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Response to Planning application from Hertfordshire County Council (T and CP GDP Order 2015)

Director of Planning

Welwyn Hatfield Borough Council
The Campus
Welwyn Garden City
Hertfordshire
AL8 6AW

District ref: 6/2020/3222/MAJ
HCC ref: WH/5159/2021
HCC received: 16 April 2021
Area manager: Matthew Armstrong
Case officer: Samuel Tearle

Location

FORMER VOLKSWAGEN VAN CENTRE COMET WAY HATFIELD AL10 9TF

Application type

Full Application

Proposal

AMENDED PROPOSAL

Demolition of existing buildings and construction of new building comprising 118 residential apartments, layout of parking areas, landscaping, electricity substation and ancillary development.

Decision

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Condition 1: Detailed Design Plans

No development shall commence until detailed design plans have been submitted to and approved in writing by the Local Planning Authority to illustrate the roads, footways, cycleways, foul and surface water drainage. All construction works shall be carried out in accordance with the approved plans.

Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 2: New Access Surface Water

Prior to the first occupation / use of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number (47179/5501/103 REV P2). Prior to the first use of the development hereby permitted arrangement

shall be made for surface water to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid the carriage of extraneous material or surface water onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 3: Closure of Existing Accesses

Prior to the first occupation / use of the development hereby permitted vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number (47179/5501/101 Rev P5) only. Any other access(es) or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 4: Offsite Works

(Part A) Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works as indicated on drawing (No. 147179/5501/101 REV P5) have been submitted to and approved in writing by the Local Planning Authority.

(Part B) Prior to the first occupation /use of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 5: EV Charging Points

Prior to the occupation / use of the development hereby permitted, the development shall include provision for at least eight of the car parking spaces to be designated for plug-in Electric Vehicles (EV) and served by EV ready Active charging points and all other spaces served by passive provision.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 6: Cycle Parking

Prior to the first occupation / use of the development hereby permitted a scheme for the parking of 164 cycles in the communal cycle stores (including details of the design, level and siting of the proposed parking) shall be submitted to and approved in writing by the Local Planning Authority. The cycle stores must conform with the standards contained in Cycle Infrastructure Design LTN 1/20. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport

in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 7: Construction Management Plan

No development shall commence until a Construction Management Plan (or Construction Method Statement) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan / Statement shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the

development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN4) Construction standards for 278 works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN5) Roads to remain private: The applicant is advised that all new roads associated with this development will remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities.

Planning Obligations and Agreements

S106 (1990 Town & Country Planning Act)

A S106 contribution towards sustainable transport must be sought as it is necessary to make the development acceptable in planning terms.

Welwyn Hatfield Borough Council is in the process of adopting CIL and therefore contributions sought towards sustainable transport are based on the S106 process. Until CIL is adopted, Hertfordshire County Council planning obligations toolkit will be used to identify the fee and mitigate the impact.

The site is in Zone 3 and given the presented proposals (51 x 1-bed units @ £625 and 67 x 2-bed units @ £750) this equates to £82,125 in 2006 prices. The current SPONS pricing index suggest that this equates to £119,245 in today's prices. HCC Highways would distribute this via S106 agreements to the associated schemes to mitigate the impact of the development.

- PK06 - Comet Way/Wellfield Road Corridor; £39,748
- PK01 - Hatfield-College Lane/Cavendish Way Corridor; £39,748
- PK02 - Hatfield-Cavendish Way/Queensway Corridor; £39,748

Further details for the S106 contribution can be found in subsections of this consultee response labelled 'Junction Assessments', 'Car Parking', 'Sustainability' and 'Planning Obligations / CIL'.

S278 (Highways Act 1980)

A Section 278 Agreement will be required between the applicant and HCC. Details of the S278 process is stated above in Informative AN4.

Further details of offsite works have been detailed under the subsection 'Design Considerations' in this response.

COMMENTS

Background

The Highway Authority previously issues a statutory consultee response, dated 9th February 2021, that found insufficient details had been provided to demonstrate that; (1) safe and suitable access for all users is achievable, and (2) that the proposals will not have a severe impact to the operation of the local highway network.

The applicant has now submitted a TA Addendum, dated 29th March 2021, that responds to the transport related issues.

