

3/14/0607/FP – 2 and 3 storey hotel with restaurant, parking, replacement Herts CC Youth Connexions Centre, workshop and fenced recreational areas with revised access from Marsh Lane at land at the junction of Viaduct Road and Marsh Lane, Ware, Herts for Premier Inn Hotels Ltd

Date of Receipt: 04.04.2014

Type: Full – Major

Parish: WARE

Ward: WARE – CHADWELL

RECOMMENDATION:

That, subject to the applicant or successor in title entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990 to cover the following matters:

- £56,500 towards enhanced pedestrian links to the town and other relevant sustainable transport measures

The Director of Neighbourhood Services be authorised to **GRANT** planning permission subject to the following conditions:

1. Three Year Time Limit (1T121)
2. Approved plans (2E103) (Drawing nos. 1232_03 rev H, 1232_04 rev C, 1232_05C rev C, 1232_07, 1232_08, 1232_09, 1232_99A rev A, 12049:SK02A, 12049:SK04, JBA 14/15-01 rev D)
3. Notwithstanding the information shown on the approved plans and application form, prior to any building works being commenced samples of the external materials of construction for the restaurant and hotel hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be implemented in accordance with the approved materials.

Reason: In the interests of the appearance of the development having regard to the proximity of the site to the Ware Conservation Area, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007 and the requirements of the National Planning Policy Framework.

4. Notwithstanding the information shown on the approved plans, prior to any building works being commenced details of the windows, roof eaves and external doors for the restaurant and hotel hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be implemented in

accordance with the approved materials.

Reason: In the interests of the appearance of the development having regard to the proximity of the site to the Ware Conservation Area, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007 and the requirements of the National Planning Policy Framework.

5. Prior to the commencement of the development, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) a detailed car parking layout based on the indicative plan submitted on 9 July 2014 (b) Other vehicle and pedestrian access and circulation areas (c) Hard surfacing materials (d) Minor artefacts and structures (e.g. cycle storage bays, furniture, play equipment, refuse or other storage units, signs, lighting) (d) Retained historic landscape features and proposals for restoration, where relevant (e) Planting plans (f) Written specifications (including cultivation and other operations associated with plant and grass establishment) (g) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (h) Implementation timetables. Thereafter the development shall proceed in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

6. Landscape works implementation (4P135)
7. Tree retention and protection (4P055)
8. The development permitted by this planning permission shall be carried out in accordance with the approved flood risk assessment ("Flood Risk Assessment for Proposed Development at Marsh Lane, Ware" reference GC/12049//FRA) and the compensatory flood storage measures detailed within the assessment. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may be subsequently agreed in writing by the Local Planning Authority.

Reason: To prevent flooding of the site and surrounding areas by ensuring that compensatory storage of flood water is provided, in accordance with policy ENV19 of the East Herts Local Plan Second

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Review April 2007 and the requirements of the National Planning Policy Framework.

9. No part of the development hereby permitted shall be occupied prior to implementation of a detailed Delivery and Servicing Plan which shall first be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of highway safety and amenity.

10. Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. All parking of construction vehicles shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of highway safety and amenity.

11. The use shall be operated in compliance with an interim Sustainable Travel Plan to be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority prior to first occupation of the approved development. Within twelve months of commencement of the use approved by this planning permission, a monitoring report shall be submitted to the local planning authority outlining the effectiveness of the Travel Plan and any additional or amended measures proposed as a result. Once approved in writing by the Local Planning Authority, those additional measures shall thereafter be implemented within two months of the date of their written approval.

Reason: To promote sustainable transport measures to the development, in accordance with policy TR4 of the East Herts Local Plan Second Review April 2007.

12. Before any works commence on site, an ecological survey of the application site for badgers shall be carried out and details including an assessment of the impact of the proposed development and any appropriate measures to alleviate such impact, shall be submitted concurrently with the submission of site layout drawings, for the written approval of the Local Planning Authority. The survey should include written permission for the data contained within to be entered onto the database maintained by the Hertfordshire Biological Records Centre.

Reason: To enable proper consideration of the effect of the development on the contribution of nature conservation interests to the amenity of the area, in accordance with policy ENV16 of the East Herts

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Local Plan Second Review April 2007.

