

DEVELOPMENT MANAGEMENT COMMITTEE – 17 MAY 2017

Application Number	3/16/0530/OUT
Proposal	<p>A hybrid planning application for the comprehensive redevelopment of the 5.82 ha Goods Yard site for mixed use purposes comprising:</p> <ul style="list-style-type: none"> • up to 680 residential units (Use Class C3) • 938 sqm of retail floorspace (Use Class A1 / A3) • 3,045 sqm of hotel floorspace (Use Class C1) • two multi-storey car parks • car parking spaces for the residential development; and • associated highways and landscaping works <p>All as amended by plans and documents received on 22 September 2016 and 31 March 2017.</p> <p>The full application for Phase 1 (1.62ha) comprises:</p> <ul style="list-style-type: none"> • 122 residential units (Use Class C3) • 938 sqm of retail floorspace (Use Class A1 / A3) • 3,045 sqm of hotel floorspace (80 bedrooms and a restaurant) (Class C1); and • a multi-storey car park (477 spaces) <p>All in buildings of between four and six storeys in height; and</p> <ul style="list-style-type: none"> • a re-configured transport interchange (including bus stops, taxi rank and drop-off) • provision of a new public square • cycle parking facilities • surface car parking • service yard • vehicular and pedestrian access arrangements from Anchor Street, Station Road and London Road; and • associated landscaping, plant and servicing. <p>The outline planning application for Phases 2-4 (4.2ha including 2.02ha at the southern end of the Goods Yard currently in operational use) comprises:</p> <ul style="list-style-type: none"> • up to 558 residential units (Use Class C3); and • a multi-storey car park (489 spaces) <p>All in buildings of between three and seven storeys in height;</p> <ul style="list-style-type: none"> • provision of open space • new vehicular and pedestrian access arrangements • cycle parking facilities • surface car parking; and • associated landscaping, plant and servicing.

Location	The former Bishop's Stortford Goods Yard, Station Road, Bishop's Stortford
Applicant	Solum Regeneration
Parish	Bishop's Stortford CP
Ward	Bishop's Stortford – Central

Date of Registration of Application	29 March 2016
Target Determination Date	28 June 2016
Reason for Committee Report	This is a major application for the regeneration of a gateway site in the District.
Case Officer	Stephen Tapper

RECOMMENDATION

That planning permission be GRANTED subject to a Section 106 agreement and the conditions set out at the end of this report.

1.0 Summary

- 1.1 This is a hybrid application for the redevelopment of the former Bishop's Stortford Goods Yard with full details of phase 1 and outline proposals for phases 2- 4. Phase 1 comprises 122 flats in two buildings with 31 car parking spaces, a public transport interchange, access roads, an 80 bedroom hotel, retail units, a multi-storey car park (477 spaces) and a public square. Phases 2-4 would comprise up to 558 flats, (giving a total of up to 680 dwellings across the whole site), car parking spaces for residents and a second multi-storey public car park.
- 1.2 Phase 4 is on land that is currently operational with no absolute certainty as to when it will be released for development, (see representation at para. 8.12 below). However, Solum have advised that as soon as planning permission is granted Network Rail will commence a project to take the land out of operational use by finding an alternative location at which to base the equipment currently using the Goods Yard.
- 1.3 The application as originally submitted was for detailed permission on phases 1-3 and outline on phase 4. However, taking into account the views of consultees and the advice of officers regarding the submitted details of phases 2-3, the applicants have amended the application such that detailed permission is now sought for phase 1 only. If approved, this would enable them to commence the development whilst

allowing them time to reconsider the design and layout of phases 2-4 in the interests of designing a more attractive and sustainable neighbourhood, taking into account, inter alia, the opportunity to consider the inclusion of business units, the architecture and landscaping, the housing mix and typology, the need for more and better located public and private open space, the configuration of parking areas and biodiversity requirements.

- 1.4 The revised application still includes a link road from Station Road in the north to London Road at the southern end of the site. The road would be constructed on a temporary alignment as part of phase 1 of the development; it would be realigned onto a permanent route once the operational part of the site in phase 4 is released for development.
- 1.5 The application is accompanied by another, 3/16/0707/FUL, for up to 425 temporary public car parking spaces that would allow the phased development to take place on existing car parks without serious disadvantage to commuters and other users of the car parks. A report on that application is elsewhere on the Committee's agenda.
- 1.6 Planning policy is in favour of the principle of development of the site, which will make much more efficient use of the land by replacing the current surface car parking with multi-storey car parks. This frees up land for housing, a hotel, shops and other employment uses and open space, which will help meet economic and social objectives at the southern end of the town centre.
- 1.7 Whilst Government policy is to encourage high density development in town centres, especially at transport interchanges, the development has to create a well-designed sustainable new neighbourhood for Bishop's Stortford, with an appropriate mix of land uses. It is a gateway into the historic market town and the wider District and as such should be an attractive and inviting place with strong pedestrian links into the heart of the town centre.
- 1.8 In that context, following extensive pre-and post-application consultation, and taking into account planning policy, key issues for consideration in determining the revised application are as follows:
 1. Whether the (a) number, (b) density and (c) mix of homes proposed meets the needs of the District and represents a sustainable development that will house a diverse and integrated community (para. 9.1)
 2. Whether the land uses proposed are appropriate and take full advantage of this town centre transport hub (para. 9.2)

3. The consequences for design of the amendments to the application and whether the urban design and architecture proposed for Phase 1 would create a suitably attractive and lively gateway into the town and the wider District (para. 9.3).
4. Whether a sustainable transport solution is proposed in respect of:
 - a. The proposed north-south road through the site between Station Road and London Road and whether it would offer optimum benefit to the site and the wider traffic network by being designed as either an all-traffic through route or as a through route for buses and cyclists only (para. 9.4.1).
 - b. The proposed bus station, taxi rank, cycle parking and drop off areas and whether they are well designed and big enough to provide a transport interchange suitable for the future (para. 9.4.13).
 - c. Proposed internal cycle routes and footpaths and whether they will be fully connected to existing routes outside the site and encourage the public to use those means of accessing the station and enable residents of the development to easily access facilities the town has to offer, including the schools and health centres (para. 9.4.24).
 - d. Car parking provision: i) the proposed growth in public long stay car parking; and ii) the amount of parking provided for the residential development (para. 9.4.27).
5. Whether the provision of affordable housing and the proposed Section 106 contributions to highways, and economic and social infrastructure are appropriate in the context of the viability assessment of the development (para. 9.5)

2.0 Site Description

- 2.1 The site is owned by Network Rail and comprises 5.83 hectares of brownfield land immediately to the south of the town centre boundary. There are three public vehicular accesses to the site: via a ramp from the Station Road railway bridge; an access at the junction of Dane Street and Station Road; and via Anchor Street. The latter has a narrow traffic controlled junction and provides access for most of the car-parking, a leisure complex and the John Dyde Close residences. Network Rail controls a private vehicular access from London Road to its operational area at the south end of the site.
- 2.2 The River Stort Navigation and its towpath is adjacent to the south western boundary of the site, with a variety of uses on its western bank, including residential, industrial, food, leisure and religion. For

pedestrians and cyclists, there is access to the Goods Yard via the river towpath and the Millennium Bridge that connects with three C19th former Malshouses (Grade II listed buildings), the Rhodes Centre and Southmill Road. Immediately to the west is the John Dyde Close flatted residential development, together with leisure uses on the west side of Anchor Street, including the Empire Cinema, Nuffield Health and Fitness, Bacchus Bar and the Rose and Crown Public House.

- 2.3 An open bus interchange on the northern edge of the site lies adjacent to Station Road. The access road from the junction of Station Road and Dane Street serves taxi ranks, a cycle park and a drop-off area. On the north side of Station Road are the Allinson Flour Mill and the Fountain Public House. A sliver of land on the northern boundary of the site is included in the Bishop's Stortford Conservation Area.
- 2.4 The eastern boundary of the site is adjacent to the Anglia London Liverpool Street to Cambridge railway, with London Road and the mature residential areas to the east on an escarpment next to the railway.
- 2.5 The site is more or less flat and is currently occupied by surface car-parks managed by NCP on behalf of Network Rail together with maintenance sidings operated by Network Rail themselves.
- 2.6 Towards its southern end, adjacent to the rail operational area, the site comprises derelict scrubland and trees near the river, inaccessible to the public. Most of the scrub and tree cover has recently been cleared. Culverts and minor open watercourses run through the site. The site is generally poorly maintained, with some small derelict buildings, utility fencing and an absence of formal landscaping. It is a most unattractive gateway into the town and has been so for very many years.

3.0 Planning History

- 3.1 The following planning history is of relevance to this proposal:-

Reference	Proposal	Decision	Date
3/02/2091/OP	Outline application for a new link road connecting Station Road and Dane Street with London Road; public transport interchange (including facilities for buses, taxis and short stay parking); station facilities;	Withdrawn	20/10/03

	multi-storey car park; up to 402 residential units; food store; shop units classes A1 (retail), A2 (financial and professional) and A3 (food and drink); 60 bedroom hotel; public parking up to 372 spaces; ancillary facilities and landscaping		
3/13/0270/FP	Retrospective application for use of the former Goods Yard as a temporary car park	Granted; expired on 16/04/16	18/04/13

4.0 Background to Proposal

- 4.1 The Goods Yard was first allocated for development in the Local Plan (1999). On 09 October 2002, and following some years of negotiation with the Council, Railtrack made a planning application (3/02/2091/OP) for the redevelopment of the site as set out in para. 3.1 above. The application was withdrawn because it was not acceptable to the Council, primarily because it was not a comprehensive development along with the John Dyde Training College site; the applicants could not demonstrate the food store was policy compliant in that location; and for a variety of design reasons.
- 4.2 Despite this, in October 2004, planning permission was granted for a development of 208 flats on the site of the former John Dyde Training College (3/04/0544/FP), which has been completed.

5.0 Key Policy Issues

- 5.1 These relate to relevant policies in the National Planning Policy Framework (NPPF), the adopted East Herts Local Plan 2007, the Draft Submission District Plan and the Neighbourhood Plan.

Key Issue	NPPF Paras.	Local Plan	District Plan	Neighbourhood Plan
Development principle	14, 17, 49	BIS 2 BIS 11 HSG 2	BISH 1(e) BISH 3 BISH 7	
Land use mix		BIS 11	BISH 2 BISH 7	GY 2
Housing density, mix and	47, 50	BIS 11	BISH 1	GY 2

quality		HSG 6 ENV 1 ENV 25 SD 3	BISH 3 HOU 2 HOU 3	HPD 4
Affordable housing		HSG 3 BIS 2 BIS 11	BISH 3 HOU 3	HDP 4
Social infrastructure	69, 70, 204		DEL 1 DEL 2	
The river and biodiversity	9	ENV 2 ENV 16 ENV 17	BISH 7	GY 1
Urban design and landscaping	56 – 64, 66, 69	BIS 10 ENV 1 ENV 11	CC 1-3 BISH 3 DES 3	HDP 2 HDP 3 GY 1
Private and public open space	69, 70	LRC 1 LRC 3	BISH 7	GY 1
Car parking	29, 30, 39	TR 1 TR 4 BIS 11 App II	TRA 3	GY 3 GY 5
Traffic and north-south link road		ENV 27	BISH 7	GY 4
Transport interchange	29,30	TR 1	TRA 1	GY3
Walking and cycling		TR 13 TR 14 App II	BISH 7	GY 6

- 5.2 In the Local Plan (2007) the site is identified alongside the John Dyde Training College site as a wider strategic site (Policy BIS 11). It is identified as being acceptable for comprehensive redevelopment comprising *...residential; leisure; public house / restaurant and / or hotel; retailing including some food retailing; boating and mooring basin; and uses falling within class B1 of the Use Classes Order* [business uses such as offices and R and D]
- 5.3 The site allocation requires that development proposals should include a minimum of 700 residential dwellings on the site as a whole, (i.e. including John Dyde Training College), predominantly of a small size (i.e. one and two bedrooms), as well as adequate rail commuter and town centre car parking.
- 5.4 On 06 Jul 2011 a Site Development Brief for the Goods Yard was approved by the Council, updating another that had been approved in 2004. The Brief was written in the context of the Local Plan (2007)

which is still extant and it can therefore be given limited weight in determining the application.

