

EAST HERTS COUNCIL

EXECUTIVE – 03 SEPTEMBER 2019

REPORT BY LEADER OF THE COUNCIL

NORTH OF HERTFORD (SACOMBE ROAD, BENGEO) (HERT4)  
MASTERPLANNING FRAMEWORK

WARD(S) AFFECTED: ALL

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**Purpose/Summary of Report**

- To enable Executive Members to consider the Masterplanning Framework for the HERT4 North of Hertford (Sacombe Road, Bengo) site.

**RECOMMENDATION FOR EXECUTIVE: To recommend to Council that:**

<b>(A)</b>	<b>The North of Hertford (Sacombe Road, Bengo) Masterplanning Framework for the first phase of the strategic allocation known as HERT4 North of Hertford, as detailed at Essential Reference Paper 'B' to this report, be agreed as a material consideration for Development Management purposes.</b>
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1.0 Background

1.1 The East Herts Approach to Master Planning was first presented to the District Planning Executive Panel in September 2017 (and agreed by Council on the 18<sup>th</sup> October 2017). The report set out a series of steps that describe the various stages involved and processes expected for each of the District Plan strategic allocations. Whilst not a one-size-

fits-all approach, the process is based upon a collaborative approach to identifying and resolving issues, creating a vision for what the site aspires to achieve, testing design options and consulting upon preferred solutions. The output of this process is a Masterplanning Framework or Masterplan which is presented to members for consideration.

- 1.2 In order to embed the Masterplanning process, District Plan Policy DES1: Masterplanning requires all 'significant' development proposals to prepare a Masterplan. This should set out the quantum and distribution of land uses; access; sustainable high quality design and layout principles; necessary infrastructure; the relationship between the site and other adjacent and nearby land uses; landscape and heritage assets and other relevant matters. Furthermore, the Masterplan should be collaboratively prepared and informed by public participation. Finally, Policy DES1 states that in order to ensure sites are planned and delivered comprehensively, any application for development on part of the site will be assessed against its contribution to the Masterplan as a whole.
- 1.3 The Masterplanning Framework should therefore provide sufficient information to inform the preparation of detailed aspects of the site at the planning application stage. The level of detail required for the Masterplanning Framework will depend upon the likely form of delivery of the site. For example, where delivery is expected by one party who has been involved throughout the Plan-making stages, a Masterplanning Framework may be prepared, which provides key parameters and aspirations which form the basis of detailed design determined through a planning application process at a later stage.
- 1.4 In order to bring forward the strategic sites allocated in the adopted District Plan, Steering Groups have been established by the Council. These are comprised of East Herts councillors, town and parish councillors, representatives of the local community and other interested groups, where appropriate.

Each Steering Group is a sounding board for key issues and, depending upon specific circumstances, for discussing detailed design elements whilst preparing the planning application through to when construction is underway. In respect of the HERT4 allocation, Shaping Hertford is the appropriate Steering Group for progressing this Masterplanning Framework.

## 2.0 Report

2.1 The land to the North of Hertford is a strategic allocation (HERT4) within the District Plan, which was adopted on 23<sup>rd</sup> October 2018. As such, the site has been released from the Green Belt and is immediately available for development, provided that relevant policy criteria are complied with in any future planning application.

2.2 It should be noted, however, that the HERT4 allocation is split into two parcels, which is recognised in Part I. of the policy:

I. Land to the north of Hertford is allocated as a residential development site to accommodate a minimum of 150 homes, with around 50 dwellings being provided to the north of Sacombe Road by 2022; and, subject to the satisfactory previous phased extraction of mineral deposits on the neighbouring site, around 100 homes to the west of B158 Wadesmill Road between 2022 and 2027.

2.3 For the avoidance of any doubt, it should be noted that this report and accompanying Masterplanning Framework refer solely to the 50 homes to be delivered to the north of Sacombe Road by 2022.

