

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
16 August 2023

REFERENCE: HW/FUL/23/00191

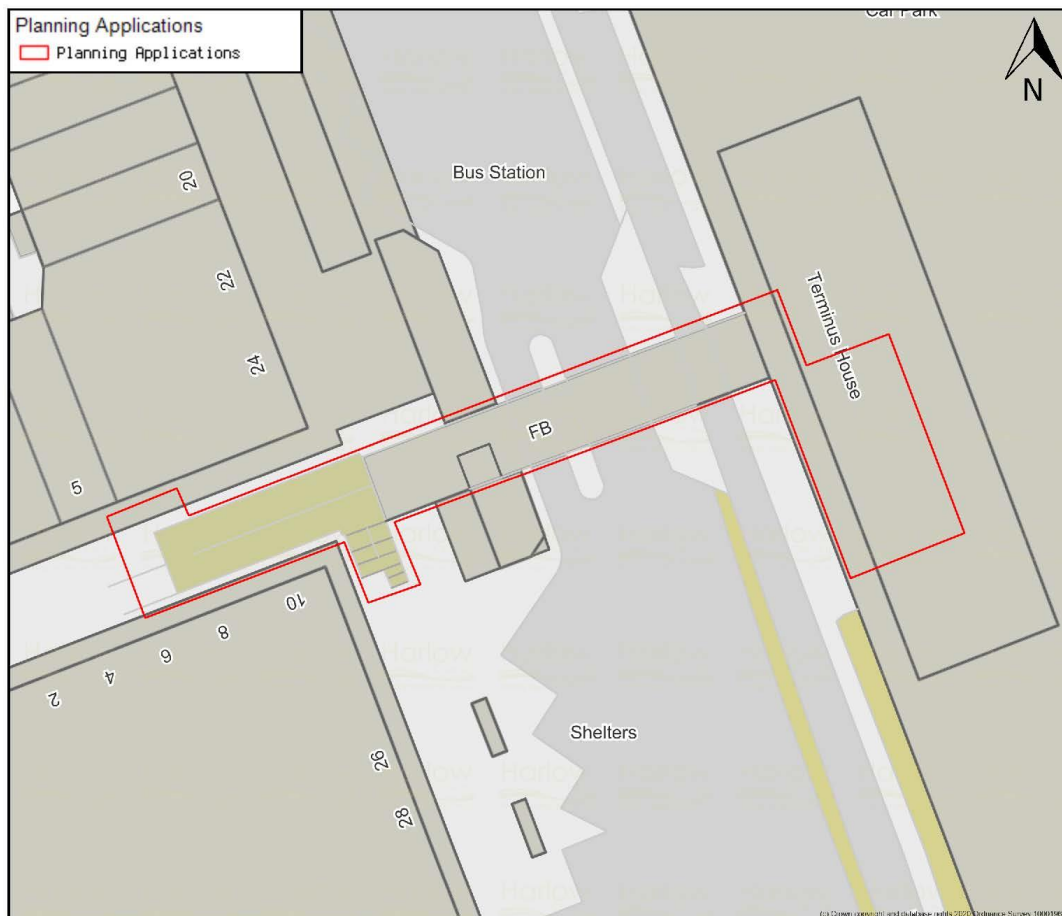
OFFICER: Elizabeth Beighton

APPLICANT: Harlow District Council

LOCATION: Harlow Bus Station and Adjacent Land
Terminus Street
Harlow
CM20 1XA

PROPOSAL: Application for reserved matters following grant of outline planning permission under planning reference HW/OUT/22/00286 seeking the approval of access, relating to the demolition of Terminus House footbridge and installation of new public lift.

LOCATION PLAN



Reason for Committee

The scheme is a major proposal which is considered to be of sufficient public interest to be considered by the Planning Committee.