- 5.5 Public consultation on the pre-submission draft of the District Plan is now complete and reasonable weight can be afforded to it. That weight must, however, be qualified if objections have been received that are pertinent to matters under consideration in the context of this planning application and until the appointed Planning Inspector considers the points raised at the forthcoming examination.
- 5.6 In the submission draft of the District Plan, Policies BISH 1 and BISH 7 give the site a strategic allocation for at least 400 new homes as part of a mixed use development including a significant amount of B1a office floorspace and small-scale retail provision. Policy BISH 2 requires that the proposals in the Bishop's Stortford Town Centre Planning Framework must also be taken into account. Further detailed requirements are set out in Policy BISH 7.
- 5.7 In order to better understand the opportunities in the town centre for development, accessibility and environmental improvement, in 2016 the Council commissioned Allies and Morrison to prepare a Town Centre Planning Framework, the final draft of which has been submitted to the Council for adoption. The Framework includes proposals for the Goods Yard site, including the construction of a north-south link road and a cluster of employment uses at the northern end of the site. Policy BISH 7 of the District Plan says the Framework will form the basis of a Supplementary Planning Document, which will be used to inform the master planning of this site. The Framework has been subject to extensive public consultation and although it will not be considered for adoption by Full Council for some weeks the Committee can afford it reasonable weight in determining this planning application.
- 5.8 The Examination Copy of the Neighbourhood Plan for All Saints, Central, South and part of Thorley was the subject of Regulation 16 consultation with the public in November and December 2016 and although it has not been examined yet it also carries reasonable weight in determining this application. It includes many detailed objectives and policies for the site and non-site specific policies that also apply.

6.0 Summary of Consultee Responses

- 6.1 HCC Highway Authority. The Highway Authority has been in lengthy negotiation with the applicants and has undertaken a comprehensive review of the Transport Assessment submitted by Mayer Brown, dated

February 2016. The following is a summary and the comments are reproduced in full in **Essential Reference Paper 'D'**.

- 6.2 For Phases 1-3, general vehicular access will be from the north of the site via Anchor Street. A proposed new access road extends from the southern end of the site to the station and bus interchange. Initially this will be a sustainable link with use restricted to buses, taxis, cycles and pedestrians, via an agreed method of control, for which a management plan will need to be submitted for approval, as well as access for Network Rail staff and emergency vehicles. In Phase 4 the link is also opened up to use by residents and station car park users, but does not provide an alternative through route. It has the potential to provide substantial benefits to the site and wider town if it is restricted to use by sustainable modes of transport.
- 6.3 The Highway Authority has previously raised concerns over the alignment of the final link road in Phase 4 and would prefer its alignment as shown in Phases 1-3 where the access to the development is at the rear of the site. Now phases 2-4 are in outline that can be considered in renegotiating the residential layout. There are detailed design issues and a point of possible conflicts between vehicles and pedestrians and cyclists. Although not to be adopted, the temporary alignment will be built to adoptable standards.
- 6.4 Having reviewed the submitted peak time trip rates and the impact on a number of junctions, the Highway Authority is satisfied that trips generated by the new development will not impact severely on the local network
- 6.5 Regarding residential parking, given the sustainable location and submitted data regarding parking ratios at other locations in the town centre, the Highway Authority notes the reasoning for the proposed reduction to a ratio of 0.6 for the residential development overall.
- 6.6 However, the Highway Authority has some significant concerns with the high level of parking proposed for the overall development (including parking for the rail station), and some of the underlying methodology used to produce the final parking numbers. It is noted that the future level of parking demand for the station is based upon a Network Rail Growth Factor (2043) of 39%. This figure is derived for the line, and does not consider local conditions for Bishop's Stortford or the sustainability of the Goods Yard site. Providing additional car parking capacity will encourage additional traffic into the area and work against the desire to increase the number of sustainable journeys into the centre of Bishops Stortford.

- 6.7 Regarding cycle parking, The Highway Authority had previously expressed concern as to the level of cycle parking provided for the development and the need for the developer to consider additional provision. Recent discussions have resulted in the developer agreeing to provide 100 cycle parking spaces as part of the development, and these will be secured via a condition (**Essential Reference Paper 'B'**, condition 30).
- 6.8 The Highway Authority comments on the reduction in spaces for taxis and for drop-off/pick-up and suggests that this could lead to conflict. Further thought should be given to this via a Bus station and taxi rank management plan (**Essential Reference Paper 'B'**, condition 15). Regarding the bus interchange, HCC have negotiated an increase in the number of stops, but there may be practical difficulties and so in the context of an expected increase in bus usage they require a five year management plan (**Essential Reference Paper 'B'**, condition 15).
- 6.9 Regarding pedestrian access to and from the site, including residents' routes to destinations in the town centre, HCC Highways are not satisfied that a proper audit has been undertaken and a Section 106 requirement would be to set aside funding for improvements following the submission of a satisfactory audit.
- 6.10 It is noted that travel plans are proposed for residents and employees and for the hotel but more detail will have to be submitted to ensure they will be effective (**Essential Reference Paper 'B'**, condition 10).
- 6.11 In summary, the Highway Authority has no objections to the development, subject to the above matters being attended to by condition or Section 106 agreement.
- 6.12 Lead Local Flood Authority (HCC). No objections to detailed water management proposals submitted in January 2017. The applicant has provided appropriate information to demonstrate a feasible drainage strategy based on attenuation and a controlled discharge mechanism to the ordinary watercourse and finally to the river Stort/or canal. Conditions (**Essential Reference Paper 'B'**, conditions 28 and 29) are recommended to control how the site can be drained in each phase of development and the role of the ordinary watercourse in facilitating that drainage. It is critical this is handled properly to ensure that flooding does not occur both during construction and throughout the lifetime of the development.

- 6.13 Environment Agency. No objection subject to conditions to ensure the protection of the river buffer zone and ensure any invasive species on site are dealt with.
- 6.14 EHDC Engineering Advisor. Confirms that whilst aspects of the FRA have acknowledged the important role that green infrastructure can play at the Goods Yard site, this has not been reflected in the actual range and extent of the provision of green infrastructure. Most notably it is considered that it would be possible for a greater number of buildings to be constructed with green roofs.
- 6.15 It is also suggested that much more provision towards green travel/ integrated travel/ sustainable travel and associated benefits to reduce congestion and pollution could be made by the developer and an opportunity is being missed by a lack of engagement with the Town Centre Planning Framework.
- 6.16 Affinity Water. The site is located within the groundwater Source Protection Zone (SPZ) of Causeway Pumping Station, a public water supply comprising chalk boreholes. British Standards and Best Management Practices must be followed to reduce the risk of groundwater pollution. Monitoring and remediation will need to be undertaken if pollution on the site is found during the course of construction.
- 6.17 EHDC Housing Development Advisor. The position on affordable housing has improved since the application was first made but there remain concerns about not fully meeting affordable housing needs in terms of numbers, tenure, location and design quality. The affordable housing contribution is now 20%, which is below the Council's desired 40% but an improvement on the original 8%. It equates to 136 units out of 680, and 92 out of 460 (Phases 1-3) which will go some way towards meeting housing needs. It is noted that Phase 1 contains no affordable housing for viability reasons. Since 20% is well below the policy target, there should be a viability review part way through the development.
- 6.18 The proposed split of 30% for affordable rent and 70% for shared ownership/discount market sales equates to 41 units and 95 respectively. Discount market sales are not in the current NPPF definition of affordable housing but it forms part of the consultation in the Housing White Paper. The Housing Team would want to ensure that the proposed 70% affordable housing is defined as Shared Ownership in a legal agreement. However, their preference would be a 60% rent and 40% shared ownership split. The affordable units should be pepper-potted throughout the scheme. There are also concerns

regarding design, including the poor outlook from some of the affordable flats and because some are single aspect.

- 6.19 EHDC Conservation and Heritage Advisor. Refusal of the application was previously recommended on design grounds following the design amendments submitted in September 2016, which showed too little improvement over the original plans.
- 6.20 A greater mix of uses was required, and the lack of variety in the housing types proposed would fail to support a socially balanced neighbourhood, which should be provided with a mix of housing types to meet differing needs.
- 6.21 Tall buildings should be of exceptional architectural quality to justify their dominance on the townscape, but the tall buildings proposed were undistinctive. The proposals lacked character, and would fail to create the distinctive new neighbourhood that is needed.
- 6.22 It is not considered that the open spaces proposed are of a suitable size and of a suitable functional capacity for the number of residents, including families with small children, which will eventually occupy the proposed apartments – up to 1,360 residents at a density of 2 people per dwelling.
- 6.23 However, responding to the recent amendment to leave only Phase 1 as a detailed proposal the view is it left many of the previous contentious issues within the outline Phases 2- 4, which is welcome. Phase 1 has a variety of interesting elevations with various active edges and of designs that will aid legibility in routes through the area. The proposed scale and massing of the buildings is considered to be acceptable given the context, including the existing neighbouring built form. It is recommended that the application is granted permission subject to conditions for samples of the materials of construction.
- 6.24 HCC Historic Environment Advisor. Much of the Goods Yard site has the potential to retain significant archaeological and archaeological-environmental information that may range in date from the Palaeolithic (from c.500,000 years ago) to Mesolithic (5000-4000 B.C.) periods, and through to later prehistoric/historic periods. It is recommended that the site as a whole should be subject to further geotechnical work, carried out by a geoarchaeologist, to clarify the palaeo-environmental potential of the site. A condition is therefore recommended to secure an on-site geoarchaeological investigation prior to the commencement of development, in accordance with a brief to be approved by the Council. A report will then be submitted to the Council for approval including a

description of the findings and proposed mitigation. [As sought by Policy HDP 9 in the Neighbourhood Plan, a Section 106 contribution of £16,008 to the Rhodes Museum towards the storage, display and interpretation of any finds is included in the proposed heads of terms at **Essential Reference Paper 'A'**, item 23]

- 6.25 EHDC Landscape Advisor. Considering the details in Phases 1-3 before the application was recently amended, refusal was recommended, taking into account missed opportunities for tree planting, the lack of green infrastructure; the inadequacy of the open areas for play and passive recreation, and a poorly landscaped bus interchange and station concourse. The proposals were symptomatic of overdevelopment of the site – with insufficient space given to green infrastructure provision.
- 6.26 Herts Ecology. No existing designated ecological sites will be affected and the existing ecology on the site is relatively recent, a mixture of scrub, trees developing into small woodland blocks, rough grassland and invasive plants. The application underplays its importance because they have a valuable local role within the river corridor in the urban centre of Bishops Stortford. Unfortunately, Phase 3 removes the majority to create a car park, whilst Phase 4 replaces the rest with housing and the tree belt to the east with a road.
- 6.27 Such habitat loss in this location is unacceptable despite its low intrinsic quality. The remaining riverside habitat corridor to be left is essentially the width of one tree for the most part, around just over 26m at its widest which incorporates the SUDS pond and formal play area, whilst the remaining longest sections are around 9m wide from the river edge to the road, including the towpath. The main existing habitat is around 60m wide in places.
- 6.28 This impact is also reflected by the ecological consultants who note in 7.1.12 of the D and A Addendum that the south of the site is characterised by semi-natural broadleaved woodland habitat which has been identified as a priority habitat on 'nature on the map'...one of the remaining woodland areas within the centre of Bishop's Stortford, therefore it may act as a wildlife 'stepping stone' to habitats within the surrounding area, especially as it is adjacent to the River Stort which runs north to south through the town. They recommend that works avoid the disturbance or loss of this habitat but that should the avoidance of woodland habitat not be practically possible then appropriate mitigation should be designed and implemented.