Directives:

1. Other legislation (01OL1)
2. Groundwater protection zone (28GP1; Musley Lane)
3. The applicant is advised that in order to comply with the conditions on 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 associated off-site highway improvements. The applicant is advised to contact Highways, County Hall, Pegs Lane, Hertford, SG13 8DN (Telephone: 0300 123 4047) to obtain the requirements on the procedure to enter into the necessary agreement with the highway authority prior to commencement of construction of the vehicle access.
4. Asbestos (34AS1)
5. Waste materials generated as a result of the proposed demolition and/or construction operations shall be disposed of with following the proper duty of care and should not be burnt on the site. Only where there are no suitable alternative methods such as the burning of infested woods should burning be permitted.
6. Dust from operations on the site should be minimised by spraying with water or carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means should be used at all times. The applicant is advised to consider "The control of dust and emissions from construction and demolition Best Practice Guidance" produced in partnership by the Greater London Authority and London Councils.
7. You are advised that a precautionary approach should be taken during development to reduce the risk of harm to any hedgehogs or any other protected species that may be present on site.
8. The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites. In connection with all site demolition, site preparation and construction works, no noisy working shall be carried out on the premises outside the following hours: 0730 to 1830 Monday to Friday, 0730 to 1300 on Saturdays and at no time on Sundays or bank

holidays.

9. If the site is known to be contaminated you should be aware that the responsibility for safe development and secure occupancy of the site lies with the developer. The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal 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 the considerations having regard to those policies, the pre-application advice given and amendments made is that permission should be granted.

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1.0 Background:

- 1.1 The site is shown on the attached Ordnance Survey plan and comprises mostly vacant, undeveloped land of approximately 0.85 hectares, surrounded in the immediate vicinity by industrial properties forming the Marsh Lane industrial estate. It is on the edge of the Ware Conservation Area and is adjacent to the Metropolitan Green Belt. It is designated as employment land for businesses within Use Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended). There is a youth centre run by the County Council currently on part of the site.
- 1.2 Historically the site had been in the Green Belt but was released to make a supply of employment land by the Local Plan inspector as part of the employment provision of the 2007 Local Plan.
- 1.3 The proposal is for a mixed use redevelopment of the site comprising of a two and three storey building with a 60 bedroom hotel (2,300 square metres) and 190 cover restaurant (700 square metres) in the south corner and along the western boundary of the site. In addition, a new replacement youth centre would be provided on land in the north-east of the site. The remainder of the land would be dedicated to servicing, car parking for 111 vehicles (104 for the hotel/restaurant and 7 for the

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youth centre) and landscaping.

- 1.4 The main hotel/restaurant building would be finished in white render with sections of timber cladding to vary the appearance and break up the mass of the building. The two-storey section would have pitched roofs on a variety of ridgelines. The three-storey section would have flat roofs behind parapet walls of varied heights to provide visual interest. The general design of the building is intended to draw on elements of the local vernacular, as set out in the Design and Access statement, and has been adopted following pre-application discussions with Officers.
- 1.5 The application is supported by an Archaeological Report, Bat Survey, Flood Risk Assessment, Marketing Report, Habitat Survey, Sustainable Energy Report, Site Travel Plan, Transport Assessment, Design and Access statement and Arboricultural Impact Assessment.

2.0 Site History

2.1 The relevant planning history for the site is as follows:

- 3/83/0884/OP – Light industrial/warehouse use – Refused August 1983
- 3/84/0404/FP – Change of use from agriculture to sports and leisure; Erection of sports hall – Approved July 1984
- 3/86/1586/FP – Change of use to light industrial – Withdrawn
- 3/89/1994/FN – Landscaping works, information centre and footpaths – Approved January 1990
- 3/91/1648/CC – Two mobile units for additional accommodation and storage – Permission not required December 1991 (Day centre)
- 3/94/1166/OP – Mixed industrial development – Refused November 1994 – Appeal dismissed April 1995
- 3/94/1711/FN – Renewal of 89/1994 – Approved April 1996
- 3/00/1315/CC – Retention of two mobile units for storage and accommodation – Approved August 2000 (Day centre)
- 3/05/1759/FP – Thames Water development – Approved October 2005
- 3/06/0601/FP – Revisions to 05/1759 – Approved May 2006
- 3/09/0897/CC – Demolition of existing buildings and installation of modular building – Approved July 2009 (Day centre)
- 3/10/0018/CM – Change of use to waste recycling site with new building, storage works and associated development – Refused by County Council

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- 3/10/0819/CM – Change of use to waste recycling site with new building, storage works and associated development – Refused by County Council

