

**ADDENDUM FOR THE MEETING OF DEVELOPMENT AND REGULATION**  
**COMMITTEE 23<sup>rd</sup> June 2017**

**CC/EPF/08/17**

**Item 5.1 (DR/24/17) New Junction 7A on the M11**

**CONSULTATIONS**

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LOCAL MEMBER – HARLOW – Harlow North – Comments received - *“Gilden Way / Mullberry Green junction proposals which would separate the two communities of Old Harlow and Churchgate Street because of the no right turn from Gilden Way into Mullberry Green. All traffic wanting to go to the Old Harlow shopping centre would have to travel all the way down to the London Road roundabout and turn right there. All of the residents who live in the Oxleys, Mullberry Green, Watlington Road, Old Road, and the surrounding area would have this additional journey to make to get home. The residents of Churchgate Street would no longer be able access the Doctors, Dentists or Harlowberry School (primary) without this additional journey, together with the increase in traffic this would be a nightmare journey. Which could take up to an extra 15 – 30 minutes journey time. The motorway traffic wanting to use this junction to access Old Harlow would also be faced with this additional journey time. The reasoning behind this ‘no right turn’ is to avoid a ‘rat run’ through Mullberry Green and down Old Road to the Cambridge Road (A1184) as a short cut to Sawbridgeworth/ Bishops Stortford in addition to avoid the traffic jams that will undoubtedly occur at the Mark Hall/ A414 roundabout.”* He also requests this part of proposal is omitted and suggests blocking off Old Road at the Railway bridge.

Comment: - The applicant has provided the following response:-

Outline of the traffic management options considered for access to Mulberry Green.

Concerns relating to ‘rat running’ through Old Harlow were raised by local residents during the early public engagement exercises. The applicant has carefully considered these concerns and the need to balance accessibility and safety for local residents against this concern.

It is important to note that the capacity of Gilden Way is to be increased by the inclusion of two lanes running from the M11 new junction towards Harlow. The speed limit of Gilden Way will be reduced to 40MPH from the current national speed limit of 60MPH. Traffic will therefore flow more smoothly towards the London Road roundabout. At Churchgate Street traffic signals on the proposed roundabout will ensure the flow of traffic is managed and the capacity of the London Road roundabout has already been improved.

The applicant considered the following options for the junction with Mulberry Green:

- The site area available to accommodate the scheme is restricted in this location. The scheme sits within the public highway land, private land bounds the application site, this has restricted the options available, for example, there is no space available to create a right hand turning lane.
- Retain right hand turning into and out of Mulberry Green for all traffic – with two lanes of traffic approaching from the motorway, having stationary vehicles in the outside lane waiting to turn right would be dangerous, to add road marking effectively closing this lane for vehicles turning right would significantly limit the capacity of Gilden Way and cause additional congestion impacting on all users of Gilden Way. Turning right out of Mulberry Green across the flow of traffic leaving Harlow would be a dangerous manoeuvre and waiting times to complete this manoeuvre would cause considerable tail backs along Mulberry Green resulting poor air quality and increased noise for local residents.
- Retain right turn in but only allow left turn out: While this option would overcome the concerns regarding queueing traffic seeking to turn out of Mulberry Green, it does not overcome the hazard of turning right into Mulberry Green and traffic congestion on Gilden Way caused by stationary vehicles waiting to turn into Mulberry Green.
- Left turn only for all vehicles at the Mulberry Green access: this option would be the safest solution however, it is recognised that this would alter the existing local bus route and would leave a significant part of Old Harlow particularly the Oxleys and Old Road without their bus service.
- Left turn in to Mulberry Green, Left turn out of Mulberry Green but allow Right turn for busses only: This provides the safest option and allows for the smoothest journeys for all users. Local residents wishing to access Harlow town centre can choose to travel a few 100 meters further to the signal controlled Churchgate street roundabout or use London Road. If travelling towards the M11 Junction & access is available directly from Mulberry Green. On return, residents leaving the M11 at Junction 7A instead of Junction 7 will have a shorter journey in total but will need to access Old Harlow from London Road or use London Road roundabout to turn back onto Gilden Way and turn left into Mulberry Gardens. The bus route will remain unaffected and although a bus may be stationary in the outside lane of Gilden Way, the bus is a large visible vehicle and will only be present for a very short period of time therefore this is considered to be an acceptable safety issue and will not have a significant impact on the capacity of Gilden Way.