Description of Proposal

A full planning application has been submitted for the redevelopment of the existing Volkswagen Commercial Vehicle Dealership (0.47ha) to provide 118 residential units. The residential units are to be in the form of 51 x 1-bed and 67 x 2-bed apartments.

Vehicular access is proposed to be via Goldsmith Way, with pedestrian / cycle access onto Comet Way.

Existing Site Description

It is understood the site was previously a Volkswagen Commercial Vehicle dealership. The site is located adjacent to Comet Way, which is a principal A road (A1001) and is subject to a 50mph speed limit. Existing vehicle access is via separate entry (left-in only) and exit (left-out only) junctions on Comet Way.

The site is bound to the south by Jetliner Way and to the west by Goldsmith Way. Jetliner Way and Goldsmith Way are both unclassified local access roads and are subject to a 30mph speed limit.

An off-carriageway cycle lane is located on Comet Way and leads northwards to Westfields Road and southwards to University of Hertfordshire De Haviland Campus.

Design Considerations

Vehicular Access

The proposals include the closure of the existing accesses on Comet Way and the provision of a new access on Goldsmith Way.

The TA Addendum has included an updated access design (Drawing No. 47179/5501/101 Rev P5) in order to resolve concerns raised previously by the Highway Authority regarding the visibility splays, location of the splitter island and conflicting movements.

Splitter Island & Swept Path Analysis

The TA Addendum has included Drawing No. 47179/5501/101Rev P5 which shows the proposed splitter island has been moved northwards when compared to previous revisions of the drawing. A swept path analysis of a refuse vehicle of 11.4m length has demonstrated that a refuse vehicle can suitably exit the site access without overrunning the shared footway / cycleway.

As a result of the proposed of the splitter island, the length of the right-turn for KFC has been reduced approximately 8m from 38m to 30m (taper to taper approx distance). In capacity terms this reduction in right-turn queuing space into the KFC equates to 1-2 vehicles.

Visibility Splays

The updated proposed access drawing (Drawing No. 47179/5501/103- Rev P1) has included vehicular visibility splays. Goldsmith Way is subject to a 30mph speed limit and the drawing has demonstrated visibility splays of 2.4m x 43m are achievable.

Offsite Works

The applicant should be aware that they will be responsible to deliver all off-site works (indicatively shown on Drawing No. 47179/5501/101Rev P5) through a S278 Agreement. This includes, but is not limited to, the closure and reinstatement of the footway / cycleway at the existing site accesses and all elements of the proposed site access. As part of the S278, subsequent Road Safety Audit stages will also be required.

Internal arrangements

The internal highways are shown to be 6m width and are considered appropriate to serve the perpendicular parking corridor. It should be noted that if the application is permitted, the internal highways will remain private.

Pedestrian and Cycle Access

The proposed vehicular access, as shown on Drawing No. 47179/5501/103 REV P2, shows tactile paving and raised table pedestrian crossing at the junction bellmouth. The Highway Authority are satisfied with this arrangement as it falls in-line with Policy 1 of the HCC Local Transport Plan.

A 3m shared pedestrian and cycle access is proposed on Comet Way that will link with the current footway / cycleway on Comet Way. Pedestrian visibility splays have been provided on Drawing No. 47179/5501/103- Rev P2 that adequately demonstrates the visibility for a cycle speed of 20mph. The proposals include access from the cycle stores onto the shared footway/cycleway.

Refuse Strategy

The Transport Assessment demonstrated on Drawing No. 47179/5501/101 Rev P5 that a refuse vehicle of 11.4m can access the on-site bin stores and be positioned within an acceptable drag distance.

Car Parking

The Transport Assessment states that 100 car parking spaces are proposed (0.85 spaces per apartment). This provision is fewer than the requirement for a development located in Zone 3 (Elsewhere) of WHBC standards. Therefore, it is considered by HCC Highways that mitigation through sustainable transport improvements listed under the planning obligations section below is necessary in order to encourage non-car use.

The Transport Statement states that 16 of the proposed car parking spaces will be designed for disabled users and eight spaces will have active EV charging points, and all other spaces provided with passive charging / retrofitted. The Highway Authority are satisfied with the proposed disabled space and EV space provisions and have requested it is provided by way of condition.

Cycle Parking

The Transport Assessment states that the proposals include the provision of 164 cycle parking spaces, which is greater than the minimum of 118 cycle parking spaces required in the WHBC standards. The Highway Authority are satisfied with this provision.