Application Site and Surroundings

Terminus House car park and footbridge is located along Terminus Street and the existing bus station, which is located on the eastern edge of the town centre. It is bounded by Veilzy Avenue to the east, Adams House to the north, the bus station to the west and Crown Gate and Navan Street to the south. The site is located within the Town Centre Masterplan area as defined in the SPG dated 2022.

A pedestrian footbridge connects East Wall with Terminus House. Underneath the footbridge is a central block of WCs and visitors information office as well as an at grade crossing to Terminus House.

Details of the Proposal

RELEVANT PLANNING HISTORY:

App Number	Proposal	Status	Decision Date
HW/OUT/22/00286		Granted	27 January 2023

CONSULTATIONS

Internal and external Consultees

The comments below are a summary of the consultation responses.

Thames Water

Do not wish to make any comments on the application.

Essex County Council – Highways

Does not raise any objection to the proposal.

Place Services (Design)

The proposal focuses on the removal and the demolition of the footbridge to ensure access to Terminus House and construction of a new lift within the building. This approach is considered logical, and the removal of the footbridge allows for significant improvements to the access to East Walk and the town centre. It is understood that the existing arrangement facilitates access at the second storey level and the revised proposal will bring users in at ground floor. Whilst we do not object to this proposal to ensure that the entrance space is sufficiently welcoming and safe, we would require further justification or design refinement at this ground floor level.

The DAS outlines the proposed timber screening of the refuse store. Whilst this is welcomed, it raises some concern that this use is now directly within the building's entrance, and we would welcome consideration of odour reduction measures where appropriate to avoid odour issues. Furthermore, it is considered that the redesign of the building's entrance offers an opportunity to upgrade the entrance to the car park and building to create a welcoming space. It is positive that a ground floor atrium entrance space is proposed.

However, it is not clear whether there are changes to the internal space. If there are proposed changes, we would welcome this detail and if not, we would welcome consideration of design opportunities to upgrade internal materiality and lighting to make this a safe, welcoming and legible space.

In relation to the proposed design and materiality of external features, we welcome the proposed selection of a simple and minimal palette, that adopts a contemporary approach and considers maintenance and durability. However, it is questioned whether this proposal will respond effectively to wayfinding as a result of the muted tones and text location. Furthermore, the introduction of the lift feature offers an opportunity to add verticality and break up the building with a strong horizontal emphasis and design consideration of this feature could contribute to a design improvement that brings the car park more in line with the human scale.

Whilst there are no significant concerns relating to the proposed demolition of the footbridge and construction of a new lift, we would welcome further justification or design refinement on the approach to refuse odour and internal and external design and materiality to ensure that a welcoming, safe, and legible entrance space is created.

Designing Out Crime Officer For E Forest & Harlow

Seek further information on the following:

Proposed security and standards for the new lift which can mitigate against anti-social behaviour; and

Information on any proposed CCTV and lighting provisions to ensure there is adequate lighting to prevent against fear of crime, aid natural surveillance and support any implemented CCTV.

Tim Moya Associates (Arboriculture)

Has confirmed that the proposed development will not have an impact on adjacent trees and other vegetation and no further arboricultural involvement is required.

Essex County Council (Fire and Rescue)

Make the following comments:

Access for fire service is satisfactorily considered.

Additional water services may be required and the applicant is invited to contact the Water Section.

Neighbours and Additional Publicity

Number of Letters Sent: 543

Total Number of Representations Received: 0

Date Site Notice Expired: 15 June 2023

Date Press Notice Expired: 6 July 2023

Summary of Representations Received

None received.

PLANNING POLICY:

PLANNING STANDARDS

National Planning Policy Framework (NPPF)

The Development Plan is prepared taking account of the National Planning Policy Framework (NPPF) (as extant at the time - the NPPF is regularly updated; currently in its 2021 version) and the associated Planning Practice Guidance (PPG) (first published in March 2014 but also regularly updated with the NPPF). The relevant strands are considered further in the report.

Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that in regard 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 District Local Plan (HDLP).

