

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

11 September 2024

REFERENCE: HW/FUL/24/00283

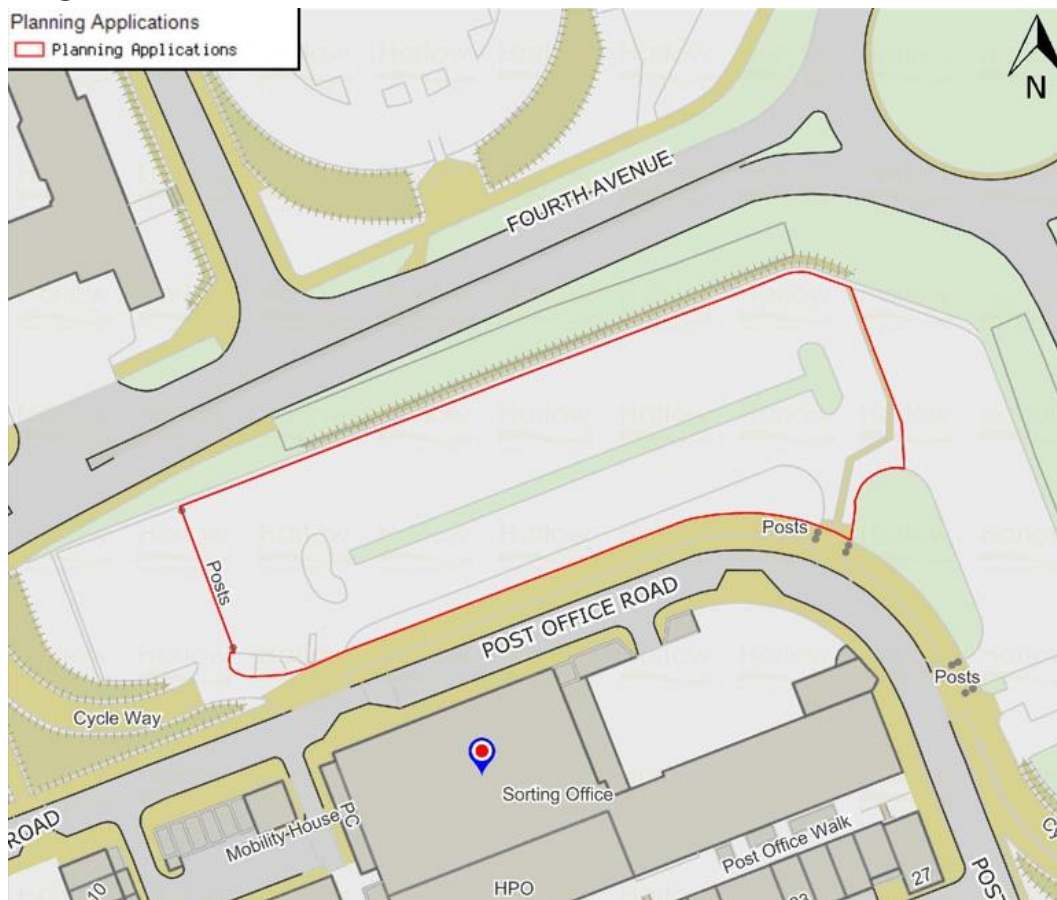
OFFICER: Mick Gavin

APPLICANT: Harlow District Council

LOCATION: Post Office Road Car Park
Post Office Road
Harlow
Essex
CM20 1AA

PROPOSAL: Alteration of the existing Post Office Road Car Park to form temporary bus station that will host 8 no. bus bays during the length of the construction of the 'Harlow Sustainable Transport Hub and Interchange' approved under planning reference HW/REM/23/00272.

LOCATION PLAN



Reason for Committee Referral

The applicant is Harlow District Council and as it is not considered to be of a minor nature, the matter is required to be heard by the Development Committee as per the Council's Constitution. Furthermore, given the Development Committee heard the interchange application (as referred to below) it is appropriate for continuity for the temporary station to also be heard at Committee.

Recommendation

The proposal would enable the implementation of strategic sustainable transport infrastructure in accordance with the aims of the Local Plan and the Town Centre Masterplan Framework. The proposal is supported.

Details of the Proposal

The application seeks the alteration of the existing Post Office Road Car Park to form temporary bus station that will host eight no. bus bays during the length of the construction of the 'Harlow Sustainable Transport Hub and Interchange' approved under planning reference HW/REM/23/00272.

