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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: 6/2020/3420/MAJ
HCC ref: WH/4961/2020
HCC received: 29 December 2020
Area manager: Mark Youngman
Case officer: Samuel Tearle

Location

Biopark Broadwater Road Welwyn Garden City AL7 3AX

Application type

Full Application

Proposal

Demolition of existing buildings and construction of 289 residential units (Use Class C3) and community hub (Use Class E/F.2), with public realm and open space, landscaping, access, associated car and cycle parking, refuse and recycling storage and supporting infrastructure.

Decision

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Condition 1: Access

Prior to the first use of the development hereby permitted arrangement shall be made for surface water to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway. Prior to the construction of the aforesaid access the results of Stage 2 (Detail Design) Road Safety Audit needs to be presented to and approved by HCC.

Reason: To ensure satisfactory and safe access into the site and avoid the carriage of extraneous material or surface water onto the highway in accordance with Policy 5 and 17 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 2: Access Point

Prior to the first occupation the development hereby permitted vehicular access to and egress from the adjoining highway shall be limited to the access position shown on drawing number (ITL16195-GA-005- Rev B) only. Any other vehicular access or egresses 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, 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).

Condition 3: Maintenance

Prior to the first occupation the full details the proposed arrangements for future management and maintenance of the proposed streets within the development must be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance.

Reason: To ensure satisfactory development and to ensure roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policies 5 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 4: Electric Vehicle Charging Points

Prior to the occupation / use of the development hereby permitted, the development shall include provision for at least 10% (22 spaces) of the car parking spaces to be designated for plug-in Electric Vehicles (EV) and served by EV active charging points and at least 10% (22 spaces) of the car parking spaces to be designated for passive 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 5: Future Pedestrian / Cycle Route

The hereby approved application must safeguard an area to the north of the site to connect with the emerging Wheat Quarter development to provide a pedestrian and cycle route.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 1 and 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 6: Construction Management Plan

No development shall commence until a Construction Management Plan (or Construction Method Statement) 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.

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 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.

AN2) 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.

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN4) Construction standards for 278 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.

AN5) A Travel Plan (TP) 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 administrating and monitoring the objectives of the TP and engaging in any TP Review. Indexation of this figure will be based on the Retail 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: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#travelpans>
Our Travel Plan team can provide further advice at travelplan@hertfordshire.gov.uk.

Planning Obligations (S106)

1) Travel Plan Monitoring and Support contribution of £1,200 per annum for 5 years (£6,000) subject to indexation RPI May 2014.

2) HCC's Planning Obligations Toolkit - In accordance with the HCC Planning Obligations Guidance, contributions are sought on a unit rate basis and are pooled where appropriate. For residential use the charge is based on the number of bedrooms. This is calculated based on the site's accessibility zone. The site is located in zone 2 and given the presented proposals (129 x 1bed units @ £375 and 126 x 2bed units @ £500 AND 26 x 3bed units@£750 and 8 x4bed units@£1,000) this equates to £138,875 in 2006 prices. The current SPONS pricing index suggest that this equates to £198,772 in today's prices. HCC Highways would distribute this via S106 agreements to the associated schemes to mitigate the impact of the development.

Description of Proposal

A full planning application has been submitted for the demolition of the existing BioPark Site and for the construction of 289 residential units in the form of apartments and townhouses. The residential schedule of accommodation is for:

- 129 x 1 bed units;
- 126 x 2 bed units;
- 26 x 3 bed units;
- 8 x 4 bed units.

The development proposals also include an ancillary on-site community hub (land use class E / F2) of 110sqm.

Vehicular access to the site is proposed to be via the existing BioPark Drive, whereby the existing footway crossover is to be formalised into a bellmouth arrangement to provide a priority junction with Broadwater Road. A 3.1m width shared footway/cycleway is proposed on the northern side of BioPark Drive.

The proposals also include the provision of 219 car parking spaces, 1 car club space, and 308 cycle parking spaces.

Existing Site Description

The site is currently a vacant employment site known as the BioPark, a research and development (B1b land use) complex of 13,972 sqm with some 160 associated car parking spaces. It is understood that the site is the within the Broadwater Road West Opportunity Area (BWOA).

Vehicular access to the site is via BioPark Drive, which forms a footway crossover from the A1000 Broadwater Road. BioPark Drive is a private road and subject to a signed 15mph speed limit.

Broadwater Road is principle A road (A1000) and is a Main Distributor in the HCC Highway Hierarchy. The highway is a two-way single carriageway subject to a 30mph speed limit.

Traffic Impact

Trip Generation

The TA has estimated the net trip generation of the existing and proposed sites using trip rates derived from TRICs.

Existing Site

The existing site trip generation has been based on 'Employment Office' category within TRICs. It is noted that a sensitivity test of Business Park land use which contained more elements of B1(b) has also been undertaken. The Highway Authority have reviewed the trip are satisfied with the outputs.