3.0 Consultation Responses:

- 3.1 The Environment Agency has advised that the development should be carried out in accordance with the requirements of the submitted Flood Risk Assessment.
- 3.2 The Council's Environmental Health section has recommended a condition relating to the discovery of any unsuspected contamination of the site.
- 3.3 Affinity Water has advised that the site falls within the groundwater source protection zone of Musley Lane pumping station. The applicant should be advised that any development should be carried out in accordance with the relevant British Standards and Best Management Practises.
- 3.4 The Council's Conservation section has advised that the proposed development would have little or no impact on the architectural and historical character of the Ware Conservation Area, which the site addresses.
- 3.5 The County Council's Highways section originally advised that insufficient information had been provided with the application to allow a full assessment of the merits of the development to be made. In particular, Highways Officers sought further information regarding trip distribution in relation to the development, service and delivery vehicle routing, the management of the car park, extent of compliance with the Hertford and Ware Urban Transport Plan, siting of cycle storage facilities and the extent of kerb radii at the Marsh Lane crossover.
- 3.6 Additional information has since been submitted by the applicants to address the concerns expressed, and Officers are of the view that any remaining matters can be resolved by conditions if permission is granted.
- 3.7 The Council's Engineering section have advised that the proposed drainage scheme for the site would not constitute sustainable development. Surface water would be channeled through underground tanks into the mains sewer. The failure of this scheme would cause an increased flood risk to the site and surrounding area.

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- 3.8 Hertfordshire Ecology originally advised that the site surveys carried out are generally acceptable, although they requested further bat and reptile surveys. They also recommended that a badger survey be carried out prior to any development of the site, and precautionary measures be taken to reduce risk to hedgehogs.
- 3.9 Further bat and reptile surveys have subsequently been provided by the applicants, and forwarded to Hertfordshire Ecology for further review. Officers will report any further representations to Members at the meeting.
- 3.10 Additional consultations have been carried out as a result of amendments received. Any further representations received will be reported to Members prior to the Committee.

4.0 Town Council Representations:

- 4.1 Ware Town Council comments that, in principle, it supports the proposed development in this location, which will be beneficial for the town.
- 4.2 However, the Town Council has strong reservations about the style of the accommodation block because the flat roof is totally unsympathetic to the architectural style of a historic town and this location is the gateway to the town.
- 4.3 The Town Council would also ask that a Section 106 contribution be made to the Highways Authority to improve pedestrian access from the development into town.
- 4.4 Additional consultations have been carried out as a result of amendments received. Any further representations received will be reported to Members prior to the Committee.

5.0 Other Representations:

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 Two letters of representation have been received, with one from the Ware Society, which can be summarised as follows:
- The hotel would be a good addition to Ware
 - The design of the building is somewhat out of keeping with the surrounding buildings and a pitched roof would be more

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appropriate

- The design of the building would not be appropriate for one of the main entrance routes into the town

5.3 Additional consultations have been carried out as a result of amendments received. Any further representations received will be reported to Members prior to the Committee.

6.0 Policy:

6.1 The relevant 'saved' Local Plan policies in this application include the following:

WA8	Employment Areas
SD1	Making Development More Sustainable
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Hedgerows and Trees
ENV16	Protected Species
ENV19	Development in Areas Liable to Flood
ENV20	Groundwater Protection
ENV21	Surface Water Drainage
STC1	Development in Town Centres and Edge-of-Centre
STC6	Out-of-Centre and Out-of-Town Retailing
TR2	Access to New Developments
TR4	Traffic Plans
TR7	Car Parking Standards
EDE1	Employment Areas
EDE2	Loss of Employment Land
EDE4	Storage and Distribution Uses
LRC8	Lee Valley Regional Park
LRC9	Public Rights of Way
LRC10	Tourism

6.2 In addition, the National Planning Policy Framework (NPPF) is a material consideration in assessing this application. In particular, section 1 – Building a strong, competitive economy is considered to be of significance.

