

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

12 February 2025

REFERENCE: HW/FUL/24/00180

OFFICER: Mick Gavin

APPLICANT: Harlow Council

LOCATION: Nexus
Maypole Boulevard
Harlow Innovation Park
Harlow
Essex
CM17 9TX

PROPOSAL: Extension to existing car park to allow for the creation of 40 no. new parking bays with associated hard and soft landscaping works.

LOCATION PLAN



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PROPOSED DEVELOPMENT: Extension to existing car park to allow for the creation of 40 no. new parking bays with associated hard and soft landscaping works.

Reason for Committee Referral

The application is made by Harlow District Council.

Recommendation

The proposal seeks permission for 40 additional car parking spaces to accommodate increased demand at the site. The proposal is considered acceptable in terms of the appearance and character of the site and highways considerations. The development is considered to comply with Development Plan policies, and it is recommended that permission be granted subject to appropriate conditions as listed in the report.

Details of the Proposal

The application seeks permission for 40 additional car parking spaces to enlarge the existing car park to accommodate increased parking demand at the site. The spaces would be set perpendicular to the north boundary of the site, on the north side of the existing access road.

Application site and surroundings

The application site is on the west side of Maypole Boulevard within the London Road North Enterprise Zone (Harlow Science Park) on designated employment land.

The development was granted permission under HW/LDOC/18/00101 in 2018 pursuant to the London Road North Local Development Order (LDO) for:

Three Storey Commercial Office Building Located on Plot G of Science Masterplan, Providing 3202 m2 of Office Space for The Science Park.

RELEVANT PLANNING HISTORY

Planning Applications

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
HW/LDOC/17/00402	Three Storey Commercial Office Building (Class B1- Business) Located on Plot G of Harlow Science Park Masterplan to Provide 30,000ft2 of Office Space For The Science Park.	Refused – not compliant with LDO	12.09.2017
HW/LDOC/18/00101	Three Storey Commercial Office Building Located on Plot G of Science Masterplan, Providing 3202 m2 of Office Space for The Science Park.	Approved – Compliant with LDO	10.05.2018
HW/NMA/19/00201	Application for non-material amendment following a grant of planning permission under planning reference HW/LDOC/18/00101 for an amendment to the elevations of Plot G Harlow Enterprise Zone.	Granted	21.06.2019
HW/LDOC/19/00489	LDO Compliance Application - Discharge of Condition E6 -	Approved	13.12.2019

	Drainage - In relation to Plot G		
HW/LDOC/19/00511	External Lighting - Condition E4 - Plot G Harlow Science Park	Approved	24.12.2019
HW/LDOC/19/00513	LDO Compliance Application - Discharge of E6 - Drainage - In relation to Plot G	Approved	24.12.2019

CONSULTATIONS

Internal and external Consultees

Essex County Council - Highways

No objection.

Arboriculture

The proposed development would not have an impact upon adjacent trees and other vegetation. No objection.

Neighbours and Additional Publicity

Number of Letters Sent: 44

Total Number of Representations Received: 0

Date Site Notice Expired: 2 December 2024

Date Press Notice Expired: 28 November 2024

Summary of Representations Received

None received.

PLANNING POLICY

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
ED1 – Future Employment Land
PR1 – Development within Employment Areas
PR10 – Development in Retail Parks
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

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) (2024)

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 (2024)

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 area's 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
- Character and appearance
- Parking and highways
- Biodiversity Net Gain
- Other matters
- Equalities

Principle of development

Paragraph 85 of the NPPF 2024 states that:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.

Policy ED1, Future Employment Land, of the Local Plan allocates the area in which the site is located for industrial, and employment uses. The proposed enhanced parking provision supports the use of an established business at the site.

The principle of development is therefore supported.

Character and appearance

Local Plan policies PL1 and H2 require that development takes account of local character and the appearance of the street scene.

The proposal involves extending hard surfacing 7m beyond the existing site access along the north boundary of the site, to accommodate the new 6m deep parking bays. This hard surfaced area would extend into the adjacent open, undeveloped land. However, this area is part of land, which is also allocated for future development, and in the context of the existing substantial car park the additional area is not excessive. Indicative landscaping is shown on the submitted drawings and a condition to secure a soft landscape scheme is proposed, which, as it matures, will screen and soften the hard surface.

Subject to this condition the proposal is considered acceptable in this respect.

Parking and highways

Local Plan policy IN3 requires parking provision to accord with the Essex Parking Standards.

