities.

**Details of the Proposal**

The applicant proposes to construct an access from Newhall Phase 2 onto London Road, which links to the new A414 Link Road in the Enterprise Zone/Harlow Science Park; creation of restrictions at a section of London Road between the north of the proposed junction and the junction of Kennel Lane, including installation of signage and road markings to prevent use of London Road for vehicles other than buses and cycles (bus gate); and associated traffic calming measures.

The proposed access forms part of the S106 agreement of the outline planning permission of HW/PL/04/00302 for the Newhall Phase 2 residential development. It is part of the planning obligations to deliver a suitable junction from Newhall Phase 2 onto London Road to act as a secondary access point.

Since the approval of the outline application of Newhall Phase 2 in 2012, two pieces of land to the west of London Road have been designated as part of the Harlow Enterprise Zone (The Kao Business Park/Data Centre and the Harlow Science Park) with respective Local Development Orders adopted in 2014. Taking into account the additional traffic flows from the Enterprise Zone and the strategic highway network improvement of A414 and the proposed new M11 Junction 7a, the applicant, in consultation with Essex County Council, proposes to change road priorities to prevent traffic using London Road by installing a bus gate to the north of the proposed access to Newhall Phase 2.

As stated in the submitted Access Strategy, the aspiration is to provide a junction that reduces vehicle dominance and promotes a pedestrian friendly junction. In order to achieve this, a comprehensive Traffic Calming Strategy has been developed along London Road, aimed at reducing local rat running through the area and encourage vehicular traffic to route onto the strategic road network via the shortest route possible along the new road through the Enterprise Zone to A414. The applicant believes that such an approach will minimise the vehicular traffic at the proposed access junction to Newhall Phase 2 and ensure that the proposed London Road/Phase 2 Site Access/Enterprise Zone-A414 Link Road junction operates satisfactorily and within its theoretical capacity.
The proposed access will be a 4-arm junction. Priority will be given to east-west traffic (Newhall Phase 2 and Enterprise Zone) over north-south traffic (along London Road).

The proposed bus gate will not be implemented until 2020 in advance of the opening of new M11 Junction 7a. The proposed access junction to Newhall Phase 2 will operate for general traffic as a T-junction once the bus gate has been installed. Interim traffic calming measures are therefore proposed to discourage the traffic flow along London Road prior to the installation of the bus gate.

RELEVANT PLANNING HISTORY:

Application Ref Number: HW/LDO/15/00474
Proposal: Application Under the London Road North LDO to Construct a New Road, Associated Junctions and Highway Works Between the Proposed Junction on the A414 (Located Approximately 486m South of First Avenue Roundabout) and a New Junction on London Road
Address: Proposed Link Road Mark Hall Sports Ground London Road Harlow Essex
Application Status: Granted Planning Permission
Decision Date: 16 Dec 2015

Application Ref Number: HW/PL/04/00302
Proposal: Outline planning permission is sought for the erection of 2,300 Dwellings Including Parkland and Recreation, Employment and the Development of the Local Centre into a Full Neighbourhood Centre
Address: Phase II: New Hall Farm And Hubbards Hall Farm (Whole Site) Newhall London Road Harlow
Application Status: Grant Permission Subject to S106
Decision Date: 27 Jun 2012

CONSULTATIONS
Internal and external Consultees

HDC – Arboricultural Consultant

Recommendation: No objection subject to condition to ensure that the trees adjacent to the highlighted works (as shown by the dashed red line on the plan) area are suitably safeguarded during the road demolition and construction process.

Essex County Council - Highways

The Highway Authority has considered the planning application and thoroughly assessed the submitted transport information and has concluded that the proposal is not contrary to current National/Local policy and safety criteria.

The Access Strategy report updates the traffic flow routing for the Newhall development in light of the new highway infrastructure being implemented by ECC. Two scenarios have been considered. The first is a 2020 scenario where the A414 link road has been constructed and an additional 800 units are expected to have been occupied across the Newhall development. The second is a 2025 scenario where
ECC is expected to have installed a bus gate to the north of the site access on London Road and the entire Newhall development is expected to have been occupied.

