

Final and Submitted on 13.05.2020(Amended)

Decision: Grant with conditions

If the planning authority resolves to grant permission, the highway authority recommend inclusion of the following s106 agreement, advisory notes and conditions to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980

A Section 106 Agreement between the applicants, Welwyn Hatfield Borough Council and Hertfordshire County Council to secure the following:

- Providing of two real time display boards at the existing bus stops on Broadwater Road
- Travel Plan monitoring fee of £6,000
- Implementation of Travel Plan
- Sustainable transport Contribution of £ 68,000 for improvement of the Bridgewater Road/ Broadwater Road junction and promotion of sustainable travels such as walking, cycling etc in the vicinity

Condition1: New Access

Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number (Ref- Figure1.2 1:500@A3 , Rev- A) in accordance with the highway specification as Set out in Roads in Hertfordshire. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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

Condition2: Existing Access – Closure

Prior to the first occupation of the development hereby permitted vehicular, pedestrian and cyclist access to and egress from the adjoining highway shall be limited to the access shown on drawing number (Ref- Figure1.2 1:500@A3, Rev- A) only. Any other vehicular accesses or egresses shall be permanently closed, and the 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).

Condition3: Visibility

Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full in accordance with the details indicated on the approved plan number (Ref-Figure-1.2). The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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).

Condition4: Cycle Parking

Prior to the first occupation of the development hereby permitted a scheme (as indicated on the drawing, Ref- BR01-MCB-XX-B1-DR-A-005, Rev-P1) for the parking of cycles 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 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).

Condition5: Provision of Parking and Servicing Areas

Prior to the first occupation of the development hereby permitted the proposed parking and turning areas as shown on the drawing (Ref- BR01-MCB-XX-B1-DR-A-005, Rev-P1) 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 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).

Condition6: Construction Management Plan

No development shall 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. This should be based on the Hertfordshire's Construction Management Template available from <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#managementplans>. The development shall be carried out in accordance with the approved Construction Management 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).

Condition 7: Broad Court Parking Enforcement Strategy-

No development shall commence until a Broad Court Parking Enforcement Strategy has been submitted to and approved in writing by the local planning authority. The Strategy should include:

- Contact details (telephone/ email, name) of a person/company responsible for enforcing the strategy;
- Management of the risks of obstructive parking;
- The details of the enforcement regime;
- How often will the strategy be reviewed and by whom (provide contact details);
- How will pedestrian access routes be kept clear.
- The approved strategy shall then be implemented at all times.

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).

INFORMATIVE:**PLANNING OBLIGATION:**

Through the planning process the Hertfordshire County Council would recommend that: the develop would need to installed two real time information display boards equivalent of £20,000 onto Broadwater Road bus stops which is located within 50m from the proposed access and £6000 for the monitoring of agreed travel plan is required.

Also, under obligation of sustainable transport contribution, a some of £68,000 would need to be contributed towards improvements of Bridgewater Road /Broadwater Road junction and promotion of sustainable travels such as walking, cycling in the close proximate. The details calculations have been provided in para 7.5 below.

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

- (i) Necessary to make the development acceptable in planning terms.
- (ii) Directly related to the development;
- (iii) Fairly and reasonable related in scale and kind to the development.

HIGHWAYS:

Storage of materials

AN*) 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.

Obstruction of the highway

AN*) 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

New or amended crossover – construction standards

AN*) Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

General works within the highway (major/s278) - construction standards

AN*) 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 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.

Travel Plan

AN) A Travel Plan for the development consisting of a written agreement with the County Council which sets out a scheme to encourage, regulate, and promote green travel measures for owners, occupiers, and visitors to the Development in accordance with the provisions of the County Council's 'Travel Plan Guidance for Business and Residential Development', which is subject to an overall sum of £6,000 payable before occupation of the development. This 'evaluation and support contribution' is to cover the County Council's costs of administering and monitoring the objectives of the Travel Plan and engaging in any Travel Plan Review. Indexation of this figure will be based on the Consumer Price Index from the date planning is granted to the date the contribution is paid. The applicant's attention

is drawn to Hertfordshire County Council's guidance on residential/commercial Travel Plans: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#DynamicJumpMenuManager_1_Anchor_5 Our Travel Plan team can provide further advice at travelplan@hertfordshire.gov.uk.