The NPPF (2019) is a material planning consideration and also states in paragraph 47 that:

"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 of the NPPF further states that:

"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 policy SD1 of the HDLP which advises that development that is in accordance with the Local Plan should be supported unless material considerations indicate otherwise, any adverse impact *significantly* (my emphasis) outweigh the benefits or specific national policies indicate that development should be restricted.

For the purposes of this application, the Development Plan consists of the Harlow District Council (HDC) Harlow Local Development Plan 2020 (HLDP). Policies of most relevance to the proposal are:

SD1 – Presumption in Favour of Sustainable Development

PL1 - Design Principles for Development

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

IN3 – Parking Standards

Supplementary Planning Documents/Current Planning Guidance

The Harlow Design Guide SPD (2011)

The Harlow Design Guide Addendum SPD (2021)

ECC Development Management Policies (2020 – living document with regular updates)

Harlow Town Centre Masterplan (2022)

HGGT Guidance

The HGGT Vision elaborates on the HGGT's interpretation of *garden city principles* and sets expectations for high quality development to accord with the principles.

The HGGT Design Guide requires consideration of design quality in a *garden city principles* sense and draws attention to specific local issues.

The HGGT Transport Strategy (Draft) explains the transport infrastructure investment and travel behaviour change (encouragement of bus, walking and cycling) being planned.

Summary of Main Issues

Principle of Development

An outline planning application (reference HW/OUT/22/00286 refers) was submitted for the Sustainable Travel Hub and Interchange in June 2022 and subsequently granted outline consent on the 27 January 2023. Condition 15 of the outline permission requested details of the entrance and new lift to Terminus House.

The application outlines the redevelopment of the Harlow Bus Station, consists of a new Transport Hub building along with public realm improvements and landscaping, namely:

- The entire redevelopment of the bus station and Terminus Street
- A new single-storey transport hub to the north of the site, with green space and a canopy covered waiting area
- A cycle hub to the south with storage space for up to 80 cycles
- Flexible events space
- A new exit for buses from Terminus Street onto Crown Gate
- Transformation of Terminus Street
- The removal of the bridge connecting East Walk and Terminus House
- A new entry area to Terminus House, with a lift to serve the first and second floors
- Works to the existing Terminus House bin store

The development will support both existing public transport routes and proposed sustainable transport corridor routes, which will promote walking and cycling, as part of the development of Harlow and Gilston Garden Town. The inclusion of green areas and an events space will also help to transform the overall character of the area and create a welcoming environment.

An application (reference HW/23/00272) has subsequently been received for the following development:

“Application for reserved matters following outline planning permission under planning reference HW/OUT/22/00286 seeking consent for the following: Appearance - aspects and materiality of the buildings (concourse hall and cycle hub), the canopy and the surrounding spaces which affect the way they look, including the exterior of the development. Landscaping - the improvement of the site and the surrounding area, including planting trees, planters, screens, fixed furniture and amenities for the passengers and visitors of the new Sustainable Transport Hub and Interchange. Layout of the proposed development- including the buildings layout, routes and open spaces within the development and the way they are laid out in relations to the buildings and spaces outside the development. Scale -

includes information on the size of the development, including each proposed building and canopy, all in line with the outline proposal”.

This application is currently on consultation and will be brought to Development Committee as soon as practical.

The Terminus House bridge creates a distinct divide between the north and south of the current bus station, in addition to blocking one of the three nodal approach routes in East Walk. The demolition of the bridge is one of the highest priorities for the development of the Sustainable Travel Hub and Interchange. The Town Centre Masterplan acknowledges that the poorly laid out and unwelcoming nature of the bus station is a weakness of the Town Centre. The Masterplan further acknowledges that the Terminus Street transport hub is one of the five main project areas in the Town Centre providing first class transport options. The importance of this project is therefore significant, and the removal of the walkway and installation of new lift is the catalyst to the delivery of the other elements of the scheme.