7.0 Considerations:

7.1 The main planning issues for consideration in assessing this application are considered to be the:

- The loss of designated employment land (Policy EDE1 and WA8 of

the Local Plan) and the appropriateness of the alternative town centre uses

- Whether the site is sequentially the most suitable for the siting of town centre uses (NPPF)
- The quality of design of the building (Policy ENV1) having regard to the site's location as a gateway to the Conservation Area
- The amount and layout of car parking and quality of landscaping at the site (Policies TR7 and ENV1)
- Whether the development would make adequate provision for sustainable drainage (Policies ENV21 and the NPPF)
- The acceptability of provisions for highways, parking and sustainable transport (Policies SD1, TR1, TR4 and the NPPF)
- The benefits to the local economy of introducing additional tourist accommodation (Policy LRC10 and NPPF)

Loss of employment land

- 7.2 The development would lead to the loss of designated employment land within the Marsh Lane employment area. The land has been vacant, other than the presence of the youth centre, since first designated as employment land with the adoption of the East Herts Local Plan Second Review April 2007.
- 7.3 The NPPF, at paragraph 22, states that "Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose". It goes on to state that "Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities".
- 7.4 In the 2008 Halcrow Employment Land Review, the Marsh Lane industrial estate as a whole was given an 'amber' rating. This means that it was considered that "employment uses remain viable but intervention in the future may be required to retain employment uses" at the site. In coming to this conclusion, the review noted that Marsh Lane's "low level of visibility and access points means that its overall

market perception is low”.

- 7.5 In 2013 a further Employment Land Review was conducted, updating the audit assessment of the 2008 report. This update retains the ‘amber’ rating for the Marsh Lane industrial estate.
- 7.6 The property was actively marketed for a period of a year in 2012 and 2013 to investigate the possibility of an industrial use occupying the site. There was little interest in the site, with no offers close to the owner’s asking price. The full history is set out in the Marketing Report that accompanies the application. Officers are satisfied that the marketing carried out has satisfactorily explored the potential industrial use of the site without a positive result. The site is not currently considered likely to attract a tenant who would use the site for office development or industrial purposes.
- 7.7 The applicant projects that the proposed hotel/restaurant use will create around 50 new jobs (22 full time, 28 part-time). Although town centre uses are contrary in principle on designated employment land (as it does not involve development within Use Classes B1, B2 or B8) the development would nonetheless provide a significant additional source of employment in the local area and this weighs in favour of the proposed development and would, in Officers opinion, outweigh the departure from policies EDE1 and WA8 in this case.

The Sequential Test

- 7.8 Policy STC1 of the Local Plan states that the preferred location for town centre uses, such as the proposed hotel and restaurant, will be in town centre locations, followed by edge-of-centre locations. Such developments should be sited in the most sequentially preferable locations, and only sited in locations outside of the town centre or edge of centre where no such locations are available. This is also in accordance with paragraph 24 of the NPPF.
- 7.9 The distance along Viaduct Road from the main pedestrian entrance to the site to the town centre (broadly, the shops in Amwell End and on High Street) is at least 450 metres. This would be well outside the 300 metres threshold for edge-of-centre as set out in Annex 2 of the NPPF. The site is not by this measure an edge-of-centre location.
- 7.10 The applicant contends that a direct line “as the crow flies” measurement between the closest point of the site to the nearest town centre properties (in Amwell End) is relevant to consider and would be approximately 290 metres. However, there is no direct route offering

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access to the town centre at this shorter distance and Officers consider that the measurement should be taken in terms of the most direct route that can be travelled on foot or by vehicle from the town centre and not “as the crow flies”. The development should therefore be considered as being located in an ‘out of town’ location.

7.11 Policy STC6 of the Local Plan sets out criteria for out-of-centre development that, when read together with the NPPF, require that such development complement the role of town centres and be easily and safely accessible by a choice of means of transport.

7.12 Officers have sought to determine whether any sequentially preferable sites are available for the development. Within Hertford and Ware, which the applicants had advised were target locations, six sites were identified as being potentially suitable. The applicants were advised as part of the pre-application process that they should investigate these sites in addition to the application site. In addition, the applicant identified three other sites, including the application site.

7.13 The identified sites, and the applicants’ reason for discounting them as being less preferable, are as follows:

- Crane Mead, Ware – The site is in an edge-of-centre location. It is a less prominent site, set below road level and behind tree cover. The site value has been calculated based on a residential use of the site, notwithstanding a recent refusal of planning permission for that use (ref: 3/13/1042/FP)
- Mead Lane, Hertford – The site is in an edge-of-centre location close to a train station. However, it is in a less prominent location and would rely on signage to direct customers. There is a new application for residential development of the site following a previous refusal (ref: 3/14/0590/FP which is currently under consideration). The site is not available for development, although it would be a preferable site for the applicants.
- Sovereign House, Hale Road, Hertford – Prior approval for residential conversion has been granted, and planning permission applied for (ref: 3/13/1967/FP, which was approved, subject to a Section 106 agreement at the 25 June Committee). A hotel use has been discussed with the owners, but the value of the site since the grant of prior approval for residential use precludes this.
- Roebuck Hotel, Ware – The site is further distant from Ware town

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centre than the application site, and is too small for the applicants' needs. The existing building could not be adapted to meet Premier Inn's requirements.

