



ENVIRONMENT DEPARTMENT

Development Management

HCC Consultation Response

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ASR 5 Response

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District Application Reference	EH/592/2013	HCC Application Reference	
District Name	East Hertfordshire	HCC Case Officer	Paul Chappell
District Case Officer	Stephen Tapper	HCC Approval	
Date Received		Date Issued	

Decision

Hertfordshire County Council has no objection to the principle of the development, subject to the conditions as listed within this report.

Description of the Proposal

The development is an urban extension comprising of up to 329 new dwellings (of a range of sizes, types and tenures, including affordable housing), primary school, and public open and amenity space together with associated landscaping, access, highways (including footpaths and cycleways), parking, drainage (including a foul water pumping station), utilities and service infrastructure works (no matters reserved for Phase 1 (130 dwellings) all matters reserved except for access for Phase 2 onwards).

The combined impact of this application with an outline application for 'Land at Bishop's Stortford North, Bishop's Stortford (also referred to as ASRs 1 to 4), District Ref: 3/13/0075/OP, has also been considered.

The adjacent application at Bishop's Stortford North comprises up to 2,200 dwellings, green infrastructure, amenity and recreational space, mixed-use local centres with commercial floorspace and schools. This document should therefore be read in conjunction with the Highway Authority response to 'Land at Bishop's Stortford North, Bishop's Stortford' (ASRs 1 to 4) - 3/13/0075/OP response.

The applicant has submitted a separate Transport Assessment (TA) for 'Land Between, Hazelend Road and Farnham Road, Bishop's Stortford'. This TA has considered the transport issues of the application both as a standalone scheme and its combined impacts with the ASRs 1-4 development.

The TA makes direct reference to both physical highway infrastructure improvements and a Smarter Choices Campaign, which are proposed as part of the ASR 1-4 application. However, the TA has considered the ASR 5 as a standalone project.

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Access Arrangements

The development proposes two new accesses onto Rye Street, a new roundabout at the junction with B1004 Michaels Road and a new priority junction approx. 200m north east of the roundabout junction. In addition, a priority junction on Farnham Road is proposed.

The access arrangements are shown on the following drawings:

MBSK150223A – Roundabout access on Rye Street/Hazelend Road/Michaels Road;

MBSK150223B – Priority junction on Farnham Road; and

MBSK150223C – Priority junction on Hazelend Road.

To accommodate the proposed priority junctions on Hazelend Road and Farnham Road, the applicant's proposals include a number of speed management measures which are to be implemented prior to the opening of each access.

On Hazelend Road, the applicant proposes to extend the 40 mph hour speed limit currently in operation on the northern section of Rye Street past the proposed priority junction. This extension to the speed limit will be supported by the speed management measures as set out on drawing MBSK150223C. which shows a proposed new gateway feature. The current speed limit along this section of Hazelend Road is 60 mph; however, measurements of actual traffic speeds undertaken by the applicant have confirmed that means speeds are 38.3 mph (northbound) and 40 mph (southbound). As the highway authority we are therefore satisfied that the speed management measures proposed on Hazelend Road are sufficient to ensure that actual traffic speeds will be appropriately aligned to the proposed change to the speed limit.

On Farnham Road, the applicant proposes speed management measures in the vicinity of the proposed priority junction, including signs and markings, as shown on drawing MBSK150223B. The current speed limit on Farnham Road is 60 mph. However, measurements of actual traffic speeds undertaken by the applicant have confirmed that means speeds are 26.2 mph (eastbound) and 28.3 mph (eastbound). As the highway authority we are therefore satisfied that the speed management measures proposed on Farnham Road are sufficient to ensure that actual traffic speeds will be appropriately aligned to the proposed change to the speed limit.

Both sets of speed management measures are considered to comply with Hertfordshire County Council's Speed Management Strategy given that the speed surveys undertaken by the applicant have demonstrated that mean speeds are currently 40 mph or under. Whilst the speed management measures shown on the aforementioned drawings are approved in principle, these would be subject to approval by the HCC Speed Management Committee and are also subject to the successful advertising of new Traffic Regulation Orders required to implement the proposed changes in speed limit.

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The priority junction on Hazelend Road is designed to accommodate initial traffic generated by the development prior up to the occupation of the 90th dwelling. Construction of the principal roundabout access junction is to be completed prior to the 90th occupation.