- 6.29 Herts Ecology does not consider the proposed landscaping compensates for the loss of the existing habitat resource. As most of this largely undisturbed habitat resource will be lost in this relatively sensitive location, to state the development will enhance the local ecology (Ecology Report 5.1.1) is not credible. All that will remain is a line of trees adjacent to the canalised river Stort, a strip of grassland which will also serve as a SUDs feature, within an area wholly integrated within the new urban environment.
- 6.30 The applicant's proposed solution of providing a long term ecological management plan, which would be required anyway, does not address the issue of habitat loss in this location. In the existing policy climate which seeks to ensure no net loss and biodiversity enhancements where possible, the Waterside Park must provide a credible river corridor resource adjacent to the river, an ecological resource which benefits and perhaps contrasts to the otherwise very formal urban environment which will exist to the east. As proposed, this will represent a net loss.
- 6.31 If the nature of the development and layout is not to change appropriate enhancements should also be sought off-site as local biodiversity offsetting, which will improve the river corridor elsewhere.
- 6.32 HCC Development Services. A request has been made for funding towards HCC services in accordance with their Toolkit. Regarding education, and using 2011 census information, HCC calculate the primary peak yield will be 1.0 form of entry (FE) (over 0.5 for 15 years) and the secondary peak yield will be 0.95 FE (over 0.5 for 15 years). They also anticipate a peak of 75 nursery aged children would arise as a result of the development, but they are not seeking contributions towards childcare and nursery places.
- 6.33 Current school forecasts indicate existing primary schools in Bishop's Stortford are all either full or nearing capacity, with the current level of demand likely to continue into the future. A contribution is therefore requested towards the expansion of St Joseph's Primary School from 1.5fe to 2fe (**Essential Reference Paper 'A'**, item 14). Current secondary school forecasts also indicate it would not be possible for the children anticipated from this development to be accommodated within Bishops Stortford's existing schools and a contribution is therefore sought towards the expansion of Herts and Essex High School from 5.3fe to 6fe (**Essential Reference Paper 'A'**, item 15).
- 6.34 HCC have also requested financial contributions towards Youth Connexions (development of the Information and Guidance rooms at

Northgate, **Essential Reference Paper 'A'**, item 16) and the library service (improvements to the layout of the adult lending area, **Essential Reference Paper 'A'**, item 17) in accordance with their toolkit.

- 6.35 HCC Minerals and Waste. No objections, subject to a condition requiring the submission of a Site Waste Management Plan prior to the commencement of development (**Essential Reference Paper 'B'**, condition 13).
- 6.36 HCC Waste Management Unit. No objections but have requested a Section 106 contribution of £69,739 towards the cost of replacing the Bishop's Stortford Household Waste Recycling Centre on Woodside Road, which operates above capacity at peak times.
- 6.37 EHDC Environmental Health Advisor. In the light of the further information provided there are no objections on noise grounds subject to adequate mitigation being secured by condition (**Essential Reference Paper 'B'**, condition 17). Other standard conditions are proposed regarding environmental matters.
- 6.38 EHDC Environmental Services Operations. In order to future proof the development in terms of waste storage and collection, it is recommended that a condition is imposed requiring the submission of alternative storage solutions in line with the Council's requirements.
- 6.39 EHDC Community Safety. A condition of planning permission is required that will enable the Council to approve the positions of CCTV cameras and the long term monitoring arrangements (**Essential Reference Paper 'B'**, condition 25).
- 6.40 Herts Police Crime Prevention Advisor. The Advisor has been engaged with the design from an early stage and the Design and Access Statement sets out a commitment to Secured by Design. A condition of planning permission would be required to ensure it is fully implemented.
- 6.41 Herts Fire and Rescue Service. No objections, subject to the Section 106 agreement providing fire hydrants in accordance with the HCC planning obligations toolkit, (see **Essential Reference Paper 'A'**, item 7).
- 6.42 Canal and River Trust. With regard to the original submission details, the main issue was the impact on the character and appearance of the waterway corridor due to the proposed position of the car parking and access road, the latter presenting a visual and physical barrier for people trying to access the river environment, and it does not

encourage animation of this stretch. If the road, or even a section of it, could be removed from this frontage, it would make a beneficial improvement in terms of both good urban design and connectivity with the riverside park.

- 6.43 The Trust requests the provision of moorings, to which Solum are agreeable, on the river as part of a Section 106 agreement or condition which will also require dredging adjacent to the moorings (**Essential Reference Paper 'B'**, condition 24).
- 6.44 Natural England. They have concern regarding the narrowness of the green corridor next to the river and its proximity to the new link road, which will have an adverse impact on mammals that have been getting re-established along the river.
- 6.45 NHS/CCG. The development will create 1,637 new patient registrations. In terms of primary care, the nearest surgeries, South Street and Church Street, have limited capacity but very poor accessibility. It is therefore likely that the development will put pressure on the two primary care surgeries at Herts and Essex Hospital. Based on their calculation of the number of residents in the Goods Yard development and the build costs for primary care, the NHS requests a Section 106 contribution of £422,280 towards the improvement of facilities at Herts and Essex Hospital (**Essential Reference Paper 'A'**, item 26).
- 6.46 It is also necessary to consider the impact of this population growth on the demand for community, mental and acute services. Based on 460 dwellings and the build costs for those services the CCG requests a Section 106 financial contribution of £3,084 per dwelling which equals £1,418,640 (**Essential Reference Paper 'A'**, item 27)
- 6.47 National Grid. No objections but there are gas pipelines in the vicinity of the proposed development and guidance is offered.
- 6.48 Network Rail. No objections and guidance is offered.

7.0 Town Council Representations

- 7.1 Bishop's Stortford Town Council considered the application on 16 May 2016 and objected on the following grounds:
- | | |
|---|---|
| 1 | Out of keeping with the historical nature of Bishop's Stortford |
| 2 | Incompatible with the surrounding area |
| 3 | Over development |
| 4 | Dense proposal |

5	Lack of green infrastructure
6	Parking and traffic
7	Phasing
8	Pollution
9	Poor quality design
10	Not sympathetic to the town

7.2 The Town Council considered the revisions to the application on 31 October 2016 and commented as follows:

- 1 A minimum of 25% affordable housing is required, including a mix of shared ownership and rented dwellings.
- 2 Conservation and urban design report to be updated.
- 3 The number of [housing] units constitutes an over-development of the site.
- 4 An insufficient number of resident and visitor car parking spaces for the number of [housing] units.
- 5 Detailed report from Highways required considering the impact of congestion caused by the development.
- 6 Phase 4 – It is understood the agreement for the land set aside for Phase 4 has not been confirmed. Agreement for the land and access during the phased construction to be agreed prior to approval of application.
- 7 Insufficient provision for secured and unsecured cycle parking to deal with increased residents in the town over the next 20 years and plan to increase non-car traffic.
- 8 Reduction to 4 parking bays for buses does not adequately deal with current and expected growth. Highways to comment on current and future growth requirements.
- 9 Air quality is already a significant issue at Hockerill junction. Air quality to not worsen as a result of the development
- 10 Sufficient school provision to be provided.
- 11 Short stay provision to be provided.
- 12 Through Link Road to be provide as per Neighbourhood Plan.

7.3 In line with their Planning Policies, last revised in September 2015, the Town Council has requested Section 106 financial contributions towards the cost of providing allotments and burial land, for which there is a costed project to allow space in cemeteries to be reused or used more efficiently. They also seek a contribution to the Rhodes Museum for the storage, display and interpretation of any archaeological finds from the site, which is in line with NPPF guidance. Under the heading of Community Facilities, Sworders Field is likely to receive funding from the Lottery, but the Town Council seeks a contribution towards a BMX track to the north of the area as it would be easily accessible from the

Goods Yard. They suggest a contribution of 25% of the likely cost of the facility i.e. £25,000.

- 7.4 The Town Council is keen to promote the improvement of the riverside and this year published the Waterside Stortford strategy. They would wish to see the Goods Yard development incorporate Waterside Stortford branding, way marking, interpretation boards, seating and public art.

8.0 Summary of Other Representations

- 8.1 The Council advertised the planning application on site and in the local newspaper on 14 April 2016. Almost 1,000 neighbour notification letters were despatched on 05 April and they were notified again when amendments were received to the design of the development in September 2016 and when the application was amended in April this year. The Council received representations from organisations, businesses and individual members of the public as follows.

- 8.2 Civic Federation Whilst supporting the land use mix, there are objections:

- The application is silent on school places.
- The number of dwellings should be reduced to create a stronger community.
- More activities are required on the riverside.
- Network Rail must commit to releasing the sidings by a specific date to secure the completion of the north-south access road, necessary to relieve Hockerill.
- Potential congestion on Anchor Street and the impact of construction traffic.
- Residential car parking at a ratio of 0.6 is not enough and does not cater for visitors.
- A public car park is required at the southern end of the town centre.
- Improvement to the Station Road steps would be welcome, but it is not clear what they are.
- Not enough bus stands.
- Need surveys all week to pick up demand hot spots.
- Buildings should be no more than 5 storeys and should drop in height towards the river.
- The architecture is inadequate for this important gateway.
- The hotel is a slab.
- A model of the development is required.

- 8.3 Chantry Residents Association Consideration of the application should be delayed until the Planning Framework for the Town Centre has been completed. Objects on the basis that the proposal represents an overdevelopment; the flats are too high and the John Dyde Close development should not set a precedent; poor architecture. The north-south link road must be constructed in Phase 1 or 2. There is a need for short stay parking to serve the town centre, which would reduce traffic circulating the town; and pedestrian and cycle routes in the vicinity of the site should be improved.
- 8.4 Parsonage Residents Association Objects on the basis the proposals represent an over development; construction traffic will worsen air pollution; road infrastructure should be built first to reduce congestion during the construction period; and there is insufficient parking for 462 flats.
- 8.5 Ramblers Association No objection subject to keeping the towpath public right of way unobstructed and unaffected by site drainage. They would have preferred 3-storey buildings on the Stort frontage.
- 8.6 Bishop's Stortford Climate Change Group Sustainable transport: green travel plan required; no new cycle and pedestrian routes offered; bus interchange no bigger than at present. Inadequate details regarding a range of environmental matters such as green energy and materials. Hotel should achieve BREEAM excellence standard. Water usage target should be more challenging.
- 8.7 Business Stortford (LEP project to attract companies to Bishop's Stortford). Objects on the basis that despite the European Gateway location, no business units are proposed.
- 8.8 The Rhodes Centre The Centre is included under the heading of Community Facilities in the Town Council's Planning Policies. In view of the proximity of the Centre to the Goods Yard and the likelihood of residents using it, a Section 106 contribution is sought towards the provision of equipment for live feeds.
- 8.9 Allinson Flour Mill No objection in principle but objects to the submitted noise assessment and mitigation not dealing adequately with the mill's 24-hour operation and its effect on the noise sensitive residential and hotel uses. Also, the number of contra-flow incidents on Dane Street may get worse as a result of the development
- 8.10 Bacchus Bar and Night Club Concern that there will be a residential block opposite the entrance, with objections arising to noise late at

night. Flats should be insulated against noise. The building should be commercial/retail as described in the Draft District Plan in 2014.

- 8.11 Lunar Retail Sarl (Anchor Street leisure complex) Welcomes comprehensive development of the site. Dual use of car parks, as suggested by policy TRA 3 of the District Plan must continue to the benefit of users of the leisure complex.
- 8.12 County Councillor Barfoot Objects if there is no timescale put to the development of phase 4.
- 8.13 Others At the time of writing, 253 representations have been received from individual members of the public. Many express objection or support for the development without setting out their reasons. Others do make comment. The table in **Essential Reference Paper 'C'** is a summary of the comments received from those in support of the development and those objecting.
- 8.14 Of the 185 representations made to date by supporters, 139 do not include their full names and addresses. In almost all cases they have an email address and a postcode, the majority of which are local, and it is therefore reasonable to take their support for the proposal into account. However, the Committee may give more weight to those representations that include not only full names and addresses but also the reasons for their support.

9.0 Consideration of Relevant Issues

- 9.1 ***Whether the (a) number, (b) density and (c) mix of homes proposed meets the needs of the District and represents a sustainable development that will house a diverse and integrated community.***
- 9.1.1 *(a) Number of homes.* The Local Plan (1999) envisaged the Goods Yard being developed comprehensively with the adjacent John Dyde Training College, which was demolished in 1998. An application for the redevelopment of the Goods Yard made by Railtrack in 2002 was refused permission partly because it did not incorporate the John Dyde site. However, the John Dyde site was sold to developers Furlong Homes who pursued applications (and appeals) for residential development on their own site and eventually were granted permission by the Council in 2004 for 208 flats. The development has been carried out.