The proposals include three internal cycle stores and two areas allocated for cycle stands proposed, all of which can be accessed by the footways surrounding the site or via the internal stairwells / lobbies. The Highway Authority are satisfied with the locations.

Traffic Impact

Trip Generation

The TA has estimated the net trip generation of the existing and proposed sites using trip rates derived from TRICs.

Existing Site (accessed via Comet Way)

The Transport Assessment has calculated the trip generation of the existing car show room using total people trip rates derived from TRICs and then applied the 2011 census mode share (WU03EW) for the super output area (E02004989) to calculate the vehicle trips.

The Highway Authority are satisfied with the trip rates and the mode share used. This has predicted the existing site has the potential to generate a total of:

- 16 two-way vehicle trips in the AM peak hour;
- 14 two-way vehicle trips in the PM peak hour.

Proposed Site (accessed via Goldsmith Way)

The TA Addendum included an updated trip generation following concerns raised regarding the accuracy of the assessment included in the TA. The TA Addendum has now used total people trip rates for flats privately owned. The Highway Authority have reviewed the trip rates and are satisfied they are representative.

The TA Addendum has updated the mode share and has used the 2011 census mode share (WU03EW). The Highway Authority are satisfied with the mode share selection.

The applicant's mode share (55% car trips) has predicted a total of:

- 42 two-way vehicle trips in the AM peak hour;
- 41 two-way vehicle trips in the PM peak hour.

Net Vehicle Trips

When considering the net trip generation, the applicant has calculated the following net increases:

- +26 vehicle trips in the AM peak hour,
- +27 vehicle trips in the PM peak hour.

Junction Assessment

The previous Highway Authority response stated that the Transport Assessment has not included a capacity assessments of the Goldsmith Way / Comet Way signal-controlled junction. It also raised the following concerns:

As the applicant has failed to assess the impact of the development to the operation of the junction, it is unknown whether this will result in a severe impact to the operation of local junctions. The Goldsmith Way / Comet Way signal controlled junction is in a sensitive location due to the Hatfield Police Station and Magistrates Court.

The proposed closure of the existing site access on Comet Way will result in all vehicle trips to the site routing on Goldsmith Way. A capacity assessment is required to demonstrate the impact of the site to queues on Goldsmith Way and the potential interaction with the Hatfield Police Station site access and also the proposed site access.

No capacity assessment of the proposed site access has been undertaken and therefore if queues tail back to the proposed site access in the peak hours, vehicles exiting the site may be forced to left-turn out of the site and then make unacceptable manoeuvres at the Goldsmith Way/ Tamblin Way / Jetliner Way signal controlled junction (which is subject to a number of restricted movements).

In response to this request, the TA Addendum has stated there will be 1 additional vehicle trip from the site as a result of the proposed development every 2 minutes within the peak hours.

Overall it is considered that the applicant has failed to demonstrate whether this will result in a severe impact to the operation of local junctions. The Comet Roundabout located to the south of the site has been identified by HCC as a congestion hotspot. It is considered that mitigation through the sustainable transport improvements (S106 contribution) outlined in the sections below is essential in order to offset the impact of the site to the operation to the local highway network.

The applicant has also failed to capacity assess the site access junction and whether Goldsmith Way can accommodate an additional 42 and 41 two-way vehicle trips in the AM and PM peaks respectively. Due to the restricted movements at the Tamblin Way / Goldsmith Way junction, it is expected the site access will operate within theoretical capacity, however the applicant has not robustly shown this. Mitigation via the section 106 sustainable transport contributions is therefore essential and necessary to make the development acceptable in planning terms.

Highway Safety

The Transport Assessment has included a personal injury collision review covering the most recently available five-year period for the local highway network. The review found a total of 52 collisions, with 16 collisions involving pedestrians.

Sustainability

The closest bus stops to the site are located approximately 600m northwest of the site along Mosquito Way, which is over the desirable walking distance of 400m recommended by the CIHT Providing for Journeys on Foot, 2000. The bus stops are in the form of shelter, seating, flagpole, and timetables. The site is situated approximately 1.5km to the west of Hatfield Railway Station.