The proposal seeks permission for temporary use of the Post Office Road car park as a bus station for a period of 18 months from December 2024. The proposal would ensure a replacement bus facility is provided for the duration of work to construct the Sustainable Transport Hub and Interchange at the existing Terminus Street Bus Station. This would ensure that bus services can operate as usual up until the completion and delivery of the new Transport Hub, which is currently targeted for 2026. Following completion of the redevelopment the site would be restored to its former condition and use as a car park.

The works to create the temporary bus station comprise

- creation of eight bus bays – for seven buses and a National Express Coach
- creation of a further eight bays in a separate lay-by area where buses would park when not in service
- erection of nine bus shelters
- creation of a new pedestrian pathway to provide safe and convenient access to the bus bays, made of concrete slabs laid on top of the existing hard surfacing

The nine bus shelters would comprise two rows adjacent to the designated bus bays. The proposed shelters are of a modern, attractive design and feature square posts, anti-UV cellular polycarbonate glazed canopies, and shatter-resistant safety glass cladding. The shelters will be black in colour (RAL 9005).

The proposed development would be car-free. In terms of cycle parking, 20 Sheffield stands (a total of 40 spaces) would be provided in accessible locations throughout the site.

Application Site and Surroundings

The site is a Council owned car park providing 139 parking spaces. The site is marked by numerous mature London Plane trees and is enclosed by hedges. It is located a short distance to the north of the existing Bus Station on Terminus Street, is bound by Fourth Avenue to the north, Post Office Road to the south, the A1019 to the east, and the Fourth

Avenue roundabout to the west. There is an underpass to the west of the site which runs under Fourth Avenue and links to Wych Elm and Rectory Wood, while a separate underpass to the east runs under Velizy Avenue and connects into The Hides.

The site is within the Town Centre as designated on the Local Plan Policy Map 2020.

The site does not contain any statutorily or locally listed buildings, nor are there any listed buildings within the vicinity of the site. It is not located within a conservation area.

The site is located in Flood Risk Zone 1, the area at lowest risk of flooding.

Background

In January 2023, outline planning permission (ref OUT/22/00286) was granted for the re-development of the existing Harlow Town Centre Bus Station site to provide a new Transport Hub and Interchange. The Transport Hub is intended to support the development of the Harlow North to Centre Sustainable Transport Corridor and contribute to the wider regeneration of Harlow Town Centre. Reserved matters permissions were subsequently granted (HW/REM/23/00191 and HW/REM/23/00272) and pre-commencement conditions have been discharged.

The applicant is now ready to commence work develop the Transport Hub. In order to ensure that bus services may continue to operate to and from Harlow Town Centre during the construction process, this application seeks planning permission for the temporary use of the site – a nearby car park on Post Office Road – as a bus station. This application therefore ensures continuity of bus services in Harlow.

RELEVANT PLANNING HISTORY

The relevant planning history is set out above in Background.

CONSULTATIONS

Internal and external Consultees

Essex County Council - Highways

No response received to date. Any response received prior to the Committee meeting will be reported in the Update Sheet.

Arboriculture Consultant

No objection subject to a condition to secure an Arboricultural Method Statement to ensure no damage to the trees on the site.

Essex County Council - Ecology

No objection subject to a condition to secure biodiversity enhancement at the site.

Neighbours and Additional Publicity

Number of Letters Sent: 3

Total Number of Representations Received: 0
Date Site Notice Expired: 10 September 2024
Date Press Notice Expired: 29 August 2024

Summary of Representations Received

None received.

PLANNING POLICY

Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “*where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise*”.

The Local Plan in this instance is the Harlow Local Development Plan (2020).

Harlow Local Development Plan 2020

Planning law requires that proposals should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan for the site consists of the Harlow District Council (HDC) Harlow Local Development Plan 2020 (HLDP), Essex County Council (ECC) Essex and Southend-on-Sea Waste Local Plan 2017 and ECC Essex Minerals Local Plan 2014.

The part of the Development Plan applicable to the proposal is the HDLP. The HDLP is prepared in the context of the National Planning Policy Framework (NPPF) – see ‘Planning Standards’ below. It is important to note that this is a very recently adopted and therefore ‘up to date’ plan in terms of NPPF Para.12.