The internal site layout is shown on drawing number 41549/C/SK702. The Highway Authority note that the internal site layout and areas for refuse and service vehicle turning within the development should be completed on the basis of the aforementioned approved in principle plan.

Traffic Impact

A separate transport model has been used to assess the traffic impact of the site as a standalone development at the proposed new site access, the Michaels Road / Stansted Road junction and the A120 Stansted Roundabout junction. The results of this are presented in the TA. This examined a development of up to 450 dwellings.

In summary, the most significant impact in the AM peak is a 14% increase in traffic volume at the Stansted Road / Michaels Road junction. In the PM peak traffic at the proposed site access junction on Hazelend Road increases by 9% with the greatest increase in traffic volume (10%) occurring again at the Stansted Road / Michaels Road junction.

The Highway Authority consider that the increase in traffic volumes identified will not introduce significant delays to the road network or result in any operational or safety issues.

As noted above, the traffic modelling examined the changes to traffic flows arising as a result of the provision of up to 450 dwellings. However, the development mix of the emerging proposals has changed, namely for a scheme of 329 dwellings and a primary school.

It is noted by the Highway Authority that this scenario was not modelled in detail as traffic levels associated with this scenario will be lower. The provision of a primary school on site within walking distance of many of the new properties on the development is considered to have a high level of internal trips on-foot, with a limited number of trips from outside the development.

Paragraph 9.8 in the TA states that a Section 106 agreement for Land at Hazelend Road included a proportional contribution towards the mitigation measures. It is understood that this applies to contributions towards both physical highway infrastructure improvements and a Smarter Choices campaign which are proposed as part of the ASR 1-4 application. The particular financial arrangements in place to deliver this are not a matter for the Highway Authority to consider. The Highway Authority recognises however that if the ASRs 1-4 site does not come forward then the highways infrastructure improvements and a Smarter Choices campaign proposed as

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part of ASRs 1-4 will not be available as part of the mitigation package for ASR 5.

Drainage

The Highway Authority would only consider adopting a Sustainable Drainage System (SuDS) in the form of a separate highway system; i.e. for highway drainage only. This is in line with HCC's 'Roads in Hertfordshire', which states that only surface water systems that take water from adoptable highway areas only, will be adopted by HCC.

The highway authority would not be willing to adopt an integrated SuDS. If an integrated system is to be proposed the applicant will need to put in place alternative maintenance arrangements.

Rye Street Improvement Scheme

The B1004 Rye Street is a single carriageway two-way road approximately 6m wide which changes in character from urban, suburban to rural as the user moves from south to north. Rye Street represents an important pedestrian and cycle route between the ASR 5 site and the centre of Bishop's Stortford. However, the footway widths along the route are constrained at a number of locations.

The carriageway width on Rye Street varies between 5.5m and 8.0m from kerb to kerb along its length, and existing physical constraints prevent any localised widening of the road. Improvements in vehicle capacity are therefore not possible owing to the physical constraints of the route.

The speed limit on Rye Street from the A120 towards the town centre is 40 m.p.h. up to the Bourne Brook Bridge at which point it reduces to 30 m.p.h. Actual traffic speeds on Rye Street often exceed the speed limit and existing pedestrian and cycle facilities along the road are generally poor. Rye Street is also a main bus route in to Bishop's Stortford town centre.

The applicant's proposals include a highway improvements scheme for the Rye Street corridor. The development of these proposals has been based on adopting a 'route strategy' approach, aimed at delivering better speed management and improving the roads status as a bus friendly corridor, with high quality cycle and walking links into the town centre.

The proposed works will be confined to within the highway boundary and the works will be subject to consultation with residents of Rye Street, expected to take the form of an information leaflet presenting the proposals and inviting comment. The Highway Authority has provided an agreement in principle for a scheme on Rye Street (as per drawing number *cp.bishopsasr-ryest2.1 rev E*), and this should be delivered via a s278 agreement. It is noted that whilst the Highway Authority has agreed the principles of the design with the applicant's transport consultants, a safety audit has not been conducted yet.

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The latter drawing also confirms that a continuous pedestrian route will be provided from ASR5 towards Bishop's Stortford, appropriate traffic calming measures commensurate with the 30 m.p.h. speed limit and conversion of bus stops to ensure DDA compliance.

