

DEVELOPMENT MANAGEMENT COMMITTEE – 27 MARCH 2018

Application Number	3/17/2588/OUT
Proposal	<p>A hybrid planning application (part detail/ part outline) for the comprehensive redevelopment of the 5.82ha Goods Yard site for mixed use purposes comprising</p> <ul style="list-style-type: none"> - 586 residential units (Use Class C3); - 3,004sqm of office floorspace (Use Class B1); - 1,001sqm of retail floorspace (Use Class A1-A4); - 491sqm of dual / alternative use retail and health care floorspace (Use Classes A1-A4 / D1); - 85 bed hotel (Use Class C1); - a care home comprising up to 55 units (Use Class C2); - a new link road through the site connecting Station Road/Dane Street with London Road; - two multi-storey station car parks (966 spaces); - new cycle parking; - car parking for the residential development; - improvements to the Bishop’s Stortford transport interchange; - new and altered access points from the adopted highway network; and - associated landscaping and public realm works. <p>The full (detailed) application comprises: Development up to 6 storeys in height providing</p> <ul style="list-style-type: none"> - 323 residential units (139 x 1bed, 175 x 2bed, 8 x 3bed and 1x4 bed, use class C3), - 3,004 sq m of office space (use class B1), - 1,001 sq m of retail floorspace (use classes A1-A4), - 491 sqm of dual / alternative use retail and health floorspace (Use classes A1- A4/D1), - a 4 storey 85 bed hotel (use Class C1), - a new link road through the site connecting Station Road/Dane Street with London Road, - one 6 storey (401 space) multi storey station car park, - new cycle parking;

	<ul style="list-style-type: none"> - 153 car parking spaces for the residential development - improvements to the Bishop's Stortford transport interchange; - new and altered access points from the adopted highway network; and - associated landscaping and public realm works. <p>The outline application (all matters reserved except for access) comprises:</p> <ul style="list-style-type: none"> - 263 residential units (Use Class C3); - a care home comprising up to 55 units (Use Class C2); - one multi-storey station car park; - new cycle parking; - car parking for the residential development; - associated landscaping and public realm works.
Location	Bishop's Stortford Goods Yard Station Road Bishop's Stortford
Applicant	Solum Regeneration (Bishops) LLP C/O Savills 33 Margaret Street London W1G 0JD
Parish	Bishop's Stortford CP
Ward	Bishop's Stortford Central

Date of Registration of Application	3 November 2017
Target Determination Date	21 February 2018
Reason for Committee Report	Major planning application
Case Officer	Femi Nwanze

RECOMMENDATION

That planning permission be **GRANTED** subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) and conditions, both set out in separate Essential Reference Papers.

1.0 Summary of Proposal and Main Issues

- 1.1 This is a hybrid (part full and part outline) planning application seeking planning permission for the comprehensive redevelopment of the former Bishop's Stortford Good Yard.
- 1.2 The application has been submitted following the consideration of a previous application for the redevelopment of the site. The previous application was refused planning permission in May 2017 on a number of grounds which, in summary are: its design and height, the lack of affordable housing, poor amenity for prospective occupiers and the lack of sufficient car parking. Following refusal, the previous application is currently the subject of an appeal, which will be considered by the Secretary of State (see planning history below).
- 1.3 Returning to the current proposals, the fully detailed planning application (referred to in this report as the full application part of the site) relates primarily to the northern section of the site; bounded by Station Road, Anchor Street, the railway line and the River Stort, including the land to the east of the John Dyde Close development. Importantly, it also includes the provision of a new north – south road link through the entire site linking Dane Street/ Station Road at the northern end and London Road at the southern end.
- 1.4 The outline application part of the site relates to the southern section of the site; generally comprising land to the south of the railway station entrance and between the railway line and London Road and the River Stort. The outline application part of the site will lie on both sides of the proposed new north-south road – which comprises part of the full planning application site.

- 1.5 In the outline planning application permission is sought for access only at this stage (with scale, layout, external appearance and landscaping being reserved for future consideration).
- 1.6 The proposals set out in the full part of the application comprise a number of separate blocks of development. Starting at the north of the site adjacent to the bus interchange (which will be remodelled as part of the proposals) and Station Road they comprise:
- A hotel;
 - A Multi Storey Car Park (MSCP) building
 - Block A, comprising of a mixture of retail floorspace, residential uses and car parking at ground floor, with residential uses above. This building is further divided above into five sub-blocks, A1 – A5
 - Buildings A6 and A7, which will be located either side (north and south) of the current station building and which will comprise retail and office floorspace at first floor and above, with cycle parking provision for rail users at ground; Building A6 is located on the site of the current southern down ramp from Station Road into the station area;
 - Block B, this will comprise a main building with dual retail/healthcare floorspace with residential units above, residential uses and car parking at ground floor and residential units above. This is also further divided into 4 sub-blocks, B2 – B5.
 - Block B1 is the furthest south of the buildings proposed in the full application. It is a free-standing building with an element of retail use at ground floor (proposed to be a café use) but is otherwise wholly residential.
- 1.7 Also proposed in this part of the application site are the roads to service the new development with, as set out above, a new north to south road through the entire site between Dane Street/ Station Road and London Road. Anchor Street would be widened at its junction with Station Road and extended through a 90degree turn to continue and link up to the new north-south road through the site. Where it passes in front of the station, the new road will

comprise part of a public space area, laid out to the north and south of the station entrance.

- 1.8 New hard and soft landscaped space will be formed around and between the buildings. The most significant, in this part of the application, is the space around the River Stort foot/ cycle bridge (referred to throughout as the River Stort bridge) linking the site with the maltings buildings on the west side of the river, the Rhodes Centre and beyond. This new landscaped space will link through into the new space created at the frontage of the railway station.
- 1.9 In this part of the application, the connection between the new road through the site and London Road will enable vehicle movements north to south only. It will not be permitted to turn left out of the southern end of the site onto the northbound London road, or turn right into the southern end of the site from the south bound London Road.
- 1.10 Following consideration of the scheme by the Highway Authority, the applicant has clarified the proposals as initially submitted (through proposed condition details received 9 Feb 2018). This now makes clear that, as part of the development of the full application part of the site and its subsequent operation, the new north-south road will be available for public service vehicles (buses) only. In this respect, it will be a 'sustainable link'. In this report, this form of use is referred to as a 'sustainable link'. Where commentary is set out which describes the full open use of the new north-south road, this is described as 'all-vehicle' use.
- 1.11 At a trigger point to be agreed, most probably as part of the consideration of any reserved matters applications relating to the outline part of the site (or any new full planning application for that part of the site), the use of the new north-south road can be reconsidered following the completion of further modelling and transport assessment work and thereafter, could remain as a sustainable link, or be opened up to all vehicular traffic.

- 1.12 The outline part of the application comprises further buildings (again from north to south) as follows (note that the outline details are indicative only at this stage):
- Block C, further divided into three sub-blocks, C1 to C3. Sub block C3 is the proposed care home use. Other than that, residential car parking and new residential uses would be provided at ground floor with residential above.
 - A second Multi Storey Car Park (MSCP);
 - Four separate blocks, D1 to D4, all residential and located to the west of the new north-south road provided as part of the detailed site;
 - Four separate blocks, F1 to F4, all residential and located to the east of the new north-south road
 - Finally, blocks E and G, residential and located west and east of the new north-south road respectively, at the far southern end of the site.
- 1.13 Residential car parking would be provided within the blocks, as indicated, in between them in courtyards and alongside, in roadside parking bays, along the new north-south road. Note, whilst the new north-south road is included within the full part of the application site, it is the carriageway of that road only that will come forward at that stage. Roadside parking bays and the pedestrian footway will comprise part of the outline site.
- 1.14 The outline site will comprise further landscaped spaces, primarily along the riverside edge, with deeper areas of landscaped space alongside block D1 and the northern part of block E. An improved towpath is proposed in this part of the development, requiring the use of land within the control of the Canal and Rivers Trust alongside the river.
- 1.15 The policy context is set out below in this report. Having regard to that and the details of the proposals, it is considered that the main issues that Members will need to consider, when reaching a view with regard to these proposals, are as follows:

- Whether the application has provides a satisfactory mix of uses and scale of development given the policy context, including the current East Herts Local Plan (2007), the emerging District Plan, the Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley (the NP), the Town Centre Planning Framework and the Town Centre Planning Framework and the Goods Yard Master Plan
- Whether the development provides improved transport connections in Bishop's Stortford given its key location adjacent to transport hubs
- Whether the development provides an appropriate layout, scale and appearance of buildings;
- Whether the landscape proposals are acceptable;
- Whether the development has appropriately addressed flood mitigation;
- Whether the development provides improved measures for the enhancement of this part of the River Stort and its biodiversity;
- Whether the development provides a satisfactory level of car and cycle parking;
- Whether the development provides an appropriate housing density;
- Whether the development provides an appropriate mix of housing tenures – balance between market housing and affordable housing;
- Whether the development provides an appropriate level of infrastructure; having regard to overall viability of the proposal;
- Whether the development will result in an acceptable outcome with regard to the general amenity of the occupants of the new properties, the occupiers of the existing surrounding properties/ and the relationship with existing neighbouring land uses.
- Whether overall this is a sustainable form of development and, in that respect, has satisfactorily addressed the reasons for refusal of the previous application (application 3/16/0530/OUT)

2.0 Site Description

- 2.1 The site is located within the central part of Bishop's Stortford. The northern most part of the site, effectively the bus interchange land, is located within the Bishop's Stortford Conservation Area. More of the northern part of the site taking in the station buildings, is identified as being within the town centre, as defined subsequent to the adoption of the current Local Plan in 2007 and as now defined in the emerging District Plan. The overall site comprises of approximately 5.82 hectares of brownfield land.
- 2.2 The site was formerly used as a freight interchange at Bishop's Stortford railway station. It is owned by Network Rail who operate the railway assets in the vicinity of the site. The surface station car parks that are currently on the site are operated through lease arrangements between Network Rail and the train operating company.
- 2.3 At the time of the submission of the earlier proposals for the redevelopment of the site, the applicant also submitted proposals for temporary car parking provision. These came forward at that time to ensure that, if the previous main redevelopment proposals had been permitted, there would not be a loss in the availability of parking during the construction period and before the first MSCP became available.
- 2.4 As a result of the refusal of the previous main redevelopment proposals, those car parking proposals were considered in isolation. Planning permission has been granted and, once implemented and made available, they will provide an additional 422 space parking area to the south of the NCP parking areas that have been in place for some time. Total parking space occupation at the site is currently limited by condition to 772 spaces. At the time of writing of this report, the additional parking area has not yet been opened.
- 2.5 The land is largely level. The River Stort navigation and its towpath lie adjacent to the south western boundary of the site. The eastern boundary of the site is adjacent to London Liverpool Street –

Cambridge Railway line. To the west/north west of the site are the residential buildings of John Dyde Close and to the north of them, the leisure centre uses including licensed premises.

- 2.6 The bus interchange is situated to the north of the station and is included within the application site. To the north of this, on the other side of Station Road, lies the Allinson Flour Mill and a further licensed premises, the Fountain Public House.
- 2.7 The southern end of the site is characterised generally by underused land with some operational use associated with the railway line. There are also a number of mini open watercourses on this part of the site and some derelict buildings.

3 Planning History

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

Application Number	Proposal	Decision	Date
3/16/0530/OUT	Hybrid planning application for mixed use purposes comprising: <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 	Refused (Currently the subject of an appeal)	23/05/17

	(Use Class C3) • 938 sqm of retail All in buildings of between three and seven storeys in height;		
3/16/0707/FUL	Construction of temporary surface level car park	Granted	15/09/17
3/13/0270/FP	Use of the former Goods yard as a temporary car park	Granted	18/04/13
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; multi- storey car park; up to 402 residential units; food store; shop units (classes A1 – A3); 60 bedroom hotel; public parking up to 372 spaces; ancillary facilities and landscaping	Withdrawn	20/10/03

4.0 Main Policy Issues

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the pre-submission East Herts District Plan 2016 (DP), the adopted East Herts Local Plan 2007 (LP), the Hertfordshire County Council Waste Core Strategy and Development Management Policies DPD 2012, and the Bishop's Stortford (All Saints, Central, South and part of Thorley) Neighbourhood Plan 2016 (The NP).

Main Issue	NPPF (para)	LP policy	DP policy	NP policy
Whether the application broadly complies with the parameters established through the approved Bishop's Stortford Town Planning Framework, the master plan for Bishop's Stortford Goods Yard, the Local Plan and the emerging District Plan and the Bishops Stortford All Saints, Central, South and part of Thorley) Neighbourhood Plan 2016 - Principle of development	11-16, 17, 49, 186	BIS10 BIS11 SD2	INT1 BISH1 BISH2 BISH7 BISH11 BISH12	HDP1 GY1 GY2 GY3 GY4 GY5 GY6
Whether the development provides an appropriate mix of land uses for the town centre	23	BIS2 BIS10 BIS11 EDE3 STC1	DPS1 BISH2 BISH7 BISH11 BISH12 ED1 RTC1	BP2 BP6 BP7
Whether the development provides improvements to the range of transport connections in Bishop's Stortford	29,30,35, 37	SD1 BIS10 BIS11 TR1 TR2 TR3 TR4 TR12	BISH2 BISH7 TRA1 TRA2	TP1 TP3 TP4 TP5 TP5a TP10 TP11 TP12

Whether the development provides an appropriate layout, scale and appearance	56, 57, 58, 59, 60, 61,62,63, 64, 66	BIS10 BIS11 ENV1 ENV3 BH6 BH14 ENV23 ENV24 ENV25	BISH7 BISH12 DES3 DES4 CFLR9 HA1 HA2 HA4 HA5 HA7 EQ2 EQ3	GIP2 HDP2 HDP3
Whether the development provides a satisfactory level of car and cycle parking	29,30,39, 40	BIS10 BIS11 TR5 TR7 TR13 TR14	BISH7 TRA3	TP7 TP8 TP9
Whether the development provides an appropriate housing density and mix of housing tenures - balance between market housing and affordable housing	47, 50, 173	BIS2 BIS10 BIS11 HSG3 HSG4 HSG6	DPS2 DPS3 BISH1 BISH7 HOU1 HOU2 HOU3 HOU6 HOU7 HOU8	HDP4
Whether the landscape and green space proposals are acceptable	73	ENV2 ENV11 LRC3 LRC9	BISH7 DES1 DES2 CFLR1 CFLR3 NE4	GIP3 GIP5 SLCP1
Whether the development has appropriately addressed	99, 100	ENV18 ENV19 ENV20	BISH7 WAT1 WAT2	GIP7 HDP3

flood mitigation		ENV21	WAT3 WAT5 WAT6	
Whether the development provides improved measures for the enhancement of this part of the River Stort and its biodiversity	109, 118	ENV16 ENV17 BH1 BH2 BH3	BISH7 CFLR4 NE2 NE3 HA3 HDP9	GIP4
Whether the development provides an appropriate level of infrastructure; having regard to overall viability of the proposal	42, 72, 173	SD1 IMP1	DPS4 DEL1 DEL2 BISH7 CFLR7 CFLR10	HP1 EP1 BP5 GIP6
Whether overall this is a sustainable form of development	7,9,11- 16, 37, 111, 120,121, 123, 173	SD1 ENV27	BISH7 CC1 CC2 WAT4 EQ1 EQ4	TP2 C1

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Summary of Consultee Responses

5.1 The HCC Highway Authority submission (undated, but received 16 Feb 2018) recommends that planning permission be refused on the basis that the Highway Authority (HA) does not support the principle of an all vehicle link road through the site. It is considered that the use of the new road in this way will be contrary to the principles of the emerging Local Transport Plan 4 (LTP4) and the current Local Transport Plan 3 (LTP3). The provision of an all vehicle road would run counter to the promotion of sustainable transport and the enablement of mode shift. This is because the new road will make it easier to drive through the town centre and to the car parks

proposed and would not contribute positively to modal shift in the town.

- 5.2 A concern is expressed that the proposals would increase severance for pedestrians, bus users and cyclists in the vicinity of the station and between the station and the town centre (because of the new road through road traffic). Although the new road (when available to all vehicles) would remove some traffic from Hockerill junction, the Hockerill Street approach will remain at capacity and the proposals fail to demonstrate that there would be meaningful benefits to opening up the new north-south road to all vehicles.
- 5.3 However, the HA proceeds to advise of a range of conditions, if the Council is minded to approve the planning application.
- 5.4 The response from the HA is provided in full in **Essential Reference Paper A**. It also sets out submissions on a number of other matters, including:
- That should permission be granted including all vehicle use of the new north-south road, the HA would want the ability to secure potential mitigation measures, which would include: the locking in of any capacity benefits related to the Hockerill junction for sustainable transport; the potential to retain the northern part of the new north-south road (to the west of the station) as a sustainable link; and additional measures to reduce severance between the station and the town centre;
 - That the policy review undertaken by the applicant is acceptable but could also have included consideration of the HCC Highway Design Guide and the Department for Transport Manual for Streets.
 - That with regard to trip generation, distribution and associated impact on the highway, the HA summarises that the applicants consultants assessment, that all vehicle use of the proposed new road will result in benefits to the operation of the transport network in the town, is based on a simple reassignment of

traffic from London Road and fails to take into account the potential attraction of traffic from other routes. The HA also notes that the all vehicle use of the new road will result in additional pressure on the one way system in the town centre, that whilst some traffic is reallocated from the Hockerill junction, Hockerill Street remains over capacity and that the new road will place additional pressure on London Road/ Tanners Wharf to the south of the site.

