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**Stephen Anyanwu**

**From:** alan.story@hertfordshire.gov.uk  
**Sent:** 23 February 2015 14:49  
**To:** Planning  
**Subject:** Planning application N6/2015/0034/MA - 43 Broadwater Road

**Response to Planning application from Hertfordshire County Council (T and CP GDP Order 1995)**

**District ref:** N6/2015/0034/MA  
**HCC ref:** WH/35/2015  
**HCC received:** 03/02/2015  
**Area manager:** James Dale  
**Case officer:** Alan Story

PLANNING  
DEPARTMENT  
23 FEB 2015  
RECEIVED

**Location**  
43 Broadwater Road  
Welwyn Garden City  
AL7 3AX

**Application type**  
Full application

**Proposal**  
Erection of 23 dwellings with associated access, landscaping and ancillary works

**Decision**  
Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Planning permission be granted subject to the completion of a Section 106 Agreement between the applicants, Welwyn Hatfield Borough Council and Hertfordshire County Council to secure the following:

- 1. Sustainable Transport Contribution £21,750

**Conditions**

1 Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following: -

- i) Roads, footways, foul and on-site water drainage.
- ii) Access arrangements.
- iii) Adequacy of areas provided for the turning of vehicles.

**Reason:** In the interests of highway safety

2 Prior to the first occupation of the development hereby permitted the proposed access /on-site car and cycle parking / turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use. Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.

3 Vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access shown on drawing No 17095/1001 only. Any other access 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 in consultation with the Highway Authority, concurrently with the bringing into use of the new access. Reason: In the interests of highway safety

4 Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

a. Construction vehicle numbers, type, routing; b. Traffic management requirements; c. Construction and storage compounds (including areas designated for car parking); d. Siting and details of wheel washing facilities; e Provision of sufficient on-site parking prior to commencement of construction activities;

Reason: In order to protect highway safety and the amenity of other users of the public highway.

#### Informatives

I recommend inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Construction standards for 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 an. 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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN2) 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.

AN3) 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. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN4) 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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Comments:

The application site was previously associated with the adjacent office development, known as Highways House, previously occupied up until 2012 by Hertfordshire County Councils Hertfordshire Highways. Since the date of vacation of premises it is understood that the site has provided a place of religious assembly, however this lease has expired and the church is identifying new premises.

The adjacent office building and site is subject to separate planning application (district reference N6/2014/2715/MA, my comments / recommendations dated 23/2/15 relate). This application represents the development of the site to provide 23 dwelling houses / flats of a mixed schedule of accommodation (2 / 3 bedrooms). Whilst the parking arrangement within this area is reasonably informal it is understood that the church using the site identified that there was a total of in excess of 200 parking spaces associated with the overall site, with 57 being within the red line to the above application, suggesting that this site provided accommodation for in excess of 140 vehicles.

The scale of the development is sufficiently minor that it is not considered a Transport Statement is necessary as part of a formal application for planning consent.

The site is located on Broadwater Road, WGC. Broadwater Road is a Principle A road (A1000) and provides a Main distributor function within the Hertfordshire road hierarchy. Urban main distributors are the main roads that distribute traffic within towns, around town centres and link town centres and the main industrial areas to the Principle Road Network, and are – as a consequence – important and busy roads within the overall road network. Broadwater Road is subject to 30mph speed limits past the site.

#### Trip generation

As above, HCC accept that the site has been previously used for workplace car parking, and to a level in excess of 140 spaces. This therefore would support a minimum of 140 daily 2 way trips. HCC would expect that a residential development of the scale proposed will generate significantly fewer vehicle trips across the day, and fewer AM / PM peak trips. The use of the land for residential at this scale would represent a reduced impact on the local highway network than previously offered by the site, and is supported by HCC.

#### Access

The proposals close the existing access to the site (formerly the access to main car park associated with Highways House) and relocate this closer to the retained access serving the adjacent development. The proposed access respects the necessary junction spacing as defined in roads in Hertfordshire to the opposite side of the carriageway (30m minimum) and the one-way nature of the adjacent development site ensures that the accesses shall be sufficiently staggered that the risk of vehicles on Broadwater Road indicating to turn into one, or other of the developments shall not be confusing to other road users.