It has been agreed that if the ASR 5 site does not come forward or is delayed, the Rye Street Corridor Improvements scheme will need to be implemented by the ASRs 1-4 consortium if their development commences ahead of ASR 5. Hence, depending on the phasing of the development the S106 agreement will need to be worded accordingly and might need to include a cost sharing.

Construction of the Rye Street Improvement Scheme is to be completed prior to the 90th occupation.

Bus Service

In order to help residents to travel by means other than private car the applicant is to provide a bus service between the development and the town centre and station.

The applicant will make a contribution totalling £390,000 (depending on final dwelling numbers), towards the diversion of the existing 510 service to access the site or payment of the sum for the diversion to support extension of the new ASR1-4 service to access the site. The payment should be made to HCC prior to 150th occupation.

In addition, prior to the occupation of the 75th Unit, the developer will agree with HCC the Public Transport Service, which will involve either:

The diversion of the 510 service into the development for the service to commence prior to the occupation of the 150th Unit

Or

The payment of the agreed maximum budget for the diversion of the 510 service to HCC prior to the occupation of the 150th Unit to allow HCC to extend the shuttle service into the development.

510 bus service to access the site and to run at whatever frequency and hours of operation as operated at the time of the commencement of the development and during its guaranteed period of operation.

If the frequency of the 510 service were to be reduced by the operator in the future, the applicant would provide an alternative service to the town centre, with a minimum frequency of 30 minutes in the peak period, subject to the ability to operate the service with one vehicle. The service would be guaranteed for a period of 5 years from the point of occupation of 150th unit.

The bus service will be secured by Section 106 Agreement

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Residential Travel Plan

As stipulated in the National Planning Policy Framework (NPPF) the applicant has agreed to develop and implement a Residential Travel Plan for the site. The travel plan will ensure the new development promotes and supports sustainable means of travel and manages the delivery of this by setting measurable targets that in turn are supported by mitigation measures and incentives that encourage sustainable travel.

The Travel Plan should include a named Travel Plan Co-ordinator (TPC), agreed budget and mitigation measures. Details of the TPC role and responsibilities should be contained in Travel Plan

The Plan should include targets that will be assessed using surveys and which monitor actual trip generation against the predicted trips (including trips by modes) as identified in the TA to confirm the effectiveness of the mitigation measures identified in the travel plan.

Surveys to include:

- An ATC at each of the entrances to the development;
- A questionnaire survey to determine how people are travelling; and
- Usage statistics for the bus service.

Monitoring would be undertaken 9 months from the occupation of the 1st dwelling and repeated every 12 months and should continue for a minimum of five years post final occupation.

The developer should undertake further mitigation measures up to a value of £10,000 per annum, if the trip rates presented in the TA are exceeded during the year of monitoring.

In support of the Travel Plan, residents will be encouraged to make use of the bus service, through the provision of initial free travel. It has been agreed this will take the form of the provision of Travel Vouchers to claim an initial 3 month free travel on the bus service, on the basis of 2 tickets per household.

Based upon the developer's experience of operating voucher systems a maximum take up of 58% would be expected, presenting a maximum cost of the voucher system of £95,400 (based on 329 dwellings).

This cost is not covered by the agreed contribution for the bus service itself as the bus service contribution only allows for vehicle/driver costs in operating a bus service to/from the site. Depending on the site's build out rate, it is anticipated the service will operate at a loss for the initial years and will be reliant on fare income first to breakeven and ultimately to become self-sustainable.

The operational cost contribution is balanced against a level of anticipated income that is taken through the fare box. The £95,400 sum associated with the introduction of free bus vouchers therefore needs to be reimbursed to the operator to offset the reduction in cash fare income that is lost due to the

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voucher scheme. Reimbursement would only apply for vouchers that are used. Hence, why the sum is a maximum figure.

The Travel Plan will be secured by condition. The Travel Plan should be completed prior to the first occupation of a dwelling.

Cycle and Pedestrian Facilities

The applicant has agreed to make a contribution of £30,000 towards the delivery of further improvements for cyclists and pedestrians aimed at providing improved connectivity to the town centre. This is in line with priority measures identified for the town in the Eastern Herts Transport Plan. The Highway Authority requires that payment is made to HCC prior to first occupation.