- That with regard to road safety, the HA indicates that more recent accident data should be considered by the applicant, along with the potential for the proposals to impact on roads surrounding the site, and not just the site access points;
- That with regard to access, the HA notes the proposals and comments that safe and suitable pedestrian facilities should be ensured. With regard to cyclists, it notes that it is unclear how these will be accommodated through the site between existing routes and the station. The HA also notes the potential for road side parking on the new road to result in injury to cyclists through the opening of car doors and that stopping buses may obstruct an on street cycle route.
- A number of comments in relation to general layout and access issues;
- That with regard to car and cycle parking, that the suitability of provision will be a decision for East Herts Council as the LPA;
- That with regard to accessibility, that the bus interchange proposals result in a limitation in relation to the use of one of the four bays. As a result, it is recommended that a five year bus station management plan is put in place (which would address a range of issues associated with the operation of the bus interchange);
- That the proposals result in a more generous area for pedestrians and cyclists to the frontage of the station.

However, the HA sets out that it should be made clear how mobility impaired users will utilise the area;

- Lastly, on the need for Travel Plans, a Construction Traffic Management Plan and appropriate construction standards (if adoption is to be proposed).

5.5 Lead Local Flood Authority advises that 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.

5.6 A number of conditions are recommended, should planning permission be granted. It is advised that these are extremely important as they relate to how the site can be drained in each phase of the development and the role of the 'ordinary watercourse' on the site in facilitating these drainage requirements. The LLFA sets out that it is crucial that this matter is handled properly to ensure that flooding does not occur both during construction and throughout the lifetime of the development.

5.7 Environment Agency comments that no objection is made to the proposals. It is advised that a permit may be needed under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for works or structures in, under, over or within eight metres of the top of the bank of the River Stort.

5.8 Canal and River Trust: With regard to the impact on the character and appearance of the waterway corridor, the Trust has no objection to the general design detail of the proposed buildings and the mix of uses. It comments that, overall the layout and design appears to be much improved over the previous submission, with the road now removed from the riverside and buildings of more appropriate mass and scale. It now seems a well-considered approach to the site. It sets out a number of comments in relation to the following:

- the treatment of the car parking areas to ensure that they are not prominent when viewed from the river;
- giving support to a café use in the southern end of block B1 and commenting on detailed treatment around that building to ensure interaction between it and the river;
- access to the river and towpath generally;

5.9 The Trust supports encouraging boats to the area and supports the proposals to provide access points for boats. It notes however the detail of works which seek to encourage direct access to the river will need to be approved by it.

5.10 With regard to water quality, the Trust notes the identified soil and significant groundwater contamination. Given this, it sets out a number of precautionary measures and points of clarification.

5.11 Lastly, with regard to biodiversity, the Trust sets out that minimal lighting should be installed near the river and comments on tree planting.

5.12 The Trust seeks a contribution or works in kind towards the enhancement of the waterway environment setting out requirements, as follows:

1. Visitor mooring infrastructure along the towpath adjacent to the site;
2. Enhanced screening of the boundary between the car parking and the River Stort
3. Improvements to the towpath accesses, directly adjacent to the site, but also to the south of the site, where the towpath is interrupted by London Road;
4. Works to the towpath trees, such as removal of the waterside trees that are causing damage to the waterway wall, and raising of the crown height of retained towpath trees

5.13 EHDC Housing Development Advisor notes that the scheme proposes 20% affordable housing provision and this has been endorsed through viability testing. Given this level of provision, a

viability reassessment would be expected at an appropriate trigger point and confirmed in any s106 agreement.

- 5.14 With regard to the full application part of the proposals, 64 affordable housing units are proposed with a 50:50 tenure split between shared ownership (SO) and affordable rent (AR). The mix of unit sizes are appropriate to a flatted development scheme. Units should be identified so that design, dispersal and the identification of wheelchair accessible units can be checked. It is noted that the tenure mix dhis does not meet the emerging District Plan policy requirement for a 16:84 split between SO and AR.
- 5.15 With regard to the outline part of the site, 53 affordable housing units are proposed, with a tenure split of 60:40, SO:AR, again, this is not in line with the emerging policy requirements. It gives an overall tenure split of 55:45, SO:AR.
- 5.16 The advisor raises the question of the potential of an affordable housing contribution for the care home element of the scheme.
- 5.17 EHDC Conservation and Urban Design Advisor notes the location in relation to the extent of the Conservation Area and adjacent listed buildings. The whole site has the potential to affect the setting of the Conservation Area. The advisor comments that the constraints of the site have been addressed well in its proposed road and building layout and the range of heights of buildings is considered to be appropriate. The architecture of the buildings varies successfully over the character areas, applying features from the past and allows for the site to remain relevant in the future. Key views and sightlines have been well considered. Because of the permeability of the scheme it will be highly visible and good quality detail will need to be ensured.
- 5.18 The proposed public spaces and landscape is deemed to be appropriate and would produce a memorable realm within the site. It is recommended that access to footpaths is secured by dedication as rights of way and all open spaces should be open to the public in perpetuity and consistently maintained.

- 5.19 The development has the potential to be a highly positive addition to the town. It is considered that it meets the urban design requirements set out in the relevant policy and would not harm the setting of nearby listed buildings or of the Conservation Area.
- 5.20 EHDC Urban Design Advisor (Allies and Morrison): comment that this is a generally strong scheme with much to commend it. It delivers the key components which are established in the Town Centre Planning Framework, including the north-south road, a clear block structure, a new station arrival, a mix of uses and a reduction in the impact of the car parking through the use of podium parking.
- 5.21 The proposed design of the buildings is well handled, with clear reference to local character which should establish a strong sense of place and create an attractive arrival at the station. It is strongly hoped that the qualities of the architectural approach be realised rather than diluted in the delivery.
- 5.22 The advisor comments in detail on a number of elements of the scheme including the legibility of the urban form, key views around the site, scale and massing, building typology, unit mix and highways and transport matters. In relation to scale, the advisor notes that undercroft parking, identified as a significant positive factor, does have a resultant impact on building heights. This, and the overall quality of the scheme, is considered to justify the scale of buildings.
- 5.23 With regard to building typology, the advisor notes that the adoption of historic industrial forms is a very positive move. It helps to achieve a sense of place and local character. It is suggested that the design could include a more direct visual reference to former malting chimneys in the town.
- 5.24 With regard to highways, the advisor refers to the aspirations of the Town Centre Planning Framework, which sought the delivery of a north-south road through the site, introduced as part of wider

measures to unpick the town centre gyratory system. The proposals deliver the relevant element to facilitate ongoing change.

- 5.25 It is noted however that the new road has almost continuous carriageway side parking. This is unlikely to be attractive to those who are not pre-disposed to cycling.

The comments are included in full in **Essential Reference Paper B**.

- 5.28 HCC Historic Environment Unit comments that the site holds historic archaeological and geological value for Bishop's Stortford and that the proposal would impact on these heritage assets of archaeological interest. It is recommended that a further programme of investigation work should be undertaken and mitigation measures identified if the planning authority is minded to grant consent. The appropriate measures can be ensured by means of a condition.
- 5.29 EHDC Landscape Advisor sets out comments in relation to the outline and full detailed parts of the proposals. In relation to the outline part of the application the advisor comments that, overall, the strategic open space strategy is considered to be compliant with the Town Centre Planning Framework. The hierarchy approach to streets is supported but the details of street lighting are not provided and this is considered to be an aspect that should be fully integrated with the layout and design of public spaces. The approach to the treatment of the riverside, residential gardens, soft landscaping and tree planning and the play and amenity spaces is supported. With regard to hard landscaping, the advice is that the siting and design of these elements should be considered carefully to ensure they appear cohesive and spaces are clutter free.
- 5.30 For the full application part of the scheme, again the strategic open space proposals are considered to be compliant with the Town Centre Planning Framework. The proposed treatment to the station frontage space is supported with some detailed comments in relation to materials and measures to ensure that vehicle access is

constrained to appropriate areas. As above, further detail of lighting is sought for elements of the scheme.

- 5.31 The approach to residential gardens, play and amenity space and soft landscaping and tree planting is supported. Some further details, with regard to materials to be used, are required.
- 5.32 Overall, the proposals are considered to provide a comprehensive and high quality response to the relevant landscape matters.
- 5.33 Herts Ecology advises that the main feature of ecological interest is the bank of the River Stort. The submitted ecological assessment provides a suitable description of the site and assessment of the impacts of development. It is noted that there is very little information with regard to enhancement measures and details should be provided. In summary, there are no ecological constraints to the proposals.
- 5.34 HCC Development Services seeks financial contributions towards the provision of services as follows:
- Primary Education: towards the expansion of St Joseph's Primary School (from 1.5FE to 2FE);
 - Secondary Education: towards the expansion of Herts and Essex High School from 5.3FE to 6FE;
 - Youth Provision: to be used towards the development of the Information Advice and Guidance (small group work) rooms either at Northgate End or, if re-provided, at the new centre;
 - Library Provision: towards improvements to the layout of the adult lending area of Bishop's Stortford Library;
 - With regard to Fire and Rescue Services, the installation of residential sprinkler systems is encouraged. In addition, all dwellings must be adequately served by fire hydrants and their provision is sought through the development.
- 5.35 HCC Minerals and Waste refers to government policy which seeks to ensure that all planning authorities take responsibility for waste management. The County Council's adopted Waste planning

documents seek to promote the sustainable management of waste, which includes encouraging the re-use of avoidable waste where possible. The Council is referred to the relevant policies of the Waste Core Strategy when determining the application.

- 5.36 The County Councils notes that, whilst it is encouraging to see that the issue of resource management has been considered by the applicant, Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). The County Council would like this to be required by condition. A development of this magnitude will produce a considerable amount of waste during site preparation and construction phases, as well as the subsequent occupancy, and a SWMP should be used to improve resource efficiency by identifying methods (including re-use, recycle or recover) to minimise the amount of waste generated on site.
- 5.37 The County Council sets out what it would expect to see covered in a SWMP.
- 5.38 EHDC Environmental Health Advisor sets out that, subject to further detailed work and the imposition of suitable conditions to secure necessary mitigation, it is expected that the proposals can be supported and environmental risks overcome.
- 5.39 With regard to the residential uses, it is noted that one of the most significant noise impacts is that generated by the Allinsons Mill. The proposal is to mitigate the impact through enhancements to glazing and ventilation. This will provide residents with choice as windows would remain openable. However, this would render any mitigation ineffective and residents would have a right to complain. Further discussion is therefore required to determine whether windows should be fixed shut.
- 5.40 With regard to the hotel, it is recommended that windows are fixed shut on the affected façade and alternative climate control and ventilation provided.

- 5.41 With regard to air quality the advisor sets out that the developer looks to minimise the impact of the development through the installation of technology (e.g. electric charge parking provision) or a financial contribution is required to be provided toward wider measures.
- 5.42 Finally, on contaminated land, the advisor sets out that the findings and assumptions in the report submitted by the applicant are satisfactory.
- 5.44 East and North Herts CCG refers to its comments made in relation to the previous application at the site. It has recalculated its funding requirements based on the revised unit numbers for the site. These are as follows:
- Primary care: £414,772 on the basis of the residential units and a further £16,220 on the basis of the care home proposed (on an assumption of 1 occupant per room);
 - Mental health costs: £113,953 for the residential units and £4,456 for the care home;
 - Acute costs: £1,297,673 for the residential units and £50,784 for the care home;
 - Community health costs: £106,669 for the residential and £4,171 for the care home.
- 5.45 Herts Police Crime Prevention Advisor comments that he is aware that it is the intention that the proposed development achieves the police approved minimum security standard, which is "Secured By Design". This is in line with Planning Policy set out at national and local levels and within the emerging neighbourhood plan.
- 5.46 British Transport Police Crime Reduction requests that the security standards of the multi-storey car parks achieve the British Parking Association's safer car park award, achievable following further consultation with developers, council and Hertfordshire Constabulary. Following the achievement of the said award and the Secured by Design standards, the proposal is recommended for approval.

(Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

6 Town Council Representations

- 6.1 Bishops Stortford Town Council (BSTC) is in objection – setting out a number of areas of concern, as follows:
- too many buildings of five or more storeys, contrary to the Heritage and Character Assessment and policy GY1 of the NP (stating buildings should be four storeys or less). The Council also comments that buildings of more than four storeys are out of keeping with this part of the town;
 - inadequate public green space, as most is assigned as private space associated with the residential units;
 - no safe cycle paths to and across the site (although acknowledged provision is made);
 - lack of a defined drop off point for commuters, and parking should be generous;
- 6.2 Whilst housing unit numbers are less than the previous scheme, future conversion of the proposed care home and office floorspace , could lead to an increase in future; the Town Council is unclear about the numbers proposed and anticipates no more than 400 units;
- 6.3 The Town Council supports the comments made by a local resident in the adjacent John Dyde site and that the comments of the Civic Federation are considered well-made and need further attention.

7 Summary of Other Representations

- 7.1 Bishop's Stortford Civic Federation comments this it is pleased that the applicant has listened to the dislike expressed in relation to the previous scheme. It notes that an appeal remains pending however and would prefer that it were withdrawn.

- 7.2 It notes that there is much in the new scheme that it welcomes. The architects have interpreted their brief to produce designs which are much more sympathetic to the surrounding environment.
- 7.3 It notes some points of concern. The amount of green space is considered to be an improvement, however, too much of it is considered to be set over for private use. It refers to the requirements of NP policy GY1 in this respect and suggests that there could be more room for public space at the southern end of the site
- 7.4 The reduction in the number of residential units is noted, but the Federation suspects that the addition of the care home and an office block means that the overall amount of development has remained unchanged or increased.
- 7.5 The main concern articulated is that, whilst the maximum height has been reduced to six storeys, too many of the buildings are considered to still be too high and represents an over development of the site.
- 7.6 The Federation considers that insufficient school places will be available to accommodate the need generated by the development. It also comments on the transport proposals, considering the assessment of the transport consultants to be an over simplification and that additional capacity should be provided for buses.
- 7.7 The proposed office building is seen to have both positive and negative aspects, assisting highway safety, but removing step free access between the station and the eastern side of the town.
- 7.8 The Federation considers that the issues it raises should be capable of solution.
- 7.9 Bishop's Stortford Climate Group – continues to support development of the site, as it is a brownfield site in a good location and so is inherently more sustainable than other sites. However, from a climate change perspective, it is considered that the

applicants new proposals are only a marginal improvement on the previous proposals. In relation to carbon reduction and water consumption, it is considered that the proposals are not ambitious enough. It is considered that the applicant should be planning to be delivering excellence, but are not doing so.

- 7.10 The group considers that big opportunities are missed, including the use of better rated windows, the maximisation of solar PV and a heat network instead of small scale gas fired combined heat and power (CHP) for some of the buildings. If provided, CHP could be extended to serve the adjoining leisure uses and potentially to the development which may come forward at Old River Lane.
- 7.11 The Group doubts the claims that the proposals will have less of a detrimental impact on traffic congestion than the previous proposals. This is because the traffic generated by other committed development is not taken into account and little or no traffic is associated with the non-residential uses. Measures to encourage sustainable transport modes are considered to be helpful, but more should be done, including financial support for better quality and more frequent buses.
- 7.12 With regard to the community heating issue, the Group has subsequently submitted a report from Carbon Descent which sets out the analysis and potential for this in greater detail, concluding that the proposals represent the opportunity to begin the process of the introduction of this method of heating in the town.
- 7.13 A submission by Rapleys, on behalf of the Allinson Flour Mill sets out the desire to ensure that the development will not prejudice the operation of the flour mill business. There is no objection in principle, however, there is an objection on the grounds of adverse residential amenity impact which is considered to be prejudicial to the operation of the mill.
- 7.14 On highway matters, Rapleys, set out that its client is supportive of the all vehicle use of the new road link, on the basis that this will potentially reduce the traffic flows on the existing network. It is

noted however that accident and near miss data that it holds (which shows drivers travelling against the one way direction on Dane Street) has not been included in the transport assessment and there is a concern that the development may exacerbate an existing road safety problem as a result.