To mitigate the impact of the proposed development to the operation of the local footway, cycleway, highway and public transport networks, sustainable transport contributions are sought. The South Central Growth and Transport Plan (SCGTP) is an supporting document of LTP4 and includes Packages of transport improvements that will improve the environment and sustainable transport provision for future residents.

It is noted that the applicant has not included an assessment of local facilities and amenities within acceptable walking and cycling distances. To access local facilities, amenities, the town centre and railway station, it is envisaged future residents will need to route on the Cavendish Way / Queensway via Comet Way. Therefore, contributions are sought for the following packages:

- PK06 - Comet Way/Wellfield Road Corridor - To implement sustainable transport improvements along the Wellfield Road corridor, providing greater mode choice for trips between the Hatfield Business Park and the town centre.
- PK01 - Hatfield-College Lane/Cavendish Way Corridor - To reduce severance and improve conditions for pedestrians and cyclists along the College Lane/Cavendish Way corridor, enhancing connectivity between the university campuses and Hatfield town centre.
- PK02 - Hatfield-Cavendish Way/Queensway Corridor - To reprioritise the main transport corridor through Hatfield town centre to reduce the dominance of motorised vehicles, improve connectivity to the surrounding area and make a more attractive entrance to the town centre.

Travel Plan

The applicant has prepared a Residential Travel Plan. This organic document needs to be developed with details of the travel plan coordinator, specific targets developed and agreed with HCC Highways at least 3 months prior to the first occupation of the site. A support fee of £1,200 per annum for 5 years (£6,000 subject to indexation (Retail Price Index May 2014)) is recommended to be secured via a S106.

The HCC Travel Plan team have the following comments on the current travel plan which must be addressed in the next submission to bring it in-line with a full residential travel plan:

- Name and contact details of a Travel Plan Co-Ordinator (TPC);
- Interim TPC name and contact details;
- Details of a secondary contact need to be provided to HCC, once a TPC has been appointed;
- The average time per month allocated to TPC role and their frequency on site;
- The TPC should also work alongside other external partners such as bus and rail companies to increase the travel opportunities of the development;
- More walking measures required – for example - should also include promotion of Hertfordshire Health Walks;
- More cycling measures required – should include the following additional measures - cycle training, Dr Bike (or similar);
- Need to mention the provision of high-speed broadband, as measure to enable homeworking and facilitate access to home delivery services, the outcome being a reduction in the need to travel;
- Modal shift targets should have a breakdown of each mode;
- Surveys should aim to achieve a high response rate, if surveys fail to achieve this HCC would advise on Multi-modal traffic counts for the remaining survey periods. Minimum response rates should be agreed with HCC prior to surveys being undertaken;
- Review report should be submitted to HCC within 3 months of travel surveys.

Planning Obligations / CIL

If the application is granted planning permission, S106 contributions towards sustainable transport must be sought as it is necessary to make the development acceptable in planning terms.

WHBC are currently in the process of finalising its Community Infrastructure Levy (CIL) and in the absence of this developer contributions are sought via S106 agreement/s using the HCC's Planning Obligations Toolkit. HCC's Planning Obligation Guidance (2008) implements a two-strand approach to planning obligations in order to address the immediate impacts of the new development (first strand), and the cumulative impacts of all development on non-car networks (second strand).

In accordance with the HCC Planning Obligations Guidance, contributions are sought on a unit rate basis and are pooled where appropriate. For residential use the charge is based on the number of bedrooms. This is calculated based on the site's accessibility zone.

The site is in Zone 3 and given the presented proposals (51 x 1-bed units @ £625 and 67 x 2-bed units @ £750) this equates to £82,125 in 2006 prices. The current SPONS pricing index suggest that this equates to £119,245 in today's prices. HCC Highways would distribute this via S106 agreements to the associated schemes to mitigate the impact of the development.

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CTMP

If the application is permitted planning permission, the Highway Authority request by way of planning condition that a Construction Traffic Management Plan is submitted prior to construction. Due to the sensitive location of the development site, a CTMP is needed to mitigate any adverse impact from the development on the operation and safety of the local highway network

Conclusion

The Highway Authority wishes to raise no objection to the proposal subject to the inclusion of planning conditions and section 106 contributions.

The S106 contribution towards sustainable transport must be sought as it is necessary to make the development acceptable in planning terms.

Signed

Samuel Tearle

29 April 2021