- Old London Road, Hertford – This site is located in an edge-of-centre location. It is owned by the Council, and is not currently available for acquisition.
- Former police station, Ware Road, Hertford – The site has permission for a hotel, but also for a wholly residential use. The site value resulting from the wholly residential permission exceeds that which could be provided by a hotel.
- Star Street, Ware – The site is closer to the town centre and therefore sequentially preferable but too small to accommodate the proposed hotel. It also lacks parking, which makes it unsuitable for a budget hotel.
- Park Road, Ware – An area of open space owned by the Council, this land is of sufficient size for development. However, there is no indication that the Council would be willing to sell the land, or grant permission for a development that would lead to a loss of open land.

7.14 Having considered and discounted these eight sites, the applicants contend that the application site is the most preferable in sequential terms. Officers have reviewed the applicants' submissions. The NPPF requires some flexibility on format and scale although the Beefeater element is a key driver for the development, and the applicant is unable to omit or reduce this element on viability grounds. Based on the size of development sought and the above considerations Officers accept that no other site in Ware or Hertford is currently sequentially preferable for this development.

7.15 The Crane Mead site is an edge-of-centre site approximately 260 metres from the town centre, whereas the proposed hotel entrance would be around 470 metres away. However, it would seem that the owner of the Crane Mead site is unwilling to make the land available. Officers are therefore satisfied that this site cannot be brought forward in preference to the application site.

Design

7.16 The design of the building as submitted follows pre-application

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discussions between the Council and applicant. The site lies outside, but immediately adjacent to, the Ware Conservation Area. Officers considered it important, given the size of the proposed building and the prominence of this site on the entrance to Ware, that the design of the building be of a high standard.

- 7.17 In considering the proposed design, Officers noted the difference in levels between Viaduct Road, which rises from south to north, and the application site, which is set at a lower level than even the lowest point of Viaduct Road along the boundary. In addition, the site has several substantial mature trees along the main frontage of the west edge of the site which would provide a softening to the appearance of the development. These trees would be protected during construction, and retained to limit the impact of the building when viewed from the west.
- 7.18 The concerns of residents and the members of Ware Town Council regarding the design of the building have been noted. The provision of a flat roof to the three-storey section of building was accepted by Officers during pre-application discussions with the applicants. Officers considered that a flat roof to this section would assist in reducing the evident bulk of the building, together with the tree screening and difference in ground levels.
- 7.19 In light of the objections received in respect of the flat roof design, Officers subsequently sought revisions to the roofline of the building to introduce more variety into the appearance of the building.
- 7.20 As highlighted in the accompanying Design and Access statement, the historic core of Ware, comprising the High Street and surrounding roads, does have a mix of pitched and flat-roofed buildings. In addition, the historic properties typically have been constructed or finished in a variety of materials, including rendered exteriors.
- 7.21 Officers recognise the concerns of residents and the Town Council with regard to the appearance of the building and, having regard to these concerns and those of the Council's Engineers, the possibility of adding a green roof to the flat-roofed section of building was broached with the applicant. It was considered that this would provide additional justification for the flat roof, as well as providing a further sustainable drainage measure at the site. In addition, the NPPF advises that buildings which promote high levels of sustainability should not be refused due to concerns about incompatibility with an existing townscape.
- 7.22 The applicants are however unwilling to provide a green roof to the

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building, or any other substantial additional drainage measure at the site. The cost of providing a green roof (c. £100,000) is not considered by the applicants to be justified by local or national policy.

- 7.23 Although Officers consider that the provision of a green roof would be a positive consideration and enhancement of the proposed development, the overall design of the building is nevertheless considered to be a good quality design for this gateway location and acceptable in terms of its impact on the streetscene and adjacent Conservation Area.