- 7.15 It is noted that the mill operates 24 hours a day, 7 days a week. Acoustic consultants have been appointed to review the noise and vibration report submitted by the applicants. The acoustic consultant comments on a number of points in detail but summarises by setting out a concern that the applicants noise report underestimates the potential noise impact from the mill and that consequently the proposed development has the potential to give rise to complaints.
- 7.16 The operator of the Rose and Crown PH sets out that it is an established live music venue. It has no objection in principle to the proposals, but is concerned that the hotel proposed may result in objections to the music events and effectively result in closure of the pub.
- 7.17 Bishop's Stortford and Sawbridgeworth Labour Party welcomes the fact that the applicants have listened to widespread objections in relation to the previous proposals, but note that an appeal in relation to that remains outstanding.
- 7.18 Broadly the proposals are welcome, there being two issues considered most important. Firstly that permission should not be granted until confirmation has been obtained that appropriate levels of affordable housing will be provided. Secondly, a concern remains that the impact of the proposals on services (health, education and others) is not understood or adequately addressed. The mitigation proposed is considered to be inadequate.

7.19 Other representations: 11 responses have been received objecting to the proposals on the following grounds:

- Possibility of increasing congestion in the town centre and not alleviating this by adding to the capacity. London Road, Station Road, The A1250 and in particular, the Hockerill traffic lights might have longer queues and increase pollution in the local area.
- The new road should be for sustainable traffic modes only and not an all vehicle route otherwise it will lead to additional noise, traffic and pollution for local residents.
- Pedestrian safety; especially at night time - pavements around Anchor Street are not wide enough, the buildings are too high - creating a canyon effect and the pedestrian alley between the hotel and the car park will be a dead space at night.
- Lack of green spaces, play areas, community areas and cycle routes.
- Inadequate parking and access for the proposed number of residential, retail and hotel based units.
- Inadequate infrastructure to support the development - mixed uses retail/health units are inadequate to service the care home and proposed residential population.
- Additional traffic, congestion and pollution in the centre of Stortford from huge number of properties, hotel and car parking, construction vehicles.
- Possible lack of access to the River Stort and green spaces for recreational uses.
- Access to the river maybe slightly enhanced but the proposed blocks will be intimidating, are poorly designed and likely to encourage anti - social behaviour.
- Overdevelopment of the site in relation to the Bishop's Stortford as a whole.
- Lack of sufficient existing communications infrastructure and underdevelopment of the train station.
- Buildings that are too high in relation to the surrounding area, obstructing lines of sight and being detrimental for vistas.
- Proposal includes too many flats; there should be more family homes in this town centre location.

- Local surgeries and school are at maximum capacity.
- Concerns about the integrity of the applicant, as demonstrated by their actions regarding the station car park.
- Lack of effective pre-application engagement – this has been one – way only.
- Photos supported in support of the application are mis–representative and there has been no 3D model available to assist.
- Hotel is located in the wrong place facing onto a busy road – visitors will be enclosed on 3 sides with traffic pollution, noise from traffic and bars and clubs and dust from the mill. Also photos shown outside the proposed hotel in the applicants submission are mis – leading.
- Object to the provision of a 2nd multi Storey Car Park as alternative sustainable transport modes have not been taken up – land should be set aside for the second car park for 10 years to enable testing of alternative sustainable modes.
- Inappropriate materials – zinc roofs and dormers are not sympathetic to the Maltings Conservation Area and there are no examples of such in the conservation area.
- Lost views of St Michaels Church from the Station.
- Lack of cafes and restaurants along the river – contrary to Policy GY1 of the Neighbourhood Plan.
- Loss of habitat and archaeology.
- Improvements are needed to the train station as they are already busy: Bishop’s Stortford Station needs an additional platform and the train line needs two lines running each way to increase capacity.
- Lack of community facilities.
- Design of the hotel is too modern for the town and is lack lustre generally.
- Lack of a varied roofscape and use of green infrastructure.

7.20 43 responses have been received supporting the proposals. The majority of these have submitted a standardised response and, for some, addresses are not given or the respondent lives some way from the town. The supporting comments, in summary, are as follows:

- The regeneration and use of a brownfield site, contributing to the local aesthetic.
- Improving transport links to and from the station using trains and by bus and bike within the town.
- Provide housing, shops and offices which will produce jobs and boost the local economy.
- Use an architectural design that is appropriate in the context of the town's heritage.
- Parking would be concealed beneath the landscape as part of the podium parking.
- Delivery of a new hotel, offices and shops will boost the local economy.
- Treatment of the multi storey car park looks interesting and more suitable.

One resident has written to indicate that he does not object in principle, but sets out detailed concerns relating to the proposals, covered in the summary of objecting third party comments above.

8 Consideration of Issues

Introduction

- 8.1 As indicated, this planning application follows the determination of an earlier set of proposals in 2017 for the site. The previous planning application was, like this one, a hybrid planning application; seeking planning permission (outline and full) for the comprehensive re-development of the site. The total quantum of development proposed previously was up to 690 residential units, 938sqm of retail floorspace, 3,045sqm of hotel floorspace, two multi storey car parks together with car parking and associated highways and landscaping works. The height of the proposed development was between 4 and 6 storeys.
- 8.2 Planning permission for the previous proposals was refused for the following reasons:

- 1) *The design and architecture of Phase 1 of the proposed development is not of the high standard anticipated by NPPF and development plan policies. In particular, its appearance does not reflect the heritage and character of the market town and the river corridor by reason of the height and design of the buildings and the density of residential development. It fails to create a suitably attractive and memorable gateway to the town. It is therefore contrary to paragraph 58 of the NPPF, policy ENV 1 of the East Herts Local Plan Second Review April 2007, policies DES 3 and BISH 7 of the East Herts Submission District Plan and policy GY1 of the Examination Copy of the Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and Part of Thorley.*
- 2) *All phases of the development meets the Council's criteria for the suitability of a site to provide affordable housing but the application proposes no affordable housing within residential blocks S1 and S2, and only 20% across the site as a whole. This contrary to the Council's expectation that all developments of 15 or more dwellings provide up to 40% of the housing as affordable in order to make a contribution towards meeting local housing needs. It is therefore contrary to policies HSG 3 and HSG 4 of the East Herts Local Plan Second Review April 2007, policies HOU 3 and BISH 7 of the East Herts Submission District Plan and policy HDP 4 of the Examination Copy of the Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and Part of Thorley.*
- 3) *The occupiers of some flats within the residential blocks S1 and S2 will suffer a poor standard of amenity by reason of having a single aspect to the north, with a consequent absence of direct sunlight and an unattractive outlook over a surface car parking area and a multi-storey car park. This would be contrary to policies ENV 1 of the East Herts Local Plan Second Review April 2007, policy BISH 7(j) of the East Herts Submission District Plan and policy HDP 1(d) of the Examination Copy of the Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and Part of Thorley.*
- 4) *The number of parking spaces (31) allocated to residential blocks S1 and S2 would be at a ratio of 0.25 spaces per dwelling, which is contrary to the Council's standard, which, taking into account the location adjacent to the town centre and transport interchange, would*

be 55 spaces, which is a ratio of 0.45 This shortfall would be likely to lead to indiscriminate parking in the locality, interference with the free flow of traffic, poor amenity for occupiers and detriment to the appearance of the site and its surroundings. It is therefore contrary to policy TR 7 of the East Herts Local Plan Second Review April 2007, policy TRA 3 of the East Herts Submission District Plan and policy TP 8 of the Examination Copy of the Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and Part of Thorley.

- 8.3 The current planning application seeks to address the above mentioned concerns. In determining the current planning application, the previous reasons for refusal are material and it is appropriate to consider whether or not they have now been adequately addressed in the new submission. The decision the committee is being asked to make now must be made in accordance with the requirements of the development plan of course, taking in to account all other relevant material planning considerations. This means that the committee is being asked to make a fresh determination and that, whilst the previous proposals and the reasons for refusal in relation to them are material and relevant, the committee is required to take into account and weigh up all relevant issues in reaching their decision now.
- 8.4 Prior to the submission of this application, the details of the proposed development have been the subject of a request for a Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, to determine whether or not the proposed development should be accompanied by an Environmental Impact Assessment (EIA).
- 8.5 The Local Planning Authority considered the request and determined that whilst the overall development area exceeds 5 hectares, the proposed development falls within the threshold outlined in category 10 (b) Schedule 2 of the Regulations: Urban Development Projects.
- 8.6 Having regard to the nature of the development proposed, the characteristics of the site and the appropriate mitigation measures

that can be implemented, without causing serious environmental harm; it has been concluded that the proposals do not constitute EIA Development. Accordingly, the application is not required to be accompanied with an Environmental Impact Assessment.

Policy Background

- 8.7 The former Goods Yard site is identified in The 2007 East Herts Local Plan (together with the former John Dyde Training College site, now redeveloped) as a site for development which can provide a minimum of 700 dwellings, a variety of town centre uses, commuter and town centre car parking, a new link road together with a fully integrated rail/bus interchange. The 2007 Local Plan remains part of the development plan.
- 8.8 In the emerging East Herts District Plan the Goods Yard site is now identified as an allocation for development on its own (without the former John Dyde site) for, initially, the development of 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. Members will be aware that, post Examination of the District Plan, Main Modifications have now been proposed to it, which are the subject of consultation until 29 March 2018. The Main Modifications propose that the number of new homes at the site be increased to at least 600 and other community and leisure uses be added to those uses which the site should accommodate.
- 8.9 As indicated, the Examination into the emerging District Plan has now concluded, with consultation in relation to the Main Modifications, following the Examination underway. Para 216 of the NPPF sets out the weight that can be applied to emerging Plans. Taking account of the criteria set out there, it is considered that weight of some significance can now be assigned to the emerging policy position in the District Plan, as proposed to be modified.
- 8.10 The Neighbourhood Plan for Bishop's Stortford (All Saints, Central, South) and part of Thorley is a 'made' Neighbourhood Plan. Referred to in this report as the NP, the Neighbourhood Plan

includes policies on a range of issues associated with the site including, at NP policy GY2, that the site should accommodate residential use up to at least 400 dwellings, or whatever lower limit supersedes this in the draft District Plan. Given the NP is a made Neighbourhood Plan, full weight can be given to the policies set out in it.

- 8.11 The NPPF sets out (para 14) that where a proposal accords with an up-to-date development plan it should be approved without delay. Para 49 places significant emphasis on applications that propose housing; advising that: *'Housing applications should be considered in the context of the presumption in favour of sustainable development'*.
- 8.12 In 2016 the Council commissioned the preparation of a Planning Framework for Bishop's Stortford Town Centre. The Bishop's Stortford Town Centre Planning Framework (the Planning Framework) seeks to support the continued economic health and vitality of the Town Centre and guide future planning and redevelopment of this part of Bishop's Stortford as part of a range of overall planning approaches to Bishop's Stortford Town Centre. The Planning Framework was approved for development management purposes by the Council on 18 July 2017.
- 8.13 In addition to the Framework, the Council has produced informal Development Briefs for the site previously, all of which supported the principle of comprehensive redevelopment of the site. For decision making here, these are considered to have no effective weight as they have been superseded by later policy development work, including the emerging District Plan, the Planning Framework and the site Master Plan (see below).
- 8.14 A Master Plan exists for this site; it builds upon the principals established in the 2007 Local Plan, the emerging District Plan, the NP and the Planning Framework. The Master Plan sets out specific parameters for the development of this site. The Bishop's Stortford Goods Yard Master Plan was endorsed by the Council for development management purposes on 13 December 2017.

- 8.15 The following sections of the report set out advice to Members based on each of the main issues identified above.

Whether the application broadly complies with the policies in the East Herts Local Plan 2007, the policies in the Bishop's Stortford (All Saints, Central, South and part of Thorley) Neighbourhood Plan 2016 (the NP), the policies in the emerging East Herts District Plan and the parameters established through the Bishop's Stortford Town Centre Planning Framework (the Framework), the Master Plan for Bishop's Stortford Goods Yard site, - the principle of the development.

- 8.16 This section considers the principle of development taking place on this site.
- 8.17 As indicated, in the Local Plan (2007), Policy BIS11, identifies the Goods Yard site, together with the former John Dyde Training College site (which has already been redeveloped) as being a location 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 Research and Development).
- 8.18 The site allocation requires that development proposals should include a minimum of 700 residential dwellings as a whole, (i.e. including the former John Dyde site), that they should predominantly be of a small size (i.e. one and two bedrooms), and adequate rail commuter and town centre car parking should be provided as well.
- 8.19 The Planning Framework identifies a number of constraints and opportunities for the site. With regard to the principles of development, the Planning Framework identifies the potential for a new north-south route through the site, either for sustainable modes or for all vehicles. It also suggests two multi storey car parks – one screening the rail line and the other close to Anchor Street, to serve the town centre. There would be an expectation that offices,

hotels and other commercial uses would be delivered around the station, with residential development closer to the river.

8.20 With regard to transport proposals, the Planning Framework identifies the potential for a significant change to traffic movements with the creation of a new route through the site. The station forecourt could be redesigned to provide a higher quality public realm and more convenient interchange with other modes of travel.

8.21 The main features of the Master Plan are as follows:-

- The creation of a new all vehicle two – way road through the site (London Road – Dane Street/Station Road)
- The provision of a foot and cycle link from the River Stort bridge through to the railway station
- Enhanced cycle provision at the station
- Two multi storey car parks
- Residential parking at a ratio of 0.61 spaces per unit overall
- Buildings up to six storeys in height
- A mix of uses including residential, a hotel, retail and business use
- Landscaped space adjacent to the riverside - this is irregular in size, deepest adjacent to the River Stort bridge, with a separation of approx. 28m between that and the closest buildings and utilising a gap of 30m approx., between buildings B1 and C3 in the outline part of the scheme.

8.22 The emerging East Herts District Plan (policy BISH7) initially identified the Goods Yard as a strategic development site which will provide at least 400 homes, a significant amount of B1a (office) floorspace together with small scale retail provision. As set out above, the proposed Main Modifications now increase the number of new homes to at least 600. In addition to the above uses, it is also now proposed that these include other community and leisure uses.

8.23 The Bishops Stortford Neighbourhood Plan (All Saints, Central, South and part of Thorley) (the NP) also acknowledges that the

Former Goods Yard site is identified as a major development site within the Local Plan. In this regard its approach is to seek a comprehensive masterplan for the redevelopment of the site (policy GY1). The detailed requirements of the policies of the NP are set out in policies GY1 to GY6.

8.24 The Neighbourhood Plan requires:

- A welcoming appearance, providing a memorable gateway to the town;
- An integrated approach to the redevelopment of the site;
- An improved public realm;
- Green and shared spaces, with continuous public access to an active river;
- A comprehensive development that includes residential units (up to at least 400 dwellings) development including B1 Office, medical centre (local), hotel, buildings that can benefit from renewable energy, public conveniences, provision of better connections between all means of transport, improved vehicle access routes to the site and the rest of the town; together with the provision of sufficient car and cycle provision.

8.25 Against this overall policy background, the application seeks planning permission; both outline and full, for the comprehensive re-development of the site. The submission anticipates the development of a range, type and quantum of uses as set out in the relevant policies, it comprises investment into transport connections, provides new public space and delivers housing.

8.26 Given the above details of the submission, and the designation of the site for this form of development in the Local Plan, the Neighbourhood Plan and the emerging District Plan, it is considered that the principle of development of the type proposed is acceptable.

8.27 The bringing forward of the site, which, whilst used for car parking for a number of years, has the potential for far more intensive use over a range of use types, must be seen as a significantly positive

proposal in principle. In addition, bringing the site forward for development has the ability to deliver a not insubstantial number of new homes, both for the market and subsidised. Significant weight can be given to ensuring that deliverable housing sites come forward. This site has been identified by the Council as forming one of those that comprises part of the five years supply of land for housing. The NPPF continues to place a requirement on the Council to identify sufficient land in this way. In principle then, it is considered that enabling this site to come forward for development should be assigned significant positive weight.

Whether the development provides an appropriate mix of land uses for the site within and close to the town centre.

- 8.28 The 2007 Local Plan did not define a town centre boundary for Bishop's Stortford. Policy STC1 sets out that the preferred location for new retail and other key town centre uses was indeed within the town centre. A town centre boundary was subsequently defined and is now carried through into the emerging District Plan. The northern part of the site is within that town centre boundary. The remainder sits out side of the town centre boundary, but is adjacent to it. The policy approach in the 2007 Local Plan is replicated in the emerging District Plan, where policy RTC1 sets out that main town centre uses will be supported within town centre boundaries. Conversely, outside of them, an impact assessment should be provided to support proposals.
- 8.29 The NPPF identifies main town centre uses as retail development, leisure, entertainment facilities, offices, arts, culture and tourism (including hotels). In relation to town centres the NPPF sets out that planning policies should be positive, promoting competitive town centre environments.
- 8.30 The proposed office, retail, potential healthcare and hotel uses are located within the northern part of the overall site to which the full detailed application relates. Whilst the detailed element of the application extends beyond the town centre boundary, all the defined main town centre uses fall within the town centre as

identified subsequent to the 2007 Local Plan and as in the emerging District Plan.