The Phase 2 Access Strategy will provide a junction that reduces vehicle dominance and promotes a pedestrian friendly junction, whilst creating a sustainable travel corridor along London Road. In order to achieve this a comprehensive traffic calming strategy has been developed along London Road, aimed at reducing local traffic through the area and encouraging vehicular traffic to route onto the strategic road network, which is currently undergoing large scale capacity improvements. This approach means that vehicular traffic at the access junction is minimised and ensures that the proposed London Road/Phase 2 Primary Site Access/Enterprise Zone link road junction operates satisfactorily and within its theoretical capacity.

Consequently the Highway Authority is satisfied that the development will not be detrimental to highway safety, capacity or efficiency along London Road or on the wider highway network and helps promote safe and sustainable transport choices.

From a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to conditions.

**Neighbours and Additional Publicity**

Number of Letters Sent: 81  
Total Number of Representations Received: 413  
Date Site Notice Expired: 11 May 2017  
Date Press Notice Expired: 11 May 2017

**Summary of Representations Received**

A total of 350 representations had been received, including 9 representations from residents outside Harlow district.

There are 349 representations objecting to the proposal, the majority are residents of Church Langley (209) and Newhall (67), mainly on the grounds as follows:
- object to the closure of London Road/Old London Road;  
- one way access to the growing secondary school is a problem;  
- inconvenience for school runs;  
- inconvenience to travel between Church Langley and Old Harlow;  
- inconvenience to travel to/from Newhall, Science Park and Sports Centre;  
- inconvenience to travel to Old Harlow Health Centre Jenner House;  
- London Road is an alternative to any incident on A414, M11 and/or M25, closing the road will hold up all traffic;  
- vehicles will drive into Newhall trying to avoid the A414 traffic;  
- there will be more traffic generated from additional housing at Newhall and Science Park;  
- there are other traffic calming measures in place, it is unnecessary to close London Road;  
- should close the southern part of London Road instead of the northern part;  
- other traffic calming measures should be considered instead;  
- the bus service has been cancelled;
- should have the bus service in place first/ bus service from Newhall to the train station;
- will delay the emergency services to and from Church Langley;
- the town is already congested during peak hours, closing this road will worsen the situation;
- it will cause longer time to local journeys and more mileage which slow down traffic and causing environmental harm;
- a second exit is required for Church Langley or Newhall before closing London Road, otherwise there will be exit problems for Kiln Lane and Church Langley;
- shops in Old Harlow will lose trade;
- proposal only benefits the Science Park but not the residents of Harlow; and
- lack of communication/consultation with Newhall and Church Langley residents.

PLANNING POLICY

T11: "Road Planning" a link road from Newhall to the highway network, the A414, is required.

H3: "Housing Needs" land shown on the Proposals Map for further development of the new neighbourhood shall not be released for development until after 2011.

ER2: "New Employment Land" additional employment land has been allocated for B1, B2 and B8 purposes at Land North of Nortel Networks and Newhall.

BE1: "Character and Identity" new and extended buildings should relate to their setting to strengthen, enhance, protect or create local character. Permission will be granted for new development providing: it is well connected to and integrated with the wider settlement; the height massing, layout, appearance and landscape makes an appropriate visual relationship with that of the form, grain, scale, materials and details of the surrounding area; building design is specific to the site and its context; it enhances the character, image and perception of the area when highly visible.

BE2: "Quality, Legibility and Public Realm" permission for major new development will be granted when: new buildings are designed as part of a group creating a sense of enclosure; public spaces should relate to the scale, appearance, location and function of the buildings around it; layout of buildings, routes and spaces are clearly related; fronts of buildings provide primary access and clearly define streets and public spaces; public spaces are distinguished from private areas; the ground floor encourages activity and interest that is appropriate to the location and character of the area; pedestrian, cycling and, horse riding routes are shown on the development layout and link to the existing network.

NE11: "Trees and Hedgerows" in considering applications for development affecting trees or hedges the following may be required: a survey of the site and trees and hedges concerned; oppose the loss of trees and hedgerows of amenity value and wildlife importance; serve TPO’s to protect trees with public amenity value; may impose conditions to ensure the retention or replacement of trees and hedgerows of amenity value or wildlife importance and their protection during construction.
PLANNING STANDARDS

National Planning Policy Framework (NPPF) (2012) - sets out the Government’s key economic, social and environmental objectives and the planning policies to deliver them. These policies will provide local communities with the tools they need to energise their local economies, meet housing needs, plan for a low-carbon future and protect the environmental and cultural landscapes that they value. It seeks to free communities from unnecessarily prescriptive central government policies, empowering local councils to deliver innovative solutions that work for their local area.

