



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: 6/2022/2759/FULL
HCC ref: WH/14985/2022
HCC received: 9 March 2023
Area manager: Manjinder Sehmi
Case officer: Chris Carr

Location

Plot 5610 Gypsy Moth Avenue, Hatfield AL10 9BS

Application type

Full Application

Proposal

AMENDED PROPOSAL

Erection of two industrial units for light industrial processes (E(g)(iii)) / general industrial (B2) / storage & distribution purposes (B8) and ancillary office space, with associated parking, access 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 Existing Access – Improved

Prior to the first use hereby permitted the vehicular access improvements, as indicated on drawing number(s) 3502-SRA-XX-XX-D-A-PL-020-Rev M, shall be completed and thereafter retained in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 2 Electric Vehicle Charging Provision

Electric Vehicle (EV) Charging Points for 15 car parking spaces prior to the first use of the development hereby permitted, provision shall be made for eight of the car parking spaces to have active provision for EV charging and seven of the car parking spaces to have passive provision for EV charging.

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 Provision of Parking and Servicing Areas

Prior to the first use of the development hereby permitted the proposed access arrangements/onsite car and cycle parking / servicing / loading, unloading / turning area shall be implemented in accordance with the approved drawing number(s) 3502-SRA-XX-XX-D-A-PL-020-Rev M and retained thereafter available for that specific use.

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

Condition 4 Travel Plan

No part of the development hereby permitted shall be occupied prior to the implementation of the approved Travel Plan Reference number ITL18151-002D and dated February 2023 (or implementation of those parts identified in the approved Travel Plan as capable of being implemented prior to occupation). Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 5 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 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; and
- 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).

Highway Informatives

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) Estate road adoption (Section 38): The applicant is advised that if it is the intention to request that Hertfordshire County Council as Highway Authority adopt any of the highways included as part of this application as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways, together with all the necessary highway and drainage arrangements, including run off calculations must be submitted to the Highway Authority. No development shall commence until the details have been approved in writing and an Agreement

made under Section 38 of the Highways Act 1980 is in place. The applicant is further advised that the County Council will only consider roads for adoption where a wider public benefit can be demonstrated. The extent of adoption as public highway must be clearly illustrated on a plan.

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 telephoning 0300 1234047.

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 £6,000 and index-linked RPI May 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

Planning Obligations and Agreements S106 (Town & Country Planning Act 1990)

Welwyn Hatfield Borough Council is in the process of adopting a Community Infrastructure Levy (CIL). In the absence of CIL, if the application is granted planning permission it will be subject to HCC S106 transport contributions.

For new employment developments, a contribution of £422 per job is required, this has been estimated to be 72 jobs, therefore contributions shall be set for £30,034 towards highway improvements. It is recommended the monies are allocated towards schemes detailed within the South Central Hertfordshire Growth and Transport Plan, specifically Packages 1 to 6 associated with Hatfield.

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 should be secured by section 106 agreement in accordance with Hertfordshire County Council's Travel Plan Guidance. This should incorporate measures to promote sustainable transport, an appointed travel plan co-ordinator and an appropriate monitoring programme.

It is advised the applicant reads the following:

<https://www.hertfordshire.gov.uk/media-library/documents/environment-and-planning/planning/development-infrastructure-contributions-guide/technical-appendix-1-transport.pdf>

Description of Proposal

Erection of two industrial units for light industrial processes (E(g)(iii)) / general industrial (B2) / storage & distribution purposes (B8) and ancillary office space, with associated parking, access and supporting infrastructure.

Unit A would have a total floor area of 2,936sqm and Unit B a total floor area of 1,245sqm. The total floor area for both units would be 4,181sqm.

Site Description

The proposed development is located at Plot 5610 within Hatfield Business Park, approximately 1.8km to the west of Hatfield. The site is currently occupied by an overflow area for the secure storage of new and used vehicles in association with the Cambria Automobiles dealership at Plot 4100 during peak times. This use forms part of a temporary planning permission (6/2020/1195/VAR) which expired on 28th July 2022.

