

**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE**  
**11 October 2023**

**REFERENCE:** HW/FUL/23/00272

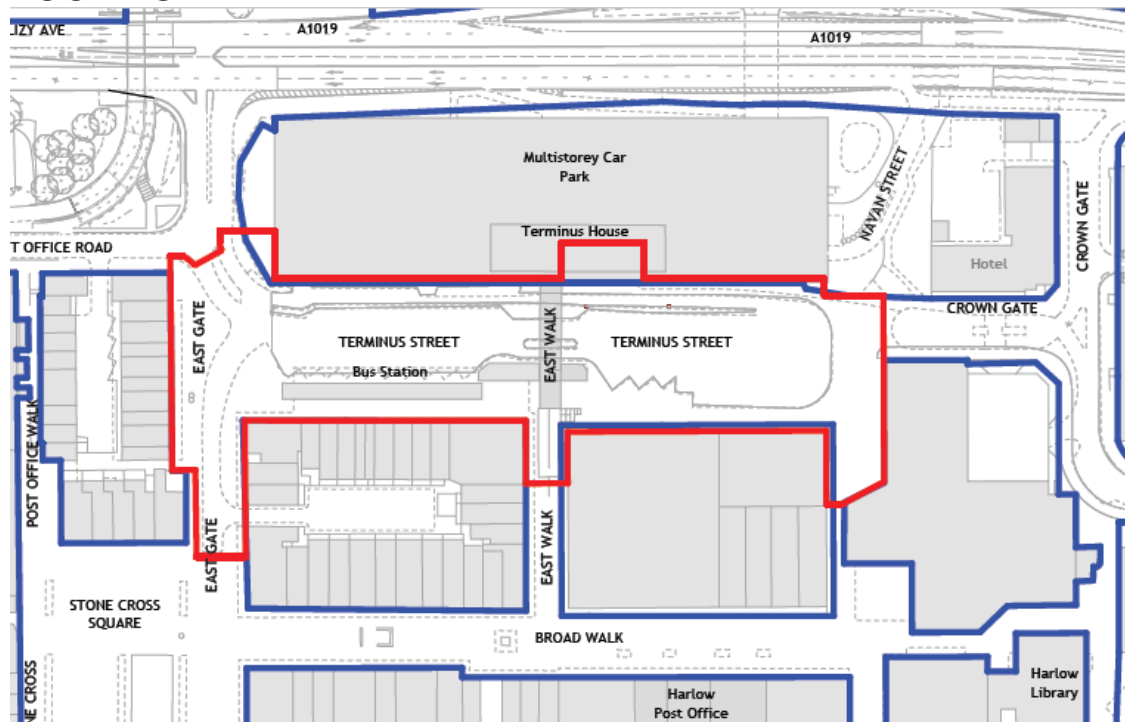
**OFFICER:** Elizabeth Beighton

**APPLICANT:** Harlow District Council

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

**PROPOSAL:** Application for reserved matters following 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.

**LOCATION PLAN**



## Reason for Committee

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

## Application Site and Surroundings

The existing Bus Station is located on the eastern edge of the Town Centre. It is bound by Terminus House and Terminus Street car park to the east, Adams House to the north, retail and commercial buildings to the west and Crown Gate to the south. Vehicle access to the Bus Station is via Post Office Road from Velizy Avenue from the northern end of the site. The site provides 14 bus stands, layover areas, drop off area, bus waiting stands and an area to allow buses to turn around within the site.

Harlow Bus Station is configured of 10 stands to the north of the Terminus House footbridge with another 4 to the south. The bays to the north are serviced via a single storey passenger waiting area with gull wing shaped canopy, bays to the south have standard bus shelters.

Underneath the Terminus House footbridge (which has permission to be demolished) is a central block of W.C's and visitor information office.

## Details of the Proposal

The development will support public transport services including the proposed Sustainable Transport Corridor routes, walking, cycling and public highway infrastructure and works together with a new Economic Development and Community Hub to support Harlow Town Centre and the wider Harlow and Gilston Garden Town (HGGT) Modal Shift. When completed, the Transport Hub and Interchange will consist of a transport hub building incorporating flexible spaces and amenities for passengers, a cycle hub, 16 bus stands (incl. 1 Community Transport Bay and 1 Coach Bay) along with public realm improvements and landscaping.

