



Mark Youngman  
Development Management Group Manager  
Hertfordshire County Council  
Postal Point CH0242  
County Hall  
Pegs Lane  
Hertford  
SG13 8DE

## **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: 6/2022/1355/MAJ  
HCC ref: WH/12730/2022  
HCC received: 23 June 2022  
Area manager: Mark Youngman  
Case officer: Samuel Tearle

### **Location**

FORMER BEALES HOTEL COMET WAY HATFIELD AL10 9NG

### **Application type**

Full Application

### **Proposal**

Demolition of existing building and construction of 145 residential units (Use Class C3) with private and communal amenity space, landscaping, access, associated car and cycle parking, refuse and recycling storage and supporting infrastructure.

### **Recommendation**

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

#### **Condition 1: Highway Improvements – Offsite**

##### **Part A) Design Approval**

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 number JNY11241-RPS-0100-SK04 Rev A have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The detailed scheme must include:

- Resolving all issues identified within the RSA S1.
- The reinstatement of the footway / cycleway at the existing access.
- Arrangement shall be made for surface water to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

##### **Part B) Implementation / Construction**

Prior to the first use of the development hereby permitted, the 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 2: Electric Vehicle (EV) Charging Point**

Prior to the first occupation of the development hereby permitted, each car parking space shall be provided with an active (ready to use) EV charging point which shall thereafter be provided and permanently retained.

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 3: Construction Management Plan / Statement**

No development shall commence until a Construction Management Plan 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;
- k. Phasing Plan.

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 County Council website at:

<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 highway:** 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 County Council website at:

<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) Debris and deposits on the highway:** It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

**AN4) Works within the highway (section 278):** 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 County Council website at: <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 on-site roads / the access routes associated with this development will remain unadopted (and shall not be maintained at public expense by the highway authority). At the entrance of the new estate the road name plate should indicate that it is a private road and the developer should put in place permanent arrangements for long-term maintenance.

**AN6) Construction Management Plan (CMP):** The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.

The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

**AN7) Travel Plan (TP):** A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards

supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by emailing [travelplans@hertfordshire.gov.uk](mailto:travelplans@hertfordshire.gov.uk).

### **Planning Obligations and Agreements**

#### **S106 (Town & Country Planning Act 1990)**

(1) A Full Travel Plan will be required to be in place from first occupation until 5 years post full occupation. A £1,200 per annum (index linked RPI March 2014) Evaluation and Support Fee must be secured by section 106 agreement in accordance with Hertfordshire County Council's Travel Plan Guidance. Further details of the Travel Plan review can be found under the subsection 'Travel Plan' of this statutory consultee response.

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

In accordance with the HCC Planning Obligations Guidance (2021), second strand sustainable transport contributions are sought for residential developments on a unit rate basis of £6,826 per dwelling.

The total S106 sustainable transport contribution sought is £989,770 [Note this figure is subject to indexation SPONS January 2019]. The Highway Authority will distribute the contributions to the associated schemes to mitigate the impact of the development, typically through schemes identified in the HCC's Local Transport Plan (LTP) and its supporting documents, South Central Hertfordshire Growth and Transport Plan.

Further details for the S106 contribution can be found in subsections of this consultee response labelled 'Planning Obligations'.

#### **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.

### **ANALYSIS / COMMENTS:**

#### **Description of Proposal**

A full planning application has been submitted for the demolition of the existing Beales Hotel (C1 land use) and the erection of a residential building consisting of 145 apartments.

The proposed quantum of development:

- 63 x 1 bedroom flats;
- 52 x 2 bedroom flats;
- 30 x 3 bedroom flats.

The proposals include the provision of 125 car parking spaces and 176 long stay and 8 short stay cycle parking spaces.

The proposals also include the closure of the existing access and provision of a new left-in left-out priority junction approximately 20m to the north-east on Comet Way. The access design includes the setting back of the footway / cycleway on Comet Way.

### **Site Description**

The Beales Hotel is understood to currently be vacant and comprises of 53 bedrooms. Vehicular access is via a left-in left-out only access onto the A1001 Comet Way. The access is in the form of a bellmouth and is bound on both sides by a segregated footway cycleway.

Comet Way is subject to a 50mph speed limit and is classified as a 'Main Distributor' in the HCC Highways Hierarchy.

A segregated footway / cycleway runs parallel to Comet Way and bounds the south of the site.

### **Site History**

The site was subject to a planning application in 2021 under app ref 6/2021/1164/FULL for the conversion of existing vacant hotel into 53 x room hostel and erection of further 40 units of accommodation in the car park. The proposals included no offsite works or changes to the access. The Highway Authority recommended no objection subject to the provision of conditions and informatives.

### **Traffic Impact**

#### **Trip Generation**

The Transport Statement has include a net trip generation assessment based on calculating number of trips generated by the existing permitted land use (hotel) and the proposed land use (residential). The Highway Authority are satisfied the net vehicle trip increase of +20 in the AM Peak, + 12 in the PM Peak and +103 Daily can be suitable mitigated via the S106 contributions outlined below. The S106 contributions below focus on enhancing the active travel and public transport networks and reduce the reliance of private vehicles.

It should be noted that no multi-modal trip generation has been undertaken for the proposed site.

#### **Highway Safety**

The Transport Statement has included a review of personal injury collisions over the past five years of available data that have occurred on the local highway network. The review has shown that there is no record of collisions at the existing site access, however a collision has been recorded further to the north where the detailed report states 'Vehicle 1' turned into Harpsfield Broadway colliding with pedestrian.

### **Design Considerations**

#### **Vehicular Access**

The proposals include the closure of the existing access to the site on Comet Way, and the provision of a new access 20m to the east on Comet Way.

The proposals include the reinstatement of the footway / cycleway at the existing access.