Planning Obligations/ Community Infrastructure Levy (CIL)

It is Hertfordshire County Council's policy, approved by cabinet in January 2008, to seek a planning obligation in respect of Sustainable Transport including, but not limited to, highway and rights of way improvement for all developments. The NPPF promotes accessibility by sustainable means including bus, cycling and walking, and the provisions of S106 of the Town and Country Planning Act allows that planning obligations may be used to mitigate the impact of development. The Community Infrastructure Levy (CIL) Regulations 2010 states that Local Authorities still have the ability to collect pooled contributions through S106 until they have either adopted CIL or until 6th April 2014, whichever is sooner. East Herts has not adopted CIL and the requirement is therefore that any planning obligations must meet the following requirements:

- Be necessary to make the development acceptable in planning terms;
- Be directly related to the development; and
- Be fairly and reasonably related in scale and kind to the development.

Full details on HCC's policy towards planning obligations may be found at the following web address;

<http://www.hertsdirect.org/infobase/docs/pdfstore/planobsjan8.pdf>

The planning obligations sought as part of this application, as referred to in the preceding text, can be summarised as follows:

- £30,000 pedestrian and cycle improvements;
- £390,000 bus service contribution;
- £95,400 for the provision of free bus travel vouchers
- £10,000 travel plan monitoring fee

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Highway Adoption

The applicant is advised that it is no longer common practice for the County Council as Highway Authority to enter into an agreement under Section 38 of the Highways Act 1980 to adopt all estate roads as highways maintainable at public expense, especially those that have no wider benefit to the general public. In this respect it is becoming increasingly common that developers operate a management company to administer and maintain common areas not taken over by public bodies. This approach has been adopted in other parts of the county and is usually secured by planning condition and/or obligation. In this case, the Highway Authority would consider adopting the main spine roads through the development site, but cul-de-sac sections off this are unlikely to be adopted.

The Highway Authority recommends that the applicant agrees the extent of highway adoption at the earliest opportunity. This should also include early discussion of any Sustainable Urban Drainage System (SuDS) features that might be proposed for incorporation within the highway and hence proposed for adoption by the Highway Authority.

Conclusion

The impact of this development on the local highway network has been assessed and is shown to be acceptable subject to mitigation. The TA demonstrates that as a standalone development the application for the Land between Hazelend Road and Farnham Road, Bishop's Stortford (ASR 5) would have a limited traffic impact on both the primary and local road network.

Mitigation measures are to be secured via S278 agreements for works to the highway, S106 contributions, and a Travel Plan. These are summarised below:

S278 works

- New access junctions
- Speed management measures
- Rye Street Improvement Scheme.

S106 Contributions

- Bus Service;
- Pedestrian and cycle improvements

Travel Plan Measures

- Provision for mitigation works should targets not be met and monitoring fees
- Free Bus Vouchers
- TP Monitoring Fees

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Conditions

- See separate list.

Though without some of the employment and community facilities proposed as part of the ASRs1-4 development, it is questionable whether the development is sustainable, based on the transport impacts alone, the Highway Authority does not wish to restrict the grant of consent subject to the above conditions and the applicant entering in to a S106 agreement to cover the mitigation measures identified above.

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List of Highways Conditions

Condition 1: Prior to the submission of any reserved matter application.

- a. A site wide phasing programme shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority. The phasing programme shall include details of the proposed sequence of the development across the entire site, the extent and location of individual development phases including reference to the type and any development envisaged in each phase and a description.
- b. The phasing programme shall state when each of the following will be delivered:
 - i Major access infrastructure including roads, footpaths and cycle ways;
 - ii Off-site highway infrastructure including highway improvements; and
 - iii. The delivery of public transport infrastructure within the site and external to the development.

Reason: In order to ensure that the approved development takes place in a co-ordinated manner having regard to highway safety and accessibility.

Condition 2: No development shall commence until the phasing programme has been approved in writing by the Local Planning Authority on consultation with the Highway Authority. The provision of all elements in the phasing programme shall be carried out in accordance with the approved phasing programme and the time triggers specified in it, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide clarification on how the development will be delivered to assist determination of reserved matter and to ensure that necessary infrastructure provision and environmental mitigation is provided in time to address the impact and needs of the development.