8.31 In its entirety, the full application part of the site proposes the following mix of land uses:-

- 323 residential units (including 1 – 4 bedroom homes) (Class C3)
- 85 bedroom hotel (Class C1)
- 1,083sqm of retail floorspace (Classes A1 – A4)
- 3,004sqm of office floorspace (Class B1)
- 491sqm of dual/alternative use retail and health care (Classes A1 – A4 /D1)
- A new multi storey car park (MSCP) (401 spaces)

8.32 The part of the site which is the subject of the outline application will provide:-

- A 55 unit care home (Class C2)
- A second multi storey car park (MSCP), with a further 565 spaces proposed;
- 263 residential units (1,2 and 3 bedroom homes)

8.33 With regard to the amount of development to be provided, with the exception of specifying the number of residential units and that there should be a significant provision of B1a (office floorspace) on this site there is no specific quantum of any other development type set out in the policies relevant to the site. With regard to the number of new homes, the 2007 Local Plan sets out that the site, including the now redeveloped John Dyde site, should accommodate a minimum of 700 homes. The emerging District Plan, with Main Modifications and excluding the John Dyde site, now sets out that at least 600 homes should be provided. The NP policy requires up to at least 400 dwellings, or whatever lower limit supersedes this in the draft District Plan.

8.34 Against this policy context, the proposals now fall slightly short with regard to the emerging District Plan policy in relation to the number of new homes (as 586 are proposed rather than 'at least' 600).

However, in addition to the Use Class C3 units (the conventional dwellings) further accommodation is proposed in the form of the care home element of the outline application.

- 8.35 It is not clear at present what the 'care home' element of the scheme may comprise, in the outline part of the scheme, the submitted planning statement describing it as up to 55 units of C2 use. Such uses can vary from those where a limited range of care support is provided and residents are largely independent, through to those where significant care is provided and residents are largely or wholly reliant on this support.
- 8.36 In relation to the current Local Plan, the minimum threshold is reached and exceeded (as the 586 homes plus those at the John Dyde site exceed 700). In relation to NP policy GY2, it sets out that up to at least 400 homes are to be provided, but indicates that a lower number would be appropriate if that comes through in the District Plan. That has not been the case, the number actually increasing, from 400 to at least 600.
- 8.37 The appropriate number of new homes to be provided, as set out in the NP, is subject to some interpretation. The use of the words 'up to at least' is somewhat contradictory. 'Up to' implies a maximum of 400, whereas 'at least' implies a minimum. Given the potential for different interpretation in relation to this policy objective and that the emerging District Plan will effectively form the latest policy background, once adopted (with which a NP should be compliant), it is considered that more than 400 new homes is not unacceptable in policy terms.
- 8.38 Some concern has been expressed that the number of new homes may increase, given the uncertainty with regard to the character of the care home element, or its subsequent change, or of a change of use of the commercial floorspace proposed.
- 8.39 The care home element is part of the outline proposals at this stage. Therefore consideration of the detail of it remains to be had when the detailed proposals for that part of the site come forward.

- 8.40 With regard to the commercial floorspace, that which comprises the ground floor parts of blocks A and B is likely to come forward early, as it enables the construction of the new homes above. Given their location, design and frontage onto the main public space in the site, these units are unlikely to prove an attractive residential conversion proposal and, conversely are likely to prove attractive as commercial spaces. Bringing forward the space which has dual use potential for health care purposes as well, at the ground floor of block B, also ensures that the appetite and demand for it to be used for health care purposes can be tested early.
- 8.41 The provision of the buildings which have only commercial floorspace, for either retail or B1 uses, buildings A6 and A7, will have greater uncertainty. The applicant has indicated that it would need to consider the risk of constructing this floorspace, if occupiers have not been identified in advance. With regard to that it is proposed that the applicant be required to undertake active marketing of the potential space, in a method agreed with the Council, to ensure that the market for the buildings is fully tested.
- 8.42 The concern then that these buildings, once provided, may subsequently be proposed to convert to residential use, can also be an issue that is subject to an ongoing marketing requirement. That is, if initial occupiers depart, further agreed marketing would need to be undertaken before changes to the use of the building could be considered. In addition, conditions can be added that would remove the permitted development rights now in place which enable the conversion of commercial space.
- 8.43 With regard to the benefit of provision, using acknowledged job creation and density of use figures, the proposed 3,004sqm floorspace could lead to the creation of over 200 jobs at the site, the 1,001sqm retail space to 45-60 jobs and the hotel, a further 17 jobs (all these figures are full time equivalents). In total then 260+ new jobs could be created as a result of the floorspace proposed at the site.

8.44 In conclusion on this point then, in so far as there are policy requirements relating to the quantum of development, it is considered that the mix of uses proposed and the extent of them is appropriate and in accordance with the applicable policies. In addition to the residential uses, the risk that non-residential floorspace will either be lost through conversion or not provided at all, has to be balanced against the control the Council retains (and can implement through conditions); the use and activity of the space to the front of the station which would appear to strongly support retail and commercial uses and the benefits that these can deliver in terms of job creation and vitality. As a result, it is again considered that positive weight should be assigned to the proposals in respect of these matters.

Whether the development provides improvements to the range of transport connections in Bishop's Stortford

- 8.45 This section covers a range of matters including the use of the new north-south road, the impact of the proposals on the operation of transport networks in the town and other transport related elements of the proposals provided as part of the development. Transport provision for the residential uses, vehicle and cycle parking, Car Clubs etc, is dealt with separately below.
- 8.46 The NPPF sets out that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The transport system needs to be balanced in favour of sustainable modes. However, it is recognised that different policies and measures will be required in different communities. The NPPF also sets out that planning application proposals should only be refused on transport grounds where the residual cumulative impacts of the development (after mitigation measures have been secured) would be severe.
- 8.47 The current Local Transport Plan (LTP3) covers the period 2011 – 2031. It seeks to provide a safe, efficient and resilient transport system by making the best use of the existing network and by promoting and supporting sustainable travel. Consultation has

recently closed in relation to the updated Local Transport Plan (LTP4). The draft LTP4 sets out that it will seek to accelerate the transition from previous strategies that were largely car based to a more balanced approach which seeks to encourage a switch to sustainable transport. LTPs are not part of the development plan.

- 8.48 Following the completion of the Planning Framework for the town, the Council has commissioned the preparation of further transport strategy work. This has not been subject to consultation and is assigned no weight at this stage.
- 8.49 In the current Local Plan policy TR1 seeks to ensure that measures are incorporated in developments to ensure that alternative transport options are available and the policy sets out what they could be, including pedestrian links, cycle paths, improvements to passenger transport and the provision of moorings. Policy ENV27 relates to the impact of development proposals on air quality.
- 8.50 In the emerging District Plan policy TRA1 relates to sustainable transport, seeking to ensure that a range of transport options are available. Policy TRA2 requires that safe and suitable highway access arrangements are achieved.
- 8.51 In the NP, policy GY1 requires the use of the concept of shared space between pedestrians, cyclists and pedestrians, where appropriate and with traffic calming. Policy GY3 sets out detailed requirements in relation to the transport interchange and policy GY4 deals with vehicle connections to and from the site. It sets out that, unless traffic modelling demonstrates wait times and pollution levels will be within the limits set in policy TP1 only schemes that provide access options as follows will be acceptable. These options are a two way southern and northern access to the site. It sets out that schemes having a north-south throughway link will be preferred. Schemes that restrict or prevent full development of the site or future access from London Road will not be supported.
- 8.52 The transport elements of the Planning Framework were referred to previously, setting out that a new two-way link road through the site

could support and enable wider changes to the transport network in the town. The Master Plan anticipates that the new north-south route will be provided for all vehicles. There would be improved bus and taxi facilities, cycle and car parking and cycle routes through the site.

- 8.53 The main component of the proposals with regard to transport connections then is the provision of the new road link north to south through the site from Dane Street/ Station Road to London Road. In considering the full details of the scheme, the applicants have proposed that, prior to the first occupation of either the hotel or any commercial/ residential use, the new road will be constructed and be open for use for public service vehicles. It is likely that at the same time the new road could also be used by cyclists. Pedestrian use at this time would be discouraged, as the full part of the application site comprises the carriageway of the road only, not the adjacent footways. The amended bus interchange will also be provided.
- 8.54 An agreed programme of monitoring work would then be undertaken subsequently with regular reporting and assessment by the Highway Authority inputting to an updated Transport Assessment. The output from this will be used to determine whether, as part of either a reserved matters application for the outline part of the site, or a new full planning application, the new road should then be opened up to all traffic, or should continue to be used for buses, cyclists and pedestrians (because as part of the currently outline part of the scheme footways will be provided) only.
- 8.55 The Highway Authority has indicated that it does not support the scheme overall, because it feels that an all vehicle new road is contrary to the principles of the LTPs and is counter to the promotion of sustainable development and the enablement of modal shift. However, it does not comment specifically on whether the proposals, which enable the long term use of the new road to be 'tested' through an agreed programme of monitoring work, has a value. With regard to timescales, this period of testing is not likely

to be much less than three years, the likely build out timescale for this first phase of development.

- 8.56 The Highway Authority does however propose a range of conditions, should the LPA be minded to approve the scheme. These conditions include details of the monitoring programme, as proposed by the applicant.
- 8.57 The Highway Authority sets out that the assessment of modelling work provides no clear evidence that an all vehicle new road will provide benefits to the wider road network in the town. Whilst there may be some reduction in the vehicles which are routed through the Hockerill junction, the Hockerill Street arm of the junction will remain over capacity. No proposals are in place to capture any benefit which may accrue through reduced vehicle numbers using the junction and the Highway Authority is concerned that, as a result, any capacity will simply be taken up by other drivers who would then see that route as a more attractive prospect than it is currently.
- 8.58 The position of the Highway Authority on this matter is acknowledged. In the absence of modelling that definitively identifies benefits for the operation of the highways in the town through the provision of a new all vehicle road through the site link, the Highway Authority considers that the general policy thrust, with regard to encouraging sustainable modes of travel, should prevail.
- 8.59 It is considered that the operation of the new road on this site, whilst important, is one of a range of factors that will determine the future travel patterns in the town. As one of the actions identified in the Planning Framework and as indicated above, preparation of further transport strategy work for the town has commenced. The output of this will likely be a set of measures which could be implemented at various locations across the town and which will have a range of objectives, frequently including enhancing the attractiveness of sustainable transport.

- 8.60 The development proposals do secure other measures which seek to support the encouragement of sustainable travel. The full planning application proposals enhance the cycle and foot links between the River Stort bridge, the areas beyond it and the railway station. Whilst the Highway Authority questions the legibility of the route between the bridge and the station within the site, the details of this can be secured by condition. Cyclists will also have the benefit of the use of the largely vehicle free new road during the initial phase of development on the site.
- 8.61 Policy GY6 of the NP requires the provision of cycle and foot links through the site. The proposals secure all those required, with the exception of an eastward connection toward London Road/ Hockerill, from the station.
- 8.62 Additional cycle parking provision will be made at the station, generally in the ground floor of the commercial buildings to the north and south of the station. Whilst it was noted above that the timing of the provision of these buildings may be subject to commercial consideration, increased cycle parking of a temporary nature can be ensured early, through appropriate conditions.
- 8.63 The pedestrian environment outside the station entrance will be much improved. Whilst the severance concerns as a result of the new road are noted, it is considered that this impact, which should be tempered by the design speed of the road, is far outweighed by the improved legibility and permeability of the space.
- 8.64 Delivery of the later phase of development, currently the outline part of the scheme, will bring forward improvements to the towpath along the south western boundary of the site as a further cycle route. This provides an alternative route from the south to the station which remains vehicle free if the new road is opened up to all vehicle use.
- 8.65 At the north end of the site, the removal of the south down slip from Station Road will improve the safety of the walking route for pedestrians along Station Road. Currently the top of the pedestrian

steps from the lower to the higher Station Road lead directly onto the road carriageway at a point where three roadways converge. There is no controlled crossing at this point. The removal of one route, through the removal of the south down slip road, enables a roadside footway to be created. This will be an improvement on a route used by pupils en route to the Herts and Essex School to the east.

- 8.66 In relation to this, the comments of the Civic Federation and others, regarding the impact that the loss of the slip has on step free access to the station, from the east, is noted. It is anticipated that alternative arrangements can be made, either through the eastern station entrance, or elsewhere, to ensure such access is maintained, controlled by condition.
- 8.67 Specifically, with regard to bus services, the new road link has the potential to be utilised by regular services 308 and 508/509/510. New bus stops will be provided close to the station entrance, thereby providing journeys from Thorley Park, the south area of the town, Rye Street, Dunmow Road and Parsonage Estate, all dropping off in the forecourt of the railway station. These services may be supplemented by provision made in due course through the development of the Bishop's Stortford North and South sites (the latter subject to adoption of the District Plan).
- 8.68 The position of the Highway Authority is that this benefit should be achieved without the additional enhancement to routes available to private vehicle users. It would then make the use of bus services to access the station, or the use of cycles, comparatively more attractive.
- 8.69 The proposed monitoring period enables an ongoing assessment of the benefits of the use of the new road by buses and cyclists only to be undertaken, taking into account other transport measures which may be implemented in the meantime. As the modelling undertaken to date shows no conclusive evidence that the provision of the road as an all vehicle link does provide benefits to the town, a

further period without the new road available for use in this way should not be seen as harmful.

- 8.70 A roadside space for use by taxis is created on the east side of the new road in the vicinity of the station entrance. This will be created in the first part of the development and, whilst they would not be permitted to travel through the site on the new road, taxis will be able to circulate via the link between the new road and the existing Anchor Street.
- 8.71 As part of the proposals, improvements would be made to the carriageway of Anchor Street in the vicinity of its junction with Station Road. In relation to the temporary car park provision at the site, improvements of this nature are required to allow the use of more than 772 parking spaces at the site. A similar restriction can be placed by condition on the operation of the site before improvement works on this nature are undertaken.
- 8.72 With regard to trip generation, the Highway Authority notes some issues that it considers remain unaddressed. These include the requirement for clarity with regard to the operation of the 'care home' element of the proposals as this will have differing impacts with regard to trip generation. It questioned the assumption that the office space will generate no trips, because no parking is provided. However, it agreed that office generated traffic would not have a significant impact.
- 8.73 With regard to trip distribution, the Highway Authority raises the issue that assumptions made by the developer may not be fully realistic. This is because manual assignment of development flows, rather than a more sophisticated area wide modelling approach, has been utilised. This is the basis on which it reaches its conclusion, that the claim of the applicant that opening up the new road to all vehicles will result in benefits to the operation of the transport system in the town, is not substantiated, and does not take into account the impact of other traffic drawn from other existing routes to the new road.

- 8.74 The Highway Authority also notes that the new road, if used by all vehicles, will put additional pressure on the town centre one way system and London Road in the vicinity of Tanners Wharf. Lastly the Highway Authority notes that, whilst the link does benefit the Hockerill junction, Hockerill Street remains over capacity.
- 8.75 All these points are noted, the Highway Authority however does not give a view on the likely degree of impact on the highway network as a result. Importantly, it does not reach the view that the test for resisting development proposal as set out in the NPPF, that is that they have a severe impact, has been breached.
- 8.76 The Highway Authority set out a number of detailed comments relating to access, road layout, widths and alignment matters. The applicant has responded to these in a letter dated 22 Feb 2018 and it is considered that all these detailed issues have either been addressed or can be addressed through minor detailed plan changes or conditions attached to any permission, if it is forthcoming.
- 8.77 The next section of the report addresses the issues relating to parking provision associated with the non residential uses on the site. Policy BIS11(c) of the Local Plan 2007 requires any proposed development of the Goods yard to ...'accommodate adequate rail commuter car parking plus land sufficient for additional town centre parking.....
- 8.78 Policy BISH7 (III) of the emerging District Plan requires ..'on – site car parking... to be sufficient to meet the needs of the uses proposed without encouraging travel to the town centre in order to avoid worsening traffic congestion'
- 8.79 Policy GY5 of the NP sets out that only schemes that address the need for car and cycle parking now and in the foreseeable future, in accordance with policy GY3 (which sets out details of catchment areas and ensuring that other committed development is taken into account), will be acceptable. Car and cycle parking should be

maintained during construction and be increased accordingly when any part of the scheme comes into use.

- 8.80 Other parts of the policy set out the need for suitable cycle parking, attractive and good quality car parking and car park entrance and exit arrangements that operate efficiently. The policy supports car parking in the area of the site adjacent to the rail line and car parks which can be accessed from Station Road bridge over the railway line and from London Road.