2.4 In respect of the 100 remaining dwellings to be delivered as part of the overall 150 homes within the HERT4 allocation, it should be made clear that these would only be delivered on the basis of the minerals being extracted on the adjacent Ware Park, Wadesmill Road, site, which has been subject to recent

mineral applications and dismissal by the Secretary of State following the appeal process. The policy position of development for this further part of the site allocation being conditional, is because Green Belt and associated land profiling relationship issues would currently preclude its acceptability in planning terms and the Council would not seek to bring forward development in this location without resolution of such issues.

- 2.5 Should, however, permission for sand and gravel extraction ultimately be granted, the subsequent mineral operations would significantly alter the landform in that area. Therefore, with the current landscape already then being irrevocably changed, the associated restoration would allow for a sensitive re-profiling of the land in both locations to address the identified issues and, under those circumstances, development would be a suitable proposition. However, in the event that extraction should not take place, East Herts Council has been consistently clear that only the first 50 dwellings on the Bengo Nursery site would be delivered through the HERT4 allocation.
- 2.6 Therefore, in needing to take both scenarios into account, while any Masterplanning Framework for the former nursery site, north of Sacombe Road, element of the allocation should provide a scheme that would achieve a successful stand-alone option in that location, it should also make provision to integrate well with a potential later phase of development (of around 100 homes to the west of B158 Wadesmill Road between 2022 and 2027) in the event that mineral extraction should occur in the future.
- 2.7 The history of the former Bengo Nursery element of the allocation has involved more than one land interest in the process of bringing the site forward. Originally, throughout the plan-making process, site promoters (Kler Group) through their agents (Cerde Planning) and their associated consultants, worked with officers on the early masterplanning of this site to

demonstrate that the policy requirements could be achieved. Subsequent to the District Plan Examination in Public, work then proceeded on preparing a Masterplanning Framework to support the planning application process prior to and since the adoption of the Plan. This early engagement was to ensure that the site could ultimately be delivered in the first five years of the District Plan and, consequently, that the preparation of the Masterplanning Framework should not delay the submission of a planning application. This would have been a significant risk if the Masterplanning process had not commenced until after the Plan's adoption.

- 2.8 Policy HERT4 of the District Plan sets out the proposed land uses and other policy requirements as well as a requirement that a Masterplan is produced in a collaborative manner with stakeholders. The site will deliver around 50 new homes of varying mix and tenure, including 40% affordable housing.
- 2.9 In terms of on-site specific matters, as a smaller site of around 50 dwellings, it is not required to make on-site community provision other than open space and landscaping, but it will contribute towards other local provision through S.106 agreement/s in due course through the planning application process. It will also be expected to meet all other relevant HERT4 policy criteria, inter alia, addressing issues such as transport (both locally and wider strategic); access; and, wider opportunities to link into pedestrian, cycleway and bridleway networks. Sewerage and flood mitigation are also important matters to be covered.
- 2.10 Public consultation took place through a public exhibition drop-in event on 25<sup>th</sup> July 2018 (detailed at paragraph 2.14, below). The results of this community engagement (detailed at paragraph 2.16, below) have contributed in shaping the final Masterplanning Framework.
- 2.11 Subsequent to the public consultation, in late 2018 there was a change of ownership of the site and Durkan Estates (with

agents PPML Consulting acting on their behalf) took over the progression of the allocation and the draft Masterplanning Framework. Officers have subsequently worked with Durkan to refine the document, which is presented alongside this report.

- 2.12 The Masterplan Framework provided at **Essential Reference Paper 'B'** sets out a vision for the development of the site supported by a series of key area strands. These seek to respond to the policy requirements as set out in Policy HERT4 and have been established as a result of an analysis of constraints and opportunities, through discussions with officers, Shaping Hertford Steering Group, the local community and other stakeholders.
- 2.13 The Design Principles diagram on page 14 sets out the context for the future development of the site and provides the basis for delivery of key features and use of spaces.