To the north the site is bounded by Hatfield Avenue and to the east bounded by Gypsy Moth Avenue. To the south, the site is bounded by industrial units. The site links to the strategic road network via the A1(M) which is approximately 0.6km to the east of the site.

Analysis

The following documentation has been submitted in support of this application:

- Transport Statement (TS)
- Design & Access Statement
- Planning Statement
- Travel Plan
- Existing Site Plans
- Proposed Site Plans

History

It is understood that an application for temporary planning permission was submitted in 2018 (ref.6/2018/2946/FULL) to use part of the western side of the site for a period of 18 months for vehicle storage in association with Cambria Automobiles' principal car dealerships on Plot 4100 in Hatfield Business Park. The application was approved in January 2019.

An application (ref. 6/2020/1195/VAR) was later approved in July 2020 to extend the car storage use until 28th July 2022. An application for a pre-delivery inspection facility (Use Class B2) and car storage area (Use Class B8) at the Site was also submitted in 2018 (ref. 6/2018/3255/FULL) to serve as a supporting facility to Cambria's main car dealership scheme on Plot 4100. The application was approved in March 2019, however the permission has not been implemented.

It is understood that pre-application advice was sought from Welwyn Hatfield Borough Council. The LHA request that the applicant provide a copy of the WHBC pre-application response (6/2022/1607/PA).

Planning Policy

The applicant has provided evidence that the following planning policy has been reviewed in relation to the proposed development and this is considered acceptable:

- National Planning Policy Framework (NPPF – July 2021);

- National Planning Practice Guidance (2014);
- The Building Regulations 2010 - Infrastructure for the charging of electric vehicles (2021);
- HCCs Local Transport Plan 4;
- Welwyn Hatfield District Plan (2005);
- Welwyn Hatfield Local Plan (Draft August 2016); and
- Welwyn Hatfield District Plan Supplementary Planning Guidance Parking Standards (2004).

Accessibility

Walking and Cycling

It is considered that the site is conducive to walking and cycling. Within the immediate vicinity of the site access there is a segregated footway / cycleway along the eastern boundary of the site access road. This connects with Gypsy Moth Avenue where there are segregated footway/cycleways on either side of the carriageway. There is sufficient street lighting, dropped kerbs, tactile paving and pedestrian refuge crossing points along Gypsy Moth Avenue. To the north the footways/cycleway connects with footways along Hatfield Avenue, where there is a signalised pedestrian crossing linking with pedestrian infrastructure on the northern boundary of the carriageway.

National Cycle Network Route 61 (between Hoddesdon from the east and Maidenhead in the west) is accessible from the site via Alban Way, approximately 1km east of the site at the junction between Wellfield Road and Alban Way.

Public Transport

The nearest bus stop to the site is along Gypsy Moth Avenue, approximately 225m to the south of the site. This southbound bus stop provides shelter, seating and time table information and the northbound bus stop providing a flagpole. There are further bus stops to the north of the site along Hatfield Avenue. With the proposed new pedestrian / cycle access, these stops would be approximately 25m from the site for the westbound stop and 170m to the eastbound stop. Both bus stops on Hatfield Avenue provide shelter, seating and timetable information.

These stops provide frequent services to Hatfield, Ware, Broxbourne, Borehamwood, Welwyn Garden City, Watford, Enfield, Luton and Queensbury.

The nearest railway station to the site is Hatfield which is located approximately 2km to the east of the site. The station can be accessed to/from the site via bus services 341, 602, 641 and 644. Hatfield railway station provides frequent services to Welwyn Garden City, London Kings Cross, Letchworth Garden City, Moorgate and Cambridge.

The LHA consider that the site is in a sustainable location with good pedestrian, cycle and bus facilities within close vicinity of the site. The proposals would also connect with the existing infrastructure which is discussed further in this note.

The applicant has obtained the latest 5 year accident data from HCC for the highway network within the vicinity of the site. The data shows that there were 18 Personal Injury Accidents (PIA's), comprising 16 slight and 2 serious accidents. There were no accidents recorded at the site access road. Seven of the PIA's occurred at the Gypsy Moth Avenue / Hatfield Avenue roundabout. The two serious accidents involved a pedal cycle colliding with a kerb and the second a car colliding with a pedestrian. A further five PIA's occurred at the Mosquito Way/ Hatfield Avenue roundabout. 6 PIA's also occurred at the junction of Coopers Green Lane/ Hatfield Avenue resulting in slight injuries.