Policies of most relevance to the proposal are:

SD1 – Presumption in Favour of Sustainable Development
SIR1 –Infrastructure Requirements
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
PL11 – Water Quality, Water Management, Flooding and Sustainable Drainage Systems
IN1 – Development and Sustainable Modes of Travel
IN2 – Impact of Development on the Highways Network including Access and Servicing
IN3 – Parking Standards

Supplementary Planning Documents / Current Planning Guidance

Town Centre Masterplan Framework SPD 2022
Town Centre Area Action Plan (Draft) 2019
Harlow Design Guide (2011) and Harlow Design Guide Addendum 2021

Harlow and Gilston Garden Town (HGGT) is a designated 'Garden Community' under the Government's Garden Communities Programme.

The following are material planning considerations in the determination of applications and appeals:

National Planning Policy Framework (NPPF) (2023)

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 2023 version) and the associated Planning Practice Guidance (PPG) (first published in March 2014 but also regularly updated with the NPPF). The NPPF is a material consideration in the determination of applications.

HDC Design Guide SPD (2011)

Design Guide Addendum SPD (adopted December 2021).

Essex Parking Standards (2009)

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

HGGT Guidance

Harlow and Gilston Garden Town (HGGT) is a designated 'Garden Community' under the Government's Garden Communities Programme.

NPPF Para.72 provides the national policy context for Harlow and Gilston Garden Town (HGGT) as a location for larger scale (housing) development. Of particular note is the emphasis on; existing or planned investment in infrastructure, the areas economic potential and the scope for net environmental gains..... plus; clear expectations for the quality of development and how this can be maintained (such as by following garden city principles).

The HGGT (Local Authorities) Partnership has published a series of documents that set the standards expected for developments in the Garden Town and are therefore relevant to this application.

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.

SUMMARY OF MAIN ISSUES

The key planning matters considered relevant to the determination of this application are as follows:

- Principle of development;
- Layout and design;
- Trees;
- Biodiversity; and
- Highways and parking

Principle of Development

The NPPF 2023 supports sustainable development and promotes public transport and vibrant town centres.

Policy SIR1 and the Local Plan Policy Map identify Sustainable Transport Corridors to facilitate the sustainable future growth of Harlow and Gilston Garden Town. Opportunity Area 4 of the Town Centre Masterplan Framework (TCMF) refers to the Sustainable Transport Hub, Terminus Street, as a key town centre gateway. Accordingly, permission was granted in 2023 for redevelopment of the Terminus Street Bus Station to create a new Transport and Hub Interchange to support the development of the Sustainable Transport Corridors. The proposed application would provide bus services to replace those unavailable during implementation of this permission thereby helping to minimise disruption during this period, ensuring that residents and visitors continue to benefit from convenient access to Harlow Town Centre.

The proposal thereby facilitates the Local Plan objective of achieving sustainable transport corridors and enables strategic transport objectives to be met.

The site is located only a short distance to the north of the existing Bus Station site, and within comfortable walking distance of the many facilities and amenities of Harlow Town Centre. Accordingly, the site is an appropriate and sustainable location for the temporary Bus Station.

In the longer term the site is identified at Opportunity Area 3 (Town Centre North) of the TCMF as becoming a new public space, with trees retained, to serve as pedestrian gateway into the town centre. This proposal is a temporary use, and this longer-term aim is not prejudiced.

The proposal enables strategic transport and town centre objectives to be met and the principle of development is supported.

Layout, design and appearance

Local Plan policy PL1 (Design Principles for Development) requires a high standard of urban and architectural design for all development. The Policy states that development must be supported by a design rationale based on an understanding and analysis of local context and character.

The proposed temporary development would by its nature as a transport facility be of functional and utilitarian design and appearance. The existing site has a concentration of London Plane trees, which would be retained along with boundary hedging (see Trees section below). Given this is the case and that the visual impact would thereby be significantly softened, the proposal is considered acceptable pursuant to policy PL1. The proposed works are designed to be non-invasive and fully reversible, so that the site can be restored to its previous condition and use at the end of the 18-month period.

Trees

Policy PL7 seeks to ensure that development protects and enhances existing trees and vegetation, given their importance to the visual character and quality of an area, their value as wildlife habitats and their role in mitigating the effects of climate change, for example by providing shading and reducing the temperature of the local micro-climate.

The site is characterised by numerous mature London Plane trees. An Arboricultural Impact Assessment (AIA) accompanied the application which has been assessed by the Council's Arboriculture Consultant. Subject to compliance with the AIA there would be very little impact to the trees, which would all be retained. A condition is proposed to ensure compliance and to secure approval and implementation of an Arboricultural Method Statement

The proposal is acceptable pursuant to policy PL7.