The proposed access arrangement, as shown on Drawing No. JNY11241-RPS-0100-SK04 Rev A, includes the setting back of the footway / cycleway on Comet Way. The Highway Authority are satisfied with this arrangement as the set back enhances pedestrian and cycle safety. Vehicular and cycle visibility splays have been demonstrated.

The proposed arrangement has been subject to an RSA S1 undertaken by the applicant. The HCC RSA team have reviewed the arrangement which led to the submission of the revised Drawing No. JNY11241-RPS-0100-SK04 Rev A.

All offsite works will need to be delivered via an S278 agreement between the applicant and the Highway Authority. As part of the S278, an RSA S2 will be required. The RSA S2 must address the following issues as part of the S278:

- A number of signs and bollards located within existing verge areas in the vicinity of the proposed access junction.
- Junction radii's are to be reviewed to allow two large vehicles to pass, however, not enter the site at high speed.

The applicant should be aware that the Highway Authority will not seek to adopt the on-site highways and therefore a private maintenance and management strategy must be provided. The Transport Statement notes the internal access highway will be a 6m wide as it enters the site, sufficient to allow two large vehicles to pass.

#### Pedestrian Access

The proposals include a 2m wide footway will be provided at the access to connect to the internal layout from shared footway / cycle on the northern side of Comet Way. The Highway Authority are satisfied with this arrangement.

#### Refuse / Servicing / Emergency Access

The proposals include the provision of three servicing and delivery bays on the internal access road. The Highway Authority are satisfied with this provision and request the applicant provides on-site measures to prevent private car / residents parking in the bays.

Bin Stores and the drag distances to the highway are shown on page 130 of the Design and Access Statement. The Highway Authority are satisfied the bin stores can be accessed within acceptable drag distances.

A turning area has been shown on Drawing No. JNY11241-RPS-0100-001 Rev D which demonstrates an 11.3m length refuse collection vehicle can position itself within an acceptable drag distance to bin stores, turn on site, and exit in a forward gear.

Drawing No. JNY11241-RPS-0100-006 REV A demonstrates a fire appliance can access the site. The LPA should review the Fire Statement submitted by the applicant.

#### Cycle Parking & Access

The proposals include the provision of 176 long stay and 8 short stay cycle parking spaces. This is in-line with the WHBC SPG Parking Standards for the number of spaces.

The short stay 8 visitor cycle parking spaces in the form of 4 'Sheffield' stands are located at the main entrance to the residential development.

#### Car Parking

The existing site provides 119 car parking spaces for land use C1 Hotel.

The proposals include a ground floor car park for 124 car parking spaces and one car club space (0.86 spaces per dwelling). This includes the provision of 15 disabled / blue badge spaces. The Highway Authority are satisfied with the number of spaces and allocation of blue badge spaces.

The Transport Statement states the proposals will provide 13 electrical vehicle charging spaces. This is unsuitable and against building regulations (Infrastructure for charging electric vehicles: Approved Document S - GOV.UK ([www.gov.uk](http://www.gov.uk))). This notes that all new Residential Buildings with parking in a covered car park must have a charging point for each dwelling.

The Highway Authority therefore recommend by way of planning condition that each parking space is fitted with an active EV charging unit.

#### **Public Transport Provision**

The closest bus stops to the site are located approximately 450m distance on Cavendish Way. The Highway Authority consider this to be located within an acceptable walking distance to encourage trips by bus.

#### **Travel Plan**

The applicant has submitted a Framework Travel Plan.

The HCC Travel Plan Team have reviewed the Travel Plan and have provided a set of comments that need to be addressed at the Monitoring and Evaluation Stage.

The updated Travel Plan Monitoring and Evaluation will be secured by S106 agreement with a £1,200 p/a support fee for a five-year period.

#### **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.

#### **Planning Obligations / CIL**

##### **Travel Plan**

As noted in the 'Travel Plan' section above, the application is subject to a Travel Plan Monitoring and Support fee of £1,200 per annum for 5 years.

##### **Sustainable Transport**

In the absence of CIL, if the application is granted planning permission it will be subject to HCC S106 transport contributions. In accordance with the HCC Planning Obligations Guidance (2021), second strand sustainable transport contributions are sought for residential developments on a unit rate basis of £6,826 per dwelling. This is to mitigate adverse pressures generated by the proposed development (as set out in the trip impact section above) to the future operation and safety of the local highway, footway, cycleway and public transport networks. The mitigation will also focus on enhancing and encouraging active travel and public transport use by improving facilities, walking and cycling environments, and improving the safety of trips.

The total S106 sustainable transport contribution sought is £989,770 [Note this figure is subject to indexation SPONS January 2019].

The Highway Authority will distribute the contributions to the associated schemes to mitigate the impact of the development, typically through schemes identified in the HCC's Local Transport Plan (LTP) and its supporting documents, South Central Hertfordshire Growth and Transport Plan. Sustainable transport contributions can be used for, but not limited to, packages including:

- Package 1: College Lane / Cavendish Way Corridor
- Package 2: Cavendish Way / Queensway Corridor
- Package 3: Bishop's Rise Corridor
- Package 4: Woods Avenue / Traveller Lane Corridor
- Package 5: French Horn Lane Corridor
- Package 6: Comet Way / Wellfield Road Corridor
- Package 7: St Albans Road East / Hertford Road Corridor
- Package 8: North West Hatfield and Lemsford Connectivity

The S106 Sustainable Transport Contribution is considered fundamental to mitigate the impact of the site and allow it to be acceptable in highway planning terms.

**Conclusion**

The Highway Authority have reviewed the application and does not wish to raise an objection subject to the inclusion of the recommended planning conditions, obligations and informatives.

**Signed**

Samuel Tearle

9 September 2022