Proposed Site

The existing site trip generation has been based on 'Flats Privately Owned' category within TRICs. The Highway Authority have reviewed the sections and filtering in TRICs and are satisfied that the resulting trip rates are representative.

The 2011 Census for Mode Share has been correctly applied to provide the Multi-Modal trip generation of the proposed site.

Net Difference

The assessment has predicted in terms of vehicle trips there will be:

- AM Peak: Arrivals -105, Departures + 70, Two-Way -35;
- PM Peak: Arrivals +61, Departures -71, Two-Way -10.

The predicted number of trips suggest that overall the number of vehicles will be reduced in the peak hours following the proposed development, however the change of land use (B1 to C3) will mean that different arms of junctions will result in an increase and decrease in traffic – in the AM peak for a residential site vehicles will predominantly be departing, whereas for a business site vehicles would be arriving. Therefore, these changes may affect the operation of local junctions and increase (or decrease) queues and delays on certain arms.

Distribution and Assignment

The TA has included a distribution assessment for the site access only. This has been based on the 2011 census data and have shown that 45% vehicles will be routing northwards and 55% southwards on Broadwater Road. The Highway Authority are satisfied with the distribution calculations.

Background Growth

The applicant has considered the following committed development sites:

- Wheat Quarter 6/2018/0171/MAJ (1,340 dwellings + mixed uses);
- 29 Broadwater Road 6/2019/3024/MAJ (128 dwellings);
- 45 Broadwater Road 6/2018/3292/MAJ (104 unit care home);
- 37 Broadwater Road 6/2018/2387/MAJ (24 flats).

This request is in-line with the requirements set out by the Highway Authority in the pre-application response.

The TA has included a TEMPro growth from 2020-2023. The Highway Authority do not consider this background growth as robust as it is best practice to use a 5-year period (i.e. 2020-2025).

Junction Assessment Analysis

The TA has included a capacity assessment of the Site Access / Broadwater Road junction only. The results suggest that the junction will operate within theoretical capacity following the proposed development scenario in 2023 and the Highway Authority are satisfied that there is sufficient capacity if the TA correctly used a 5-year assessment (2025 year).

The Highway Authority stated in their pre-application response that the following junctions need to be considered:

- Site Access onto Broadwater Road;
- Broadwater Road/ Bridge Road Traffic Signals/ Proposed Octabout (Wheat Quarter);
- Holywell Road/ Broadwater Road priority junction; and
- A6129, Broadwater Road, Chequers Roundabout.

The TA has only capacity assessed the Site Access onto Broadwater Road. It is stated that this is due to the net difference in vehicle trips. As noted above, the predicted trips suggest that overall the number of vehicles will be reduced in the peak hours following the proposed development, however the change of land use (B1 to C3) will mean that different arms of junctions will result in an increase and decrease in traffic – as in the AM peak for a residential site vehicles will predominantly be departing, whereas for a business site vehicles would be arriving. Therefore, these changes may affect the existing operation of local junctions and increase (or decrease) delays on certain arms.

It should be noted that the Broadwater Road / Bridge Road signal-controlled crossing has been identified as a congestion hotspot by HCC.

Mitigation

Despite the omission of the above capacity assessments, the sustainable impact of the site must be considered, and mitigation provided in order to reduce the overall impact to operation of the local highway, footway, cycleway and public transport network. Mitigation measures in line with the policies of HCC's LTP 4 are required and have been listed in the sections below.

Highway Safety

The Highway Authority stated in their pre-application response that the personal injury collision (PIC) area must be extended to the south to include the priority junction of Holywell Road and Broadwater Road and the roundabout junction of the A6129, Broadwater Road.

The submitted TA has included a personal injury collision review of the most recently available 5 year period (1 July 2015 to 30 June 2020) and included the additional areas requested by the Highway Authority.

The PIC review shown in the TA has found no collisions of fatal severity have occurred and eight serious collisions have occurred. The development will directly affect Broadwater Road, the A6129 / Broadwater Road five-arm roundabout, and the Broadwater Road / Bridge Road signal-controlled junction. Through S106 contributions to the improved bus service and the PK14 of HCC's South Central Growth and Transport Plan (SCGTP), it is considered that the development can offset any additional risk resulting from a change of patterns of traffic through the junctions due to the improvements to the local footway and cycleway network and public transport network.

Design Considerations

Vehicular Access

The development proposals are to change the existing footway crossover to a formalised bellmouth arrangement at BioPark Drive / Broadwater Road. The proposed arrangement will include a 4.8m-5.5m varying width carriageway on BioPark Drive and 4m radii at the priority junction.

A 3.1m width shared footway/cycleway is proposed on the northern side of BioPark Drive and no footway provision on the southern side.

