

5a Description of development:

- The erection of up to 2,200 dwellings inclusive of affordable housing;
- green infrastructure, amenity and formal and informal recreation space; landscaping;
- development of 2 mixed use local centres on 4.1 hectares of land providing up to 21,000 sq.m. (gross) commercial floorspace (Use Class B1 a, b and c) inclusive of (if required) a maximum of 3,000 sq.m. (gross) for healthcare facilities (Use Class D1) together with retail floorspace (Use Classes A1, A2, A3, A4 and A5) up to a maximum of 1,200 sq.m. (gross), residential development (Use Class C3), and the potential for other community/cultural/leisure (Use Class D1 and D2) if required (floorspace to be agreed);
- the potential for an additional 0.5 hectares of land for up to 4,000 sq.m. (gross) commercial floorspace (Use Class B1 a, b and c) if required, or for residential purposes (Use Class C3) if not;
- a primary school and associated facilities on 1.25 hectares of land; a further primary school on 2 hectares of land with the potential to extend by 1.08 hectares if required or for the expansion land to be used for residential purposes if not;
- the potential for 0.40 hectares of land to be used for either the provision of a park and ride facility for approximately 100 vehicles or otherwise for residential purposes;
- 4 new junctions (A120, Hadham Road, Rye Street and Farnham Road); estate roads and public transport route; footpaths/cycleways;
- site profiling/earthworks; a noise bund with barrier;
- a sustainable drainage system; utilities services including foul water pumping stations;
- 2 residential garden extensions; and
- the demolition of 221 Rye Street and 164 and 165 Hadham Road

All matters reserved except for vehicular access.

The description above is as the application was amended following the receipt of revised plans and documents by the Council firstly on 19 August 2013 and then again on 9 October 2013. Further details of the amendments are set out in section 2.0, Summary of Proposed Development, of the report to the Development Management Committee of 5 December 2013.

Location: Land at Bishop's Stortford North, Bishops Stortford, Herts.

Applicant: Bishop's Stortford North Consortium Ltd and Landowners

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Date of Receipt: 18 January 2013 **Type:** Outline – Major

Parish: **BISHOP'S STORTFORD**

Ward: **BISHOP'S STORTFORD SILVERLEYS and BISHOP'S STORTFORD MEADS**

RECOMMENDATION:

That, subject to the referral of the application to the Secretary of State under the requirements of the Town and Country Planning (Consultation) (England) Direction 2009:

1. In consultation with the Chairman of the Development Management Committee and the Head of Planning and Building Control, the Head of Democratic and Legal Services completes a Section 106 Agreement in accordance with the heads of terms as set out in Essential Reference Paper 'A' to the report submitted to the Development Management Committee of 5 December 2013.
2. In consultation with the Chairman of the Development Management Committee, the Executive Member for Community Safety and Environment, plus any two Members who represent Bishop's Stortford wards and who are Members of this Committee and the Head of Democratic and Legal Services, the Head of Planning and Building Control be authorised to make amendments to the heads of terms, the scale of financial contributions to be assigned to the various service areas referred to in the heads of terms and the service areas to which financial contributions should be assigned and the Head of Democratic and Legal Services be authorised to complete a Section 106 Agreement as may be amended, in all cases to ensure a satisfactory development.
3. Upon completion of the Section 106 Agreement as authorised, planning permission be GRANTED subject to the conditions set out in Essential Reference Paper 'B' to the report submitted to the Development Management Committee of 5 December 2013.
4. In consultation with the Chairman of the Development Management Committee, the Head of Planning and Building Control be authorised, in advance of the issuing of the planning permission, to add or remove conditions and directives and make such changes to the wording of them as may be necessary, to ensure clarity and enforceability, and to ensure a satisfactory development.

Summary of Reasons for Decision

East Herts Council has considered the applicants' proposals in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the saved policies of the East Herts Local Plan Second Review April 2007), the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2012 (as amended). The balance of considerations having regard to all policy considerations is that permission should be granted.