Policy Review:

The application has been assessed based on the following policy documents;

- National Planning Policy Framework (Feb2019);
- Hertfordshire County Council's (HCC) Local Transport Plan-4 [2018-2031, May2018]
- Roads in Hertfordshire Design Guide 3rd Edition -2011

Planning History:

- WH/295/2019 District Ref: Developer Enq Site: 29 Broadwater Road, Welwyn Garden City
- WH/153/2019 District Ref: Site: 29 Broadwater Road, Welwyn Garden City
- WH/31/2019 District Ref: 6/2019/0108/PN11 Site: 29 Broadwater Road, Welwyn Garden City
- WH/265/2010 District Ref: 6/2467-10 Site: Land at 29 Broadwater Road, Welwyn Garden City
- WH/56/2010 District Ref: Site: 29 Broadwater Road, Welwyn garden City
- WH/72/2007 District Ref: N6/2007/412/MA Site: Land at 29 Broadwater Road, Welwyn Garden City

COMMENTS:

1. BACKGROUND

The application site has been subject to planning permission on many occasions as listed in the above planning history. However, this time, the proposal is to demolish the existing office block (B1 use all floors) and construct a 4 storied residential building containing 128 flats (30 x1-bed and 98x2-bed).

The application includes several detailed plans of the proposed development, a Transport Assessment (TA), Travel Plan, Details of proposed drainage and a Planning Statement.

2. OVERVIEW OF EXISTING NETWORKS

2.1 Existing Highway Network

The application is located at 29 Broadwater Road in Welwyn Garden City, which is a Principle Road -A. It has the title of a main distributor (MN) in road hierarchy and the speed limit is restricted to 30mph along this section of Broadwater Road.

The site can be accessed via an existing vehicular access off Broadwater Road. Also, it has another access off Broad Court which is not a public highway.

2.2 Existing footways, cycleways

There are shared footways for pedestrians and cyclists which run along both sides of Broadwater Road and are well connected to the existing footway networks in the vicinity. The nearest footway which connects Broadwater Road and Peartree Lane is a private road.

2.3 Public Transport Networks

The nearest bus stop to the site is situated on Broadwater Road just 70m towards the North of the site. Also, there are a few more bus stops along Broadwater Road including Bridge Road East which are within 500m from the development site

3. APPLICATION DETAILS

3.1 Proposed Development

The Welwyn Hatfield Borough Council (WHBC) seeks the views of the Highway Authority for the development of 128 new residential flats. The proposal includes the following:

- Demolish the existing office block (6508m²) currently empty
- Build a 4 storied residential building containing 128 flats (30 no's of 1bed and 98 no of 2bed flats)
- Creation of a new bell mouth vehicular access off Broadwater Road
- Provision of car parking at the basement of the building

3.2 Highway Consideration

Access:

The submitted drawing (Ref- Figure1.2 1:500@A3, Rev- A) shows that a new bell mouth vehicular access has been proposed off Broadwater Road, which would provide access to the underground/ Basement and the exiting access would be limited to use for only pedestrians and cyclists . This proposal would be acceptable in the highway terms. However, according to the recommendation of RSA report, preference would be for pedestrians and cyclists to give way to vehicles exiting the development. Due to the differing light conditions between the underground parking area and outside environment.

Tactile Paving

The developer would need to provide a tactile paving crossing at the proposed new access including existing access onto Broad Court for the safety of pedestrians and cyclists as discussed in the condition1 and recommended in RSA report.

Real Time Screens:

The Highway Authority's Bus Passenger Unit team advise that two Bus stops on Broadwater Road, which are located within 50m from the development site, would be required to provide a real time information display board under s278 agreement.

4 POLICY FRAMEWORKS

The revised NPPF (2018) places much emphasis on the importance of sustainable travel. Paragraph 108 for example states that developments should ensure "appropriate opportunities to promote sustainable transport modes can be – or have been – taken up". Paragraph 110 goes on to state that "development should give priority first to pedestrian and cycle movements create places that are safe, secure and attractive, which minimise the scope for conflicts between pedestrians, cyclists and vehicles... and allow for the efficient delivery of goods, and access by service and emergency vehicles".

Hertfordshire County Council's new LTP4 (2018) also places a much greater emphasis on the importance of sustainability/accessibility. Policy 1 for example states that the first step to consider is that "opportunities to reduce travel demand and the need to travel" are identified. After that, the needs of vulnerable road users (such as pedestrians and cyclists), then passenger transport users, must come ahead of those who use motorised forms of travel.