The 2024 Standards require 15% of total spaces to have an active electric vehicle charge point (EVCP), plus a further 35% of total to have passive charging provision. This amounts to a requirement that of the 40 proposed bays, six active charge points and 14 passive charge points are provided. A condition is proposed to secure this provision.

The width of the proposed bays (2.5m) does not accord with the width of 2.9m required by the Parking Standards. The bay sizes do however match the bay dimensions in the existing car park. On balance, given that the precedent of bay size is set in the substantial existing car park, it is considered that the proposal as submitted is acceptable in this instance.

A Workplace Travel Plan accompanied the application which sets out measures that will be implemented to maximise access to the site by non-car sustainable modes. A condition is proposed to secure implementation of the Travel Plan.

Subject to the proposed conditions the development is considered acceptable. The Highway Authority raise no objection to the proposal.

Biodiversity Net Gain

NPPF Paragraph 187 requires planning decisions to provide net gains for biodiversity. A statutory requirement now exists that most proposed development must demonstrate a minimum 10% biodiversity net gain (BNG). This is further supported by HLDP Policy PL9 which states development must conserve and enhance existing biodiversity features to ensure a net gain.

The proposal does not affect priority or protected habitats, or species and no trees would be affected. A BNG assessment has been submitted which demonstrates that it would result in a 10.91% net gain in Habitat Units and a 32.44% net gain in Hedgerow Units on site. This exceeds the minimum required gain of 10%. Appropriate conditions are proposed to secure this. Subject to these the development would accord with statutory provisions and policy PL9 and would be acceptable in respect of ecology and BNG

Other matters

The site is at the lowest risk of fluvial and surface water flooding (Flood Zone 1 and outside any Critical Drainage Area)

There are no implications for residential amenities, given the non-residential surroundings.

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

CONCLUSION

It is considered that the proposed development complies with the relevant Local Plan policies, and that there are no material considerations to indicate a decision should be made other than in accordance with the Plan. It is therefore considered that the proposal is acceptable.

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. Prior to first occupation of the development, a detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved details 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. Hard surfaces shall be permeable. A detailed planting and maintenance schedule shall be submitted which shall include site preparation, species, size and density, aftercare and a programme of maintenance for a period of 3 years following completion of the scheme.
REASON: To comply with PL1, PL7 and PL8 of the Harlow Local Development Plan. 2020 so as to ensure satisfactory landscape treatment in the interest of development quality.
3. Prior to the commencement of development, a Habitat Management and Monitoring Plan, in line with the approved Biodiversity Gain Plan, must be submitted to the Local Planning Authority and approved in writing.

The content of the Habitat Management and Monitoring Plan should include the following:

A management and monitoring plan for onsite biodiversity net gain including 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2, 5, 10, 15, 20, 25 and 30 from commencement of development, demonstrating how the BNG is progressing

towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

The development shall be implemented in full accordance with the requirements of the approved Habitat Management and Monitoring Plan, with monitoring reports submitted to the Council at the specified intervals.

REASON: To allow the development to demonstrate mandatory biodiversity net gain and allow the Local Planning Authority to discharge its duties under Schedule 7A of the Town and Country Planning Act 1990. And to comply with Policy PL9 of the Harlow Local Development Plan 2020.

4. The use of the development hereby approved shall operate in conjunction and in full compliance with the measures set out in the Workplace Travel Plan, SLR Consulting Ltd., Reference 226462 dated 23 September 2024 and shall do so for the lifetime of the development.

REASON: to maximise use on non-car sustainable modes of transport and to comply with Policy IN1 of the Harlow Local Development Plan 2020.

5. The car parking spaces hereby approved shall include six electric vehicle active charge points and 14 electric vehicle passive charge points of 22kW capacity.
REASON: To promote sustainable modes of travel, to comply with Essex Parking Standards Design Part 1 2024 and to comply with Policies IN1 and IN3 of the Harlow Local Development Plan 2020.

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.

<u>Plan and Document Reference</u>	<u>Date Received</u>
1779_YPUK_P001 Rev P2 Location Plan	20.05.2024
1779_YPUK_P002 Rev P2 Existing Block and Parking Plan	20.05.2024
1779_YPUK_P009 Rev P1 Proposed Car Park Extension	20.05.2024
1779_YPUK_P010 Rev P1 Proposed Car Park Extension - Existing Greyed Out	20.05.2024
1779_YPUK_P011 Rev P1 Proposed Car Park Extension - Vehicle and Section	20.05.2024

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. The effect of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is

deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- a) A Biodiversity Gain Plan has been submitted to the Local Planning Authority, and
- b) The Local Planning Authority has approved the plan.

The Local Planning Authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Harlow District Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024. Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.