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1.0 Introduction:

- 1.1 A full report on this development proposal was considered by the Committee at its meeting of 5 December 2013. Members considered all relevant issues at length and, ultimately, resolved that the matter be deferred on the basis of a specific matter. That matter was that more consideration should be given to the options for vehicular access to the western neighbourhood of the proposed development, that is, the development proposed to be located to the west of Hoggate's Wood and the green belt neck of land that runs between the two main areas of proposed development.
- 1.2 The deferral resolution set out that Members of the Committee, local ward Members, representatives of the Highway Authority, planning officers and the applicants should be included in that further assessment exercise. A meeting with representatives of all those parties took place on 18 December 2013, referred to in this report as the Access Meeting. The issues covered at the Access Meeting and the outcomes are addressed in this report. The presentation given at the meeting and a note of the questions and answers session which followed are attached as Essential Reference Papers A, B and C. All the material has been made available on the Council's website for Members and the public to view since before Christmas.
- 1.3 Other issues relevant to the consideration of the development proposals were in front of Members at the 5 December 2013 meeting. The Committee did not resolve to refuse the proposals nor did it seek to defer consideration of the proposals on the basis of any issue other than that set out above. There was a proposal to refuse permission on the basis of the impact of the proposed development on highways in the town. That was not supported by the Committee. Other than this matter then, no decisions have been made by the Committee in relation to the

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application. It is necessary for the Committee to weigh all material planning considerations in the balance when reaching its decision and Members may feel they need to reacquaint itself with any of these matters during the course of the meeting. However, all issues were debated at some length and comprehensively at the 5 December 2013 meeting. Further debate of them now is not likely to be necessary, particularly if it covers the same ground, and may be seen as repetitive and unproductive. It would be expected that, if any matter was considered to be significant in relation to the ability to support the proposals, that it would have been raised at the 5 December 2013 meeting. The exception to this would be if new and substantive information becomes available in relation to any relevant matter and which was not before the Committee at the time of its previous consideration of the matter.

- 1.4 Members are requested to bring with them to the meeting the full report, essential reference papers and additional representations summary that were submitted to the 5 December 2013 meeting of the Committee.

2.0 Site History:

- 2.1 The relevant planning history for the site was set out in the report submitted to the 5 December 2013 meeting.

3.0 Consultation Responses:

- 3.1 No further consultation has been undertaken in relation to the proposals subsequent to their most recent amendment in October 2013 as no further amendments have been made to the proposals. The report and the additional representations paper submitted to the 5 December 2013 meeting set out a summary of all representations that had been received at the time of that meeting.
- 3.2 A summary of further representations received since the date of that meeting, is set out as Essential Reference Paper D to this report.

4.0 Policy:

- 4.1 All policy matters relevant to this application are set out in the report to the 5 December 2013 meeting.

5.0 Access Options for the proposed 'Western Neighbourhood': Background Considerations:

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- 5.1 At the Access Meeting the applicants set out the approach which had informed the inclusion of the Hadham Road access as part of the proposals, including the consideration and rejection of alternative options. Much of this information formed part of the background work which had taken place prior to the submission of the application and was, therefore unavailable to Members at the meeting on 5 December 2013.
- 5.2 As a starting point, the applicants explained that they have taken account of the Bishop's Stortford Master planning Study (Roger Evans, 2005) and the Bishop's Stortford Transport Study (Steer Davies Gleave, 2006) which were commissioned by the Council. Reference was also made to Department for Transport and HCC design standards and applicable highway policies, in particular TD16/07 (part of the Highway Agency Design Manual for Roads and Bridges) concerning the design of roundabouts and the Local Transport Plan. A visual simulation of the Paramics model for the Hadham Road and A120/A1250 roundabout junction was run. This has also been available on the website for all interested parties to view.
- 5.3 The Master planning study considered access issues and concluded that all possible alternatives to the A120 as a principal access should be explored – but the possibility of such an access should be retained as a preferred alternative (para 3.3.2). On further detailed consideration, it was concluded in the study that, if possible, an access should be created to the A120, Hadham Road and Rye Street (para 4.2.1). The study also considers a fifth arm on the A120/A1250 roundabout (para 5.3.4) but notes that the geometry of the roundabout does not lend itself to becoming a five arm roundabout. The study's preferred option (para 5.3.4) is an access on the western end of Hadham Road.
- 5.4 The Transport Study was identified as a piece of work that was necessary in the Master planning study. Its remit was to consider transport issues facing the whole town, but it did consider the implications of the development coming forward at Bishop's Stortford North. The Study set out a consideration of a number of key elements that combine to inform any ultimate strategy. These elements included maximising highway supply, maximising the quality of bus travel and a demand management strategy. The suggested elements of a combined strategy, as to how it could relate to the ASRs, differed under each of the themes identified above.
- 5.5 The recommended strategy referred to the masterplanning work and recognised that it considered access onto Hadham Road and Farnham Road. The impact of this was compared with an alternative strategy of

providing an additional access onto the A120 (that is, the suggested Hadham Road and Farnham Road accesses with one additional access to the A120). This was found to provide considerable relief to the network. Ultimately it was found that additional work would be required to develop the strategy toward implementation.