Vehicular Visibility Splays

The TA states that an ATC was undertaken on Broadwater Road for a seven-day period in November, with the results showing the 85th percentile speeds for the northbound and southbound directions were 29mph. This is below the 30mph speed limit of Broadwater Road, and therefore the visibility splays of 2.4m x 43m are appropriate (as shown on Drawing No ITL16195-GA-005- REV B). It is noted the location of the ATC on Broadwater Road is approximately 20m to the north of the site access.

A Road Safety Audit (RSA) Stage 1 has been produced by an independent consultant (M & S Traffic) to review the proposed site access design. The findings of the RSA S1 identified 'problem 3.3.1: concern that a stationary bus may restrict visibility at the access, which could lead to side impact collisions or rear end shunts'. The Designer Response (the applicant) has stated it is only a temporary obstruction and the safety record at the junction suggests no previous issues. The Highway Authority note that the site has been vacant for long periods and therefore the safety record is not representative of a frequently used junction. The Highway Authority have reviewed the historical collision record (2019-1999) and have found no collision have occurred on the Biopark Drive / Broadwater Road access. The Highway Authority have also reviewed the bus services for the bus stop and have found only service 601 stops at the bus stops every 30 mins.

Access Design

The applicant has submitted an updated access design drawing - Drawing No. ITL16195-GA-005 REV B. The access design includes a in increased width of the access road on approach to the junction (increased from 4.8m to 5.5m). As a result of this a 5m section of the footway on approach to the junction has been narrowed from 3.1m to 1.75m.

The proposed access road width of 5.5m is now in-line with the standards set out in Roads in Hertfordshire: Highways Design Guide based on the number of proposed dwellings.

The applicant has submitted Drawing No. ITL16195-GA-010-REV A that shows a refuse vehicle (11.4m length) can enter and exit the site access BioPark Drive / Broadwater Road junction without the body of the vehicle overrunning the footway and posing a risk to pedestrians. The Highway Authority are satisfied with this arrangement.

The applicant has submitted an additional drawing (ITL16195-GA-014-REV A) that shows a deliveries van (typical of online grocery deliveries and servicing vehicles) on a left-turn and also a right-turn into the site whilst a car is positioned at the give-way line. The Highway Authority are satisfied with this arrangement.

Pedestrian visibility splays at the access junction have been provided on Drawing No. ITL16195-GA-013 Rev A that shows visibility splays for a 20mph access road.

The RSA S1 identified that the existing gullies at the access junction that the gullies should be relocated away from the crossing or that pedestrian / cyclist friendly gully covers should be installed. The Designers Response noted this will be undertaken at the detailed design stage. The Highway Authority are satisfied with this proposal.

If the application is granted planning permission, the access works to the public highway must be secured via a s278 agreement. This includes the site access junction on to the A1000 Broadwater Road, other possible connections and off-site works. The internal highways must remain private ownership and a maintenance plan must be submitted.

Pedestrian Access

A 3.1m width shared footway/cycleway is proposed on the northern side of BioPark Drive and no footway provision on the southern side. It is noted on approach to the Broadwater Road junction a 5m section of the footway is 1.75m width. It is requested suitable signage / features are provided at the detailed design stage to ensure pedestrians/cyclist are aware of the narrowing.

Future Active Travel Routes

The Highway Authority stated in their pre-application response that policies promoted in LTP4 are aimed at encouraging active travel and promoting developments that do so and therefore it is considered by HCC Highways that a secondary sustainable / emergency access, such as the connection to the Wheat Quarter is essential.

It is noted that the TA has stated the proposal will also safeguard a potential pedestrian and cycle route to the north of the site to connect with the emerging Wheat Quarter development. This would provide future residents and visitors a more direct route towards Welwyn Garden City railway station and Welwyn town centre for access for additional services and facilities. The Highway Authority welcome the safeguarding of this route and if permission is granted recommend that it is secured by planning condition.

Emergency Access

As noted above, the applicant has stated a secondary sustainable active travel access will be via the emerging Wheat Quarter development, however, the TA notes that an emergency access for vehicles could not be provided at that point or at Penn Way or Broadwater Crescent due to third-party land constraints.

The TA has proposed that the 3.1m shared footway / cycleway on the northern side of the access road will also act as a potential emergency access route, should the main carriageway be blocked. Whilst the Highway Authority would prefer a separate location for the emergency access, Drawing ITL16195-GA-004 has shown a fire appliance can enter the site and use the shared footway / cycleway if required.

The TA states that the fire and emergency arrangements have been reviewed and agreed with an appointed fire consultant as detailed in a separate planning document (Broadwater Gardens Outline Fire Strategy BB-OFS-10855-OF-01-A).

Public Rights of Way (PROW)

HCC Countryside and Rights of Way officers have confirmed that no rights of way are affected by the proposals.