- 9.1.2 The 2007 Local Plan policy BIS 2 also links the two sites and estimates a minimum of 700 dwellings across the two. Permission having been granted for 208 dwellings at John Dyde Close would leave a balance of a minimum of 492 on the Goods Yard as part of a mixed use development. BIS 10 sets out requirements for the site as one of several town centre sites, and BIS 11 sets out site specific requirements.

Development proposals should include residential development, with the aim of creating a minimum of 700 dwelling units on the site as a whole. The dwellings should predominantly be of a small size (i.e. one and two bedrooms), and include a significant proportion of affordable housing in accordance with Policies HSG3 and HSG4.

- 9.1.3 The 2011 Site Development Brief provided further guidance on the expected detail of the development and whilst not suggesting an alternative number of residential units, it suggested a proportion of family housing would be appropriate, particularly at the southern end of the site.

Preference to family accommodation is well supported by the conclusions of the housing needs of the district as set out in the Strategic Housing Market assessment (2010). Opportunities for such type of accommodation in the form of town houses would be limited due to other key competing land uses including employment. Nonetheless, the southern part of the site, especially facing the River Stort would be an ideal location provided it is integrated into a scheme design which takes account of the existing woodland.

- 9.1.4 In the Pre-submission draft of the emerging District Plan (2016), Policies BISH 1 and BISH 7 give the site a strategic allocation for at least 400 new homes as part of a mixed use development. However, para. 5.5 above explains that the reasonable weight that can be afforded to any one of the Plan's policies is qualified if there is an objection to that policy. In this case, Solum has objected, saying, inter alia:

The current hybrid application at the site demonstrates that the site can accommodate a much higher quantum of residential dwellings to that which is currently stated as part of draft Policy BISH 7. The masterplan proposals include up to 680 residential dwellings on a site area of approximately 5.83 hectares. This equates to a residential density of up to 117 dwellings per hectare. With regards to Phases 1-3 of the masterplan proposals [which were originally applied for in full], 460

residential dwellings will be provided. This equates to a residential density of 121 units per hectare.

- 9.1.5 Solum has proposed a re-wording of the policy to say the Goods Yard *will provide for up to 700* in place of *at least 400 homes* between 2017 and 2027.
- 9.1.6 To conclude on the matter of housing numbers, the Local Plan 2007 and its predecessor intended that there would be a minimum of 700 dwellings across the Goods Yard and John Dyde Training College sites together. Allowing for the 208 now on the John Dyde Close site, there would be a balance of a minimum of 492 on the Goods Yard. The Pre-submission District Plan, taking into account the requirement for mixed use, requires at least 400 homes on the Goods Yard.
- 9.1.7 Solum's proposal that the District Plan policy should be increased from at least 400 to up to 700 suggests a considerable gap between the two. Since the determination of this planning application cannot wait for the examination of the District Plan, and the examiner's consideration of the Solum objection to the Plan, their proposal to build up to 680 homes on the site must be considered on its merits. Would it be possible to build that many dwellings on the site whilst including open space for recreation and biodiversity, space for other land uses, including retail, a hotel and business units, and adequate car parking to meet the needs of the residential properties, commuters and other members of the public. Two other indicators will be helpful in considering the matter: density and housing mix.
- 9.1.8 *(b) Housing density.* As regards the density of the proposals, development plan policies are not prescriptive, and NPPF guidance is that local planning authorities should set out their own approach to housing density to reflect local circumstances. District Plan Policy HOU 2 *Housing Density* says

1. Housing development should make efficient use of land. Proposals are required to demonstrate how the density of new development has been informed by the character of the local area and contributes to:

(a) The design objectives set out in Policy DES3 (Design of Development);

(b) Improving the mix of house types in accordance with Policy HOU1 (Type and Mix of Housing);

(c) Providing adequate levels of public open space in accordance with Policy CFLR1 (Open Space, Sport and Recreation); and

(d) Retaining existing site features, including mature trees, shrubs, hedgerows and amenity areas, and make provision for new green infrastructure in accordance with Policy NE4 (Green Infrastructure).

II. Subject to the above, densities will vary according to the relative accessibility and character of locations. Higher net densities will be favourably considered on central sites in or near town centres and where the character of the surroundings allows.

- 9.1.9 In support of their objection to the District Plan policy BISH 7, and the suggestion that the policy should allow for up to 700 dwellings, Solum has claimed that the 620 applications proposed in their application represents a density that is considerably less than the John Dyde Close development's figure of 160 dwellings per ha. They assessed their 680 dwellings against the overall site area of 5.82 ha to arrive at a figure of 117 per ha, (para. 9.5 above). That is not a true comparison because the Solum proposals are mixed use and include two car parks for station users, a hotel, a bus interchange, the station entrance building and station concourse, station staff parking and cycle parking, the taxi rank and drop-off and the turnaround. If these are excluded from the calculation, the overall density of the Solum proposals would be approximately 170 dwellings per ha, and for Phase 1 it would be 274 per ha. The latter is because the residential element of phase 1 is integrated with the other uses in a single block, which is not uncommon for town centre locations. Whilst the flats would benefit from private balconies or terraces, open spaces would be accessed a short walk away alongside the river or in later phases of the development. For the number of flats in phase 1, that would be satisfactory, but phases 2-4 would need to incorporate areas of open space for the private or semi-private use of residents.
- 9.1.10 To conclude on the matter of housing density, its acceptability will depend on how it plays out through other attributes of the development, as listed in para. 9.1.8 above, and in the context of development plan policy and the definition of sustainable development in the NPPF. Solum's decision to amend the application such that phases 2-4 are now in outline will allow for much more consideration of these matters, and is a welcome amendment in that regard.
- 9.1.11 *(c) Housing mix.* The Strategic Housing Market Assessment (Sept 2015) concluded that the objectively assessed need for housing over the 22-year period (2011-2033) in East Hertfordshire is 16,400 dwellings (745 per year).

9.1.12 Para. 5.93 of the SHMA refers to a table (Figure 76) which sets out the mix of market and affordable housing need by dwelling type and size. Most of the market housing need across the Housing Market Area (HMA) is for houses (29,700 dwellings over the 22-year period) with a need for 2,800 flats also identified (around 9%). The need for affordable housing is also predominantly for houses (around 10,000 dwellings) with a need for around 3,600 flats (around 26%). The table below reproduces the East Herts figures only.

Accommodation		East Herts (households)	
		Number	Proportion
Market Housing			
Flat	1 bedroom	710	6%
	2+ bedrooms	810	7%
House	2 bedrooms	1510	12%
	3 bedrooms	5640	46%
	4 bedrooms	2740	23%
	5+ bedrooms	770	6%
Total		12,200	100%
Affordable Housing			
Flat	1 bedroom	820	20%
	2+ bedrooms	470	11%
House	2 bedrooms	1,210	29%
	3 bedrooms	1,410	33%
	4+ bedrooms	310	7%
Total		4,200	100%
Total All Tenures		16,400	

From *SHMA Figure 76 market and affordable housing mix 2011-33*

9.1.13 Para. 5.94 of the SHMA emphasises that the spatial distribution of housing provision will be determined through the planning process, which will also consider the most appropriate location for market and affordable housing, and the type and size of properties to be provided in different areas.

9.1.14 The housing proposals at the Goods Yard need to be assessed against that background, that is to say that there is a much greater need for houses than flats, whether market or affordable. Based on East Herts' annual target of 745 dwellings per year, with 26% affordable, Figure 76 would suggest only 128 flats are required per year over the 22 year period. The current proposal for the Goods Yard therefore represents 5 years supply. Therefore, whilst the Goods Yard undoubtedly lends itself by location to a high proportion of flats for smaller households, such a

large site of 5.82ha should be capable of providing a mix that includes a proportion of town houses and maisonettes, together with amenity space, that would be suitable for families.

9.1.15 The revised plans received in September 2016 changed and improved the housing mix and quality. The number of family units was increased, the number of north facing, single aspect units was reduced and the number of dual aspect units was increased. The table below from section 1.2 of the Revised Executive Summary of the Design and Access Statement [now superseded] summarises the changes:

Design Criteria	As Submitted		Proposed Amendments	
	No.	%	No.	%
Family Units (Phases 1-3)	9	2%	20	4%
Dual Aspect	186	40%	212	46%
East / West Single Aspect	207	45%	188	41%
South Single Aspect	51	11%	54	12%
North Single Aspect	11	2%	5	1%
Units with Direct Ground Floor Access	0	0%	12	21%
Stair Cores with Natural Light	1	6%	8	67%

The proportion of 1-bedroom flats (2 persons) became 41%, 2-bedroom (4 persons) 55%, and 3-bedroom family units 4%.

9.1.16 This was a welcome but small increase in family accommodation. However, no variety was brought to the housing typology, which remained entirely as flats within large linear blocks with, for the most part, shared access and private amenity space in the form of balconies.

9.1.17 To conclude on the matter of housing mix, the applicants did move a little towards the provision of more family homes, but insufficiently for the details of phases 1-3 to be considered sustainable. The applicants have now amended the application such that phases 2-4 are in outline, which gives them the opportunity to work with the Council on an alternative mix of homes that will better meet the community's requirements.

9.2 ***2. Whether the land uses proposed are appropriate and take full advantage of this town centre transport hub.***

9.2.1 Under the heading of Sustainable Transport, the NPPF at para. 38 says:

For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site.

Given the location of the site on the edge of the town centre, development plan policies have consistently encouraged a land use mix that includes town centre uses in addition to housing. Policy BIS 11 says that the following would be acceptable:

leisure; public house/restaurant and/or hotel; retailing including some food retailing; boating and mooring basin; and uses falling within class B1 of the Use Classes Order 1987 (as amended) [primarily office uses]. Policy BISH 7 of the Pre-submission District Plan says the 400 homes would be *part of a mixed use development including a significant amount of B1a office floorspace and small-scale retail provision.*

9.2.2 Policy GY2 of the Neighbourhood Plan says that in addition to small scale retail,

b) Schemes that include the following will also be supported, unless further evidence based investigation by developers can demonstrate they are unsuitable or unnecessary:-

- *Office space (B1 Business) of high quality;*
- *Local medical centre, not a main hub;*
- *Hotel, located close to the transport interchange;*
- *Buildings that, because of their position or communal nature, can benefit from a renewable energy source;*
- *Public conveniences available to all.*

9.2.3 The Town Centre Planning Framework (para. 4.8 above) suggests that the Goods Yard site would be appropriate for a cluster of office or other employment uses at its northern end.

9.2.4 The planning application includes an 80-bedroom hotel and restaurant and small retail units and kiosks facing the station concourse. These uses are considered to be entirely appropriate in the context of development plan policy, providing services for the new residential community, and helping to integrate the site with the rest of the town centre in terms of land use and movement. They will bring vitality to the station concourse.

9.2.5 However, the proposals do not include any office or other employment uses. This is counter-intuitive when the site offers excellent connection by train to Stansted Airport, London and Cambridge and benefits from the bus interchange for access by staff (see the comments of Business Stortford, para. 8.7 above). Additional employment uses will bring additional economic activity to the town centre as a whole. The Council would be likely to work in partnership with Solum and third parties to bring forward a suitable employment scheme.

- 9.2.6 Whilst originally lukewarm to the inclusion of business units in the development on the basis of their viability, the newly revised application expresses a willingness by Solum to explore the feasibility in detail. They would agree to a Section 106 commitment to commission a report to examine the following, as set out in **Essential Reference Paper 'A'**, item 6:
1. The locational and market opportunity for the development of business (office) units at the Goods Yard.
 2. Evaluation of building typology and potential locations within the site.
 3. Partnership, ownership, funding and management options.
 4. If viable, outline delivery and marketing plans.
- This more positive response from Solum is welcome.