Supplementary Planning Documents/Current Planning Guidance

The Harlow Design Guide SPD (2011)
Essex County Council’s Adopted Development Management Policies (2011)
London Road South Local Development Order (2014)
London Road North Local Development Order (2014)
Planning Practice Guidance (PPG)

Summary of Main Issues

The main considerations of this application are the principle of development, access and highway concerns, impact on the amenity of local residents and impact on trees.

Principle of Development

The proposal covers the section of London Road between The Chase in Newhall to the junction of B183 Gilden Way. The principle of providing an access from Newhall Phase 2 onto London Road has been accepted through the outline planning permission HW/PL/04/00302.

The linking of Newhall Phase 2 to A414 through the Employment Area was required in the original outline permission of Newhall Phase 2. It will enable the smooth transition between the Enterprise Zone, as supported by saved Policy ER2 of the ARHLP (2006), and Newhall linking the A414 Link Road, as supported by saved Policy T11 of the ARHLP (2006), as well as facilitating the delivery of residential development to the immediate east of the site, which is designated as a Strategic Housing Site under saved Policy H3 of the ARHLP (2006).

The proposal is required to facilitate vehicular movement in and out of Newhall Phase 2 and to support the wider strategic highway improvement/upgrade of the entire district. However, the overall acceptability depends on the assessment against the above mentioned policies/guidance documents and all other material considerations.

Access and Highway Concerns

The original access as shown in the outline consent for Newhall Phase 2 was designed to be a large roundabout to serve the development. Following the advancement of the Enterprise Zone and its associated link road, further transport work has been undertaken with discussions with the Highway Authority. It is identified
that a junction to the Enterprise Zone required more substantial lanes and traffic lights which was considered more appropriate from the A414 entrance than close to residential areas. There will be a dedicated left turn being created from First Avenue (B183) onto the A414. The results show that the delivery of a roundabout is no longer required but a more modest 4-arm junction with a raised table, along with other traffic calming measures would be sufficient to meet the needs of the Newhall development.

The applicant has submitted an Access Strategy, Designers’ Risk Response to Stage 2 Road Safety Audit Report and drawings showing visibility splays and auto tracking in support of the application.

The Access Strategy report updates the traffic flow routing for the Newhall development in light of the new highway infrastructure being implemented by the Essex County Council (ECC). Two scenarios have been considered in the report: i) a 2020 scenario where the A414 Link Road has been constructed and an additional 800 units are expected to have been occupied across the Newhall development; and ii) a 2025 scenario when ECC is expected to have installed a bus gate to the north of the site access onto London Road and the Newhall development be completed. The junction capacity assessment within the Access Strategy concludes that the proposed access arrangements will operate within capacity in both scenarios.

The proposal is for a junction that reduces vehicle dominance at the entrance to residential development which is welcomed and promotes a pedestrian friendly junction whilst creating a sustainable travel corridor along London Road for cyclists and pedestrians. In order to ensure that a priority crossroads junction can be delivered safely and that potential Enterprise Zone industrial traffic rat running through that junction is reduced, traffic calming is proposed along London Road.

In the latter stages of Newhall development and as Enterprise Zone develops, further reduction in traffic may be required which is achieved by the introduction of the bus gate. This is a type of road restriction which requires formal Traffic Regulation Order (TRO) to be progressed by ECC. There is a statutory procedure for TRO under the Road Traffic Regulation Act 1984 (as amended) which must be followed by the Highway Authority before the creation of the bus gate. The process includes consultation with local councillors, local residents, traders and community groups, emergency services and other specialist groups when appropriate.

The proposed bus gate forms part of the transport modelling and traffic assessment for the proposal of the new M11 Junction 7a. The bus gate would not be introduced until the completion of a TRO. It is unlikely to be required before the implementation of the new M11 Junction 7a, which currently scheduled in 2020/2021 and the completion of Newhall.