#### Engagement

- 2.14 Throughout the Plan-making stage a number of meetings were held with Officers to discuss a wide variety of matters. These discussions informed the early iterations of the Masterplanning Framework. Officers continued to meet with Kler's agent, Cerda Planning, and other parties, as programmed in the Planning Performance Agreement in place at the time. Similar arrangements have continued since the adoption of the District Plan, firstly with the Kler Group and, latterly, with Durkan to refine the document.
- 2.15 As detailed above, public engagement on the emerging residential proposals sought the views of local people. This has included a drop-in style event where local residents could view and comment on early iterations of the proposals, and could also contact the agent by email. The exhibition was publicised by way of individual leaflets delivered to 3338 residential addresses and 126 commercial addresses within

the Bengo area, the extent of which was defined by Bengo District Ward and agreed with officers in advance.

2.16 A total of 97 people attended the event. Subsequently, details of the main points raised through the public consultation were provided and a summary of these (with East Herts officer comments below each point) is included as follows:

- Sewerage capacity – historical capacity issues with existing combined foul and surface sewer serving this part of Hertford. Thames Water has installed a non-return valve to help address the issue.

Comment

*The HERT4 proposals will need to address this issue through the planning application process, with the starting point being that surface water drainage from the HERT4 proposals should be dealt with on-site, and should not enter the combined system unless demonstrated to be unavoidable. Discussions are on-going between the developer and Thames Water to establish the most appropriate location for connecting into the existing system, and the impacts on the system accommodating the HERT4 scheme.*

- Parking issues – concern was raised about parking in this area of Hertford, particularly regarding the Buckwells Field development opposite, which was considered by many to have insufficient parking, leading to on-street parking on Sacombe Road. On-street parking is further seen as being exacerbated by people walking to Hertford North train station and school drop off/collection related parking. Concern was expressed about the informal arrangement that is in place with the current land owner, whereby parents utilise the site for school drop off/collection, no longer being available.

### Comment

*There is no specific obligation to re-provide the informal school parking arrangements that were operating at the time of the exhibition. Since the new landowners took possession of the site at the end of 2018, the previous informal parking arrangements have ceased. However, the developer is working with HCC Highways to ensure that the development should not itself generate any displacement parking that may negatively impact the highway in that area.*

- Traffic congestion – references have been made to heavy traffic flows along Sacombe Road and Bengo Street. It was suggested by many that Sacombe Road and Bengo Street form a key route linking surrounding settlements to Hertford. It was acknowledged by some that the HERT4 site itself would not be a major contributor to congestion, but that the network is currently at capacity.

### Comment

*The Highway Authority (HCC) has been involved in the site selection procedure throughout the plan making process and has, subject to suitable mitigation, accepted the principle of development of this site in accordance with Policy HERT4. On-going discussions between HCC and the developer continue leading towards the ultimate completion of a Transport Assessment to support a future planning application, including in relation to cumulative impacts.*

- Density of development – an issue was raised about ensuring suitable density, particularly in relation to neighbouring Buckwells Field, which many considered to be an over-dense scheme, with the focus of this relating to inadequate levels of parking provision on site leading to displacement parking in the locality. It was also suggested that lower parking levels were introduced for that development in order to maximise the density of the Buckwells Field scheme.



Comment

*The density ratio for the Sacombe Road site was established through the plan making process, resulting in Policy HERT4 allocating around 50 dwellings for this element of the overall development. The draft Masterplanning Framework confirms that parking provision for the Sacombe Road component of the site allocation will be compliant with the Council's parking standards.*