Layout of car parking and quality of landscaping

- 7.24 The site at present is largely undeveloped green space, other than the presence of the youth centre. Officers initially proposed that the site should be included within the Green Belt in the preparation of the current Local Plan. However, following the Local Plan Inquiry the Inspector determined that the site should be reclassified as employment land. In spite of this designation, the site has not been the subject of development in the intervening period.
- 7.25 The proposed development would see the site as a whole developed, providing 111 car parking spaces (including 7 dedicated disabled spaces) to the north and north-east of the new building as well as 13 cycle spaces and 2 dedicated motorbike spaces.
- 7.26 For a development of this scale in this location, the Council's parking standards as set out in the supplementary planning document Vehicle Parking Provision at New Development, seek a provision of between 109 and 145 spaces. The proposed number of spaces would therefore be close to the minimum required for the development.
- 7.27 The car park area would be fairly sparsely landscaped, with limited tree planting in beds to the ends of rows of parking. Following the comments of the Landscape Officer, further landscaping has been sought to soften the overall impact of the parking area. Officers sought the provision of additional planting between rows of cars, and the enlargement of the proposed beds.
- 7.28 The applicants have not been willing to make substantial changes to landscaping of the site, or reduce the size of the development to limit parking needs. However, revised plans have been provided to address some of the concerns expressed. They contend that the planting beds proposed would be of adequate size to ensure the long-term health of the trees to be planted in them. However, 3 spaces have been omitted from the original proposal to provide larger landscaped areas within the

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site.

- 7.29 Officers are mindful that the site falls in an out-of-centre location. It is not particularly close to any public car parks, with the nearest being the station car park, around 400 metres from the site. It is therefore likely that the majority of visitors to the site will arrive by car.
- 7.30 However, Officers consider that the site nevertheless benefits from reasonable access to public transport. The site is within 5 minutes walking distance to the rail station and its proximity has been cited by the applicant as an argument in favour of the siting of the development in their application documents. Viaduct Road is also served by a number of bus routes, with buses to Hertford, Harlow, Bishops Stortford, Hatfield and Waltham Cross all accessible from the site.
- 7.31 The mature trees would be retained along the western edge of the site, and would provide a green edge softening public views of the area. However, the significant expanse of car parking would result in a somewhat stark appearance, especially in contrast to its existing, undeveloped state.
- 7.32 Officers have negotiated some that additional soft landscaping to be included in the development of this site. This results in a slight reduction in the number of parking spaces, but Officers consider that a modest reduction is acceptable in order to enhance the overall appearance of the development.
- 7.33 While there would be some overlap of peak restaurant use with peak hotel use in terms of car parking, Officers do not consider that the peak use of the youth centre would be likely to overlap with this.
- 7.34 A condition is recommended to require a revised landscaping scheme, incorporating the agreed reduced parking layout, as part of the development.

Sustainable drainage

- 7.35 The Council's Engineering section have expressed concern about the quality of the proposed site drainage solution in terms of providing sustainable drainage at the site. The proposal is to channel surface water into underground tanks, and then on to the main sewer network, a proposal agreed with Thames Water. In addition, the applicants have committed to including grey water recycling as part of the development.
- 7.36 The Engineers have expressed concern that this arrangement carries

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with it a risk of failure as a result of the necessary specialist maintenance needed. No green infrastructure sustainable drainage measures have been included that could attenuate surface water drainage and reduce pollution of groundwater.

- 7.37 As a result of these concerns, Officers have asked that the applicants consider revisions to the development to include either a green roof to the building, the creation of a swale within the car parking area, or both. The inclusion of these measures would also have helped to address concerns regarding the design of the building and landscaping of the site, as detailed above.
- 7.38 The applicants have stated that they are not prepared to accommodate the requested amendments to the proposed development. The cost of adding a green roof to the building is projected at an additional £100,000 on an expected development cost of approximately £4.9 million, an approximate 2% increase.
- 7.39 With regard to the addition of a swale, the applicants have stated that this would result in an unacceptable loss of parking within the site, and it would therefore not be practical to accommodate it within the development.
- 7.40 Officers consider that the inclusion of either or both of these measures would result in a positive enhancement of the development on sustainability grounds. In seeking the inclusion of these measures as part of the proposed development, Officers sought to enhance the sustainability of the proposed development, in line with the spirit and letter of the NPPF.
- 7.41 However, on balance, Officers consider that the proposed drainage measures would be adequate to manage the projected surface water arising from the increase in hard surfacing within the site and, for this reason, it is not considered reasonable to pursue the inclusion of a green roof or swale within the development. The additional soft landscaping of the site detailed in the above section would result in a modest reduction of the extent of hard surfacing at the site. Officers consider that this would be of some assistance in reducing surface water at the site.