The ECC Highway Authority has assessed the submitted transport information and considers that the proposal is not contrary to current national and local policies and safety criteria. The Access Strategy Report takes into account two scenarios, in 2020 by when new highway infrastructure including the new A414 link road through Enterprise Zone have been completed by ECC and in 2025 when ECC have implemented TRO to install a bus gate and Newhall is completed. In both scenarios, the High Authority are satisfied that the new proposed junction into Newhall Phase 2
will not be detrimental to highway safety, capacity or efficiency along London Road or on the wider highway network and will help to promote safe and sustainable transport choices. The Highway Authority therefore raises no objection to the application subject to conditions

It is noted that the majority of representations object to the installation of the bus gate due to the existing traffic situation, the potential impact on school runs and the congestion/difficulties to travel in and out of Church Langley during peak hours. To alleviate the existing congestion during peak periods, ECC is currently undergoing a series of improvements in Harlow, including road widening along the A414 for 350m from the Enterprise Zone junction to the First Avenue roundabout; a signal controlled junction on the western side of the Enterprise Zone with the A414; construction of a new link road between A414/Enterprise Zone/London Road; as well as widening First Avenue (B183) to two lanes in each direction between the A414 and London Road. The A414 improvement works are expected to be finished by autumn 2017 and the Link Road is due to open in spring 2018. It is expected that once the improvement works have been completed with the Enterprise Zone/A414 Link Road in use, the local traffic situation will be significantly improved. The majority of vehicular traffic (80%) will be expected to use the Enterprise Zone/A414 Link Road, hence reducing the traffic along London Road, in particular between the proposed access junction to the north towards Mark Hall Academy.

The traffic flows from the new M11 Junction 7a to Harlow will need to be prevented from turning into London road impacting on accesses into Newhall and feeding into Tesco roundabout at Church Langley which result in significant delays to traffic coming out of Church Langley.

The introduction of the bus gate will transform this section of London Road to become a sustainable travel route with continued free flow of traffic available for bus, pedestrian and cycle use. Together with the improvement works at First Avenue to relocate the primary drop off points for the school to London Road, will encourage the use of public transport and to provide a high quality pedestrian and cyclist friendly route to the Mark Hall Academy and the Sports Centre and to Old Harlow from Newhall. Upon the completion of improvement works, it is not expected that journey time and travel distance to and from the school will be significantly increased. The bus gate will also protect school children from the high volumes of passing through traffic. Moreover, the widening of A414 will make accessing to London Road from Church Langley less attractive.

The interim traffic calming measures, including a 20mph zone and two road narrowings, would slow down the speed and traffic noise from speeding vehicle along London Road, the lower speed limit will also discourage drivers using London Road and re-route to the main road and hence reducing the traffic on the road generally.

The existing Kennel Lane/Haul Road is subject to a temporary consent and is restricted to works traffic only with a speed limit of 5mph. It will be downgraded to serve only The Kennels upon completion of construction works. There will be no thorough road within Newhall enabling vehicles to avoid the bus gate. The majority of local traffic within Newhall will be diverted to the Phase 2 access road linking direct onto the Link Road. It is unlikely that other vehicles will rat run within the Newhall...
development. Therefore, it is not considered that the installation of the bus gate would cause additional traffic in the area.

As confirmed by the applicant as well as the Highway Authority, the installation of bus gate would not prevent access of emergency vehicles.

Impact on Amenities of Local Residents

It is noted that London Road has been used as rat-running between Church Langley and Old Harlow, in particular for school runs to and from Mark Hall Academy. The proposed bus gate will only be implemented after the completion of the A414 Link Road. It will only affect the traffic from the north of the proposed junction up to the junction of Kennel Lane. Upon completion of the A414 Link Road, together with the strategic highway improvement schemes, it would be quicker for north bound traffic from Church Langley and Newhall Phase 1 to re-route to the strategic road via the A414 Link Road. The availability of the A414 Link Road will also reduce the existing south-bound traffic going to the Tesco roundabout. Traffic would still be possible between Church Langley and Old Harlow via the A414 Link Road, therefore it is not considered that it would significantly reduce the services and facilities available to residents from these areas.