5.0 SAFETY ASSESSMENT:

5.1 Road Safety Audits

The DfT recommends that "all new road schemes and all modifications to the existing network, including re-design and maintenance" should have a Safety Audit.

Also, in line with the adopted Roads in Herefordshire Guidance (para.6.2) the submission of the Road Safety Audit is required. This states that "To be so satisfied, an 'interim' or 'Stage 1' safety audit (as defined in HD19/03) may be required by HCC, dependant on the nature of the junction(s) proposed and the nature of the planning application. A simple access which does not require a Section 106 or Section 278 agreement is unlikely to require safety audit. Scheme promoters or designers should contact the Transport Planning & Policy section of the Environment & Commercial Services at HCC department for further guidance as to the need for safety audit".

The submitted stage1 RSA report has been reviewed by the HCC's safety team without designer's response. Therefore, the developer would need to provide a designer's response and need to be guided as recommended

5.2 Collision Analysis

The submitted TA has not provided any collision history in the vicinity. However, a review of the HCC's collision data for the past five years period reveals that there was a serious and a minor incident took place near the junction of Bridgewater and Broadwater Road in 2018.

5.3 Swept Path analysis

The drawing -Figure1.2, Rev- A shows a swept path analysis of a waste collection vehicle that is 12.2m long which is acceptable in the highway terms as it is currently in use by WHBC.

Also, a site visit reveals that Broad Court is heavily occupied by on street parking due to lack of parking enforcement and being private road. This on street parking would have a significant impact on the refuse vehicle's movements. Therefore, HCC would like to see mitigation measures put in place to minimise the parking onto Board Court. Accordingly, a planning condition has been recommended to ensure that refuse vehicle's movement and pedestrians are safe.

5.4 Visibility:

A site visit reveals that the visibility at the proposed access point in Broadwater Road is satisfactory. The required visibility for a 30mph road is 2.4x43m, which is achievable including pedestrian visibility. Therefore, the visibility as shown on the attached drawing (Ref- Figure1.2, Rev-A) in the TA is acceptable but its retention should be secured via a planning condition.

6.0 ACCESSIBILITY / SUSTAINABLE TRAVEL:

6.1 Introduction

As outlined in section 4, the revised NPPF (2018) and new LTP4 place a greater emphasis on the importance of sustainable travel compared to their predecessors. The proposed scheme is assessed against the policies contained in these key documents.

6.2 Walking and Cycling

The current facilities for pedestrians and cyclists in this area are documented in chapter 3 under para 3.6 of the submitted TA. The existing footway, which is approximately 2.4m wide serves both pedestrians and cyclists in front of the application site.

The permitted development for the former Shredded Wheat Factory includes road improvements whereby Broadwater Road will be narrowed in the vicinity of the Site to provide a 4m wide footway/cycleway on the opposite side of the road.

Also, a raised table has been proposed as shown on the drawing (Ref- Figure1.2, Rev-A) at the vehicular access points into the development opposite to ensure pedestrian movement is given a higher priority.

In the light of above proposed and existing infrastructure, the proposal would be acceptable in the highway terms

6.3 Passenger Transport

Para 3.4 (rail) and 3.5 (Bus) of the submitted TA describes the existing public transport network. HCC has considered that the existing public transport networks would be satisfactory to support the development. However, two bus stops onto Broadwater Road at front of the development site have been recommended to be improved by providing real time information boards which would promote sustainable travel even more.

7. HIGHWAY CAPACITY / IMPACT ON THE NETWORK

7.1 Impact due to Trip Generation

Existing trips for B1 use (6508m2):

The information in para 4.1 of the submitted TA reveal that there are 84 car driver trips in the morning peak hour and 72 peak hour trips in the evening peak hour for the existing office development.

Proposed C3 Residential Use (128 Flats- 30 of 1bed and 98 of 2bed)

The developer has predicted the future trips for the residential (128units) use of the existing office block by using TRICS and the Census Data. It indicates that the proposed change of use would generate 39 vehicular trips in the morning peak and 57 vehicular trips in the evening peak.

The above information have been reviewed and the Highway Authority conclude that the proposed change of the use from office(B1) to residential (C3) would reduce the number of trips by 45 in the morning and 15 in the evening which means that the net change in trips would increase the capacity local networks.

7.2 Impact due to car parking

The occupants of the proposed development are mainly expected to use the underground car parking facilities as offered in para 5.3 of the submitted TA.