Refuse Collection

The TA has included Drawing Nos. ITL16195-GA-001-Rev C and ITL16195-GA-010-REV A which demonstrates a large refuse vehicle (11.4m length) turning inside the site at the designated turning areas and entering and exiting at the BioPark Drive / Broadwater Road junction.

Servicing

The TA has included Drawing ITL16195-GA-006 which demonstrates a 7.5t box van (8.1m length) turning inside the site at the designated turning areas.

Car Parking

The development proposals are for the provision of 219 car parking spaces, consisting of 190 standard spaces and 29 disabled spaces. The proposals also include a car club space and a 15 motorcycle spaces. This equates to an overall parking ratio of 0.76 spaces per dwelling. HCC consider this provision appropriate on the basis that it is coupled with the improvements to the active

travel and sustainable transport networks (stated in the sections below) that will encourage a mode share shift from private vehicle use.

The proposals include the provision of Electric Vehicle charging at 10% active (22 spaces) and a further 10% (22 spaces) of passive provision. The Highway Authority are satisfied with this as a minimum provision and note that where possible this should be increased.

Cycle Parking

The proposal also includes cycle parking for all residential units and 10 cycle parking spaces within a secure bike shelter for visitors and 9 cycle spaces for the community hub. The Highway Authority are satisfied with this provision and request that the parking is secure, covered and well-lit.

Public Transport Provision

This site is within HCC Highway's 400m walking criteria and bus number 601 is serving the area. The proposal site is also located conveniently close to the Rail Station 900m (11minutes) walk (although this could substantially be reduced through the provision of a sustainable link to the Wheat Quarter). Therefore, in principal the site is considered accessible by public transport.

However, the number 601 is a contracted HCC service and due to lack of financial fund there is no evening or Sat/Sun bus service at the present time. A bus service contribution is sought, and this would enable HCC provide an extra 4 hours evening service and 12 hours Saturday/Sunday service. It is considered that this is vital to support a residential development for this scale.

If permission is granted, a bus service contribution (approx. £100k for 2 years) is recommended to be secured via S106 agreement.

Travel Plan

The applicant has prepared a Framework Travel Plan. This organic document needs to be developed with details of the travel plan coordinator, specific targets developed and agreed with HCC Highways at least 3 months prior to the first occupation of the site. A support fee of £1,200 per annum for 5 years (£6,000 subject to indexation RPI May 2014) is recommended to be secured via a S106.

The HCC Travel Plan team have the following comments on the current travel plan which must be addressed in the next submission to bring it in-line with a full travel plan:

- Document needs to refer to HCC Travel Plan Guidance;
- Interim contact for TPC is required and should be appointed 3 months prior to occupation until 5 years post full occupation;
- Within the TP that a secondary contact would also be provided to HCC once the TPC has been appointed;
- Additional walking measures such as promotion of Hertfordshire health walks;
- Additional cycling measures such as Dr Bike;
- High speed broadband to allow home working;
- A sustainable travel voucher must be given to each resident of £50 per flat and £100 per house to promote sustainable travel (i.e. bus, train and cycle vouchers);
- Travel Plan reviews will be submitted 3 months after monitoring.

CTMP

The applicant has submitted a draft CTMP (HG Construction – Draft CMP). The Highway Authority welcome the draft submission and note that many of the measures will be necessary to mitigate the construction impact of the proposed development. In order to cover the full requirements of a CTMP, it is requested by way of condition that a final CTMP is submitted.

Planning Obligations

WHBC are currently in the process of finalising its Community Infrastructure Levy (CIL) and in the absence of this developer contributions would be sought via S106 agreement/s using the HCC's Planning Obligations Toolkit. HCC's Planning Obligation Guidance (2008) implements a two-strand approach to planning obligations in order to address the immediate impacts of the new development (first strand), and the cumulative impacts of all development on non-car networks (second strand).

In accordance with the HCC Planning Obligations Guidance, contributions are sought on a unit rate basis and are pooled where appropriate. For residential use the charge is based on the number of bedrooms. This is calculated based on the site's accessibility zone.

The site is in Zone 2 and given the presented proposals (129 x 1bed units @ £375 and 126 x 2bed units @ £500 AND 26 x 3bed units@£750 and 8 x4bed units@£1,000) this equates to £138,875 in 2006 prices. The current SPONS pricing index suggest that this equates to £198,772 in today's prices. HCC Highways would distribute this via S106 agreements to the associated schemes to mitigate the impact of the development.

- Public Transport Improvements - Bus service for two years (£100,000)
- Packages PK14 of the South Central Growth and Transport Plan (£98,772)

Conclusion

The Highway Authority does not wish to raise an objection to the proposal subject to the inclusion of recommended planning conditions and obligations.

Signed

Samuel Tearle

19 February 2021