The current availability of parking spaces at the site is as follows;

Premier car park	127
Season Ticket holders	172
NCP Pay and display	248
Blue badge	009
TOTAL	556

- 8.81 In addition, a further temporary parking area has been constructed, but has not yet been opened for public use. That parking area will provide a further 422 parking spaces, giving a total of 978 spaces. However, it is subject to a condition which prevents more than 772 spaces in total, across all of the parking areas, being available prior to the completion of works to improve the access to the parking areas by widening up the carriageway of Anchor Street at its junction with Station Road.
- 8.82 These proposals, whilst not fully detailed, seek the delivery of 966 spaces eventually. This is the same as the level of parking provision anticipated in the previous scheme for the redevelopment of the site. The first MSCP, part of the detailed scheme, is to provide 401 spaces. The second MSCP, in the outline element of the scheme, will deliver the balance of spaces. In that respect, the final number can be considered again when the full details of that part of the scheme come forward.
- 8.83 This total number proposed is calculated by applying a growth factor of 39% to the 689 spaces which were observed to be in use by

the applicant, prior to the submission of the previous application relating to the site. This growth factor is taken from the Network Rail, National Route Study, which predicts a 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 modes of travel. Even in the context of Bishop's Stortford where it is recognised that 'out of town' commuters may have little option but to travel to the station by using their own vehicle. In addition, the 39% growth figure is based on a date, 2043, that is 25 years away. Working to this figure now directs resources to making provision for a target date considerably in the future without paying heed to the potential impact different travel to work patterns and automotive technology are very likely to have.

- 8.84 Setting aside the methodology, as indicated above, account needs to be taken of the commuters who travel in from rural areas beyond the town and for whom alternatives to the use of private vehicles are limited.
- 8.85 In the context of the current car parking permissions relating to the site, the same controls should be put in place restricting the available provision to no more than 772 spaces in advance of the works to improve the carriageway of Anchor Street at its junction with Station Road.
- 8.86 If permission is forthcoming, arrangements will need to be put in place to manage the provision of spaces across the site as and when development commences. This is because the first phases of development, the hotel, first MSCP and building A are to be located on part of the site that currently comprises the premium and season ticket parking areas. Once the first MSCP is open and available, development can then progress southwards across the site, requiring other currently surface level parking areas to be taken out of commission. A construction phasing plan of this nature can be required by condition.

- 8.87 Policy BISH7 in the District Plan seeks the provision of parking to serve town centre uses. In this respect, the applicants have expressed an intention to permit this in the first MSCP. They indicate that it will be available throughout the car park, after the morning commuter peak has passed. A specific short stay tariff will be available. It is suggested that a condition be applied which will require a car park management plan to be submitted and agreed covering this point.
- 8.88 Whilst the intention is positive, and evening/ weekend provision will be available, there is a concern that weekday day time provision will be limited because the commuter demand will actually utilise most, if not all spaces in the car park, thereby ensuring that there is no remaining capacity for short stay day time users. The applicant has indicated that data will be provided setting out details of existing demand, to support a case that provision will be available. That has not been forthcoming as at the time of publication of this report.
- 8.89 In the absence of definitive data at present, it has been proposed to the applicant that part of the first MSCP could be dedicated the short term day time use, therefore guaranteeing some level of provision. Given that the growth in commuter parking is projected to take place over a significant period of time into the future, it has been proposed that any dedicated short term parking arrangement could endure for a period of time, after which a review could take place taking into account changes in travel patterns, the take up of sustainable modes and parking demand. This has not been agreed at this stage.
- 8.90 Emerging policy TRA3 requires the provision of charging points for low and zero carbon vehicles in car parks associated with major developments. Provision can be secured by condition.
- 8.91 Parking standards are set out in the Councils Parking Provision at New Developments Supplementary Planning Documents and in emerging standards, for commercial floorspace. No specific parking provision is made at the site. The guidance sets out that a site based assessment should be undertaken. Given the central location

of the site and its location adjacent to the transport infrastructure in the town, this absence of additional parking provision for these uses is considered acceptable. Provision was the same in the earlier proposals for the non-residential floorspace, and whilst less floorspace was proposed, this was not included as a matter in the parking related reason for refusal at the time.

- 8.92 In summary then, the proposals have some elements which will support the choices of those who seek to travel by more sustainable modes. Walking and cycling routes to the station will be enhanced. Cycle parking provision will be increased. The new road is proposed to be operated as a sustainable link only during the construction and operation of the first phase of development. The benefit it delivers to the transport network in the town can be tested during this phase. The Council will be in a position to take a decision on the longer term use of the new road at a point in the future.
- 8.93 The proposals will also increase parking provision at the site, a policy objective, whilst not necessarily supporting the encouragement of sustainable travel. However, in that respect, the relevant policies identify the need to ensure a range of support and demand management measures with regard to future transport provision. There is some prospect of delivery of space for short term parking associated with town centre uses, this is not resolved yet however with regard to weekday day time demand.
- 8.94 Detailed matters relating to the delivery of development at the site can be covered by conditions.
- 8.95 Some uncertainty remains then with regard to the long term impact of the proposals on the transport network. Overall, it is considered that the proposals do not result in an unacceptable impact on the transport networks in the town and result in a number of improvements. These can be enhanced by other measures that the Council can seek to implement as the development comes forward. It is concluded that neutral weight should be applied to the proposals in respect of their impact on transport connections in the town.

Whether the development provides an appropriate layout, scale and appearance of development.

- 8.96 This section deals with these matters and also considers the amenity created for new residents of the site and the impact on the amenity of those who already live in proximity.
- 8.97 Paragraph 60 of the NPPF states that, "Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness."
- 8.98 Current Local Plan policies set out the expectation that a high standard of design is achieved (policy ENV1). In the emerging District Plan, as well as generic policies, policy BISH7 requires high quality design providing varying character and style across the site. In the NP, policy GY1 requires a welcoming and attractive appearance. Development must be of a high quality that demonstrates an understanding of local history. There should be people friendly features such as seats, trees and shrub planting, water features, sculptures, informal meeting places etc.
- 8.99 With regard to building heights, policy GY1 sets out that there should be a downwards gradation of building height towards the river/ towpath, to avoid canyoning of the riverbank. To the south of the River Stort bridge, buildings should generally be lower than on the northern part of the site.
- 8.100 Policy GY1 also goes on to say that, north of the bridge, bold innovative styling acknowledging local heritage can be used.
- 8.101 Layout, scale and appearance were matters of concern in the consideration of the previous application; comprising two of the three reasons for refusal. In particular the application was refused due to concerns relating to the height of development; its

appearance when compared to its surroundings and the general amenity of prospective residents in some of the new residential units.

8.102 In order to ensure full consideration of urban design issues, the Council has engaged external Urban Design advice, in addition to its own in house resources. The comments of the external consultant (Allies and Morrison) on the this scheme have been summarised in the consultee responses section above and have also been provided in full in **Essential Reference Paper 'B'**.

8.103 The main feature that has influenced the layout of proposed development is the new north – south road through the site.

8.104 The proposed road will feature as the spine of the development. Its positioning throughout the site provides an appropriate focal point for the layout of development blocks. In this regard it provides a street frontage for buildings to face on to. Given the location of the site within and close to the town centre and the important gateway and wayfinding purposes it should fulfil, an active street frontage is essential certainly for the northern part of the site. Secondary roads permeate the site from the main through road; providing important links to the riverside.

Layout of the full application (northern part of the site):

8.105 A new public space in front of the station will be the focal point of development on the site. Between the closest buildings in block A and the edge of the space adjacent to the rail line, the space will be approx. 33m in depth. This will narrow where the rail station buildings themselves are located (to about 20m in depth). New surface materials will be laid in the area and to both the north and south of the station buildings and alongside the north-south road, tree planting will be implemented.

8.106 As indicated, main town centre uses, such as the B1 office, retail uses and the hotel are proposed to be located in the northern part of the site. The positioning of these uses in this part of the site

broadly complies with the master plan. The layout of buildings comprises two main building blocks (mainly opposite the station – blocks A and B) with internal car parking courtyards.

- 8.107 Two smaller free standing buildings are proposed; one each side (north and south) of the station, buildings A6 and A7. A further building, the proposed hotel, is located to the south of the bus interchange and north of block A. The proposed MSCP is located to the west of block A. South of the main block B building is a further free-standing building, B1. The layout of the blocks and the spaces between them are considered to be acceptable as care has been taken to ensure that their layout provides an appropriate frame to the station whilst also providing appropriate permeability and views. Considered most important in that respect are the views toward the River Stort bridge and the maltings beyond. This will not be available directly on exit from the station buildings but will become apparent as one moves southward through the space in front of the station.
- 8.108 It will not be possible to retain views directly toward the town centre, toward the Leisure Centre buildings and the Rose and Crown pub. However, the main pedestrian links northward would be readily apparent and can be enhanced by wayfinding signage.
- 8.109 The layout of buildings in this part of the site has been revised, subsequent to the earlier application, in an effort to address some of the concerns that formed the grounds of refusal. In the previous application, the MSCP was positioned as an east – west building in between the hotel and the proposed housing such that its long side elevation would be viewed by both of the proposed residential blocks facing it to the south. Concerns were raised as a result regarding the amenity of residents in those residential blocks which would be facing north with an outlook toward the MSCP.
- 8.110 It is considered that these concerns have been addressed in the current scheme. The MSCP has now been positioned to the western edge of the site on Anchor Street and has been re-orientated so its greatest length is north to south. Residential blocks are now

proposed to be sited primarily to the east of it. Some units, in building A5 remain to the south of the MSCP. The amendment to the positioning of the MSCP will mean that it will no longer be readily visible from the station. Appropriate way finding signage will be required (details can be requested by condition) to ensure that it can be easily located from within the town centre and from the station.

- 8.111 Concerns have been raised regarding the positioning of the hotel adjacent to the main bus interchange (and not adjacent to the train station as shown in the master plan). One concern has been raised regarding the fact that the hotel has not been positioned in the southern part of the site so that it is adjacent to the River Stort, whilst another concern has highlighted the fact that the proposed positioning of the hotel is close to an existing business (the milling operation to the north of Station Road) which is likely to raise noise issues due to its 24 hour operation, and close to the nearby pubs, leading to further concerns.
- 8.112 The location of the hotel complies with that anticipated in the Master Plan, where it is indicated that the hotel is proposed to be in the northern section of the development; adjacent to other town centre uses and not adjacent to the River Stort. It also complies with the requirements of NP policy GY2 which sets out that the hotel should be located close to the transport interchange.
- 8.113 Block B buildings (B2 – B5) form a further single block with internal parking, decked over with a landscaped space above. This is located to the south of block A buildings with an intervening road. Blocks A3 and B4 are located so as to form an entrance into the open area to the frontage of the station. Block B1 is a free standing building, further south of the main block B buildings and located between it and the river. At ground floor, closest to the river, retail space is included, which can be utilised as a café, taking advantage of the riverside location. To the east, the block B buildings are situated adjacent to the boundary with the residential units at John Dyde Close. To the south east, block C buildings are proposed, in due course, as part of the currently outline part of the overall scheme.

8.114 Between blocks B and C, extending toward the river and included within the fully detailed scheme is a new landscaped space with foot and cycle links between the River Stort bridge, the towpath and the station. Landscaping of this space will considerably improve the experience of this riverside area with the potential to make it an attractive area to linger and enjoy, particularly with the potential benefit of the café facilities in the ground of building B1.

Amenity issues: northern part of the site

8.115 As a result of the reconfiguration of the northern part of the site, there are now only 5 residential units within the proposed blocks surrounding the MSCP that will have a north facing bedroom looking onto it. These units however will be dual facing so will have southward facing rooms to the main living space. All other units within the residential blocks surrounding the MSCP will not have windows directly facing the structure and, as a result, it is considered they will have an adequate level of residential amenity. In the previous submission, all habitable rooms in 13 units and 1 habitable room in a further additional unit were facing the MSCP.

8.116 The proposals now in front of the committee also include the provision of podium amenity areas for blocks A and B. In the previous scheme ground level parking was unenclosed, ensuring it would be visible in views from the new residential units above, and no separate private amenity was to be provided. Now the podium amenity areas enclose the parking, removing that from views and replacing it with a more visually pleasing landscaped and paved area.

8.117 For a development of this size, it is not considered possible to completely eliminate north - facing rooms. Those that remain relate to one bedroom within a 2 bed unit; this is considered to be acceptable as other rooms within the flat will provide an acceptable form of amenity. Given the above, it is considered that the amenity provided is acceptable and the previous concerns, that were

articulated in reason for refusal No3, relating to poor standard of amenity, would no longer apply.

- 8.118 The relationship between the siting of the hotel and the block to its immediate south which includes retail, residential and the MSCP, is the part of the site which has buildings in closest proximity. A 6 metre wide footway route is provided between these buildings which is the route through to the MSCP.
- 8.119 Concerns have been raised regarding the safety of this footway as a thoroughfare to the MSCP and out to Anchor Street, especially at night time. However the entrance to the hotel is proposed at the entry point of this footway. It will also provide an entry point for the residential apartments above the commercial units and be the route of the pedestrian entry to the car park. It is considered, as a result, that it is likely to be active into the evening because of the adjacent leisure uses. It is proposed that this will be a fully lit walkway and the provision of CCTV can be secured by condition.
- 8.120 This route is seen as an important component supporting the potential for future development in the area identified in the Planning Framework, providing for improved permeability between the station, the leisure uses adjacent to the site, Station Road and the main town centre beyond. Its inclusion is seen as beneficial in that respect.
- 8.121 The close relationship between the two buildings (hotel to north and residential to south, block B1) necessitates the introduction of oriel windows to a number of residential units (3No) in this part of the development. The oriel windows relate to bedrooms. Other parts of these residential units are south facing and will receive appropriate levels of daylight/sunlight. The constraints that the relationship between buildings places on these units is acknowledged, but the impact on amenity that new residential occupiers would expect is considered to be minimal.
- 8.122 The issue regarding the potential impact of noise from surrounding uses on the hotel is noted. In addition to the mill and the nearby

pub and leisure uses, the proposed MSCP has the potential to create further noise and activity. The Environmental Health advisor recommends that windows in the building are fixed shut on the façade facing toward the mill.

- 8.123 The amenity of the users of the hotel is considered to be acceptable. It is a town centre location where a significant degree of noise and activity would be expected by users who are generally unlikely to be in residence for more than a few days at most. Appropriate design features can be included in the construction of the hotel to ensure that the noise levels within the building are acceptable. In this respect, a comparison can be made with 'on airport' hotels which operate successfully in particularly demanding locations in terms of noise and transport activity.
- 8.124 A further benefit of the location of the hotel and MSCP is that the residential units are located to the east and south of them, shielded from the noise of the milling operation, leisure uses, roads and bus interchange. It is these uses which are more sensitive to noise and for which a greater degree of amenity should be secured.
- 8.125 The Environmental Health advisor sets out some remaining concerns with regard to the impact on residential occupiers, setting out that residential units which are constructed with opening windows may lead to the potential complaints in relation to the mill operation, with which the operator themselves are concerned. It is advised that further detail of mitigating measures should be considered and this can be undertaken through the discharge of conditions. Ultimately, the potential for disturbance for new residents is acknowledged. Some limited harm is assigned to the proposals as a result.
- 8.126 As well as the milling operation, adjacent licensed premises have identified the possibility of restrictions to their operations in the future following development. The Rose and Crown is concerned in relation to its potential to operate as a live music venue. The Fountain pub is located to the north of the site and to the west, on

Anchor Street, the leisure uses include a nightclub operation with a late license.

- 8.127 With regard to potential impact as a result of noise and activity, these uses are located adjacent to the hotel or MSCP elements of the proposals and therefore the less sensitive uses. As above, it is considered that the design of the hotel and its use are such that the likelihood of pressure in the future to curtail leisure uses will be limited.
- 8.128 As noted, block B buildings B2 and B3 are located to the east of the existing residential uses at John Dyde Close (Swallow Court). The John Dyde buildings here are either four (southern part) or five storeys (northern part), with a sloping roof above. As a result, the proposed buildings are either the same height to the eaves, or are one storey higher. There will be a separation distance between these blocks of approx. 17m minimum. This will change the outlook from the existing residential units and the scale of this change is acknowledged. The impact is considered to be an acceptable one and not one where privacy is harmfully impacted on.
- 8.129 Building A5 is located to the east of Eider Court part of the John Dyde development. The new building will be six storeys in height here, with the upper floor within the sloping roof. Eider Court similarly is five storeys in height, with a sloping roof above. Here the separation distance is slightly increased at 20m approx. As above, it is considered that, whilst the change to the outlook of residents in the Eider Court block will be significant, it is not unduly harmful.