- 9.2.7 Public consultation has generally welcomed the mix of land uses proposed. One or two dissenting voices consider that the proposed hotel would be more attractive to visitors if it was located nearer the river and was upmarket. Unfortunately, there would be likely to be issues with the amount of land take and viability in this location. There have been suggestions regarding additional suitable land uses, with a number of mentions of a health centre. Given the poor quality and location of the South Street and Church Street surgeries it is understandable that the Goods Yard is seen as a good opportunity, with relatively easy access, including by bus. However, the current NHS strategy is to make better use of the Herts and Essex hospital site, which is under-used and would represent better value for money for them. However, the applicant's urban design consultants, IBI Group, in a letter dated 19 April 2017, comment that

The suggestion that the site should provide a wider range of services belies its location in the town centre and within easy walking distance of a wide range of retail, community and leisure facilities. There is a pub and a cinema directly opposite the site and an arts centre and restaurants on the opposite river bank.

The development proposals include for a hotel and retail accommodation within the development along with improved transport interchange (bus, rail and taxi).

It is hard therefore to see what wider facilities need to be accommodated within the site or how the new residents would be disadvantaged by the mix of uses currently proposed.

- 9.2.8 To conclude regarding the land use mix, the application offers a policy compliant mix of uses in phase 1, the hotel and retail shops and kiosks

bringing additional footfall and vitality to the southern end of the town. The applicant's recent commitment to bringing a viable office development to the Goods Yard is very welcome. It is hoped they will work with the Council to bring forward a high quality scheme that would meet market requirements.

9.2.9 In conclusion on the quantum, density and mix of development, the applicants are attempting to squeeze a great deal of development into the site, including 680 homes and 1,357 parking spaces overall. Whilst the efficient use of a brownfield site at a transport interchange is welcome and meets established local and national policy, there are consequences of high density that play out in terms of design and amenity that will be considered in the next section of this report.

9.3 *3. The consequences for design of the amendments to the application and whether the urban design and architecture proposed for Phase 1 would create a suitably attractive and lively gateway into the town and the wider District.*

9.3.1 The application as originally submitted included full details of the proposed development across phases 1-3, with phase 4 in outline in view of the uncertain timescale for its release from operational use. Phases 2-4 were to comprise residential development and a decked public car park.

9.3.2 Although many individual members of the public were supportive of the design and architecture, many others were critical of the height, massing and architecture of the buildings, including the Civic Federation (para. 8.2 above). The applicants were reluctant to subject the development to an independent design review but The Tibbalds Planning and Urban Design consultancy was asked by the Council to prepare a critique of the design and architecture of the development.

9.3.3 The proposed residential development across phases 1-3 was comprised entirely of flats in linear blocks between four and seven storeys in height. This limited typology was criticised for being repetitive and uninteresting as a new urban quarter, which would not be likely to create a diverse and sustainable community. As a place to live, the development lacked well located private and semi-private open space. The flats were all served by common entrances and corridors without natural lighting and many flats were single aspect. Poorly landscaped surface car parks dominated the external areas, apart from a narrow linear riverside park. A boulevard leading from the station to the white footbridge over the Stort was a potentially attractive pedestrian and

cycle route but was not well articulated. There was no enhancement to the biodiversity of the site as required by national and local policy.

- 9.3.4 The two residential blocks proposed for phase 1 were subject to similar criticisms. Aesthetic improvements to the hotel and multi-storey car park were requested to improve their appearance and ensure they related better to the public realm in front of the station.
- 9.3.5 The applicants reworked and resubmitted their plans in September 2016. The revised plans included welcome improvements to the quality of the flats by reducing the number that were single aspect, increasing the number of 3-bedroom flats and creating more active frontages by giving private entrances and gardens to flats on the ground floor (para. 9.14 above). All would be compliant with Building Regulations Approved Document M, Section M4(2) Accessible and Adaptable Dwellings. The architecture was improved by breaking up the long facades of the linear blocks by using a broader palette of materials, giving more vertical emphasis. The palette was also used to help distinguish “character areas”, the most distinctive being the station concourse and the flats along the riverside in phase 3.
- 9.3.6 A second critique prepared by Tibbalds and a review by the Council’s urban design and landscape officers (paras. 6.19 and 6.26 above) found that the improvements, all of which were welcome, did not go far enough to create the quality and variety of environment that could reasonably be expected for the residential areas, bearing in mind the market town morphology, of which the development would form a part – a wide range of building typologies have evolved over a long period, with no one typology dominating more than one or two blocks. Tibbalds said
- Our concern remains about the homogeneity of the units provided since it compromises the character of the development and it is likely to foster a more homogenous society.*
- 9.3.7 However, Tibbalds noted that significant improvement had been made to the commercial buildings in phase 1. The multi-storey car park, in the middle of the mixed use block, establishes the form and massing of the other elements. In order to accommodate 477 spaces the car park occupies six floors, with access and egress via Anchor Street. Its long elevations are hidden from view behind the hotel and the two residential blocks, leaving exposed elevations to Anchor Street and the station concourse. In Tibbalds’ view

The new [concourse] elevation of the car park has improved. The opening up of the stair core revealing its activity to the public is a

positive change. This has also helped to break the previous monolithic mass of the car park building into smaller elements. The new white vertical louvres are also an improvement giving a more vertical emphasis to the elevation.

- 9.3.8 Although their preference would be for retail or business units integrated into the ground floor of the building, Tibbalds welcomed the addition of retail kiosks along its frontage to the public concourse, although they must be very well detailed if they are to be viable in the long term and avoid being untidy.
- 9.3.9 The plans for the hotel have also been much improved. The building was originally a dull grey box that referenced the grey mill building opposite on Station Road. Its entrance was on Anchor Street. Now, the ground floor of the hotel has been reconfigured to bring the entrance and signing on to the station concourse, with a restaurant and one or two shops (286sq.m.) facing Station Road. The external cladding was changed from being predominantly grey to white, with mutually toning coloured panels on the entrance elevation. Tibbalds:

The elevation along Station Road and the corner of Anchor Street provides a better developed composition with the additional volume hosting the stairs core providing a more dynamic massing and sympathetic use to this corner than the originally proposed plant room.

The “perceived” height of the hotel has been increased by the addition of a storey height mesh panelled structure over the top floor (3rd floor) of the building. This structure is not a fully integrated part of the façade nor does it serve a function, however, it must be acknowledged nonetheless that this addition does help the hotel become more noticeable.

- 9.3.10 The height of the hotel is also now more compatible with the car park and in exiting the station it will help signpost the way to the town centre.
- 9.3.11 The 122 flats in phase 1 are split between buildings S1 and S2, which are six storeys in height, also similar to the height of the car park. Building S2 includes retail units on the ground floor. Both blocks have north elevations that in part face the rear of the multi-storey car park, and overlook their own small off street parking area. That elevation would be finished in white render to reflect light. Their south elevations would be finished in a mix of red/brown brick and white render and would front a road that will serve the temporary car park. The opposite side of the road would ultimately be occupied by buildings in phase 2. Building S1 also has a frontage to Anchor Street, opposite flats at John

Dyde Close that are five storeys with a pitched roof, which is a similar overall height to that of building S1. That elevation would also be a mix of red/brown brick and white render.

- 9.3.12 The eastern elevation of S2, including the retail units, faces onto the station concourse and would be finished in panels of red/brown and grey brick and white render. All elevations feature black steel balconies with timber vision panels, which have been amended to meet the London space standard for balconies. The sixth floors of both S1 and S2 have a smaller footprint than the blocks beneath them, enabling their occupiers to enjoy roof terraces. They would be finished in a black weatherboard, the overall effect being to reduce the apparent height of the buildings when seen from ground level or from a distance.
- 9.3.13 A further design consideration is the impact of the development on climate change, a matter of concern for the Bishop's Stortford Climate Change Group (para. 8.6 above). On the Council's behalf Tibbald's requested TGA Consulting Engineers to carry out an independent review of the energy and sustainability credentials of the proposed development. They found that in some areas such as the building envelope the development would perform better than national standards but in others such as on site energy generation and combined heat and power there could be greater ambition and a more effective approach to reducing CO₂ emissions. The Climate Change Group is concerned that a major development should perform better and therefore a condition is proposed to require the submission of a further energy strategy and sustainability statement addressing the issues raised by TGA (**Essential Reference Paper 'B'**, condition 31).
- 9.3.14 To conclude regarding design, prior to the application being amended there were significant concerns about the quality of design and the impact of poor quality on the lives of people who would live in the new residential neighbourhood and the appearance and character of the town. Many of the design issues are a consequence of the number and density of flats the applicant sought to construct on the site.
- 9.3.15 To enable a start to be made on site, the applicant has requested that the Council considers approving the detail of phase 1 only. The application has therefore now been amended such that phases 2-4 would be in outline, enabling a full review of the design of the residential areas prior to the submission of reserved matters applications. To confirm their commitment to working together on Phases 2-4, the applicants will refrain from submitting reserved matters applications until the Council has agreed a master plan and a design code (**Essential Reference Paper 'A'**, item 11). However, the number of

homes applied for remains at “up to 680”, 122 of which would be in buildings S1 and S2 in phase 1, leaving 458 on the remainder of the site. Although subject to a design review, the Committee should be aware that 458 may not be achievable, particularly if the housing mix and environment become more family oriented.

9.3.16 Phase 1 was also subject to criticism, and welcome improvements have been made to all of the buildings. Phase 1 is the commercial end of the development site and the mix, layout and architecture of the uses is appropriate in that context. The surrounding buildings include the Allinson Flour Mill, the leisure centre on Anchor Street and the John Dyde Close flats, all of which have considerable height and scale but they lack visual interest. The group of new buildings in Phase 1 will hide or deflect views of those existing buildings from the station concourse and Station Road and thus improve the quality of the gateway site. Nevertheless, there are further improvements that could be made to the choice of materials, including the screening of the car park, and the applicants have offered an opportunity to review them, secured by a condition (**Essential Reference Paper ‘B’**, condition 27).

9.4 4. Whether a sustainable transport solution is proposed in respect of:

a) the proposed north-south road through the site between Station Road and London Road and whether it would offer optimum benefit to the site and the wider traffic network by being designed as either an all-traffic through route or as a through route for buses and cyclists only.

9.4.1 Members of the public have expressed concern regarding the potential impact of the development on town centre roads, which are already congested in the peak hours (**Essential Reference Paper ‘C’**). However, the trip generation analysis carried out by Mayer Brown, transport consultants acting for the applicants, found that the development would generate 148 departures in the morning peak and 136 arrivals in the evening peak. There would be 52 service vehicles visiting the site per week. The analysis included the impact on surrounding road junctions, including Hockerill, and assumed a worst case in so far as no allowance was made for a shift away from travel by car, which will be encouraged by travel planning (**Essential Reference Paper ‘A’**, item 11). On the basis of that work, the County Highway Authority has accepted the development would not have a severe additional impact on traffic flow. The full analysis provided by the Highway Authority is attached to this report at **Essential Reference Paper ‘A’**, with a summary of the Highway Authority comments included at para. 6.1 onwards above.

- 9.4.2 The public consultation also showed considerable support for a link road through the site, with a number of responses mentioning as a key objective the reduction of traffic on London Road as it approaches the Hockerill controlled junction. It is a key objective for the site in the Neighbourhood Plan. The link road is a long standing proposal that was included in the previous application for the redevelopment of the Goods Yard in 2002 (para. 3.1 above). At that time the proposal was for an all-traffic through route, and it appears that a number of scenarios were modelled, including Dane Street reverting to two-way traffic. However, the modelling showed there would be additional consequential congestion elsewhere on the network that gave rise to concern on the part of the County Highway Authority. (It should be noted that the application in 2002 included a food store on the site, which would have had a considerable impact on the road network).
- 9.4.3 A Site Development Brief was prepared in April 2004 by the Council, which included a new link road, as did the East Herts Local Plan in 2007. A Transport Assessment was prepared for the development of the Goods Yard in 2005 for Barratt Homes and a Bishop's Stortford Transport Study included detailed modelling of the impacts of the link road and Goods Yard development.
- 9.4.4 In building the evidence base for the District Plan, Peter Brett Associates were invited by the Council to provide additional analysis on the transport impacts arising from the provision, or not, of a new link road running north-south through the Goods Yard site. They concluded that that the highway capacity benefits a new link road would bring would be marginal and would be outweighed by the dis-benefits.
- 9.4.5 In the light of this evidence, the County Council took the view that the link road would still be of benefit as a link restricted to buses, taxis, cyclists and pedestrians, which they termed a "sustainable link". That is how the link road has been presented in the current planning application, incorporating a suitable bus gate. However, since the application has been amended such that phases 2-4 are now in outline, approval is sought only for the route of the temporary link road required during the course of construction. It would be built during Phase 1 to adoptable standard and include a bus gate (**Essential Reference Paper 'A'**, item 8). The final route alignment would be determined in the reserved matters applications.
- 9.4.6 The Town Centre Planning Framework (para. 5.7 above) makes a number of land use and layout suggestions for the Goods Yard in the context of proposals in section 8 for the wider area of the *Station and*

Southern Riverside. It strongly supports the construction of a north-south link road, saying on page 100:

The proposed approach establishes a strong, legible spine through the development, potentially allowing a north-south vehicle route, either for buses and cycles or for all vehicles as part of a wider re-planning of traffic movement.

and on page 102:

A significant change to traffic movements in Bishop's Stortford would occur with the creation of a new north-south link road through the Goods Yard site, connecting to Dane Street and the B1383 London Road. This new piece of highway has the potential to relieve the Hockerill Cross junction, a focus for congestion and pedestrian/cycle severance.