Biodiversity

Biodiversity Net Gain states that exemption applies where the development does not impact Priority habitat and impacts less than 25m² of on-site habitat or 5 metres of on-site linear habitats such as hedgerows. Therefore, the proposal is below the threshold and is exempt from the requirement to identify and pursue opportunities for securing a measurable biodiversity net gain, equivalent to a 10% increase, in accordance with Schedule 7A of the Town and Country Planning Act 1990.

The proposal is also exempt from locally required Biodiversity Net Gain, via policy PL9, due to recent Planning Practise Guidance (PPG) on biodiversity net gain stating that "Decision makers should not give weight to local policy which requires biodiversity gains for types of development which would now be exempt under the statutory framework".

A condition is proposed however to secure biodiversity enhancement via a Biodiversity Enhancement Layout which would include bespoke features to increase the ecological value of the site for local wildlife, such as bird or bat boxes to be installed in the surrounding trees (to achieve a net gain for biodiversity as outlined in paras.180 and 186 of the NPPF).

Parking and highways

The site is within walking and cycling distance of Harlow Town Centre and a range of local facilities. Given the nature of the development and town centre location, no dedicated car parking spaces will be provided. The temporary use of the site for the bus station would result in a loss of 139 car parking spaces for use within the town centre, however the town centre benefits from extensive car parking provision with over 700 car parking spaces provided at The Harvey Centre, 930 spaces at Terminus Street and 1,200 spaces at the Water Gardens. Consequently, it is not considered that the loss of car parking would adversely affect the town centre.

Cycle parking would be provided throughout the site area and is highlighted on the proposed site plan at Appendix A. A total of 40 cycle parking spaces would be provided within the temporary bus station site, consistent with Essex Parking Standards requirement of five spaces per bus bay.

In terms of trip generation and traffic impact, bus services would be re-timetabled to reflect the temporary location and the capacity of the proposed development to accommodate services. These bus services are already on the local highway network in the vicinity of the site and the proposed development would not result in any increase in services, only a very localised re-distribution to access the site. As a result, the proposed development would not result in any material impacts on the local highway network and the residual impacts of the proposed relocation during the temporary construction period of the Harlow Interchange would not be severe.

The proposal is therefore considered to comply with policies IN1, IN2 and IN3 of the Local Plan which seek to secure sustainable transport options, appropriate parking and no adverse impact on highway safety.

Other matters

The site is within Flood Zone 1, the area of lowest risk, and the proposal involves overlaying existing areas of hard surfaces. No adverse impact on flooding/ drainage would result.

The site occupies an existing car park within the town centre where no adverse impacts on residential or other sensitive receptors would occur.

Conclusion

The proposed development facilitates construction of strategic public transport infrastructure within the Town Centre in accordance with the aims of the Local Plan and Harlow Town Centre Masterplan Framework, accords with Development Plan policies, and is supported.

RECOMMENDATION

That Committee resolve to grant planning permission subject to the following conditions:

1. Prior to 30 June 2026 the use hereby permitted shall have ceased and the site shall have been reinstated to its previous condition and use
REASON: To ensure reinstatement of the site to safeguard its long-term function as a landscaped town centre gateway.
2. The proposed development shall be completed in full accordance with the submitted arboricultural details of the consented submission package:
Arboricultural impact assessment at Temporary Bus Station, Post Office Road, Harlow by A.T Coombes Associates LTDa.
Any alterations to the agreed details must be prior approved by the Local Planning Authority in writing.
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 and PL8 of the Harlow Local Development Plan 2020.
3. Prior to any works above slab level a Biodiversity Enhancement Layout for biodiversity enhancements shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the following:
 - a) detailed designs or product descriptions for biodiversity enhancements; and
 - b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained as approved thereafter.
Reason: To enhance protected and Priority species and habitats and to comply with guidance in the NPPF 2023 and Policy PL9 of the Harlow Local Development Plan 2020.
4. Prior to first use of the development details of covered and secure cycle parking for 40 cycle spaces shall be submitted to and approved in writing by the local planning authority and the cycle parking shall have been implemented in accordance with the

approved details and shall thereafter be retained for that purpose for the lifetime of the development.

REASON: To ensure that appropriate cycle parking is provided to provide a sustainable transport option and to comply with Policy IN3 of the Harlow Local Development Plan 2020.