The A414 Link Road will provide a direct access from the Enterprise Zone to the strategic road network, which will reduce the traffic using London Road. There will be a Spine Road provided within the Harlow Science Park, which will provide an alternative road for heavy vehicles to access the strategic road without going through the section of London Road between The Chase and the proposed junction. The local residents will benefit from the improved traffic flow as a result by making the entrance into Newhall less congested. In addition, the bus gate allows the provision of a sustainable public transport service, thereby improving the amenity available to the local residents.

Impacts on Trees

The proposed junction would inevitably result in a loss of some trees in the locality which could be accepted in order to fulfil the S106 obligation in delivering the access to Newhall Phase 2 development. The current proposal with a 4-arm junction is considered to be of a better design compared to the large roundabout as included in the original outline consent (HW/PL/4/00302). It will minimise the land intake and therefore requires the removal of less trees.

The Council’s Arboricultural Officer has been consulted and raises no objection to the proposal subject to a condition requiring an Arboricultural Method Statement to ensure that the trees to be retained, adjacent to the proposed works area, are suitably safeguarded during the road demolition and construction process.

CONCLUSIONS

Overall, it is considered that the proposal would provide significant benefits to Harlow as a whole, in terms of improved traffic movement, enabling a more residential appropriate junction into Newhall Phase 2 and a more pedestrian friendly link to the Enterprise Zone from Newhall. When the bus gate is implemented it will ensure that
the traffic for M11 Junction 7a does not rat run pass the residential accesses to Newhall and feed onto the Tesco roundabout potentially affecting the Churchgate access. The bus gate will help ensure three residential accesses are improved by the reduction of traffic. It also provides a safe drop off area for the school. These wider benefits to the district outweigh any perceived negative impacts.

The proposal is considered to be acceptable and in line with the relevant saved policies of the Adopted Replacement Harlow Local Plan (2006). The application is therefore recommended for approval.

RECOMMENDATION

That Committee resolve to:

GRANT PERMISSION subject to the following conditions:

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

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

2  No development shall take place on site, including site clearance, tree works, demolition or any other works, until an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall include details relevant to the safe retention and protection of trees in accordance with current BS5837 recommendations, a detailed Tree Protection Plan showing the positions and dimensions of protective fencing (and if necessary temporary ground protection) to safeguard all retained vegetation.

   The AMS shall also include details such as level changes, demolition and construction techniques, location of services and drainage, design detail of structures, foundations and the control of potentially damaging operations such as burning, storage and handling of materials and access and parking of vehicles during construction. Details of supervision at key stages of development will also be included. The development shall be carried out in accordance with the approval details.

   REASON: To ensure that damage to vegetation identified for retention is avoided and to comply with saved Policy NE11 of the Adopted Replacement Harlow Local Plan (2006).
3. 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 plan shall provide for the following all clear of the highway:
   o Safe access into the site
   o The parking of vehicles of site operatives and visitors
   o Loading and unloading of plant and materials
   o Storage of plant and materials used in constructing the development
   o Wheel and underbody washing facilities

The approved plan shall be adhered to throughout the construction period.

**REASON:** to ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

4. The access arrangements, including associated traffic calming, speed limits and bus stop, as shown in principle on Drawing No. A102131_103 Rev P2, shall be installed and completed, unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** In the interests of highway safety, capacity and efficiency.

5. Prior to the occupation of the 767th residential unit constructed pursuant to planning permission HW/PL/04/00302, the bus gate as shown in principle on Drawing No. A102131_104 Rev P2, shall be installed and completed, unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** In the interests of highway capacity and efficiency.

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

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

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<th>Plan Type</th>
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<td>Levels and Kerb Schedule</td>
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<td>A102131_106</td>
<td>P1</td>
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**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. Any structures, non-standard materials and trees etc. 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.

3. 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 applicant is advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, Essex, CM13 3HD.

4. 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.
Location Plan
London Road Access Junction General Arrangement
London Road, Traffic Calming, Interim Measures
London Road, Traffic Calming, Interim Measures
London Road, Traffic Calming, Interim Measures
London Road, Traffic Calming, Interim Measures
London Road Bus Gate and Traffic Calming
London Road Bus Gate and Traffic Calming
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