Scale and appearance (northern part of site)

- 8.130 A variety of building heights are proposed across the site; ranging from 3 storeys up to a height of 6 storeys.
- 8.131 The hotel is proposed to be 4 storeys in height; incorporating roof dormers at the fourth floor level and rooms within a mansard roof. The building will be positioned in an east west orientation on the

site and all elevations will be active. The entrance to the building faces the station. It will also be recessed at ground floor level so that it is evident which is the principal elevation of the building. It is proposed that this building will be constructed mainly in brick.

- 8.132 Buildings A1, A2 and A3 range in height from 5 to 6 storeys at the ridge, with the block A1 being the lowest of the three as it sits adjacent to the 4 storey hotel. The top floor will comprise rooms within the sloping roof. Retail uses and business uses predominate at ground floor level and will provide an active street frontage with residential uses above. Blocks A1 and A2 have a recessed ground floor level which will form part of a retail colonnade leading from the station toward the hotel and main town centre. Residential units above will have recessed balconies. All ground floor units will feature shop full height glazed shop fronts.
- 8.133 Buildings A4 and A5 are also proposed to be 6 storeys in height; incorporating projecting dormer windows at the sixth floor with rooms in the sloping roof and projecting balconies that accord with their prospective residential use. On the west side of Anchor Street here, the John Dyde residential buildings are five storeys in height, with a sloping roof above.
- 8.134 The 'inner side' of the buildings, facing the courtyard will have rooms within a flat roofed area. However, they will be perceived as one floor height lower, as views will mainly be had from the internal first floor podiums over the ground floor parking. This is an approach used for blocks A, B and C to maximise the use of space within the upper level of the building.
- 8.135 Building A6 (north of the station) will be 4 storeys in height with a sloping roof above and a recessed ground floor. Building A7 (south of station) will be 3 storeys in height again with a sloping roof. Both buildings will appear more individual and industrial in appearance than the buildings opposite.
- 8.136 The MSCP is proposed to be 6 storeys in height, although with a lower floor to ceiling height than the residential blocks. It will be

constructed in corten steel and have the appearance of a warehouse with alternative treatment (windows and white painted brick) proposed for the southern elevation (where it is closest to residential properties) and the northern elevation, giving it a softer, more residential appearance. On the western side of Anchor Street here, the leisure centre buildings do not have conventional storeys, but are probably comparable to a 4/5 storey height building.

8.137 Some concern has been expressed with regard to the modernistic design, however it is considered to be an innovative design which will make a positive contribution to the public realm. In that respect, the designs proposed in this area of the site are more bold and innovative, in keeping with the approach suggested in NP policy GY1.

8.138 Building B1 is a free standing building which will be 6 storeys in height with recessed balconies (with dormer windows for the upper most level set within a mansard roof). This building will have two entrances; on its north east elevation and one on its south elevation. The north east elevation will provide access to residential units at ground floor level and above whilst the entrance on the south elevation will provide access to a café use, as indicated, taking advantage of its riverside frontage.

8.139 Buildings B2, adjacent John Dyde to the west, and B5 are 6 storeys in height. Building B3, also adjacent to the John Dyde housing, is 6 storeys and, its northern leg, is 4 storeys. Building B4 which is opposite the station is 5 storeys in height. Within this block, only building B4 has commercial activity at ground floor level. This is where the potential for dual use is located – either taken up for retail use or made available for health care use.

The outline application (southern section of the site):

8.140 In the part of the site which is in outline at this stage, consent is only being sought for agreement to the access arrangements. As a result, the details of the layout, scale and appearance are reserved for future consideration.

- 8.141 Notwithstanding that, as with the remainder of the site, the applicants have shown an indicative layout which is similar in style and form to the northern part of the site with development fronting the new north south road. It is proposed that development here will comprise of one block with internal courtyard arrangement similar to blocks A and B (block C) and a number of smaller T- shaped residential blocks, with the wider element of the building facing the new north-south road and the narrower part facing toward the river. A further number of blocks are proposed on the opposite (east) side of the new road, between it and the railway.
- 8.142 Although this aspect of the scheme will be the subject of further consideration if and when reserved matter applications come forward, the indicative layout shows that individual blocks can be positioned appropriately in a way that they are not considered to be an imposing presence on the River Stort towpath. On the east side of the new road, the proposed residential blocks have been positioned to address the street frontage and not the railway line. At the southern- most tip of the site; the indicative layout shows that properties will be dual facing; to both the spine road as well as providing an active frontage to London Road outside the site.
- 8.143 In this part of the site, the building heights decrease from 6 (block C and the second MSCP, to 5 storeys, building D1 and the F blocks, to 4 storeys, block G and D2, D3 and D4, and finally 3 storeys, block E.
- 8.144 Although indicative, this layout has clearly been the subject of some considerable thought and assessment through the master planning and application formulation process. It shows an acceptable form and layout of development which could accommodate the scale of development proposed if permission were to be forthcoming. It appropriately addresses the constraints and opportunities presented by this part of the site and will lead to a comprehensive and acceptable form of development of the site.
- 8.145 In overall terms, members will have noted the comments of the Councils Conservation and Urban Design Officer and from the

urban design consultant engaged to independently assess the proposals. In both cases their assessments are extremely positive in relation to the proposals, considering them to be a well thought through, designed and detailed approach to the development of the site. The building designs are considered appropriate for their context and the more innovative designs adjacent to the station have the potential to create a distinctive new development in this area.

- 8.146 With regard to the height of the buildings, reference has been made to NP policy GY1 which sets out that there should be a downwards gradation of building height toward the river/ towpath to avoid canyoning of the river bank. South of the Stort footbridge, buildings should be generally lower than on the northern part of the site.
- 8.147 Downwards gradation is not achieved with the buildings within block B remaining at 6 storeys to the ridge throughout that block. Block C buildings, which are located at the point of the River Stort bridge, are also at 6 storeys. Beyond that, the indicative proposals show buildings which are generally lower in height, as the policy requires. Block D buildings are 5 and 4 storeys in height and block E, three storeys.
- 8.148 In its comments, the Town Council refers to the Heritage and Character Assessment report commissioned to support the bringing forward of the Neighbourhood Plan, and the commentary this sets out with regard to building heights. This is not a policy document and whilst material, cannot be given more than very limited weight in decision making. The Town Council also incorrectly quotes policy GY1 as stating that building heights should not be more than four storeys. The policy in fact does not give a prescriptive height, referring instead to the downward gradation of buildings.
- 8.149 Overall, the layout scale and appearance of the proposed buildings is considered to represent a positive contribution to the urban form of the town. Their modern design is considered to be respectful of the setting, pick up local and historic influences whilst, at the same time, injecting a note of innovation and distinctiveness. It is

considered that they can be viewed positively in respect of these issues. Whilst policy requirements are not met in full, it is considered that no significant material occurs as a result.

- 8.150 As noted elsewhere, the very northern part of the site is located in the Conservation Area. The land in that vicinity is currently used for the bus interchange and the adjacent car parking. The proposals replace this with the reconfigured bus interchange and the hotel building. With regard to the impact of the character of the Conservation Area, this is considered to be an enhancement.
- 8.151 Across the River Stort bridge, the maltings buildings are listed. Whilst separated by the river, the application site does form part of the setting of those buildings. Replacement of the current low intensity mixed arrangements for parking with the new buildings proposed, which address the river and the listed buildings beyond, is considered to result in an improvement to the setting of those listed buildings.
- 8.152 Overall then, the proposals are considered to be largely policy compliant with regard to their layout, scale and the amenity impact of them. In townscape terms the represent an improvement to the current use of the site and, in respect of these matters, it is considered that significant positive weight can be given to the proposals.

Whether the development provides a satisfactory level of residential car and cycle parking.

- 8.153 Current Local Plan policy TR7 sets out the requirement for car parking provision to be assessed in accordance with car parking standards. It goes on to set out that actual provision will be determined on a site specific basis depending on the characteristics of the site and the availability of modes of travel other than the private car.

- 8.154 A similar approach is set out in the emerging District Plan where policy TRA3 again sets out that parking provision will be assessed on a site specific basis.
- 8.155 The relevant NP policy (TP8) requires parking provision in accordance with the standards set out in the 2007 Local Plan.
- 8.156 Both of the blocks in the full planning application part of the site propose ground level car parking with landscaped spaces above. The residential building adjacent to the MSCP (block A) will provide 75No car parking spaces. The access point to this car parking area will be from Anchor Street, just to the south of the access to the MSCP entrance.
- 8.157 Block B will also feature ground floor car parking for 55 vehicles with a landscaped podium garden above. In addition a further 23No on street car parking spaces will be provided in this part of the development. In total there will be 153 car parking spaces for the residential development on this site. This equates to 47.4% of the total residential units on these sites (or 0.47 spaces per dwelling).
- 8.158 The current standards set out in the Councils Supplementary Planning Document (SPD), Vehicle Parking at new Developments (as maximum standards), and the emerging standards considered and endorsed by the District Plan Executive panel of 19 March 2015 would require provision, if met in full, as follows:

Unit size	Number of units	Parking provision in current SPD	emerging District Plan parking standards
1	139	1.25spaces per unit = 174	1.5spaces per unit = 209
2	175	1.5spaces per unit = 263	2space per unit = 350
3	8	2.25spaces per unit = 18	2.5spaces per unit = 20
4	1	3spaces per unit = 3	3spaces per unit = 3
TOTAL		458	582

- 8.159 Provision being made is far lower than the relevant policy standards would require, if met in full. Current and emerging Plan policies require an assessment to be made on the basis of the characteristics of the site. In that respect, in the SPD, the site is identified as falling within zone 3, with zones 2 and 1 identified to be the most accessible. The John Dyde site and rest of the town centre around South Street, Potter Street and North Street is identified as zone 2. Whilst the assessment in the SPD is acknowledged, it does appear that the site does have significant accessibility credentials. It is adjacent to the hub of transport facilities in the town (the railway station and bus interchange) and a reasonable assessment would consider it to be at least as accessible as the town centre. If it were considered in the same way as zone 2 sites, the emerging standards allow the application of a reduction in the space requirements of up to 75%. This would reduce the requirement to 146 spaces, then below the 153 spaces being provided.
- 8.160 The previous proposals provided 31 spaces for the 122 residential units proposed in the first phase. This equated to an overall provision of 0.25 spaces per unit. As indicated above, these proposals have increased provision to 0.47 spaces per unit for the detailed element of these proposals.
- 8.161 The applicants have proposed that a Car Club be put in place to provide an alternative means by which residents of the development would have access to personal transport without having to purchase their own vehicle, and therefore require a place to park it. The current arrangement is that the Car Club would be put in place from the occupation of any residential development at the site and be provided at no cost to residents for a duration through to three years after the occupation of the last residential use on the site. It would be marketed to new residents. After the cessation of the agreed period its continuation would be subject to commercial viability.
- 8.162 The arrangements for the Car Club would be subject to agreement through a condition. These arrangements would specify free

membership term for residents, availability of an initial period of free hire time, vehicle availability, marketing etc. Initial arrangements and a potential operator have been identified by the applicant.

- 8.163 The details of the assignment of spaces to units has not been set out at this time. This has been found to be important in relation to other sites that have come forward, ensuring that spaces are made available on an equitable basis with regard to unit sizes and tenures and are not reserved for subsequent sale. Allocating them in such a way can lead to problems where some occupiers are denied access to spaces on a cost basis. Full details of the assignment of spaces can be required through a condition.
- 8.164 In both the full and outline parts of the application site, some of the residential parking is to be provided in roadside bays, either along the extension to Anchor Street or along the new north – south road in the site. Given the location of these close to the railway station, their use will need to be effectively managed to ensure that commuters do not take advantage of their availability.
- 8.165 The current anticipation is that the spaces will not form part of the adopted highway and therefore use cannot be controlled by conventional public means (residents parking zones, yellow lines etc). Private management will be required.
- 8.166 With regard to cycle parking, the application proposes 323 cycle spaces at ground floor level within the residential blocks A and B; this equates to 100% cycle provision. This meets the current Local Plan and emerging standards in full. The NP does not set out a specific standard, instead requiring (in policy GY7) that sufficient, secure and waterproof cycle storage be provided.
- 8.167 In the outline part of the site, the indicative proposals set out the intention to provide 61 ground floor level car spaces under a podium deck in block C, 102 court yard spaces around blocks D and F and a further 50 on street car parking spaces. Total 213.

- 8.168 As this part of the development is seeking to provide 263 residential units; this equates to an 81% car parking provision (or 0.81 spaces per unit). If provision is made in this way there would ultimately be a total of 366 car parking spaces; equating to a 63% provision (0.63 per dwelling) for the overall site. Consideration would have to be given to the nature of the use of the care home element of the site and whether that would generate an additional expectation of provision, either for residents, healthcare and other supporting professionals or visitors.
- 8.169 An assessment of the total provision across the whole site, to be compliant with the appropriate standards, has not been undertaken at this stage, because the unit mix in the outline part of the site is subject to change. As before, it would be appropriate to ensure that the characteristics of the site, the proposals and the transport provision at the site were taken into account. Overall however, it is clear that if the outline part of the site comes forward as currently indicated, it would increase compliance with the standards.
- 8.170 The design of the blocks in the outline part of the scheme, whilst indicative, have the ability to ensure that appropriate levels of cycle parking provision can be made.
- 8.171 In summary then, the level of residential parking remains below the Council's SPD standards, on a strict interpretation of them. However, the relevant policies require that an individual assessment is made. In that respect, the development is clearly located in a place where residents will have ready accessibility to other transport modes. Provision is made for residents to be able to take advantage of cycling as a mode of transport for local journeys and the Car Club arrangements enable further sustainability with regard to transport needs and can act to reduce the desire of residents to purchase their own vehicle.
- 8.172 Parking ratios are increased in comparison with the previously refused scheme, where this issue was identified as a particular reason for refusal and a harmful impact was identified both for new residents and because cars would be parked elsewhere in the area,

leading to a reduction in amenity for existing residents. It is considered that there is still some potential for that pressure as a result of the limited parking provision within the site, but that its location and alternative transport modes available are such that any harm in this respect can now be considered to be less than it previously was.

Whether the development provides an appropriate level of housing, housing density and mix of housing tenures – balance between market housing and affordable housing.

Housing numbers:

- 8.173 There is an earlier summary in this report with regard to the policy compliance of the proposals with regard to the overall quantum of housing to be provided. That issue is not repeated again here.

Housing mix:

- 8.174 Policy BIS11(b) of the Local Plan 2007 sets out site specific requirements for housing provision on this site:....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'.
- 8.175 Policy BISH7 of the emerging District Plan (II (a)) requires 'a range of dwelling types and mix, in accordance with the provisions of Policy HOU1 (Type and Mix of Housing) including residential apartments on the upper floors of commercial uses and 3- 4 bed family homes'.
- 8.176 Policy HOU1 of the emerging District Plan requires... an appropriate mix of housing tenures, types and sizes...in order to create mixed and balanced communities appropriate to local character and taking account of the latest Strategic Housing Market Assessment. The policy also requires appropriate provision of specialist housing for older people and vulnerable groups in accordance with Policy HOU6. Policy HOU7 sets out the need for accessible and adaptable homes.

- 8.177 Policy HDP4 of the NP sets out that developers are required to submit a dwelling mix strategy setting out how the proposals meet objectively identified needs.
- 8.178 The current Local Plan requirement, for a predominance of smaller sized units, reflects the central location of the site. Policy BISH7 in the emerging Plan sets out that both residential apartments (i.e. flats above the commercial parts of the development) and 3 – 4 bedroom homes will be provided.
- 8.179 The full application proposes a housing mix that reflects the emerging policy requirement to provide commercial accommodation at ground floor level. Residential units are provided above and the majority of units are 1 and 2 bed in size.
- 8.180 The mix of dwellings in the detailed part of the application site compared with the identified requirements of the SHMA and as set out in the emerging Plan is as follows:-

Unit Size	Number	%	SHMA and policy requirement %
Market Housing			
1 bed flat	116	45%	6%
2+ bed flat	137 (2 bed) 6 (3 bed)	55%	7%
TOTAL	259	100%	
Affordable Housing			
1 bed flat	23	36%	19%
2+ bed flat	38 (2 bed) 2 (3 bed) and 1 (4 bed)	64%	11%
TOTAL	64	100%	

- 8.181 There is clearly some conflict between the requirements of the Strategic Housing Market Assessment (SHMA), which seeks to address housing need across the district and policy requirements relating to this site and an appropriate mix and size of units to ensure appropriate building size and scale. The detailed element of the scheme provides flats only and, when considered in relation to the SHMA requirements, is focussed on units of smaller size.
- 8.182 The outline application proposes a further 263 residential units and a care home comprising up to 55 units. Although details provided are indicative only, it is not expected that there will be any further provision of commercial floorspace in this part of the site. As such there should be an opportunity to provide an increased diversity of unit types.
- 8.183 The applicant sets out that 90% of the units will comply with Approved Document Part M Category 2 (accessible and adaptable dwellings) – emerging policy HOU7 requires 100% compliance. 10% of the units will be designed to comply with Category 3 (wheelchair user dwellings). In respect of this standard, emerging policy HOU7 requires a proportion of dwellings to be compliant.
- 8.184 There is a national and emerging District Plan policy objective with regard to the supply of land for self-build homes. As proposed to be modified, emerging District Plan policy HOU8 requires that at least 1% of plots on sites of over 200 units are provided for self-build (this is down from 5% in the policy prior to modification). At present there is no indication that provision will be made on this site. However given the indicative layout of the southern section of the site, which does not consist of commercial buildings, it is considered that there is the potential for this policy to be complied with.