Dane Street would operate two-way with the new link road in place, to connect The Causeway to London Road via the station forecourt. Much of Dane Street has sufficient space to create wider footways with separate cycle tracks or lanes. This will help reduce the dominance of motor traffic in this part of the town centre, and improve links between the station and the north of the town centre on foot and by cycle.

- 9.4.7 In consultation on the Framework 88% of respondents supported an all vehicles link road. Therefore, to help inform the Committee in respect of the Goods Yard application, the Council commissioned Phil Jones Ass., the transport planning consultants who worked with Allies and Morrison on the Framework, to model the options for managing traffic on the link road. A VISSIM microsimulation traffic model has been constructed to establish the traffic implications of the various proposals. The model covers the whole town centre area and is set up to test weekday AM and PM peak periods. It was decided to run scenarios for 2021, assuming proposed new developments had been completed.
- 9.4.8 The base model has been validated by showing that it replicates current traffic conditions, within normal modelling tolerances – the 2016 base in the table below. The 2021 projection takes into account the residual additional traffic flows from proposed developments in the town such as Bishop's Stortford North i.e. the traffic flow after allowing for bus use, cycling and walking. About 500 extra town centre vehicles trips are expected in peak hours associated with development growth in 2021, and journeys at both a.m. and p.m. times are expected to get significantly more congested over the next five years if no changes are made to the network.

9.4.9 Several scenarios were run, scenario A being the creation of a new spine road through the Goods Yard site for use by all traffic, with Dane Street turned into a two way street. Scenario B is the same but with Goods Yard development traffic added. Scenario C models the development of separate north and south vehicle accesses into the Goods Yard site with a bus-only link, i.e. the “sustainable link”. Scenario D tested the implications of building a full pedestrian crossing phase into the Hockerill signal junction. The following table shows the results in average journey times and speed.

Scenario	AM		PM	
	Av. journey time (secs)	Average speed (mph)	Av. journey time (secs)	Average speed (mph)
2016 base	523	8	267	13
2021 projection	619	7	410	9
A	643	6	424	8
B	651	6	435	8
C	709	6	444	8
D	687	5	484	7

9.4.10 The results show that the all traffic link road tested in scenario B was slightly better overall than the sustainable link tested in scenario C. One reason there is only a small difference between the two is that scenario B involves additional junctions that create delay. However, scenario B also had the advantage of taking around 300 vehicles out of the Hockerill Junction. Normally, those 300 vehicles would soon be replaced by others attracted by the slightly better travel time, so instead it was proposed to use the saving by testing a pedestrian crossing phase, modelled in Scenario D. The junction needs to be more pedestrian friendly, but the testing showed longer journey times and slower speeds.

9.4.11 To conclude, on the basis that any advantages of the all-traffic through link are small, the Highway Authority takes the view that the sustainable link, Scenario C, should be implemented. This has the advantage of encouraging increased bus use, which, together with walking and cycling, will have a lasting effect in improving traffic flow in the town. With phase 4 the link allows cars to access the station car parks from the south rather following the existing circuitous route via South Street, Potter Street, Bridge Street, Link Road and Dane Street.

9.4.12 However, it would be prudent to ensure that the link road is constructed on an alignment that will allow it to be converted to an all-traffic through route in the future should different circumstances justify it. Since the application has been amended such that phases 2-4 are in outline there is the opportunity to work with the applicants to achieve such realignment. Indeed, the link road might remain on the eastern alignment of its temporary route, thus avoiding taking traffic through the residential areas.

9.4.13 *b) Whether a sustainable transport solution is proposed in respect of the proposed bus station, taxi rank, cycle parking and drop-off areas and whether they are well designed and big enough to provide a transport interchange suitable for the future.*

9.4.14 Policy TRA 1 of the District Plan says that to achieve accessibility improvements and promote sustainable transport development proposals should put considerable emphasis on sustainable transport:

Ensure that a range of sustainable transport options are available to occupants or users, which may involve the improvement of pedestrian links, cycle paths, passenger transport network (including bus and/or rail facilities) and community transport initiatives. These improvements could include the creation of new routes, services and facilities or extensions to existing infrastructure and which may incorporate off-site mitigation, as appropriate. In suitable cases the provision of footways and cycle paths alongside navigable waterways may be sought, along with new moorings, where appropriate.

9.4.15 The redevelopment of the Goods Yard represents an excellent opportunity to develop a residential quarter with a low rate of car usage by residents and an improved transport interchange that will both encourage commuters to access the station by more sustainable modes of travel and that will serve the public in making other journeys to and through the town centre. The following table, taken from the applicant's transport assessment, shows the current means of travel to the station, together with a summary of the improvements that the development will bring in the case of each mode.

Interchange Mode	Proportion of total trips	Main improvements
Access on foot	49	Improved routes within the site; improved signage; improved crossing point at Dane St / Station Rd junction; new access route from the south; contribution to new footpath alongside Station Road bridge over Stort.

Parking	27	Provision of two multi-storey car parks offering additional spaces.
Kiss and Ride	14	Better crossing facilities to and from the station.
Taxis	5	Spaces outside the station and better crossing facilities; new access route from south – reduced travel time.
Bus	3	Reconfigured bus station; additional stops; new access route from south – reduced travel time.
Cycle	2	New access route from south; 100 new cycle parking spaces.
Total	100	

9.4.16 At present the station interchange includes 14 marked taxi spaces and 6 marked drop-off spaces. Surveys carried out by the applicants show that the taxi stacking area is more often used by kiss-and-ride (families dropping-off and picking-up rail passengers). They also use the Station Road ramp, and surveys show they clear quickly in the mornings and wait no longer than 5 minutes for the evening pick-up. Generally, there are less than 7 taxis in their pick-up area immediately in front of the station so taxis need to use their stacking area only occasionally.

9.4.17 It is therefore possible to use the space more efficiently, and the applicants propose 8 spaces for taxis, 3 immediately outside the station and 5 in the existing stacking area. There would be 7 drop-off spaces and the Station Road ramp would continue to be used informally. In addition, it is proposed to include a second pick-up and drop-off area accessed from the south, which will be in place for Phase 4 of the development, when the southern access to the southern car park is implemented. This will allow station users to be dropped off or picked up from the station without the need to use the main station access and interchange from Dane Street.

9.4.18 The existing bus interchange is located on Station Road where there are four bus stops. The waiting facilities are limited to shelters and there is no immediate access to retail or catering facilities. The four bus stops

form part of the routes of 15 bus services that stop at the bus interchange. The applicants found that there were 16 buses per hour but in 14 hours of video footage over two days the maximum accumulation was 4 buses on one occasion only. Otherwise the accumulation did not exceed 3 buses at any one time. Therefore the applicants propose to re-provide the four stops but with two additional ones immediately outside the station. Re-routing the 308 and 508/509/510 to use those stops via the north-south link road would result in a shorter journey, meaning that bus users would benefit from reduced journey times. This would encourage travel by bus.

9.4.19 The Highway Authority is satisfied that the total of six stops should cater for future needs, although the bus stand layout is a little tight. They therefore recommend a condition (**Essential Reference Paper 'B'**, condition 15) to require the approval of a five year bus station management plan.

9.4.20 By way of a conclusion, policy GY 3 of the Neighbourhood Plan says that

Only schemes that follow best practice (e.g. the TfL 'Interchange Best Practice Guidelines' reference guide) will be acceptable. The interchange must be safe and efficient to use for all types of users and usages.

9.4.21 Whilst the TfL Guidelines are generally employed on larger scale city interchanges, its four themes, each with four principles that are summarised below, are applicable to all interchanges:

1. Efficiency - Operations and movement; sustainability, including future proofing
2. Usability - Accessibility; safety and accident prevention, personal security; protection from the weather
3. Understanding - Legibility, permeability and wayfinding; service information
4. Quality - Perception and sense of place; built design and urban realm

9.4.22 The application demonstrates that the current operations that need to be accommodated have been the subject of careful analysis and future development in the town has been accounted for. The bus stops are a short distance from the station and the public concourse offers a safe route. Taxis and drop off are also well catered for in terms of proximity to the station and a safe route.

- 9.4.23 The location of the main group of bus stops will not be immediately obvious from the station entrance, but may be visible through the glazed hotel ground floor. A condition should be imposed to require full details of signage, service information, street furniture and lighting to ensure that visitors find the interchange easy to use and with some local character (**Essential Reference Paper 'B'**, condition 8). With improvements to the public realm, secured by condition, the design and architecture will positively reinforce the sense of place and arrival. The interchange is therefore a satisfactory component of the proposed development.
- 9.4.24 c) Whether a sustainable transport solution is proposed in respect of proposed internal cycle routes and footpaths and whether they will be fully connected to existing routes outside the site and encourage the public to use those means of accessing the station and enable residents of the development to easily access facilities the town has to offer, including the schools and health centres.
- 9.4.25 In common with the Local and District Plans, the Neighbourhood Plan puts much emphasis on using the opportunity of new development to improve cycling and walking routes. Policy GY 6 *Pedestrian and Cycle Links* identifies 5 important links from the station to various points in close proximity to the Goods Yard site and along the riverside. Some have been addressed in the detailed Phase 1 plans, though straight line routes are not always possible owing to the need to set out the buildings efficiently. Others will be secured in the reserved matters applications for phases 2-4.
- 9.4.26 Of special relevance to the very many commuters who walk to the station is a County Council project to attach a segregated cycle and pedestrian bridge alongside the narrow Station Road Bridge over the Stort. Solum has agreed to make a contribution of £120,000 towards the cost of the new and safer pedestrian route (**Essential Reference Paper 'A'**, item 13) and the County Council hopes to commence work on the project in 2018/19. Another significant improvement for pedestrians in particular will be improvements to the Dane Street / Station Road junction adjacent to the Station Road railway bridge, a crossing point that offers pedestrians, including many school children, no refuge from the traffic (**Essential Reference Paper 'A'**, item 9).
- 9.4.27 d) Whether a sustainable transport solution is proposed in respect of i) the proposed growth in public long stay car parking; and ii) the amount of parking provided for the residential development.