- Closure of Old Road to through traffic and left turn in to Mulberry Green, Left turn out of Mulberry Green but allow Right turn for busses only: The Traffic Regulation Order to close off Old Road to through traffic has been submitted and is in the process of adoption. This together with the restricted access at Mulberry Green, further reduces the number of vehicles using Mulberry Green, removes the potential for rat running and provides the safest option for local road users both using the Mulberry Green access and Gilden Way. The journey time from Mulberry Green to London Roundabout and back is an additional 133 seconds in the morning peak which is the worst case scenario and an additional 113 seconds in the afternoon peak.

This is the preferred option.

## **RESPONSE TO ITEMS RAISED AT COMMITTEE SITE VISIT ON 15<sup>TH</sup> June 2017**

- **Options for access to the M11**

Applicants response - The location of Junction 7A on the M11 is limited by the presence of the Pincey Brook and its flood plain to the north and the proposed allocation for housing development at East Harlow. The topography of M11 and its location in the Green Belt means that the siting of the Junction needs to maintain as much openness as possible and reduce the visual intrusion of the junction. The location selected sits into the landscape and utilises the undulations to minimise the height of the embankments.

Once the location of the junction was fixed; then access arrangements to and from Harlow were considered. At the current time there is no justification in terms of traffic flows for a new northern access around Harlow crossing the Stort River and floodplain. Therefore this option was discounted.

To minimise the environmental harm and avoid sterilising development land for housing the use of the Gilden Way corridor was considered. The corridor could be retained as it is with a simple junction at the Campions to a spur road onto the M11. However, the scheme is a significant investment in local infrastructure and needs to address not only the current traffic issues experienced in and around Harlow but also plan for the future.

The design therefore developed into a more significant junction that could accommodate a future northern route around Harlow if required. It is also designed to accommodate future traffic growth using the new junction by the addition of an additional lane along Gilden Way for traffic entering the town, improved traffic management to reduce the potential for rat running through inappropriate local roads, a reduced speed limit along Gilden Way to improve safety, reduce collisions and smooth the traffic flow, traffic signals and 'hamburger roundabout at Churchgate Street to improve access onto Gilden Way and into Harlow from the communities adjoining Gilden Way.

- **Severance issues for Churchgate Street and Old Harlow**

Applicants Response - The proposed scheme provides for 3 additional signal controlled pedestrian and cycle crossings and 1 improved crossing, it provides links and crossing points for the existing public rights of way and accommodates the new footpath at New Hall. The new signal controlled crossings will improve safe access between Churchgate Street and Old Harlow. For residents using vehicles there is access between Old Harlow and Churchgate Street via London Road. This is a new route but is more suited to the levels of traffic predicted and is a safer route for residents and users of Gilden Way for through traffic. The design of Gilden Way improvements seeks to reduce congestion and improve the ability to cross the traffic flow on Gilden Way safely for all road users including pedestrians, cyclists and car drivers.

## **CONSULTATIONS**

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ENVIRONMENT AGENCY – Holding objection removed subject to inclusion of two conditions as follows:

1. No development shall take place until topographical survey information to verify the hydraulic flood modelling has been submitted to and deemed acceptable in writing by the local planning authority. The survey information should include:

- a survey report
- drawn long sections
- cross-section location plans in a digital format or geo-referenced
- channel surveys produced as text files which read directly into modelling software

If this information cannot verify the hydraulic flood modelling then the hydraulic flood modelling will need to be reviewed, and resubmitted for approval to the local planning authority following any changes being made.

2. No development shall take place until a scheme to demonstrate if and how compensatory flood storage for the 1 in 100 plus 35% climate change fluvial flood event will be provided, has been submitted to and approved in writing by the local planning authority. The scheme will be based on the approved and verified hydraulic flood modelling.

**CC/BTE/54/16**

**Item 5.3 (DR/26/17) Evegate and 3 Thistley Green Road**

## **PROPOSAL**

The change of use of Evegate and 3 Thistley Green Road from Use Class C3 (Dwelling houses) to Use Class C2 (Residential Institutions) to provide 8no. 1 bedroom flats for adults with learning difficulties. The construction of single storey extensions to both Evegate and 3 Thistley Green Road to provide communal areas. The conversion of the garage to 3 Thistley Green Road to provide ancillary staff offices. The demolition of the Coach House to Evegate and replacement new build to provide 2no. 1 bedroom bungalows for adults with learning difficulties. New access drive (with closure of existing drive to Evegate) and parking to serve development. New boundary fences at Evegate and 3 Thistley Green Road

## **CONSULTATIONS**

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ECC's NOISE CONSULTANT – No objection subject to conditions

## **REPRESENTATIONS**

One further letter of representation has been received. A total of 16 representations have been received.