Housing density

- 8.185 Guidance in the NPPF is that Local Planning Authorities should set their own approach to housing density to reflect local circumstance. In this regard density levels are not prescriptive. In areas of good

public transport accessibility, the intensity of development is generally expected to be higher than elsewhere and density levels of 100 to 150 dwellings per hectare are not unusual or excessive. For example, the John Dyde development represents a density of 160 dwellings per ha.

- 8.186 Policy HOU2 of the emerging District Plan requires development proposals to make efficient use of land whilst having regard 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).
- 8.187 In the second part of the policy it is set out that, 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.
- 8.188 The NP sets out, in policy HDP1, that brownfield development and the redevelopment of existing residential properties to create higher density shall be supported subject to the achievement of high quality design.
- 8.189 Density calculations provide an indication of the intensity of residential development on a development site. In a mixed use scheme such as this one, density figures can give a misleading impression of the intensity of the development, given that some parts of the buildings – which add to scale and height of the buildings – do not add to the residential density figures.

8.190 So, treating these figures with some caution, and focussing on the residential element of the scheme only; the proposal would represent a density level of just over 100 dwellings per ha overall. This is not unusual for a town centre location such as this, bearing in mind the characteristics of the site and its surroundings.

8.191 Higher figures would be assigned to the full planning application part of the site, depending on the area of the site considered. Cutting out the hotel and MSCP parts of the site and including little of the space which will be set out for public use in front of the station and adjacent to the River Stort bridge, density calculations are up to 200 units per hectare.

8.192 Regardless of this figure, Members are requested to focus on the scale, form and design of the development as being the main basis on which they consider whether the development is acceptable in design terms, rather than assigning too much weight to a density figure.

Housing tenure (balance between market housing and affordable housing)

8.193 Policies HSG3 and HSG 4 of the Local Plan outline the Council's criteria for affordable housing. In this regard provision of up to 40% of units provided as affordable housing provision is sought.

8.194 Policy HOU3 (III) states that 'a lower provision may be permitted if it is demonstrated that the 40%, cannot be achieved due to viability reasons or where it would prejudice the need to secure other infrastructure priorities'. This point is echoed in the NPPF paragraph 173 which advises that, 'pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking..... To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive

returns to a willing land owner and willing developer to enable the development to be deliverable’.

- 8.195 A similar approach is proposed in the emerging District Plan. In that, policy HOU3 sets out the expectation that up to 40% provision of units as affordable housing will be sought on sites proposing 15 or more units. The policy sets out that lower provision may be permitted if it is demonstrated that provision cannot be achieved due to viability reasons or where it would prejudice the need to secure other infrastructure priorities.
- 8.196 In the NP, policy HDP4 sets out that on all schemes of over 5 new units, affordable housing will be provided, other than in exceptional circumstances.
- 8.197 Against the policy requirements, 20% of the units on the site are proposed to be affordable housing. Given the lack of compliance with the relevant policy objectives, the viability of the development proposals has been subject to scrutiny by the Councils independent viability consultants.
- 8.198 The output of this assessment work recognises that some cost elements could potentially be subject to further scrutiny. Further commentary in relation to this is set out in the section below regarding viability and the overall infrastructure provision as a result of the development.
- 8.199 At this stage, it is proposed that a viability reassessment exercise be undertaken at an appropriate time in the implementation of the scheme, if permission is forthcoming. This will allow actual costs and sales values achieved to be factored into an assessment, rather than being based on predicted costs and values, as at present. Through this process, it may be that additional value can be secured from the scheme. In addition, to protect the current position, the legal agreement can be written in a way to ensure that provision currently secured cannot be reduced.

- 8.200 It is noted that the level of affordable housing proposed was a reason for refusal in the previous application. This application proposes the same level of affordable housing; despite a reduction in the quantum of development proposed; particularly the residential element (where 100 fewer residential units are proposed compared to the previously refused scheme).
- 8.201 In addition, the previous scheme contained no affordable housing in its first phase. The scheme under consideration now includes affordable housing provision in both the current full application element of the scheme and the subsequent outline element.
- 8.202 With regard to the split between affordable rent and shared ownership, the scheme proposes that the split of the affordable units in the full application part of the site be 50:50 between these tenure types. In the subsequent outline part of the site the mix of affordable units will be 60% shared ownership and 40% affordable rent. This leads to an overall mix of 55% shared ownership and 45% affordable rent.
- 8.203 The Councils current aspiration is to achieve 75% of affordable units as affordable rent. This is increasing through the SHMA work and through the emerging District Plan to an expectation that 86% of affordable housing units are provided as affordable rent.
- 8.204 Having regard to the NPPF and the policy context on affordable housing and viability, it is considered, having taken the applicants proposals through an independent viability review, and having regard to the infrastructure that will be provided as part of this development, that the proposed level of affordable housing is justified by the relevant financial considerations relating to the site.
- 8.205 However, it is considered that some harm occurs as a result. This is because the scheme does not deliver the full quantum of affordable units that would be achieved if policy expectations were met in full and because the tenure mix of the affordable units does not align with the mix requirements identified for the district.

Whether the landscape and green space proposals are acceptable

- 8.206 Policy ENV1 of the Local plan specifies a range of requirements for new developments to achieve a high standard of design, including the provision of landscape, recreation and amenity space.
- 8.207 Policy ENV2 of the Local Plan 2007 requires development proposals to retain and enhance existing landscape features.
- 8.208 The Planning Framework requires that development at the Goods Yard should provide :
- A Station Square with a new public space that simplifies the area immediately outside the station building
 - new semi – natural, publically accessible spaces on the riverside
- 8.209 Policy GIP3 of the NP requires developers to cooperate with the establishment of appropriate long-term arrangements for the management of open spaces which form part of any development scheme of over 10 dwellings. The developer will be required to provide financial contributions to support initial costs and/or transfer land to an appropriate body, by agreement with the planning authority.
- 8.210 The NPPF (paragraphs 70, 73 and 109) highlights the importance of high quality open and other shared spaces and opportunities for sport and recreation.
- 8.211 The proposed scheme will deliver landscaping and green space enhancements in 5 keys areas throughout the site:
- Streets and Lanes
 - In front of the station
 - Riverside
 - Riverside Gardens
 - Residential Gardens

Streets and Lanes

- 8.212 The new north – south road is the principal pedestrian and vehicular thoroughfare. It will feature a generously sized (6 metre wide) distinctly paved route that will be constructed from natural stone paved setts. These will be interspersed with bays for parking taxis and cars which will be constructed in contrasting stone sett paving to delineate their use. Street trees are proposed throughout the full length of the road. These will serve to soften the appearance of this street.
- 8.213 The passageway between the hotel and the multi storey car park is also proposed to feature natural stone setts. It will be 6 metres in width and as such is sufficiently wide to accommodate the proposed level of pedestrian movement from the station to the MSCP. This area is proposed to be illuminated with overhanging lights.

In front of the station

- 8.214 This part of the site includes the station forecourt; including the existing station building and the two proposed book end buildings either side of it (buildings A6 and A7). Wide walkways (6m in width) will be provided in front of the station building to create a plaza that will accommodate the volume of pedestrian movement in this part of the site. It is proposed that walkways will be constructed of natural stone setts with feature inserts that relate to the historic railway use of the site (details of which are to be provided by condition). The proposed use of these materials will be used to way-mark this part of the site.
- 8.215 The area immediately in front of the station entrance will be free from street furniture. However either side of the station building cycle storage, seating and general planting will feature. Again it is proposed that street furniture will reflect the historic use of the site; formed of rail trucks positioned on inset rail lines set within the natural stone setts.

- 8.216 It is proposed that contrasting stone setts will distinguish the on-street car and taxi bays within this part of the site; with an alternative form of paving setts for the main thoroughfare. This will serve to delineate those areas that are for pedestrian movement from those that are for vehicles. Street trees will feature on either side of the thoroughfare outside the station but still maintaining westerly views through the site and allow clear visibility of the station building.
- 8.217 A cluster of tree planting; forming a pocket square is proposed between the station building and building A7 to the south of the station. This area will form the eastern edge of the green corridor from the river edge up to the station and will be interspersed with seating to form a station plaza.

Riverside

- 8.218 The Riverside is one of the most distinctive features of the development site and it is therefore essential that its benefits are maximised. The proposals seek to take advantage of the proximity of the River Stort and enhance this area by improving public access to the site. It is proposed that the existing towpath will be widened to 3 metres to enable both pedestrian and cycle movement. The towpath will consist of bonded gravel and riverside planting will be provided between the towpath and the river edge.
- 8.219 The majority of tow path widening works feature in the outline application; there is limited tow path in the full application. Widening of the towpath will be coupled with stepped access to the river at various intervals (6 points) alongside the riverside providing access to points for potential moorings. Both the full application and the outline application provide stepped access to the river (although again, the majority feature in the outline application). Improved access to the riverside, in the form described above is welcomed and will in turn encourage boats to the site. This aspect of the scheme is also welcomed by the Canal and Rivers Trust; however details of the measures will be subject to their conditional approval.

8.220 In the outline application, although the details that have been provided are indicative only, it is proposed that in addition to tow path widening, a landscaped garden featuring meadow planting with a swale and an informal play area will be created along the river side.

Riverside Gardens

8.221 Whilst the provision of enhanced pedestrian and cycle access alongside the River Stort is the main feature of this aspect of the development; other works are also proposed around this area to enhance the public realm.

8.222 In the full application, a paved spill out area will feature in front of the café proposed at building B1 which faces the River Stort. A combination of paths and landscaped areas/gardens featuring trees, shrubs and meadow planting and a swale will feature in this area which is proposed to be a significant area of public open space which provides a green walkway through the site to the Station Square. In this regard, tree and shrub planting is proposed to complement those that will be provided at the boundaries of residential properties that align the street frontage to the Station area.

8.223 A timber deck will be provided at the base of the existing footbridge; this will provide views to both the riverside and the riverside gardens. The proposals also include the provision of a children's play area; again increasing the public accessibility of the riverside characteristics of the site.

8.224 In the outline application, although details are indicative, a similar approach is proposed; ensuring that public accessibility to landscaped areas is maximized and that vegetation complements the boundary treatments with residential properties that front the river.

8.225 The landscape proposals for this aspect of the proposed development are generally supported; although further detail will be required. In particular it is noted that details of street lighting have not been provided in this aspect of the scheme and as such it is considered that details of this; together with more detailed proposals of the children's play area, the timber decking will be requested by condition.

Residential Gardens

8.226 All residential units are proposed to be provided with outdoor recreational space; both private and communal. The applicants have adopted a themed approach to the design of the gardens according to their location on the site and have attempted to incorporate appropriate historical references where appropriate.

Block A

8.227 This garden will be situated at podium level; above the car parking. It is proposed to have a railway industry theme where linear forms predominate. The garden is proposed to be laid out formally to replicate the railway platforms and will provide lawns that are interspersed with shrubs, fruit trees, pergolas and climbers. Linear seating will also be provided to correspond with the railway theme. This area will also incorporate limited hard landscaping in the form of sett paving and stepping stones to reflect the character of this garden.

8.228 The podium garden will also feature appropriate furniture to create a linear play area. The adjacent car park will be screened by the provision of shrub planting and trees along its boundaries. In addition many of the residential units in this block will also have private terraces with defensible planting. Details of the materials to be used will be requested by condition. However it is considered that overall, this is an acceptable approach to the design of this courtyard area.

Block B

- 8.229 This garden will also be situated at podium level; above the car parking area. Like the garden for block A, this garden will also continue the railway theme and has many of the features outlined above for block A. However the Garden for block B also takes advantage of its riverside setting by providing a visual and physical link to the Riverside Gardens in the form of a stepped terrace feature with appropriate planting.
- 8.230 Block B can be viewed from the riverside. The distinctive features of this garden are its timber pergola leading to an area of hard landscaping beyond which a stepped terrace will be provided. The stepped terrace provides the physical and visual link to the Riverside Gardens. It will be publicly available however access to this area for residents from Block B will be obtained via an electronically controlled access gate.
- 8.231 The principal of this design approach is considered to be acceptable and its attempts to seamlessly link the residential gardens into the Riverside Gardens are also welcomed. Details of the materials to be used will be submitted as part of the general condition covering materials; however further details of the elevational details of the access gate in particular are to be requested by condition.
- 8.232 Details provided in the outline application are indicative only as consent is sought only for access. However for the purposes of landscaping, it is noted that the applicants have provided details for each of the proposed development blocks; similar in detail to that provided in the full application:-

Block C

- 8.233 Landscaping for block C takes its themes from the Maltings character area as well as the riverside area through to the River Stort bridge. It features a centrally landscaped courtyard with/lawn area featuring gravel paths, paving stones, stepping stones; together with tree and ornamental planting. As with block C a stepped access and terraced area will be provided linking the

boundary of the site to the Riverside Gardens. This area will be accessible to residents of this block via an electrically controlled gate. Whilst in principle there is no objection to this, it is considered that further detail will be required at reserved matters stage so that efforts can be made to make the terraced area fully accessible to all residents. This is considered particularly important on this part of the site given that a care home is proposed and residents may have mobility issues.

Block D

- 8.234 The landscaped areas in between the two buildings that form block D (buildings D1 and D2) are orientated towards the river frontage and will be visible from the widened towpath. A stepped access will be provided from the tow path up to the landscaped podium courtyard. As with other gardens in this development, the proposal includes a prominent lawn with shrubs, ornamental grasses, pergolas and a feature fruit tree. The northern part of the garden courtyard will feature a north – south gravel path which will provide an access onto an east facing link onto the new road. A vegetable patch will be provided in the corner of the site and a communal table for community gathering; making this a more mature garden setting. As with other gardens, details will be conditioned and applicants will need to explore the feasibility of providing adequate accessibility from the garden to the towpath.
- 8.235 The areas between buildings C2 and D1 and D2 and D3 are proposed to comprise courtyard residential car parking. In general the landscaping proposals are considered to be acceptable here as they screen the car parking from view from points at the river's edge. Notwithstanding that, further consideration needs to be given to the screening of parts of the parking area that are closest to building D1 which can be viewed from oblique angles from the river's edge. As this forms part of the outline application, where consent has been sought for access only at this stage, there is no requirement to address this via a specific condition as landscaping has been reserved for future consideration. However as this matter

was been raised by a consultee, it is considered appropriate to highlight this issue

Block E

8.236 Block E is comprised of buildings D3 and D4. As with block D a landscaped courtyard is proposed. A gravel path is proposed from the east providing direct access to the garden from the new road; this will link directly to a north - south spanning gravel path which will feature a prominent tree in its centre located within a raised planter. The remainder of the garden will comprise of lawn interspersed with ornamental grass, stepping stones and shrubs and trees. As with the garden in block D the garden will provide a vegetable patch. A swale is proposed on the western edge of the garden over which a timber foot bridge will be erected to connect to the towpath and provide a viewing platform to the river below.

Other residential blocks

8.237 Limited information has been provided regarding the green landscaping proposals for the remainder of the residential blocks to the south of the site and adjacent to the railway line. However the proposals do confirm that there will be riverside planting and public realm planting in this part of the development. This is considered acceptable give the outline nature of this application, which seeks consent for access only at this stage. It is considered that appropriate information can be provided and considered as part of any future reserved matters application.

8.238 Overall, the landscaping strategy proposed for this site is well considered. The strategy has embraced the key Master Plan framework objective of providing landscaped space adjacent to the riverside. It also meets the Neighbourhood Plan objective of providing 'Green and shared spaces, with continuous public access to an active river'.

8.239 In total, the application proposes in excess of 9000sq metres of publicly accessible landscaped space by the river's edge. These

areas link seamlessly into the podium gardens of the residential properties that will front the river. It will also provide a green route from the riverside right through to the Station Square frontage.

- 8.240 Whilst it is considered that further details are required on matters relating to plant species, accessibility, public/private boundary delineation together with further enhancement of the landscaping treatment on residential courtyard parking as well as the public realm areas characterised by the area in front of the station. The landscaped areas (both hard and soft) seek to encourage a range of activities at or adjacent to the river's edge; from the riverside café and its seating area, through to play areas for a range of children's ages, through to providing areas for planting/vegetable growing, walking and cycling as well as facilitating the mooring of boats on the Riverside.