- 5.6 In setting out details of the final transport strategy proposals, the study indicates that an ASR Access Strategy is required. It specifically refers to new bus services, a new junction on the A120, protection of the Rye Street corridor and flagship walk and cycle routes. However, it is noted that planning applications coming forward would be informed by detailed transport assessment work to understand the full impact and range of mitigation measures associated with the proposed development.
- 5.7 Design standards in TD16/07 set out, amongst other matters, criteria for roundabout size and distance between arms. The primary objective of the standards is highway safety. Although there are plentiful examples of roundabout junctions that do not meet current design standards, these have been implemented in the past when standards were different or where they are constrained by the specific characteristics of their location. These locations have been found to operate poorly with regard to safety and help inform the most current standards to prevent the same mistakes being made. Where new highway infrastructure is being implemented it should therefore strive always to meet current design standards for safety reasons. HCC as Highway Authority support this approach and confirmed this at the Access Meeting.
- 5.8 Highway policy The policy of HCC as the Highway Authority is not to allow existing or new developments to have direct access to the primary route network, except where special circumstances can be demonstrated and will include consideration of why alternative proposals are not viable. This policy approach is set out in the Local Transport Plan¹. To avoid confusion the A1184 (the western by-pass) is not part of the primary route network and does possess outward facing accesses which serve development such as Bishop's Park and St Michael's Mead.
- 5.9 The proposed A120 access serving the Eastern Neighbourhood has been demonstrated to provide a benefit to the strategic road network by addressing an existing personal injury accident problem in this particular location. Given this, and the congestion relief that such a junction will enable, the creation of an access direct to the A120 from

¹ Local Transport Plan 3 2011-31 (April 2011), Development Control section 3.8

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the Eastern Neighbourhood is supported by the Highway Authority. However, no equivalent special circumstances have been demonstrated to justify a new junction on the A120 to provide access to the Western Neighbourhood.

6.0 Consideration of alternative access options:

6.1 At the Access Meeting the applicants made clear that options were considered early in the development of an application in order to establish the optimum access proposal. Against the background access considerations above, the applicants set out a range of options that had been considered, and discussed with HCC, prior to the formulation of the current proposals. These are:

- 1 A further new roundabout on the A120 to serve the western neighbourhood
- 2 Slip roads on the A120 to provide access in and out of the western neighbourhood
- 3 A fifth arm off the existing A120/Hadham Road roundabout:
 - a circular roundabout as is
 - b enlarged circular roundabout
 - c elliptical roundabout
 - d as above, with traffic light controls
- 4 A new access on Hadham Road:
 - a a roundabout on the site of 164 and 165 Hadham Road, west of Hadham Grove
 - b a T-junction on the site of 164 Hadham Road
 - c a roundabout to the east of Hadham Grove
 - d a roundabout at Hadham Grove (the current proposal)

The implications of these various options are considered below:

6.2 *A further A120 access roundabouts:* The County Council does not consider that special circumstances exist to support a further relaxation of its policy not to allow direct access to the primary route. A further direct access would introduce additional delay to primary route traffic without any identified benefit. It would also mean that BSN traffic travelling into the town would exit via the new roundabout, enter the existing Hadham Road/ A120 roundabout, and proceed along Hadham Road. This would add journey time and vehicle movements to the

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existing roundabout, and make it more difficult for vehicles exiting Hadham Grove to turn right onto Hadham Road because there would not be the same break in traffic flow which occurs with the proposed Hadham Road roundabout.

- 6.3 An alternative suggestion has been that a single access from the A120 is provided to serve the whole development and this should be sited in the vicinity of the proposed open space adjacent to Hoggate's Wood. However, this junction would not deliver the same highway safety benefits as the proposed A120 access and would involve more traffic using the internal road network, especially the road around the top of Hoggate's Wood. This would have an undesirable impact on the green belt area between the neighbourhoods. Further, a single access in the location suggested, would not serve the most significant part of the development, including assisting traffic from ASR5 to reach the A120. The relocation of the single primary route access is not favoured therefore, including by HCC and your officers.
- 6.4 *A120 slip roads:* There has been a suggestion that, in place of an 'all direction' access junction, separate slip roads into and out of the development site could be provided. These would enable access into the site when travelling from the east, and out of it travelling in a westerly direction. The A120 however is not a dual carriageway and slip roads would be prohibited by the relevant design standard (TD42/95 para 7.59) because such an access arrangement enables inappropriate turns into and out of the site across the A120 carriageway. Such manoeuvres would introduce a further safety risk to road users. In addition, as above and because of the restriction on vehicle movements, it appears more likely that traffic would travel between the western and eastern neighbourhoods on the site, again with an undesirable impact on the green belt area between them. Much traffic would also still travel along Hadham Road as previously noted.
- 6.5 If the main access to the development, including the Western Neighbourhood, is from the A120 then the development becomes more 'outward facing' rather than having some degree of integration with the existing town. This disadvantage could be partially addressed by a gated bus access from Hadham Road but there would remain traffic movements from the site along the A120 and Hadham Road.
- 6.6 *Fifth arm on the existing A120/ A1250 Roundabout:* TD16/07 notes that 5 arm roundabouts are less safe (para 2.2).
- 6.7 The first option (a) considered no change to the current dimensions of the roundabout, but with an additional arm inserted between the bypass