This reserved matters application seeks approval for the appearance of the concourse and cycle hub and the landscaping.

## RELEVANT PLANNING HISTORY:

App Number	Proposal	Status	Decision Date
HW/OUT/22/00286	Outline planning permission with all matters reserved other than access for the redevelopment of Harlow Bus Station, including a Transport Hub and Interchange which will consist of a transport hub building incorporating flexible spaces and amenities for passengers and staff, a cycle hub, 16 bus stands (incl. 1 Community Transport Bay and 1 Coach Bay) along with public realm improvements and landscaping (Amended	Granted	27 January 2023

	Proposal Description)		
HW/REM/23/00191	Application for reserved matters following outline planning permission under planning reference HW/OUT/22/00286 seeking the approval of access, relating to the demolition of the Terminus House footbridge and installation of a new public passenger lift.	Granted	4 September 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 – Drainage

Have raised no objection in respect of condition 5 of the outline consent but have a holding objection in respect of condition 4 of the outline consent for the following reasons:

- The proposed Downstream Defender is not shown on the Drainage Plan.
- Carriageway run-off is shown discharging from the attenuation tanks without passing through the bio-retention features, so is inadequately treated.
- Bioretention feature 3 is off-line
- The half-drain time of the system is not demonstrated.

Note – this application is not seeking any formal discharge of these conditions which still remain attached to the outline consent and will require independent permission.

#### Place Services (Design)

The design officer considers that the proposal represents a good standard of design and welcome the inclusion of a number of high-quality features. This is considered a great opportunity to encourage sustainable travel in Harlow and upgrade a key gateway into the town centre. They would however welcome further design development of the signage in response to wayfinding and inclusive design and would request further justification over the durability of some materials in a high-movement area.

For note – any advertising would be covered through the need of a separate application for advertisement consent.

#### Designing Out Crime Officer For E Forest & Harlow

In support of the above and from review of the provided documents and a detailed meeting with the applicant it is strongly advised that a Secure By Design – Commercial Accreditation is achieved for the design of the Harlow Travel Hub.

### **Harlow Council- Environmental Health**

Suggest conditions relating to construction times and dust control, which are included.

### **Tim Moya Associates (Arboriculture)**

The proposed development at Redevelopment Of Harlow Bus Station And Adjacent Land Terminus Street Harlow (the 'application site') is for 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. (the 'proposed development').

With regard to planning policy and statutory responsibility, Harlow Council (HC) must – in accordance with Section 197 of The Town and Country Planning Act 1990 – “ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees”. In terms of policy, with regard to the National Planning Policy Framework 2021 (NPPF), paragraph 174( b) states that HC must recognise the “benefits from natural capital and ecosystem services - including the economic and other benefits of [...] trees and woodland". and more broadly ensure landscape resilience to the effects of climate change “through the planning of green infrastructure” paragraph 154(a). Therefore, it is crucial that HC ensure that green infrastructure including trees is considered sufficiently within the planning and development process.

The provided details at this stage do not provide any detail on the species of tree, sizes, tree pit design, aftercare and management of the soft landscaping.

The proposed development can be considered for consent, having satisfied arboricultural matters sufficiently at this stage of the planning process.

A condition relating to landscaping is proposed.

### **Essex County Council (Fire and Rescue)**

It is considered that the arrangements are acceptable.

### **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 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 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

## 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.

## Planning Considerations

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. A subsequent REM application was approved by Planning Committee in August 2023 for the demolition of the footbridge and installation of a new lift in Terminus House.

The key issue is the design and appearance of the proposal.

The proposed layout has developed in detail since the outline application and in general the proposals are considered positive from an urban design perspective. The removal of the pedestrian footbridge is considered to have a significant improvement on the urban environment of East Walk as opening up the space removes a barrier feature and improves pedestrian access to the bus station and surrounding shops.

The proposal is considered to be legible and contributes to the improvement of a sustainable transport mode and connections to the town centre. The reserved matters layout is largely in accordance with the outline approved layout with some minor changes to pedestrian circulation around the Transport Hub and the shape of the soft landscaping.

