

WELWYN HATFIELD COUNCIL
PLANNING CONTROL COMMITTEE
27 AUGUST 2003
REPORT OF THE CHIEF PLANNING AND
ENVIRONMENTAL HEALTH OFFICER

PCC 27.08.2003
PART 1
ITEM NO
FOR DECISION
CPEHO

S6/1999/1064/FP
REDEVELOPMENT OF HATFIELD AERODROME SITE
TIMING OF HIGHWAY INFRASTRUCTURE IMPROVEMENTS
IN ASSOCIATION WITH DEVELOPMENT
CONDITION 8 PLANNING PERMISSION S6/1999/1064/FP

1.0 INTRODUCTION

- 1.1 Members will be aware that the re-development of the aerodrome site is now advancing considerably. As part of the requirements for the development on the site it was established that a number of improvements to off site road junctions in the vicinity would be required. The programme was secured by means of a legal Agreement relating to the development of the site.
- 1.2 The improvements were to take place associated with the bringing into use of 'units of development', thus the various improvements were to have taken place when certain development thresholds were reached. In a modification to the original Agreement the programme was also related to timescales (that is to be completed within a certain time from the initial commencement). In addition to the Agreement, a condition of the outline permission also required a programme to be submitted to and agreed by this Council.
- 1.3 It now appears that, for various reasons, the original anticipated improvement programme (in terms of timescale) and that which was set out in a modification to the original Agreement cannot be achieved. The developer has approached this Council, and the Hertfordshire County Council as Highway Authority, to seek agreement to a further revised timescale. This report is submitted to Members to enable the view of the Council to be established.

2.0 CURRENT SITUATION

- 2.1 In the s106 Agreement which was allied to the original outline planning permission for the site, the improvement programme was related to units of development. These units of development were established as relating to a quantum of residential housing completed, or floorspace areas for other uses. Again these were established in the Agreement.
- 2.2 The programme required that the improvements to the Comet Roundabout, incorporating Bishops Square be completed first. This remained the order of the improvement programme in the modification to the original Agreement and these works have been completed.

2.3 Subsequently the programme required that improvement works be implemented to the Roehyde junction A1(M) Junct 3. The remaining improvements were to be in the following order:

- Jack Oldings junction A1(M) junct 4
- Green Lanes roundabout
- Gatehouse junction
- Galleria roundabout

3.0 PROGRAMME NOW SOUGHT

3.1 The developer points to the complex nature of the works associated with the road improvements, the need to accommodate extensive underground services and the legal and environmental issues involved as the reasons for the inability to now meet the previously agreed programmes. In addition, it is pointed out that the requirement for the Highways Agency (which has an interest in those schemes which directly affect the A1(M) for which it is responsible) to take schemes through an established procurement process has also led to delays. This has directly affected the Roehyde junction improvements.

3.2 It is now suggested that the works take place in accordance with the following programme:

- Jack Oldings, start: Sept 03, complete: April 04
- Gatehouse, Galleria and Green Lanes, start: Jan 04, complete: June 04
- Roehyde, start: April 04, complete: March 05

3.3 Members will note that this programme is not particularly associated with 'units of development'. The current situation is that 569 units have been completed and are occupied. In terms of the previously agreed programme, this has only triggered the requirement for the initial Comet roundabout/ Bishops Square works.

3.4 However, in September the occupation of the university buildings and the possibility of a further T-mobile building will trigger the requirement for the Roehyde, Jack Oldings and Green Lanes works. The developer will be in breach of this part of the Agreement when these buildings come into use as these particular road improvements will not have been completed.

3.5 It is necessary to consider then whether the revised programme is acceptable and, by implication, if there is any action that this Council would wish to take should the developer fail to meet the requirements of the s106 Agreement.

3.6 When the Agreement was earlier modified in respect of this issue, it was done so in such a way that further amendment to it could be made by the written consent of the Highway Authority (rather than require a full modification of the Agreement). This position was also taken in view of the fact that the Highway Authority (and the Highways Agency) is best placed to advise whether any revised programme is acceptable or not.

3.7 The initial view of the Highway Authority, and without the benefit of detailed consideration of the matter, is that the further revised programme is acceptable. Traffic count information is yet to be considered by the Authority, along with a traffic position statement provided by the developers, so it must be stressed that

this is an informal position of the Highway Authority at present. An update on the position, if available, will be presented at the meeting. The traffic position statement indicates that traffic levels have fallen at the Jack Oldings junction, in comparison with 1999, but does not offer any information with regard to the other junctions. It is clear that it is the impact of the operation of the new university campus (opening in September) which has the most significant potential in the foreseeable future to affect traffic levels. It is currently difficult to predict how significant that impact may be.

- 3.8 The Highways Agency and the management of The Galleria have also been sent copies of the requested revised programme and asked to comment. Any comments that are received will be provided to the committee. For the purposes of the Christmas trading at the Galleria, works to that junction (and Gatehouse and Green Lanes) have been programmed for Jan 04. An earlier start could be achieved if a satisfactory traffic management scheme, to be in place whilst the works are carried out, can be agreed.

4.0 CONCLUSION

- 4.1 Preliminary indications are that the revised programme is acceptable to the Highway Authority. This is in advance of the consideration of further detailed traffic count figures however. Whilst the developers will be in breach of the current requirements of the Legal Agreement in September, when the university becomes operational at its new site, it is not considered that it would be appropriate to take any formal action, at this stage, given the early indications that the programme will be acceptable to the Highway Authority and in the absence of any other clear identifiable harm.
- 4.2 It is recommended that the further formal feedback from the Highways Authority, Highways Agency and the management of the Galleria be considered, once received. If no significant objection to the suggested revised programme is raised it is considered that this can be agreed by this Council as an amended programme within the requirements of condition 8 of planning permission S6/1999/1064 and by the Highway Authority within the requirements of the Legal Agreement as modified.

5.0 RECOMMENDATION

- 5.1 That the Chief Planning and Environmental Health Officer be delegated to agree the revised programme of off site highway improvement works as set out in this report in relation to the re-development of the Hatfield aerodrome site, subject to the receipt of formal comments from the Highway Authority and Highways Agency and feedback from the management of the Galleria Centre.
- 5.2 If significant objection is raised in any feedback the matter shall, subject to the discretion of the Committee Chairman, Vice Chairman and the Opposition Lead Member, be reported back to the committee for further consideration.

Background Papers

Letter from Arlington Development Management Ltd, dated 12 August 2003
Aerodrome Occupation Schedule
S106 Legal Agreement and modification thereto relating to the development of the aerodrome site.