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and Hadham Road arms. This is considered unsafe because of the limited distance between the two existing arms, meaning that an arm that complies with the relevant geometric requirements cannot be implemented. Some form of enlargement is required to allow an access compliant with the relevant standards set out in TD16/07 for entry and exit widths and other requirements for a safe access. An enlarged roundabout (b) however is not favoured for other reasons. Larger roundabouts encourage greater vehicle speeds and hence exacerbate the safety difficulties of a junction of this nature. The maximum diameter for a roundabout in TD16/07 of 100 metres would be exceeded and consequently this option is not acceptable.

- 6.8 The standards also direct against considering an elliptical stretched roundabout (c). TD16/07 (para 7.7) warns against roundabouts that are not round on safety grounds. Bends on a circulatory carriageway result in drivers needing to change speed in unusual locations, this would be compounded by three access arms very close together. The result is a junction that would not function satisfactorily and safely.
- 6.9 Any of the options above with the implementation of traffic lights was also considered (d). However, in order to function satisfactorily, again it is necessary to have sufficient distance between the 'stop lines' of each arm of the roundabout for vehicles to safely wait when the lights are at red. There would be inadequate distances on the roundabouts proposed which would lead to queuing and blocking of traffic using other arms and also lead to traffic weaving on the circulatory carriageway. The proposed roundabouts would fail to function satisfactorily and safely.
- 6.10 *Alternative new accesses on Hadham Road:* The provision of a new roundabout junction on Hadham Road, but to the west of Hadham Grove (a) has been considered but rejected. In this case there would be inadequate distance between the roundabout junction proposed in this location and the existing A120/A1184/A1250 roundabout.
- 6.11 The T junction arrangement proposed (b) is considered to be unsafe because of the directly conflicting movements it will introduce onto Hadham Road. The volume of traffic generated by the site is such that driver frustration and impatience may lead to accidents.
- 6.12 The potential for a new roundabout junction to the east of the current Hadham Grove proposal (c) is restricted because of the location of the site adjacent to the Silverleys sports fields. A location too far east would require mature trees to be lost along the road frontage and, although minimal in extent, there would be land taken from the sports fields

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compromising the use of this popular facility. It would be physically possible to implement a junction in the intervening land, but it would then require a further junction to Hadham Grove in close proximity to the new roundabout and the provision of a service road to the south of the roundabout for those properties currently fronting Hadham Road. It is safer to consolidate the number of accesses along this part of Hadham Road to minimise conflict between traffic movements.

6.13 The last option (d) relates to the current proposals.

6.14 No party present at the Access Meeting identified further access options for consideration.

7.0 Conclusion:

7.1 As presented and discussed at the Access Meeting, a range of options for access to the western neighbourhood of the proposed development have been considered by the applicants and these were discussed with HCC as Highway Authority before the final options were developed. Although there were pre-application discussions about potential alternative access arrangements for the western neighbourhood the principles established in the Master planning and Transport Studies were found to be viable.

7.2 In advancing a proposal for development an applicant is required to show that the access arrangements proposed meet safety and design criteria, fit within policy requirements and, when in use, do not result in an unacceptable impact on the existing road network with mitigating measures in place.

7.3 The Highway Authority will consider proposals on this basis and will not be looking for alternative arrangements if one is being advanced which sits acceptably within the above criteria.

7.4 In this case, the new Hadham Road/ Hadham Grove roundabout junction meets the appropriate criteria. It has been shown that it would operate satisfactorily and safely by modelling, verified by HCC and independent consultants who also act for the Highways Authority. Whilst other access arrangements have been considered, they are inferior when compared to that which is being advanced and this adds weight to the policy objection of HCC to any new access from the A120 as an alternative to the current viable Hadham Road roundabout. In conclusion, the access arrangements that are proposed are considered to be viable and acceptable and the development proposals can be approved on that basis.