- 9.4.28 i) Long stay parking Users of Bishop's Stortford station have enjoyed a relatively high level of off street parking provision for many years. There is no standard for parking provision for rail commuters and it tends to be provided as opportunities arise. Bishop's Stortford commuters have benefitted from the availability of Network Rail's open land in close proximity to the station, which has lent itself to surface car parking that compares favourably with other stations in the rail corridor.
- 9.4.29 When the application was first submitted, the applicants stated there were approximately 750 public parking spaces on the site:
Premier Car Park (127)
Season Ticket Holders Car Park (172)
Main Pay and Display (248)
Third Party Car Park (200)
Blue Badge holders (9)
- 9.4.30 The Third Party car park was on land leased by DB Schenker Rail (UK) Ltd, the freight operator, and when they vacated they granted a sub-lease to Station Parking Ltd. Temporary planning permission was granted for three years on 18 April 2013 (ref. 3/13/0270/FP), which expired in April 2016. An application was not made to renew the permission last year but, there being no immediate harm caused by the use continuing, the Council did not take enforcement action pending an outcome on the current planning application.
- 9.4.31 The report on the application in 2013 includes a careful balancing of the policies for and against the proposal. National and local transport policy encourages modal shift away from the car to more sustainable means of transport such as travelling by bus, cycling and walking. Hertfordshire County Council Third Local Transport Plan (April 2011) states *E. Encourage existing car users to change to cycling, walking, passenger transport and car sharing to reduce the proportion of journeys made by car* and the report quotes the Local Plan (2007) para. 5.11.1 *...the amount of car parking provision at the end of a journey can have a big influence on the method of travel used to complete the journey.*
- 9.4.32 The report also refers to an appeal decision in respect of an application (3/09/1094/FP) for a 60 space car park on London Road. In dismissing the appeal the Inspector said that *...regardless of whether users are commuters or visitors to the town centre, the provision of additional car parking spaces is contrary to ...policy...which seeks to reduce the provision of long-stay town centre parking.*

- 9.4.33 However, the report also notes that the various policy documents extolling modal shift away from the car require that alternative sustainable modes of transport must be available for such policy to be effective. Local transport policies aim to provide an integrated public transport network, including a transport hub at the railway station but little progress had been made at the time of the application and hence the temporary permission was granted.
- 9.4.34 In order to determine how many parking spaces might reasonably be provided on the Goods Yard in the future, Solum's transport consultants, Mayer Brown, observed by means of video recordings the actual usage of the various car parks on the site. They found the following usage:
Premier 64 vehicles
Season Ticket Holders 123
Main Pay and Display 144
Third Party Car Park 358
This gave a total of 689 spaces in use on a weekday.
- 9.4.35 It will be noted that 358 users were recorded in the Third Party Car Park and it has become clear that this was not the result of a turnover of short stay users but the car park had actually been extended without planning permission being applied for. Together with 30 staff parking spaces and 9 accessible spaces for Blue Badge holders, the number of car parking spaces on the site was therefore 944, much in excess of the number described in past planning permissions and the 689 vehicles that had been observed by Mayer Brown.
- 9.4.36 The application before the Committee originally proposed two new multi-storey car parks with a combined capacity of 966 spaces. This was calculated by applying a growth factor of 39% to the 689 spaces observed to be in use to give 958 plus a few more. The factor of 39% is taken from the Network Rail: 'National Route Study', which predicts 39% growth in the use of the route by 2043. This is a questionable methodology in the context of transport policy that encourages modal shift away from the car in favour of more sustainable means of travel – note HCC Highways comments in para. 6.6 above. Furthermore, it is based on a date, 2043, that is 26 years away – there is no justification for making provision today for a guestimate of car parking demand in 2043 when travel to work and automotive technology are certain to be significantly different from today.
- 9.4.37 However, setting aside that methodology, some account should be taken of the fact that a high proportion of users of the station car parks travel in from rural areas where there is little alternative to using the

private car to travel to the station. If likely growth in the population of both East Herts and Uttlesford is taken into account, some growth in parking provision at the station may seem reasonable.

9.4.38 The applicants make the case that the proposed growth in long stay parking spaces should be balanced against features of the development that will encourage the use of more sustainable means of travel to the station: the north-south link road will reduce journey time for buses; the convenience of two additional bus stops outside the station; 100 additional cycle parking places; additional cycle and pedestrian routes; off-site improvements for pedestrians, including safer crossing points and a contribution to the cost of the new pedestrian footway on the Station Road bridge over the Stort; and the use of travel plans to encourage incoming residents and employees to adopt sustainable travel habits at a time when they are more likely to do so (**Essential Reference Paper 'A'**, item 12).

9.4.39 In conclusion on commuter parking, since the application includes details of phase 1 only, with a multi-storey car park of 477 spaces, and since the size of a second car park would be constrained by the competing uses of homes, open space and business units in the later phases, it is suggested that the matter of the overall number of parking spaces to be provided on the site should be left to be negotiated in the context of the reserved matters for phases 2-4.

9.4.40 Regarding short stay parking, Policy BIS 11 of the Local Plan (2007) says
(c) proposals for development [at the Goods Yard] are expected to accommodate adequate rail commuter car parking plus land sufficient for additional town centre parking ...

The District Plan (BISH 7 III) says

Parking will need to be provided to serve the town centre as well as commuters

and in Policy TRA 3:

IV. Where a private car park for non-domestic use is proposed, the Council will assess whether it should also be available for shared public use having particular regard to the needs of the primary user.

9.4.41 The Neighbourhood Plan in para. 4.8.6.1 mentions that in the Bishop's Stortford Neighbourhood Plan Questionnaire, 2014, improved car parking was top of the improvements that would encourage people to visit the town centre more and better cycle parking was a significant reason for people to want to leave their cars at home when making journeys within the town. In their comments on the application the Town

Council requests the provision of short term parking on the site (para. 7.2.11 above).

9.4.42 The owners of the leisure centre on Anchor Street have requested that the facility for the public to park in Goods Yard car parks in the evenings should be extended to the new car parks since it is convenient for their customers (para. 8.11 above). The applicants have expressed a willingness to permit some short term provision, including low cost evening and weekend parking, which will be set out in a car parks management plan required by condition 16, **Essential Reference Paper 'B'**. The condition requires that such plan as the Council may agree will be implemented by the operators of the car parks.

9.4.43 In addition, District Plan policy TRA 3 (V) also requires that *Where public car parks (including those for Park and Ride facilities) are proposed, or where car parks are to be provided associated with major development involving educational, health, leisure, retail, employment and business uses, provision should be for charging points for low and zero carbon vehicles (to be determined on a site-specific basis).* And that will also need to be address by the car park management plan.

9.4.44 ii) Residential parking The Local Plan (2007) includes maximum standards for residential car parking but they need to be used in the context of a more flexible approach set out in the NPPF. Paragraph 39 of the NPPF indicates that, in setting local parking standards, regard should be had to the following:

- i) The accessibility of the development;
- ii) The type, mix and use of development;
- iii) The availability of and opportunities for public transport;
- iv) Local car ownership levels; and
- v) An overall need to reduce the use of high emission vehicles.

9.4.45 Updated Vehicle Parking Standards were agreed by Council on the 29th July, 2015, and they are being taken into account through the planning application process, alongside the adopted standards. District Plan policy TRA 3 *Vehicle Parking Provision* says:

1. Vehicle parking provision associated with development proposals will be assessed on a site-specific basis in accordance with the provisions of the District Council's currently adopted Supplementary Planning Document "Vehicle Parking Provision at New Development".

9.4.46 There will be an initial presumption for the required car parking standard to be applied. Developers proposing car parking above or

below these levels should provide robust evidence to support their case. The relevant standards are:

Bedroom Dwelling	Parking Spaces
1	1.5
2	2.0
3	2.5

In Zone 2, which includes the Goods Yard, there may be a reduction of up to 75%, according to the location.

9.4.47 The application includes full details on phase 1 only. Given the proposed mix of units, the standards would indicate a need for 222 spaces. However, phase 1 is a location that is exceptionally well provided for in terms of public transport and access to shops and services and a substantial reduction from the standards would be justified. Whilst 25% would require 55 spaces, the transport hub location justifies the applicant's proposal to provide 31 spaces in the parking courtyard and in bays on street, which equates to 0.25 spaces per dwelling. They will also provide 130 secure cycle parking spaces, which is more than 1 per flat, and the draft travel plan (Transport Assessment, Appendix 23) will include arrangements for a car club to be available to residents in accordance with District Plan policy TRA 1 (**Essential Reference Paper 'B'**, condition 10). Visitor parking will be available in the public car parks on site.

9.4.48 The parking ratio for phase 1 of the development will not apply to later phases where parking will be provided as a minimum in accordance with Mayer Brown's survey of other town centre developments and streets, which found that the roads closest to the station (Stort Road, Braziers Quay and the John Dyde Close) have a much lower parking ratio than those further away, and all are in line with a proposed provision of 0.6 parking spaces per unit overall for phases 1-4. This would, however, be subject to further scrutiny in the course of considering the reserved matters for phases 1-4.

9.5 ***5. Whether the provision of affordable housing and the proposed Section 106 contributions to highways, and economic and social infrastructure are appropriate in the context of the viability assessment of the development.***

9.5.1 In common with other development in the District the Goods Yard development is expected to help meet the demand for affordable housing; to provide mitigation for some of the adverse effects of the

development itself; and to contribute towards the social infrastructure required to support the additional population that will live in the development. Development Plan policies set out the requirements.

- 9.5.2 District Plan Policy HOU 3 requires
b) up to 40% affordable housing on sites proposing 15 or more gross additional dwellings, or 0.5 hectares or more in size.
Based on current needs the Council's Housing Service would wish to see the ratio of affordable rented to shared ownership as 60:40.
- 9.5.3 Para. 14.4.13 of the District Plan says that
The Council recognises that in some cases there may be abnormal development costs which need to be considered. Applicants seeking to justify a lower proportion of affordable housing will be required to demonstrate why it is not economically viable to provide such housing in accordance with Policy HOU3.
- 9.5.4 Policies DEL 1 and DEL 2 of the District Plan state that the Council will seek proportionate financial contributions towards social infrastructure and mitigation. Both the County and District Councils offer SPD toolkits to assist developers in calculating appropriate contributions but in order to meet tests set by the CIL Regulations they must be spent on specific costed and deliverable projects.
- 9.5.5 In circumstances where the developer considers that policy and toolkit levels of contributions are unaffordable in the context of development costs overall they must justify their position by providing the Council with a viability assessment. Solum's offer in respect of affordable housing and financial contributions is set out in the schedule of proposed Section 106 heads of terms, **Essential Reference Paper 'A'**. Whilst offering to meet a number of financial contributions to social infrastructure in full, Solum have been unable to meet the Council's affordable housing target.
- 9.5.6 Solum's viability consultants, HEDC, have provided a viability assessment for Phases 1-3 dated November 2016. Phase 4 is still in operational use and would be the subject of a further viability assessment as and when it is released for development. The submitted assessment has been reviewed by the Council's viability consultants, Bailey Venning.
- 9.5.7 Bailey Venning notes that the assessment is based upon 19.8% affordable housing across Phases 1 to 3 (460 dwellings) and a 30:70 affordable rent: shared ownership tenure split. That equates to 27 units for rent and 64 for shared ownership, a total of 92 affordable homes

across the three phases. It should be noted that no affordable housing would be provided in Phase 1 owing to the very high initial infrastructure costs and funding requirements for that Phase, which includes the multi-storey car park, bus interchange, public concourse and north-south link road, and various highway improvements. The absence of affordable housing in Phase 1 would be made up for by an over-provision in Phase 2-3 such that 92 affordable homes were still achieved from the 460 dwellings in the three phases. The assessment also proposes to deliver £1,380,000 worth of Section 106 costs for Phases 1 to 3, an average contribution of £3,000 per residential unit. In fact Solum are offering more. The total in **Essential Reference Paper 'A'**, the Schedule of Heads of Terms, is £2,098,501, a difference of £718,501. Solum is agreeable to finding the Phase 1 overspend from contingency. As regards Phases 2 and 3, they will find the shortfall in the two future viability reassessments (para. 9.5.11 below). The Section 106 agreement will protect the proposed payments by defining them as the minimum sum to be paid over the three Phases, irrespective of the outcome of the reassessments.

- 9.5.8 Whilst the Section 106 financial contributions are reasonably close to toolkit calculations and the requests for funding from consultees, the affordable housing is short of the Council's target of 40%. The Council prefers a tenure ratio of 60:40 in favour of affordable rented. However, partly as a consequence of the affordable housing and Section 106 contributions on top of very high costs associated with infrastructure, highway improvements and the multi-storey car park the viability assessment produces a very substantially negative residual land value of more than £6,000,000. That would suggest the development is not viable and that the applicants are taking a commercial risk in making contributions at that level.
- 9.5.9 Bailey Venning are more confident about the viability of the development, having identified broad cost savings and improvements in residential sales values. These are, however, disputed by HEDC, largely on the basis that their own assessments have been much more detailed, looking at the circumstances of each individual flat. It should be noted that even if all of Bailey Venning's proposed adjustments were accepted, Phase 1 would still deliver a negative land value of over £4,000,000, underlining that the very high infrastructure cost is the cause of there being no affordable housing in that Phase.
- 9.5.10 Bailey Venning also considers there may be potential to place value on some elements of the car parking. Public car parking is, however, a complex area within the viability assessment. By reason of the statutes that regulate rail franchising the train operating company (TOC) benefits

from a 99 year lease on the car parking. Over the 10 year franchise period the TOC then takes all of the parking revenue. They use it to help offset their running costs, with any return above a target level being shared with the DfT. There is no provision to meet the capital cost of replacing the surface car parks with multi-storey car parks and so they are treated as a cost to the development without any of the revenue capitalised to offset that cost. However, rather than set a threshold land value for the site, which is the usual way of setting a return to the landowner in a viability assessment, the cost of the multi-storey car parks is shown as Network Rail's return as landowner.