The development proposals provide a minor access arrangement, providing an internal road width of 4.8m, sufficient to enable two way vehicle flow, with footways both sides – footways to northern side appear to be 1.6m, however southern footpath is restricted in width to approx. 1m (errors for scaling). Footways should be provided to a minimum of 1.25m either side, in order to ensure accessibility by all pedestrians including persons in a wheelchair.

Kerb radii at the new access to 5m is provided, and internal arrangements provided to provide a turning head for large vehicles within the site in order to enable them to manoeuvre in a fashion that they may exit the site in forward gear. Swept path analysis should be provided to demonstrate that vehicles, upto the largest sized refuse collection vehicle in use by the Borough Council at time of determination, are able to manoeuvre into / out and within the site adequately that they may do so in forward gear.

Visibility from the proposed access is shown to accord with the provisions of Manual for Streets providing visibility of 43m in each direction from a point 2.4m measured back from carriageway edge.

## Car parking

Parking within the site is provided by way of 2 parking squares (providing groups of 12 and 10 spaces), and then private driveway parking to dwellings 5 through 12, arranged in either parallel to each other, or in a stacked arrangement behind each other, but allocated in such cases in the same ownership. An overall level of parking provision of 36 spaces to serve the 23 dwellings proposed, providing parking of 1 space per flatted units, and 2 spaces per 3 bedroom house.

The internal arrangement of properties 10-12 taking access through the turning head will remove the likelihood of obstructive parking in the turning head, retaining it for its' specific use.

The LPA shall wish to satisfy themselves with the overall level of parking within the site by specific regard to their parking standards, however HCC observe that Broadwater Road features loading and waiting restrictions, preventing waiting between 8am and 6pm Monday to Saturday, and loading restrictions during peak hours. Such measures would actively restrict inappropriate parking on the main distributor.

All parking spaces appear to be provided at 2.4m x 4.8m appropriate for use by private cars, and arranged such that a minimum depth of 6m exists clear behind each bay sufficient that vehicles can adequately manoeuvre to use the spaces. Bays allocated to properties 8 / 9 do involve a degree of reversing to use, but such distances are beneath 20m and shall experience low speeds and vehicle numbers.

## Servicing

The applicant has provided bin stores in an appropriate location to the flats, convenient for collection by waste vehicle – the applicant should, prior to commencement provide details demonstrating that the turning area is sufficient to enable large vehicles including refuse to turn within the site.

## Sustainable transport

The site is reasonably close in proximity to Welwyn Garden City Town Centre (1km) and main line services from Welwyn Garden City Railway station. The site is closely bounded by bus stops, featuring Kassel kerbing (high kerbs) served by routes including the 601 providing 2 services per hour. Pedestrian links to the site are provided by way of independent or shared access to frontagers, as well as by footways to the private road to provide access to properties to the rear.

Due to the scale of development, it is the policy of Hertfordshire County Council to secure financial contributions towards sustainable travel measures. The Community Infrastructure Levy Regulations 2010 states that local authorities still have the ability to collect pooled contributions through S106 until they have either adopted CIL or until 6th April 2015, whichever is sooner. Welwyn Hatfield Council has not adopted CIL and the requirement is therefore that any planning obligations must meet three of the five tests that were previously set out in Circular 05/05:

- Necessary to make the development acceptable in planning
- Directly related to the development;
- Fairly and reasonably related in scale and kind to the development.

It is Hertfordshire County Council's policy, approved by cabinet in January 2008, to seek a planning obligation in respect of Sustainable Transport including, but not limited to, highway and rights of way improvements, for all developments.

There are a number of relevant schemes that strand 2 contributions could be applied to which are contained within the Welwyn Garden City Urban Transport Plan (January 2008). However, potentially most suitable in this case are targeting works towards improving access to buses and improvements to pedestrian links. It would therefore be appropriate to improve local facilities to further promote accessibility to the site by public transport.

The emerging Town Centre North Masterplan (draft) identifies opportunities to increase cycle access along Bridge Road as well as a number of interventions along Broadwater Road, further encouraging the accessibility of the local area by cycling and walking, and supported by the objectives of the LTP. Contributions would support any improvement measures in this regard immediately serving the development.

For residential development the approach defined in the planning obligations toolkit, identified as £750 per 2 bedroom dwelling and £1125 per 3 bedroom dwelling, would therefore require a contribution of £21,750.

**Alan Story**

**Date 23/02/2015**

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