The LHA consider that the proposals would not have a detrimental impact on highway safety.

Highway Layout Vehicle Access

The proposed vehicular access would be taken from the existing gated access to the north of the site access road which connects with Gypsy Moth Avenue. The Site Access road is a two-way single carriageway road and is a 7.3m wide.

The TS includes swept path analysis (drawings ITL18151-GA-002B and ITB18151-GA-003B) for two articulated vehicles demonstrating that they can access and exit the site in forward gear. The use of the existing site access is considered acceptable and swept path analysis demonstrates it is sufficient for HGV's to enter and exit in forward gear.

Pedestrian and Cycle Access

The proposed site plan shows that the existing footway on the eastern side of the site access road would connect with an internal footway within the proposed development site. A pedestrian crossover at the site access is proposed, providing a pedestrian link between the two proposed industrial units. A secondary gated pedestrian/ cycle access is proposed on the northern boundary of the site, providing a direct route to the existing pedestrian / cycle network and bus stops on Hatfield Avenue. The proposed site plan shows that the two access points would be connect via an internal pedestrian network. The TS states that uncontrolled pedestrian crossings with dropped kerbs and tactile paving would allow for safe pedestrian access through the site. Drawing 3502-SRA-XX-XX-D-A-PL-020- rev M shows the location of the tactile paving and this is considered acceptable.

Car Parking

The proposals include the provision of 62 car parking spaces, including the provision of 4 accessible spaces and 8 electric vehicle charging (EVC) spaces. There would be no designated HGV parking spaces only the service yard areas. The TS references the maximum parking standards set out in the Hatfield Aerodrome SPG for B2 use which is 1 space per 60sq.m, which is more onerous than the B8 standards. This would result in a maximum provision of 70 spaces being required for the proposals.

The LHA consider that a reduced provision of parking is deemed acceptable due to the sustainable location of the site and the overprovision of cycle parking. The implementation of a Travel Plan would also further encourage active travel / public transport trips.

The proposals plan shows the location and provision of 8 EVC spaces and the provision of trunking for a further 7 spaces. This is considered acceptable.

Cycle Parking

The proposals include the provision for 16 cycle parking spaces in the form of Sheffield stands. The proposals plan shows the location of the cycle parking adjacent to the proposed new pedestrian / cycle access to the north of the site, and the TS states that this would be secure and sheltered.

The WHDC's cycle parking standards are set out within the Council's Supplementary Planning Guidance (SPG). For B2 use this would require 1 space per 500sq.m plus 1 space per 10 f/t staff. The details of the proposed number of employees is not available. Therefore as part of the development Travel Plan, the level of cycle parking would need to be reviewed and agreed with the LHA once the occupiers of the site are known.

Trip Generation

The Proposed Development includes two industrial units with a mixed use class of B2 / B8 use and a total floor area of 4,181sqm. The TS considers whether the proposed development is within the overall quantum of development covered by the former Hatfield Aerodrome Outline Consent (S6/1999/1064/OP), or whether the proposals would have an impact greater than originally expected and provided for within the consent.

It is understood that outline planning permission (S6/1999/1064/OP) for the wider Hatfield Business Park (including the proposals site) was granted in December 2000 on the former Hatfield Aerodrome site.

The Hatfield Aerodrome SPG detailed the level of development floor space for each use class the Section 106 Agreement within S6/1999/1064/OP set out a total of 197,996sqm of development floor-space on the Hatfield Business Park, spread over B1, B2, B8 and Sui-Generis uses.

It is understood that limits to the quantum of development floorspace in relation to the amount of sqm per Use Class were derived utilising a Units of Development concept. The use of Units of Development allowed for the trip rates associated with each use class to be comparable by area. This concept was agreed as a basis for measuring the traffic generation from each of the use classes on the former Hatfield Aerodrome site to control the volume of traffic generated.