Currently the pedestrian access to Terminus House is achieved on ground floor level and also via the bridge that connects East Walk with the second floor. With these two access points, the existing residents do not have a clear, visible and designated entry point along Terminus Street.

The demolition of the footbridge aims to provide a more open and welcoming access experience to the Bus Station from Walk and unblocks the pinch point created by the ramp and access. Furthermore, visibility within the footbridge is limited and dark, and its removal would offer an improvement in terms of anti-social behaviour.

By installing a lift in lieu of, the ramp, access to both levels at Terminus House is retained and provides a clear, accessible connection. To accommodate the lift and improve the setting of the area, the application proposes re-arranging the existing bin store and screening it off which in turn seek to create a better outlook to Terminus Street as well a more pleasant access to Terminus House and the car park. It is intended that the lift will be installed prior to the demolition of the footbridge to ensure consistency of access to Terminus House.

No amendments are proposed to the servicing arrangements, pedestrian, cycle or bus lands as part of this submission.

With regards to the materiality, the application proposes a simple palette that complements and supports the palette of the approved outline application for the Travel Hub and Interchange. The materials would offer a contemporary finish, be durable and easily maintained. This will assist in creating a distinctive entry point to Terminus House, which is currently lacking. The comments from the Design Officer are noted, however it is considered that the proposal offers betterment to the current situation and although somewhat muted there is cohesion with the approved materials which seeks to ensure a comprehensive scheme is delivered.

With regards to the odour issue raised, this is acknowledged, and it is proposed to include a condition to deal with this issue.

Equalities

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The above duties require an authority to demonstrate that any decision it makes is reached “in a fair, transparent and accountable way, considering the needs and the rights of different members of the community and the duty applies to a local planning authority when determining a planning application.” Officers consider that the application does not give rise to any concerns in respect of the above.

In relation to this application, protected characteristic (age) has been identified by virtue of the nature of the Children’s Home. Nevertheless, the officer has taken this in full into the consideration of this application.

CONCLUSIONS

This application is welcomed as it is the first stage of the project to deliver the Interchange Hub, identified as a key project in the Town Centre Masterplan. The scheme will offer significant visual benefits to the wider area, reduce opportunities for anti-social behaviour and create a new entrance to Terminus House which currently does not exist. There are no technical objections received and the matters raised by Design and Crime Officer are satisfactorily dealt with.

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

It is noted that the conditions attached to the outline planning permission are automatically carried across to reserved matters applications (informative included to this effect).

- 1 Prior to the installation of any external lighting or CCTV, details will be submitted to the Local Planning Authority and carried out in accordance with the approved details.

REASON: To ensure that the lighting is acceptable from a visual and amenity perspective and ensures that surveillance is achieved in the interests of diluting the opportunity for anti-social behaviour.

- 2 Prior to the reconfiguration of the bin storage area being completed, details in relation to mitigating odour from the area shall be submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details.

REASON: To ensure that the main public entrance to Terminus House is acceptable from an odour perspective in the interests of residential amenity.

- 3 The development to which this permission relates shall be carried out in accordance with the plans as listed in the table below unless otherwise agreed in writing by the local planning authority.

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

Plan Reference	Version No.	Plan Type	Date Received
0200-S4 Rev P02	Existing GA Plans		5 May 2023
0250-S4-Rev P02	Demolition Plans		5 May 2023
0300-S4-Rev P02	Proposed GA Plans		5 May 2023
0400-S4-Rev P02	Existing & Proposed Sections		5 May 2023
0500-S4-Rev P02	Existing & Proposed Elevations		5 May 2023
0100-S4-Rev P02	Site Location Plan		5 May 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.
The development would not be considered for adoption by the Highway Authority as firstly, the site is not connected to the adopted highway, and secondly, owing to the geometric layout of the proposed access road.
- 2 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 Highways 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
- 3 The applicant is reminded that the conditions pursuant to application reference HW/OUT/22/00286 remain valid in respect of this application where applicable.