There has been greater refinement to layout which includes connecting up the Eastgate pedestrian route to the zebra crossing. Greater detail has been provided on the cycle and pedestrian route adjacent to Terminus House which is considered positive. Furthermore, there are to be a range of spaces included within the public realm, with seating integrated into the soft landscaping, pedestrian routes through the soft landscaping giving pedestrian choice of desire line and integration of cycle storage and flexible space for pop up uses.

Overall, from an urban design perspective the layout is considered positive. The proposed architectural design approach is considered positive, and the proposal have continued to follow the same principles of the outline application. The proposals are contemporary and includes interesting design elements that contribute to the creation of a nodal point and landmark feature with the shape of the Transport Hub and contrasting planes of the canopy.

The proposed material approach is considered acceptable with a simple material palette and the use of glass to create an open built form that provides glimpsed views into and through

the buildings contributing to the space natural surveillance whilst not over dominating a constrained space. The thin canopy with tapered edges also completes the surrounding built form well.

The development of the landscaping proposals and from a visual perspective are acceptable. The material choice and landscape features have been developed to a good standard and the proposal will increase the amount of soft landscaping and greenery within the area. The proposal to screen Terminus House and the cycle lane is welcomed and the use of natural timber, stone and planting represents a positive contrast to the surrounding concrete and proposed glass/metallic bus station.

A condition is proposed to see details of materials before construction takes place to ensure they are acceptable and of suitable durability.

The scheme is considered acceptable and will be a welcome addition to this key town centre location and assist in the delivery of a high quality, sustainable transport hub.

## **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.

## **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 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place on site between the hours of 08:00 to 18:30 Monday to Friday and 08:00 to 13:00 on Saturday. No works to be carried out on a Sunday or Bank Holiday.

Reason: To protect the amenity of noise sensitive properties.

- 2 Prior to the commencement of development hereby approved, a method statement shall be submitted to, and approved in writing by the local planning authority, demonstrating how noise will be mitigated during the permitted working hours of the demolition and construction phases. The works shall thereafter be undertaken in accordance with the approved details.

Reason: To protect the amenity of noise sensitive properties.

- 3 Prior to the commencement of development hereby approved, a dust emissions statement shall be submitted to, and approved in writing by the local planning authority, demonstrating how dust suppression will be mitigated during the permitted working hours of the demolition and construction phases. The works shall thereafter be undertaken in accordance with the approved details.

Reason: to protect the amenity of the area from excessive dust emissions

- 4 A detailed landscape scheme shall be submitted to the local authority for approval and shall be implemented during the next planting season following completion of the development. The scheme shall include all hard and soft landscaping and details of boundary treatments. A specification of all materials shall be supplied within a detailed method statement which shall include site preparation, planting techniques, aftercare and a programme of maintenance for a period of 3 years following completion of the scheme.

Reason: To comply with the duties indicated in Section 197 of The Town and Country Planning Act 1990 and with those policies of the Development Plan set out in the attached Informative so as to ensure satisfactory landscape treatment of the site in the interests of visual amenity and to screen and enhance the development in the interests of visual amenity.

- 5 Prior to the commencement of development, details of the proposed materials will be submitted to and approved in writing by the local planning authority. The construction will thereafter be undertaken in accordance with the approved details.

Reason: In the interests of the visual appearance of the development hereby approved.

- 6 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.

<b>Plan Reference</b>	<b>Version No.</b>	<b>Plan Type</b>	<b>Date Received</b>
0310-S4 Rev P05		Proposed Ground Floor Arrangement Plan	15 July 2023
0311-S4-Rev P01		Proposed Ground Floor Bus Interchange	15 July 2023
0312-S4-Rev P01		Proposed Terminus House Refuse Store	15 July 2023
0315-S4-Rev P02		Proposed Roof Plan	15 July 2023
0402-S4-Rev P01		Proposed GA Sections	15 July 2023
0503-S4-Rev P01		Proposed GA Elevations	15 July 2023
0103-S4-Rev P16		Proposed Site Ground Floor Plan	15 July 2023
0104-S4-Rev P11		Proposed Site Roof Plan	15 July 2023
0105-S4-Rev P16		Proposed Site Plan Delivery Responsibilities	15 July 2023
0121-S4-Rev P08		Site Elevations Sheet 2	15 July 2023
0132-S4-Rev P03		Site Sections	15 July 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](mailto: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.
- 4 The applicant is reminded that any advertisement will require separate advertisement consent.