The development site falls in zone 2 in the Welwyn – Hatfield Borough Council' parking map, and according to the local parking standards the developer will require to provide 121 parking space for 128 flats. The developer has proposed as shown on the drawing (Ref- BRW01-MCB-ZZ-ZZ-DR-A-005, Rev- P1) to provide a total number of 128 parking spaces onto underground floor. This proposal would be acceptable in the highway grounds.

7.3 Cycle Parking:

Para 3.5 of the Transport Assessment describes standards for cycle parking provision, which meets the WHBC cycle parking standards for residential units. This states that 1 long stay cycle space per unit should be provided if no garage or shed is being provided.

According to the above standards, the proposed 128 cycles parking spaces on site as shown on the drawing (Ref- - BRW01-MCB-ZZ-ZZ-DR-A-005, Rev- P1) would be acceptable.

7.4 Sustainability

The Hertfordshire County Council will seek to increase the ease with which people, particularly disadvantaged groups, can access key services, by:

- Working in partnership with key stakeholders such as bus and rail operators, community transport operators, the voluntary sector and public service providers.
- Supporting transport services which could include providing resource for bus and other transport services.
- Addressing the barriers to accessibility particularly regarding active modes and for people with impaired mobility.
- Promoting travel options and facilitating accessible travel information provision, including open data initiatives.
- Improving travel choices and options, including support for the provision of shared mobility initiatives.

The application site is located 500m from Welwyn garden City Railway Station which is about 6minutes walking distance and it has good connections to the North and South (London). Also, there are a few 18 different bus routes within 600m from the proposed site and the nearest bus stop is about 50 from the site on Broadwater Road.

In the light of the above HCC's policy and given the location of the application site it wouldn't be fair to refuse the development on the ground of sustainability.

7.5 Planning Obligations:

Based on the current, HCC's contribution toolkit and sustainable transport second stand approach, the developer should contribute towards the improvement of bus stops junction of Bridgewater Road and Broadwater Road and measure to

promote sustainable travel such as walking, cycling to and from the development site and decrease the number of vehicle trips) generated by the development and improved bus facilities of £68,000.00 (eighty-eight thousand pounds)

Please see the calculation below

Total contributions, based on numbers units would be $[(30 \times £375 + 98 \times £500 = £60,250 @ 47.4\% \text{ increased to take into account SPONS indexation since 2006} = £60,250 \times 1.474 = £88,808, \text{ say } £88,000)]$ of 88k.

However, the developer will need to contribute of £68,000.00 (eighty-eight thousand pounds) in cash for the junction improvements and sustainable travel under s106, because £20,000.00 (twenty thousand pounds) has been taken off for providing of two real time information display boards in kind

8.0 TRAVEL PLAN

A residential travel plan statement (Ref - 29 Broadwater Road, Welwyn Garden City) has been submitted to demonstrate Hightown Housing Association's commitment to sustainable travel enterprises. The Travel Plan statement has been reviewed by HCC's Sustainable Transport Development & Travel Plan Team which recommends the following to be secured under s106 agreement:

1. Use of Welwyn Hatfield Lower Output Area 007A suggests 37% not in employment & therefore excluded from trip rate estimate. This seems an unlikely representation of the occupant mix of the development. Please confirm if this is appropriate or choose a more representative LSOA or data source.
2. The target of 10% reduction in car use therefore is unclear
3. £6000 travel plan monitoring fee required, to be secured via Section 106
4. £50 per flat required to promote sustainable transport

9.0 CONSTRUCTION

The application site has an existing access off Broadwater Road, which provides access to the site for delivery, emergency and other users. However, a new access is proposed from Broadwater Road to serve the development. The Highway Authority has concerns for construction traffics movements during am and pm peak hours onto Broadwater Road which is a principal road type-A. Therefore, a condition for construction management plan (CMP) has been recommended to mitigate the impacts onto Broadwater Road. The CMP should be prepared on the adopted Hertfordshire's template available from the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#managementplans>

SECTION 278 – FOR WORKS ON EXISTING ROADS

A Section 278 legal agreement between a Highway Authority and a developer enables the developer to carry out works on a highway or make improvements to the public highway

In this instance, the developer would need to enter into a section 278 agreement with HCC to carry out the proposed access improvement works within the public highway.

10 Conclusion:

The Highway Authority is satisfied that the proposed development will not have an unacceptable impact on highway safety, or a 'severe' impact on the highway (Ref- paragraph 109 of the NPPF_Feb_2019_revised). Therefore, the Highway Authority has no objection to the proposal subject to the above conditions, section 106 contributions.