Whether the development has appropriately addressed flood mitigation

- 8.241 The NPPF sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. If development is necessary, it should be made safe, ensuring that flood risk elsewhere is not increased. Relevant Local Plan policies follow this approach. Current Local Plan policy ENV19 sets out that development in flood risk areas would not be permitted unless a range of criteria are met. Policy ENV21 relates to surface water drainage and requires that best management practices in relation to drainage are implemented.
- 8.242 In the emerging District Plan the WAT policies address flood risk management, water quality and sustainable drainage. In the NP, policy HDP3 sets out that development must utilise the most sustainable forms of drainage systems in accordance with the SUDS hierarchy, unless there are practical engineering reasons for not doing so. Policy GIP7 relates to development in flood risk zones.
- 8.243 In its response to the proposals the LLFA indicates that 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.

- 8.244 The LLFA sets out a range of conditions that should be applied if the Council is minded to approve the proposals. These are extremely important as they relate to how the site can be drained in each phase of the development and the role of the ordinary watercourse in facilitating these drainage requirements.
- 8.245 The Environment Agency raises no objections to the proposals.
- 8.246 The flood risk assessment submitted on behalf of the applicant notes that the site is partially located in Flood Zone 2 and the remainder in Flood Zone 1. Historical mapping data shows that the site has been affected by flooding in the past but hydraulic modelling shows that the site is not at risk for all events in the 100 year plus 35% exceedance for climate change allowance. A sustainable drainage strategy has been proposed incorporating a variety of features including an open watercourse, with piped sections, bio retention areas, permeable paving and green roofs.
- 8.247 With regard to future maintenance, the applicant indicates that where not adopted as part of the infrastructure on the site by Herts CC, maintenance will be undertaken by a private infrastructure management company.
- 8.248 In principle, development in this location is considered to be acceptable in relation to flood risk issues. The submissions, made by the applicants with regard to the potential for flooding have not been disputed by others. Whilst the Councils Engineering Advisor has not commented on this set of proposals, the Councils Engineering Advisor, when commenting on the previous proposals, the advisor did not raise flood risk concerns.
- 8.249 With regard to drainage solutions, as set out, the proposals will incorporate a mix of measures including an open watercourse, with piped sections, bio retention areas, permeable paving and green roofs. In terms of the hierarchy of the sustainability of these

solutions, green roofs and ponds are considered the most sustainable whereas tanked or piped systems are the least. Given that a mix of solutions is proposed in this case, it is considered that the proposals can be judged to operate acceptably in relation to the requirements of the relevant policies.

- 8.250 The caution expressed by the LLFA with regard to the importance of the conditions to be applied is noted and all the suggested conditions are proposed to be applied in their entirety.

Whether the development provides improved measures for the enhancement of this part of the River Stort and its biodiversity.

- 8.251 Policies ENV16 and 17 of the Local Plan seek to ensure that development has no harmful impact on protected animal species and seek to realise opportunities for habitat creation. In the draft District Plan, policy BISH7 sets out a number of objectives, including landscaping and tree planting and improvements to the riverside environment. Policy CFLR4 supports proposals for water based recreation and policies NE2, 3 and 4 refer to the impact of development on species and habitats and the aspiration to ensure that appropriate green infrastructure is provided.
- 8.252 The Master Plan sets out that proposals should provide for greater local biodiversity and ecology with more green space made up of native tree planting, swales, green roofs and enhancements to the riverside tow path. It is also set out as an aspiration of the applicant that landscape works are implemented beyond the site boundary to the river, including the tow path and moorings, to form part of a coherent approach.
- 8.253 In the NP, policy GY1 seeks green spaces to improve the existing unmanaged scrubland to the south of the site, preserving and enhancing existing riverside habitats. Cafes, recreational areas and moorings are sought to encourage engagement with the river.
- 8.254 Herts Ecology has assessed the Ecology Appraisal submitted with the application. The main feature of ecological interest is the

frontage with the River Stort, the majority of which falls within the outline application area. Herts Ecology agrees that the Ecology Appraisal submitted provides a suitable description of the site and assessment of the impacts of the development. It agrees that the ecological impact of the proposals is limited.

- 8.255 It is concerned however that very little information is provided with regard to enhancement measures. It sets out that information on specific and detailed enhancement measures, to be integrated within the development, should be provided.
- 8.256 With regard to the proposals the Canals and Rivers Trust (the Trust) sets out that it has no objection to the general design detail of the proposed buildings. It considers the scheme much improved over the previous submission, with the removal of the roadway from the riverside.
- 8.257 The Trust sets out the need for improvements to the towpath access at the south end of the site as it is currently very poor and does not readily attract people to the waterside. The Trust considers that encouraging visiting boats to this area would be beneficial to help animate the riverside. It refers to the proposals in the landscape masterplan to create points of access to the river directly cut out of the river bank and to divert the tow path around these. It indicates that these may not be acceptable and that the Trust would need to approve the detail of the works. However, the Trust does set out that the ability to interact directly with the water is positive for the development.
- 8.258 With regard to biodiversity, the Trust comments that minimal lighting should be installed near the river. New planting should be locally native species only and indicates that remedial landscape works should be carried out, improving the waterway environment.
- 8.259 The Trust sets out that it would expect a contribution, or works in kind, toward the enhancement of the waterway environment as the development will bring more people to the area and impact on the quality of the environment and the Trusts management of it.

- 8.260 The applicants arboricultural impact assessment sets out that the site consisted of 36 individual trees and 14 tree groups, prior to any clearance. Trees were categorised as either category B, C or U (with category A being the trees of most value). The report notes that almost all the trees in the southern part of the site had been removed at the time of this latest survey. Of the trees identified, only three individual trees and one group are to be retained because of the comprehensive nature of the development. The impact assessment concludes that the replacement landscaping is of a range and mix such that it is considered to adequately mitigate the loss of the existing trees.
- 8.261 The Councils Landscape Officer supports the approach to the landscape treatment of the riverside and the play and amenity spaces. Further detail is sought with regard to a number of detailed elements of the landscape treatment to ensure that these appear coherent and do not lead to clutter in the public areas of the site.
- 8.262 The general thrust of the proposals as they relate to the waterside environment is to provide a sequence of spaces along the river, appropriate to the adjacent development. A significant element of the northern end of the riverside treatment (identified in the Design and Access Statement as the Maltings area) falls within the detailed element of the proposals. The remainder is within the outline planning application area. In the Maltings area, the proposals are endeavouring to create a sense of arrival into the site, via the foot and cycle bridge over the river from the historical maltings. A mixture of hard and soft spaces are created in front of the buildings, narrowing down to create the link through toward the station.
- 8.263 A vision for the River Stort in the town is set out in the document Waterside Stortford. This was produced in collaboration between the Town Council, the Environment Agency, East Herts District Council, Herts CC and the Canals and Rivers Trust. Considering the area of the site, it is set out in Waterside Stortford that development at the goods yard site will transform this part of the river corridor, providing opportunities to create a more spacious and accessible

riverside area in which the River Stort is the focus for views and recreation.

- 8.264 The detailed treatment in Waterside Stortford suggests a new linear park as part of the development (which would act as a destination), alongside the river. Links would be provided between the River Stort bridge and the station (acting as a strategic park arrival point) and across the site at its southern end, linking the towpath to London Road. The towpath would comprise part of the strategic riverside footpath and cycleway.
- 8.265 In ecological terms, the comments from the expert advisors are noted. The proposals do not result in harm to the ecological environment, but their credentials with regard to the potential to increase ecological diversity are uncertain. Further detailed matters can be secured by condition to ensure that this is achieved.
- 8.266 With regard to the active use of the river and waterside environment, the proposals represent a comprehensive and coherent treatment to the river edge, improving the width and quality of the tow path, creating locations of direct accessibility to the riverside and enabling the provision of moorings. The Canal and Rivers Trust rightly indicates that it will need to be assured with regard to much of the detail, but indicates a willingness to work with the applicant to resolve this and to ensure that provision can be delivered on land that both of the parties control. This will be essential to ensuring that the proposals are actually delivered.
- 8.267 The proposals will deliver much of the aspiration set out in the Waterside Stortford document, providing an improved foot and cycleway, connections and the provision of new landscaped spaces along the riverside. Whilst this is unlikely to be described as a linear riverside park, as in Waterside Stortford, it is considered that, overall the impact of the proposals on biodiversity and the treatment of the river, can be considered to be positive.

Whether the development provides an appropriate level of infrastructure; having regard to overall viability of the proposal.

- 8.268 Policy IMP1 of the current Local Plan sets out that, as part of development schemes, developers will be required to make appropriate provision for affordable housing, open space and recreation facilities, education, health care, transport etc. Similar requirements are set out in policies DPS4 and DEL2 of the emerging District Plan.
- 8.269 In the NP, policy C1 sets out that where the policies in the NP require contributions to provide new or improved community infrastructure, this will be made through planning obligations.
- 8.270 A number of service providers have, in responding to consultation on the application, set out that the additional residential development will place an additional requirement on the services that they provide and that, as a result, the providers consider it reasonable to require funding to support the provision of that service.
- 8.271 The tests which govern the extent to which developers can be expected to assist with the mitigation of burden placed on services and facilities as a result of development are referred to in the NPPF and are set out in the Community Infrastructure Levy Regulations 2010. These set out that provisions included in a s106 agreement can only constitute a reason for granting permission if they are:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 8.272 In addition to the, albeit limited provision of affordable housing, the scheme will deliver funding to support County Council provided services, as requested by it. These include travel plan monitoring fees, an accessibility funding provision (for general off site

accessibility improvements) primary and secondary education, youth services and libraries.

- 8.273 With regard to services provided by East Herts Council, the development will provide funding toward community buildings, offsite sports facilities, parks and gardens and amenity green spaces. Funding is also secured for the Rhodes Museum (toward the costs associated with archaeological finds), allotment provision and burial space provision in the town.
- 8.274 Funding toward the provision of primary care services is also secured. This would be directed toward the improvement of local GP facilities where there are known deficiencies.
- 8.275 Full details of the monetary and other provisions which would be secured through a Section 106 agreement are set out in **Essential reference Paper 'C'**. Members will note that, generally, it is not possible to calculate, at this stage, the contributions that will be required if the current outline element of the proposals come forward. This is because many of the contribution formula are based on the (bedroom) size of the new homes to be provided. Whilst details of the overall number of units is known at this stage, the unit size can only be considered indicative. Any s106 agreement will specify that contributions will be required in relation to the final unit size mix.
- 8.276 In addition to the monetary contributions the applicant points out that the proposals secure significant beneficial improvements to the public realm around the station. In place of the currently car dominated space, a new predominantly pedestrian area is provided in front of the station. The new buildings shape the newly focussed links between the station and the town centre. In the other direction, vehicle free landscaped space is provided between the station and the River Stort footbridge. When the outline element of the scheme comes forward, the improved landscaped space will be continued southward toward London Road. This creates enhanced foot and cycle links.

8.277 Given that service funding provision needs generated by the development are largely met in full, the main area of deficit relates to the provision of affordable housing.

8.278 The viability assessment undertaken by the Councils consultants, BVA, suggests that there may be some ability to secure additional value from the scheme. This potential is based on the following elements:

- Some (a limited number) of the residential units may secure a greater value than set out in the assessment submitted by the applicant;
- The nature of the care home element of the scheme (in the outline part of the site) may be such that it should also be subject to an affordable housing contribution;
- That the purchase of affordable units by a registered provider may generate additional value
- That construction costs may be less than those calculated by the applicant;
- That the provision of car parking space available for town centre uses may generate additional value for the scheme.

8.279 Whilst the Councils consultants have advised that there are a number of potential areas where additional value may be generated, or costs saved, Members are advised that all but one of these have the ability to have only a minimal impact. Even that which has more significant potential, relating to the costs of the development, is also recognised by the Councils consultants as not being so significant that, even if fully agreed by both the Council and applicant, it would have the overall ability to deliver a different outcome for the scheme overall.

8.280 The assessment on the part of the applicant sets out that a negative land value is achieved, meaning that the provision of any affordable housing is unviable. However, the applicant realises the importance of this issue and the aims of the development plan policies in this regard.

- 8.281 Because the scheme does not deliver a policy compliant level of affordable housing, it is agreed between the parties that a viability reassessment exercise should be undertaken. An appropriate trigger for this would appear to be when the reserved matters (or new full application) comes forward for the currently outline part of the site, but not too early that actual costs and values are unknown. Whereas the viability assessment work undertaken to date is based on professional judgement around prospective construction costs and sales and rental values, a reassessment exercise will be based on actual figures.
- 8.282 In summary it is considered that, largely in all respects other than the delivery of affordable housing, the scheme makes acceptable provision for infrastructure and is therefore acceptable in that respect.

Other Matters

Change of use of the care home and business units to residential units – leading to a larger population on the site:

- 8.283 This would need to be considered by a further application for planning permission as there are no permitted development rights to automatically change to a residential use.

Concerns as to whether there are sufficient school places to support this development:

- 8.284 The development is subject to a S106 contribution for education; this is directly linked to the potential number of additional children that this development could provide based on the number of bedrooms in each residential unit.

Photos submitted in support of the application are mis – representative and there has been no 3D model to assist:

- 8.285 The application has been submitted with a number of photographs and illustrative material; some relate to the application site and its

surroundings whereas others depict projects elsewhere or are illustrative only. Unfortunately the objector has not indicated precisely which photographs are of concern and as such it is difficult to respond further on this matter. A 3D model of the proposed development has now been provided.

Concerns about the integrity of the applicant, Solum, as they have shown in their actions regarding the station car park:

8.286 The comments are noted however, concerns about the integrity of the applicant are not a material consideration in the determination of this application. In the event that the application is granted, it will be subject to conditions and a legal agreement which will control the development. Any breach of the conditions or legal agreement can be pursued by the local planning authority.

Lack of effective pre – application engagement – Solum have engaged in consultation that is one – way only.

8.287 The applicants have set out how they have engaged with the local community prior to the submission of this current planning application. This engagement has involved meeting with a number of key stakeholders. In addition to setting out how they have met with stakeholders, they have also provided a copy of a feedback form that has been used at their events; this enables stakeholders to provide comments on their proposals. The applicants statement of community involvement has set out the changes that have been made to the proposals as a result of the stakeholder engagement namely:-

- Introducing a two-way road from London Road to the station;
- Reducing the heights of the buildings;
- Reducing the number of new homes;
- The introduction of proposed office space for local businesses;
- Improved architecture to better reflect Bishop's Stortford's heritage.

8.288 In this regard it is considered that engagement has been not been one – way only as suggested.

9 Planning Balance and Conclusion

9.1 A key objective of planning is to bring forward development that is appropriate and in the right place. This is made clear in the National Planning Policy Framework (NPPF), which states that there should be a presumption in favour of sustainable development.

9.2 The site is well-placed for a redevelopment of this scale – it is a sustainable and accessible brownfield site within the town centre with strong public transport connections. Bringing forward development here is vital to the regeneration of the Former Bishops Stortford Goods Yard Site and the principle of development on the site is well established in policy documents.

9.3 As well as the delivery of a significant element of housing, the proposals bring forward other uses including the commercial and retail floorspace proposed and the potential of new health care facilities. It is considered that the proposals attract significant positive weight in relation to these matters.

9.4 Considering transport issues, a new road through the site, which has been a policy aspiration, will be achieved. Its use will be subject to longer term assessment and decisions. The impact of the development on the highway network is otherwise considered acceptable. Additional cycle links and parking are provided and pedestrian links are enhanced. Again, matters to be considered positive benefits. It remains unclear the extent to which short stay parking for town centre uses will be provided in the scheme.

9.5 With regard to the layout and scale of the development and its design, the relevant experts comment positively. The design is considered to be one that responds well to the context of the site. Not all policy aspirations are met in full but, overall, it is considered that this is an area where the development will result in

improvements to the character and appearance of this part of the town to which significant positive weight can be assigned.

- 9.6 Residential parking levels do not achieve the standards that the Council utilises in full. Levels are improved over those of the previously refused scheme and lower levels of provision are considered justified given the very sustainable location of the development. It is considered that some harm may result, but that this is modest.
- 9.7 With regard to the housing mix, the scheme suitably provides generally smaller units suitable to its context and the relevant locational policies. It will contribute to the overall housing mix in the town. 20% of the units are to be provided as affordable housing due to the viability constraints of the site. There will be a requirement for a viability reassessment to determine if this can be increased when the second stage of the development comes forward. Whilst independently assessed and agreed, harmful weight has to be applied in this respect.
- 9.8 With regard to flood risk, landscaping, biodiversity the proposals are considered to be acceptable.
- 9.9 Overall, whilst some harm is assigned to some elements of the scheme, the benefits of the development, the utilisation and enhancement of this key site in the town and the mix of uses that are brought forward are considered to significantly outweigh any harm.
- 9.10 It is recommended that planning permission should be granted.