Condition 3: Prior to the commencement of each phase of development in the phasing plan, detailed plans of all proposed new highway infrastructure or modifications to existing highway infrastructure shall be submitted to the Local Planning Authority for approval in writing. This must include all works external to the site, details of the internal road layout and car parking layout and the extent of proposed road adoption and drainage provision.

Reason: To ensure that all highway works and internal roads are built to Highway Authority standards and requirements.

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Condition 4: Construction of the approved external highway works shall not commence until the applicant enters in to the relevant legal agreement for road works as set out in the Highways Act 1980.

Reason: In the interests of highway safety and public liability.

Condition 5: Prior to commencement of each phase of the development, details of all materials to be used for hard surfaced areas within the site, including roads, drainage details, driveways and car parking areas shall be submitted to the Local Planning Authority for approval in writing.

Reason: To ensure that internal roads, drainage and parking areas are built to Highway Authority standards and requirements.

Condition 6: Prior to commencement of the development the applicant shall submit a construction management plan to the Local Planning Authority for approval in writing. The construction management plan shall contain the phasing of the development, programme of works on site, number of vehicles, areas for construction vehicle parking and storage and delivery of materials within the development site, construction vehicles wheel washing facilities and details of construction vehicle routing to and from the site. The construction management plan should also set out access arrangements to the site for construction vehicles.

Reason: To minimise impact of construction process on the on local environment and local highway network.

Condition 7: No part of the development shall be occupied until the agreed Rye Street Enhancement scheme is completed to the satisfaction of the Highway Authority.

Reason: To ensure that the impact of the development traffic on the local road network is minimised.

Condition 8: Prior to commencement of any development the submission and agreement of a mechanism of continual review of the transport impacts of the development to include (but not be restricted to) the installation of traffic counters upon each access, travel plan monitoring and regular dialogue between Developer, Local Planning Authority and Highway Authority. The findings of this work shall be shared between all interested parties with a view to remedying any problems arising directly from the construction or occupation of the development.

Reason: To ensure that the development is appropriately militated against to ensure impacts are no worse at any time during the construction phase and on completion of the development.

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Condition 9: The development shall not commence until details of a Travel Plan for the development as a whole has been submitted to and agreed in writing by the Local Planning Authority. The plan make provision shall (for up to 5 years post final occupation) for relevant surveys, review and monitoring mechanisms , targets, further mitigation, timescales, phasing programme and on-site management responsibilities. It shall be implemented and subject to regular review in accordance with the above approved details. (The agreed travel plan to be appended to the S106 agreement).

Reason: To ensure that the development traffic is within the predicted levels in TA, to promote sustainable transport measures and maintain the free and safe flow of traffic.

Condition 10: The Priority Junction on Hazelend Road, is to be completed prior to the 1st occupation. The works should be undertaken in accordance with drawing number MBSK150223C, including the speed management measures to implement a 40 mph limit this section of Hazelend Road. Visibility splays of 2.4m x 90m should be maintained in both directions.

Reason: To ensure that the junction is constructed to the Highway Authority's specification as required by the Local Planning Authority.

Condition 11: The Roundabout access Junction and the Rye Street works, is to be completed prior to the 90th occupation. The works should be undertaken in accordance with drawing number Mbsk150223A.

Reason: To ensure that the junction is constructed to the Highway Authority's specification as required by the Local Planning Authority.

Condition 12: The Farnham Road access junction, is to be completed prior to the 90th occupation. The works should be undertaken in accordance with drawing number MBSK150223B. Visibility splays of 2.4m x 90m should be maintained in both directions. Speed management measures should also be implemented as per the approved drawing.

Reason: To ensure that the junction is constructed to the current Highway Authority's specification as required by the Local Planning Authority.

Informative

1. Prior to commencement of relevant highway works the applicant shall promote and obtain all necessary permanent and temporary Traffic Regulation Orders. This is to ensure adequate safety measures are provided during construction and use of the development.

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2. Before commencement of the development the applicant shall submit to the relevant road and foul drainage authorities, details of the design, construction and adoption of the proposed drainage systems. This is to ensure that the development's drainage is built to the appropriate standards and legislation.