Tourism Benefits

- 7.42 The hotel is accepted to meet a need within the local area which is not provided elsewhere. The only existing hotel in Ware, the Roebuck, has recently closed although its future use is not clear. An appeal to

redevelop the site for housing was recently dismissed for marketing and flooding reasons.

- 7.43 In considering the Roebuck application, the Council's Economic Development Manager advised that Ware, and East Herts in general, had strong tourism potential. This is supported by a number of applications at a number of sites in the district for hotel and other tourist accommodation in recent years.
- 7.44 The support for local tourism in a location within walking distance of the town centre and railway station is considered to be a positive planning consideration that has to be weighed against other policy or detailed design issues.

Other considerations

- 7.45 The proposed youth centre would be a direct replacement for the existing building on the site. It would provide improved facilities for the centre's users over the current centre and the social benefits of this provision are a positive feature of this application.
- 7.46 The building would be sited in the north-east of the site, away from the main frontage onto Viaduct Road. It would be a single-storey building, finished in white render, with a flat roof. The building would lie within Flood Zone 3, and in order to reduce the risk of flooding the ground floor of the building would be raised by around 1.5 metres above ground level.
- 7.47 The Highways consultation raised a number of concerns regarding the development. Highways Officers recommended a number of conditions intended to remedy these concerns. The applicants have submitted further information intended to address these concerns without requiring conditions. This further information was under consideration by the Highways Officers at the time that this report was written, and therefore the conditions have been included in the recommended decision.
- 7.48 In assessing the development, Officers have anticipated that the proposal would require a contribution of £500 per parking space at the site (for a current total of £56,500, although this may decrease if a reduced parking provision can be agreed) towards sustainable transport measures within the vicinity of the site. The applicant has indicated that this could be used to improve pedestrian access into the town, a point made by the Town Council. Given the rather hostile nature of Viaduct Road for pedestrians, Officers would support improvements to this link.

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A Section 106 agreement will be necessary to secure this contribution from the applicant.

8.0 Conclusion:

- 8.1 The development would be sited on designated employment land where only development for uses falling within Use Classes B1, B2 or B8 will generally be acceptable. However, the potential use of the land for employment purposes has been investigated without success. The site has been vacant for an extended period, and in such cases the NPPF recommends that Councils adopt a flexible approach to accommodating alternative proposed uses.
- 8.2 The development would involve the construction of a large hotel and restaurant, both town centre uses, in a location that is outside the suggested threshold to be 'edge-of-centre'. The applicants have, however, investigated a number of sites within Ware and Hertford that could be considered sequentially preferable to the proposed location. However, for reasons of size, availability or cost none of these sites are currently considered to be sequentially preferable for the proposed development.
- 8.3 Pedestrian access to the site along the busy Viaduct Road is not attractive although the town centre and railway station are within 5 minutes walking distance and financial contributions could be used to improve this route.
- 8.4 The hotel/restaurant building would be a substantial addition to this prominent site, which lies on the edge of the town and Conservation Area, and on one of the main approaches to the town centre. Officers are satisfied, on balance, that the appearance of the building would be acceptable having regard to the difference in levels and extent of planting provided by the mature trees on site.
- 8.5 The overall appearance of the development has been enhanced by the agreed reduction in parking spaces and a revised landscaping scheme to provide additional planting within the car park area as a result, is required by condition.
- 8.6 Officers consider that the inclusion of additional drainage measures, such as a swale and/or a green roof, would have been desirable and would result in a material improvement in the sustainability of the development. However, the applicant has stated that the additional cost of providing the green roof, and the space required to provide a swale, prevents the inclusion of these measures. This is regrettable, but

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Officers accept that the proposed drainage solution put forward would be adequate to meet the needs of the site and in these circumstances, a refusal on drainage grounds is not considered to be justified.

- 8.7 The development supports strategies to encourage tourism and is supported by local and national policies. It would provide a significant increase in the number of jobs available in the local area. Officers also anticipate that the presence of hotel guests would provide a boost to the local economy as they would spend money in local shops. The new youth centre is a further additional benefit of the proposal.
- 8.8 Overall, having regard to the balance of these considerations and the NPPF's presumption in favour of sustainable development, it is therefore recommended that planning permission be granted for the erection of a hotel with restaurant, parking, replacement youth centre and workshop subject to the conditions and Section 106 agreement outlined above.