- 9.5.11 As has been the case with other planning applications for development that will take place over a protracted period (at least 6 years for the Goods Yard) and where the developer cannot offer the full affordable housing and financial contributions requested, Solum have agreed to a viability review process which will be informed by actual costs and sales values achieved in the period up to the review(s) taking place. They have agreed to a review prior to the commencement of Phase 2 and another before the commencement of Phase 4 (**Essential Reference Paper 'A'**, item 1). Each of the viability reviews would be followed by an affordable housing review (**Essential Reference Paper 'A'**, item 2) in order to determine how best to use any additional resources in the light of changes in local needs or changes in affordable housing regulations that may have taken place.
- 9.5.12 In the event that a review was adverse because, say, sales values fell, the affordable housing provision and financial contributions in **Essential Reference Paper 'A'** would be protected. Equally, if the reviews show higher returns to the developer the Council can claim no more of the additional funding than is required to meet the affordable housing policy target and toolkit-based financial contributions. Note that the applicants have also agreed that any Section 106 underspends may be used to top up other contributions that remain below their toolkit levels (**Essential Reference Paper 'A'**, item 10).
- 9.5.13 Although Solum are unable to meet the affordable housing policy requirements at this time, it is considered that the two viability reviews and the level of financial contributions agreed so far create an acceptable position today, with a good prospect of improving on that position through the viability reviews, the second of which brings more dwellings into the frame in Phase 4 of the development.
- 9.5.14 As regards an explanation for each of the heads of terms set out in **Essential Reference Paper 'A'**, the schedule itself contains

explanatory notes and/or there is a cross-reference to a paragraph in this report. One or two items require further comment:

- 9.5.15 *Item 4 Market housing requirements* Whereas the Council is able to specify that up to 5% of affordable housing units should be wheelchair accessible, as needs dictate, (**Essential Reference Paper 'A'**, 3.6) market housing simply responds to the market itself. Item 4 therefore requires the developer to advertise that wheelchair adaptations are available at cost and respond positively to any enquiries that come forward.
- 9.5.16 *Item 5 Green infrastructure and SuDS management arrangements* Ensuring the long term arrangements for the management and maintenance of SuDS is now a responsibility to be exercised by local planning authorities in the context of a planning application. Therefore, condition 28 requires approval of the management regime for the drainage system itself and the Section 106 agreement requires approval of the management body and sources of long term funding. Likewise, the green infrastructure management requirements will be approved in accordance with condition 5 and the management body and long term funding under the Section 106 agreement.
- 9.5.17 *Item 19 Community buildings* the sum of £119,538 is in accordance with the Council's Planning Obligations toolkit but a suitable project will need to be identified in order to be compliant with the CIL Regulations. It is possible a facility could be provided on site or the sum could contribute to the extension or improvement to a building.
- 9.5.18 *Item 20 Offsite sports facilities* this large sum of £447,933, calculated in accordance with the Council's Planning Obligations toolkit, again can be spent only on an identified project(s) to be compliant with the Regulations. The Town Council has mentioned a proposed BMX track within easy reach of the Goods Yard. (para. 7.3 above) and other projects need to be identified.
- 9.5.19 *Items 21 and 22 Parks and public gardens and amenity greenspace* Identified projects might include the improvements identified within the Waterside Stortford strategy or within Sworders Field or another local greenspace accessible to the Goods Yard development (para. 7.4 above).
- 9.5.20 *Item 24 Allotments* the Town Council has requested a contribution towards the cost of providing new allotments to serve development in the town in accordance with their planning policies, last revised in September 2015. Their standard is 0.24ha of facilitated land per 1000

residents. However, they concede that there may be no opportunities to purchase a site nearby the Goods Yard at less than commercial or residential land value. On that basis, the requested contribution would be £156,000 per 1000 at commercial value and £384,000 per 1000 at residential value. Solum considers these sums would not be proportionate to the benefits for Goods Yard residents and would not meet the CIL Regulations.

9.5.21 *Item 27 Acute, mental and community healthcare* The CCG request for £1,418,640 (para. 6.47 above) is based on their evidence of build costs. This is equivalent to £3,084 per dwelling, which is very high and cannot be met in the context of development viability. It is recommended that the request is deferred to the first and second viability reviews, when there may be more funds available for contributions. It will also allow time to examine the evidence in more detail.

9.5.22 Finally, regarding the request for funding by The Rhodes Centre (para.8.8 above), the request is well founded in terms of the proximity of the Centre to the Goods Yard and it is supported by Town Council policy. However, the particular project mentioned of providing equipment for live feeds has now been brought forward by other means. Given the current position in regard to the viability of the Goods Yard development it is therefore recommended that the request for a Section 106 contribution is deferred to be considered in the context of the two future viability reassessments (**Essential Reference Paper 'A'**, item 29).

10.0 Conclusion

10.1 The Goods Yard is a large site on the edge of the town centre that has performed a valuable function over the years as surface car parking, mainly for the benefit of commuters. However, as a result of that use and environmental neglect it does not fulfil expectations as to what a major gateway into the town and the District should be like. By relocating the surface parking into multi-storey car parks and introducing a high density mixed use development this application offers the opportunity to create a lively and attractive gateway worthy of the District.

10.2 The land use mix now offered by the applicants is one that meets the Council's policy expectations for the site, notwithstanding that concerns remain about the density and design of the proposed residential areas in Phases 2-4. The particular benefits being offered include an improved transport interchange in terms of its operation and legibility; a public space in front of the station; an 80-bedroom hotel; retail units;

secure car parking; a residential development mainly offering more affordable homes for purchase; the opportunity to create new public and semi-private open spaces, including a riverside park; a north-south link road; and new pedestrian and cycle links, and junction safety improvements.

10.3 Replies to public consultation indicate that the application divides opinion, as might be expected given its location and scale. With reference to the consultation summary in Appendix C, concerns centre around four main issues:

- traffic congestion, in part mitigated by the proposed north-south link road;
- the density of the housing;
- design and architecture; and
- the adverse impact of a larger population on social infrastructure in the town.

10.4 As regards traffic congestion, the tests in para. 32 of the NPPF are as follows:

All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- *safe and suitable access to the site can be achieved for all people;*
and
- *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.*

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

10.6 In this case, the modelling carried out by Mayer Brown and endorsed by the Highway Authority shows that the development will place relatively little additional traffic onto local roads. The improvements to the bus interchange, cycling and walking routes will encourage the take up of more sustainable means of transport and at the same time create safe and suitable access for all people. The development also brings with it the new north-south link road, which although not initially intended to be the all traffic through route that many members of the public believe would reduce congestion at the Hockerill controlled junction, that option would not be ruled out by the alignment of the link road if further modelling shows its effectiveness in the future. Meanwhile the bus, cycle and taxi gate will bring efficiencies and reduce journey times for

many. For all these reasons the residual cumulative impacts of the development cannot be said to be “severe”.

- 10.7 With regard to the proposed density of housing, it is true that the applicants are still applying for up to 680 dwellings across all four Phases. However, the recent amendment to convert Phases 2 and 3 to outline in addition to Phase 4 gives the Council the opportunity to thoroughly test the true capacity of the site before reserved matters are submitted. Item 11 in the Heads of Terms (**Essential Reference Paper ‘A’**) gives the Council additional control in that regard by ensuring that the revised master plan and design code are to officers’ satisfaction prior to their submission as reserved matters. This report includes reference to the objections to the original master plan, including housing typology and mix, insufficient family homes, the limited variations in the architecture and the need for more open space and biodiversity enhancements. Many of these issues may be symptoms of too high a density. The applicants have expressed a willingness to work with the Council to address all of these concerns.
- 10.8 As regards the architecture itself, objectors identify two broad issues: firstly, they consider the proposed buildings are out of character with the town centre and the riverside because at up to 7 storeys they are too tall and, secondly, they consider the architecture to be mediocre and not at all redolent of the character of the market town. Whilst these criticisms are still levied by some at Phase 1, the opportunity to start again with the design and architecture on Phases 2-4 creates the opportunity to prepare more suitable designs and an attractive and desirable residential quarter. As regards Phase 1, the applicants have done much to improve the design of the buildings and to reconfigure them to bring more active frontages to the public areas. Conditions are proposed to secure further improvement to elevations, landscaping and the quality of the public realm (**Essential Reference Paper ‘B’**, conditions 8 and 27).
- 10.9 Finally, many respondents expressed concern regarding the impact of 1,000 or so new residents on the social infrastructure of the town, which is seen to be struggling to maintain service levels. Health and education were most often mentioned. As regards health, it is known that both South Street and Church Street surgeries are operating out of unsuitable premises and have only limited capacity for new registrations. Solum have previously offered to incorporate a new health centre in the Goods Yard site, but for reasons of affordability the NHS are currently looking at the option of using more efficiently the space at the Herts and Essex Community Hospital. They have requested a Section 106 financial contribution towards the cost of providing new

accommodation (**Essential Reference Paper 'A'**, item 26) and a request for funding towards acute, mental and community health care (**Essential Reference Paper 'A'**, item 27) will be considered again at the two reviews of the viability of the development.

- 10.10 Many contributions have been offered towards other areas of social infrastructure. They include an education contribution, which is in full accordance with the Education Authority's requirements. Whilst these contributions may seem relatively small in relation to the amount of pressure on local services, it should be borne in mind that in accordance with the CIL Regulations a developer cannot be required to make contributions that are larger than the additional demands created by the development itself.
- 10.11 This report has considered a wide range of questions that the application has raised and that have been echoed in the responses to statutory and public consultation. It has found that the land use mix proposed is policy compliant, with the opportunity to improve it further with the introduction of business units. The highways impacts of the development will be limited and offset by new and improved transport infrastructure such that the development is compliant with sustainable transport policies. The details of Phase 1 include an attractive mix of uses and infrastructure that will transform the station area, creating stronger links with the rest of the town centre and strengthening the local economy. The remaining outline phases offer the opportunity to bring forward much needed housing next to a transport interchange where Government policy encourages higher densities, subject to satisfactory design. Finally, the impact on social infrastructure will be mitigated by Section 106 financial contributions. For those reasons, the application is recommended for approval.

Legal Agreement

The Heads of terms agreed with the applicants are set out in **Essential Reference Paper 'A'**.

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; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.

KEY DATA**Residential Development**

Residential density	Number		
	Bed spaces	Dwelling units	Proportion
Phase 1			
Number of existing units demolished		0	
Number of new flat units	1	46	
	2	74	
	3	2	
Total		122	100%
Per ha			
Phases 2-4 (illustrative)			
Number of existing units demolished		0	
Number of new dwellings		558	100%
Per ha			
Grand Total		680	

Affordable Housing

Phase 1 – 122 dwellings and no affordable housing.

Proportion of 680 dwellings @ 20% = 136 units

Non-Residential Development

Use Type	Floorspace (sqm)
Hotel C1	3,035
Retail A1/A3	938

Residential Car Parking Provision

Current maximum standards (EHDC 2007 Local Plan), updated standards (19 March 2015) and proposed provision:

Unit size	Local Plan ratios	Spaces required Phases 1-3	Updated ratios	Spaces required Phases 1-3
1-bed	1.25	219	1.50	263
2-bed	1.50	417	2.00	556
3-bed	2.25	20	2.50	23
Total required		656		842
Proposed provision				
Phase	Number of spaces	Ratio		
Phase 1	31	25%		
Phases 2-4				
Overall				

Non-Residential Vehicle Parking Provision

Use type	Standard
Long stay commuter	None
Proposed provision	966