- 2.17 One concern raised by various respondents to public engagements, both of the Council (District Plan related) and the site promoter (in relation to this site), relates to the impact of the development on the local road network, in particular in Sacombe Road. Additionally, an issue has been raised around the impact that the loss of the previous informal parking arrangements (by largesse of the then occupier) would have on dropping off and picking up pupils from Bengeo Primary School.
- 2.18 Both matters largely fall under the auspices of the Highway Authority to consider, and the site promoter is engaged in ongoing discussions with HCC to address all transport issues. However, it should be noted that the principle of development at this location has already been accepted by HCC Highways through the District Plan process.
- 2.19 Furthermore, for a previous application (which was refused in 2013) for development of the land for 58 dwellings (3/12/2138/FP) when the District Plan process was at an early stage and the Green Belt designation was not at that time formally proposed for removal, HCC Highways responded that, subject to usual conditions, it did not wish restrict the grant of permission. At that point no requirement by HCC was placed on the applicant to re-provide any of the informal school related parking provision.
- 2.20 Clearly, transport matters are not simply confined to vehicular movements and the Masterplanning Framework for the site is

intended to promote measures that engender the use of sustainable transport modes. These measures will be progressed further when reaching the planning application stage and are likely to be delivered through hard features (e.g. design and layout of the development providing opportunities to travel through the site and to wider environs) and also soft measures (e.g. travel planning).

- 2.21 As detailed above, a Steering Group 'Shaping Hertford' was established to enable the open discussion of issues for all of the Hertford allocations in the District Plan. This Group comprises a number of Executive Members, local ward councillors (at county, district and town levels), Hertford Civic Society, the local Neighbourhood Planning Group and a business representative for Hertford. In respect of this specific element of the HERT4 allocation, the Steering Group has received presentations from the Kler Group in May 2018 and, more recently, from Durkan Estates, in May 2019 and has had opportunity to probe and discuss the emerging approach.
- 2.22 In respect of the Shaping Hertford Group, it is the intention that (as with other Steering Groups in the district), there will be continued engagement as planning application/s come forward for consideration.
- 2.23 It should also be noted that the developers have engaged with the Hertfordshire Design Review Panel on 29<sup>th</sup> July 2019 and that the contents of the draft Masterplanning Framework were positively received.
- 2.24 A further public exhibition has also been held on 6<sup>th</sup> August in regarding the site, where the material displayed related to the emerging detailed proposals for the forthcoming planning application.

## Conclusions

- 2.25 With the adopted District Plan in place, it is important that the Council can demonstrate the delivery of its strategic sites, and in particular to expedite the delivery of new homes planned within the first five years of the Plan. It is therefore important that, while maintaining flexibility, the Masterplanning Framework should provide sufficient breadth of information to guide both future developers and, importantly, decision-makers. An agreed Masterplanning Framework will be a material consideration<sup>1</sup> in the decision-making process and is key to ensuring that any planning application for the former Bengo Nursery element of the proposed HERT4 allocation north of Sacombe Road should meet the Council's aspirations.
- 2.26 It is the view of Officers that this Masterplanning Framework is a document that provides a strong vision supported by clear objectives and sufficient detail against which future applications can be measured. It provides a suitable framework for the main issues of significance in relation to the proposal, whilst providing enough flexibility that further detail can be agreed at appropriate stages as application proposals are worked up, as necessary. Officers will continue to work with the Durkan, its agents, and other stakeholders to ensure that the best possible quality design is achieved on this site.
- 2.27 The Masterplan Framework contains a vision and series of aims that reflect the requirements of Policy HERT4 and, with appropriate design tools, these ambitions should be realised on the site. It is therefore recommended that the Masterplan Framework, as detailed at **Essential Reference Paper 'B'**, be agreed as a material consideration for Development Management purposes.

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<sup>1</sup> A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers

East Herts District Plan – Chapter 9 – Hertford:

[https://www.eastherts.gov.uk/media/33196/7.-Hertford-HERT-Policies/PDF/District\\_Plan\\_09\\_-\\_C\\_7\\_-\\_HERTFORD\\_HERT\\_POLICIES.pdf](https://www.eastherts.gov.uk/media/33196/7.-Hertford-HERT-Policies/PDF/District_Plan_09_-_C_7_-_HERTFORD_HERT_POLICIES.pdf)

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