The Section 106 agreement of the S6/1999/1064/OP permission defined Units of Development as a calculation based on floor space in order to control pressure on the local road network arising from new development at Hatfield Business Park, thus limiting any highways impact from new development. For B2 use, 120sq.m of built development is equal to 1 unit of development and for B8 use 340sq.m of built development is equal to 1 unit of development. Therefore based on the highest unit generator, the proposals (4,181sqm of B2) would equate to 35 units of built development.

At pre-application stage, Welwyn Hatfield Borough Council (WHBC) stated that whilst B2 and B8 floorspace had been exceeded through previous planning permissions a substitution formula could be applied to reallocate use class B1c/B2 to B8 floorspace. The pre-application response confirmed that the remaining units of development for B1 a/b on the former aerodrome site is 190 units of development. Therefore taking into account the proposals (35 units), 155 units of development would remain at the former aerodrome site.

The assessment concludes that the proposals do not exceed the maximum threshold of remaining Units of Development at the former Hatfield Aerodrome site. As such, no trip generation assessment has been undertaken. The applicant supplied HCC Highways with trip generation assumptions identified at pre-application discussions with WHBC (6/2022/1607/PA) which are referenced as supporting this planning application.

Refuse and Servicing

There is no mention in the TS of refuse collection arrangements. The TS should include details of how refuse vehicles will access the development. The applicant should provide swept path assessments for the proposed access and internal layout which demonstrate the safe access of a refuse vehicle of L:11.375m, W:2.5m can be achieved into and out of the site in a forward gear. The swept path assessments should demonstrate that a refuse vehicle can either enter or depart when there is opposing traffic (i.e., enter as a vehicle is stopped to depart the site).

The proposals plan shows the location of bin stores, however the LHA are concerned that access to these stores would be restricted by vehicles parked directly in front of the bin stores. Bin stores must be provided in line with the standard set out in the Roads in Hertfordshire: Highways Design Guide. The design guide states refuse collection vehicles must be able to stop within the 'maximum refuse carry distance' specified by the Local Planning Authority or within 25m of any bin storage area, whichever is the lesser distance.

Travel Plan

A Travel Plan has been submitted as part of the planning application. The applicant has submitted a revised Travel Plan in response to comments raised by Hertfordshire County Council Travel Plan team. The updated Travel Plan addresses these comments.

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 should be secured by section 106 agreement in accordance with Hertfordshire County Council's Travel Plan Guidance. This should incorporate measures to promote sustainable transport, an appointed travel plan co-ordinator and an appropriate monitoring programme.

Full guidance is available at: www.hertfordshire.gov.uk/travelplans or for more guidance contact: travelplans@hertfordshire.gov.uk

Construction

A Construction Traffic Management Plan would be required to ensure construction vehicles will not have a detrimental impact on the vicinity of the site and a condition will be required to provide adequate parking for construction vehicles on-site to prevent on-street conflict and impacts to the highway safety.

Planning Obligations / Community Infrastructure Levy (CIL)

Welwyn Hatfield Borough Council is in the process of adopting a Community Infrastructure Levy (CIL). In the absence of CIL, if the application is granted planning permission it will be subject to HCC S106 transport contributions.

For new employment developments, a contribution of £422 per job is required, this has been estimated to be 72 jobs, therefore contributions shall be sort for £30,034 towards highway improvements. It is recommended the monies are allocated towards schemes detailed within the South Central Hertfordshire Growth and Transport Plan, specifically Packages 1 to 6 associated with Hatfield.

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 should be secured by section 106 agreement in accordance with Hertfordshire County Council's Travel Plan Guidance. This should incorporate measures to promote sustainable transport, an appointed travel plan co-ordinator and an appropriate monitoring programme.

It is advised the applicant reads the following:

<https://www.hertfordshire.gov.uk/media-library/documents/environment-and-planning/planning/development-infrastructure-contributions-guide/technical-appendix-1-transport.pdf>

Conclusion

Hertfordshire County Council (HCC) as highway authority has reviewed the application submission and does not wish to restrict the grant of permission but requests the referenced conditions are applied

Signed

Chris Carr

30 May 2023