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It is interesting to note the bat survey is an 'interim report' and the methodology recognises that additional surveys and enquiries are required.	Noted. See appraisal
The survey is extremely limited in scope and not sufficient to enable a planning application to proceed.	Noted. See appraisal
The matter should not be left to chance simply because of the failings of the applicant.	Noted. See appraisal
The residents' concern is with the escape of noise from the premises and how it may affect their enjoyment of both their houses and gardens.	Noted. See appraisal
Revised information does not show how the noise will be mitigated or what the impact will be on individual residencies.	Noted. A condition requiring the submission of a noise assessment relating to the mechanical ventilation system would be attached should planning permission be permitted.
The background noise levels were measured over an insufficient period.	Noted. A condition requiring the submission of a noise assessment

	relating to the mechanical ventilation system would be attached should planning permission be permitted.
The noise should have been measured at the site boundary not from the rear of Evegate	Noted. A condition requiring the submission of a noise assessment relating to the mechanical ventilation system would be attached should planning permission be permitted.
Report does not seem to demonstrate or confirm that noise levels either in or within the gardens of nearby properties will be within recommended limits. Sudden screams or outbursts from occupants could be very disturbing and should be assessed.	Noted. See appraisal
Majority of the Report appears to cover noise within the building itself and transmission of noise from one flat to another.	Noted. See appraisal
Feel application has not been properly prepared and remains unsafe to grant planning permission until it can be shown unequivocally that the amenity of residents will not be adversely affected.	Noted. See appraisal

## APPRAISAL

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#### Ecology

BLPR Policy RLP17 states inter alia that “*proposals for the extension of an existing dwelling house will be considered in relation to:*

- *there should be no adverse impact upon Protected Species. Proposals will be permitted where these criteria are met.”*

Final paragraph to read:

It is considered that the mitigation measures proposed within the Interim Report would be adequate to avoid offences under Regulation 41(1) of the Conservation of Habitats and Species Regulations 2010 (as amended); that a mitigation licence would be required and that it is considered there are no reasons to indicate that Natural England is likely to refuse an application for a licence. It is not considered

that there would be an adverse impact upon Protected Species and the proposal would be in accordance with Policy RLP17.

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#### Noise

ECC's Noise Consultant has no objection to the proposals. There are a number of aspects where further information of clarification is sought. Despite this fundamentally it is likely that adequate noise levels will prevail for the occupants of the proposed development and noise from the site is likely to be acceptable from the site on nearby existing residential properties. It is suggested that should planning permission be granted suitable conditions could be appended that require further information to be provided/clarified prior to works starting.

It is considered appropriate to attach conditions requiring further noise assessment information to be submitted prior to the installation of any mechanical ventilation systems to the properties to ensure there is no impact upon the residential amenity of the neighbouring properties.

#### Access

The Highway Authority has no objection subject to the removal of the existing site access and installation of the new site access prior to the beneficial occupation of Evegate and 3 Thistley Green Road.

### **RECOMMENDED**

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Condition 4a. Should read:

A licence issued by Natural England pursuant to Regulation 53 of The Conservation Habitats and Species Regulations 2010 authorising the specified activity/development to go ahead.

*Condition 6 – No fixed plant shall be installed in connection with the development hereby permitted unless a noise assessment has been submitted to and approved in writing by the County Planning Authority. The noise assessment shall provide a representative background sound level at nearby residential properties which have been previously agreed with the County Planning Authority, to include 'Moongate', 9 Thistley Green Road & 11 Thistley Green Road. The noise assessment shall include sufficient information to demonstrate that noise emanating from the fixed plant associated with the development hereby permitted would be in accordance with the noise limits imposed by Condition 6.*

*Condition 7 – The predicted noise level (or Rating Level) from all fixed plant associated with the development hereby permitted, when assessed in accordance*

*with BS4142:2014, shall be at least 5dB(A) below the representative background level approved under Condition 6 at nearby residential properties approved under Condition 6. The development shall be implemented in accordance with the approved details.*

**ESS/15/17/UTT**

**Item 6.1 (DR/27/17) Great Dunmow Water Recycling Centre**

**CONSULTATIONS**

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ENVIRONMENT AGENCY- No objection;

**CONCLUSION**

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The site is located within Flood Zone 3b. It is considered by the WPA that the proposed kiosks represent 'water compatible development' due to their classification as "sewage transmission infrastructure and pumping stations" and as such is considered to be compatible development in Flood Zone 3b. The EA has raised no objection and are satisfied with all other aspects of the flood risk assessment. The LLFA had no comments to make on the application.