

East Herts Council Report

Executive

Date of Meeting:	25 October 2022
Report by:	Councillor Jan Goodeve, Executive Member for Planning and Growth
Report title:	Old River Lane Supplementary Planning Document (SPD) - Final for Adoption
Ward(s) affected:	All

Summary

- To outline the responses received to the public consultation on the draft Old River Lane Supplementary Planning Document (SPD) and to seek Members' agreement to adopt a revised Old River Lane SPD.

RECOMMENDATIONS FOR Executive to recommend to Council:

- (a) That the responses to the consultation be noted and the officer responses and proposed changes to the Old River Lane Supplementary Planning Document (SPD) be supported;**
- (b) That the Old River Lane Supplementary Planning Document (SPD), as detailed at Appendix C to this report, be agreed for adoption; and**
- (c) That in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 it has been determined that a Strategic Environmental Assessment of the Old River Lane Supplementary Planning Document**

(SPD) is not required as it is unlikely to have significant environmental effects beyond the District Plan policies.

1.0 Proposal(s)

- 1.1 The Old River Lane Supplementary Planning Document (SPD) has been prepared to provide guidance on the implementation of Policy BISH8 in the East Herts District Plan 2018.
- 1.2 Following public consultation, the Council has amended the draft Old River Lane SPD to reflect the issues raised.
- 1.3 This report outlines the results of the consultation and seeks Members' agreement to adopt a revised Old River Lane SPD.

2.0 Background

- 2.1 Old River Lane is a development site allocated in the East Herts District Plan 2018 (Policy BISH8) which forms a key opportunity for sustainable redevelopment in the heart of Bishop's Stortford and an opportunity to reconfigure the retail, community, and leisure provision in the town centre.
- 2.2 The Old River Lane SPD sets out the Council's aspirations for the redevelopment of the Old River Lane site. The ambition is to create a well-designed development that responds to the character of the surrounding area.
- 2.3 A draft version of the Old River Lane SPD was published for public consultation for four-weeks between the 5 July and 2 August 2022.

3.0 Reasons

Purpose of the SPD

- 3.1 Policy BISH8 (Old River Lane) of the East Herts District Plan 2018, sets out that the Old River Lane site will provide for a mixed-use development and around 100 new homes. The policy states that the 'Bishop's Stortford Town Centre Planning Framework' 2016

will form the basis of a Supplementary Planning Document which will be used to inform the masterplanning of the site.

- 3.2 The SPD sets out the aspirations of the Council for the redevelopment of the Old River Lane site. The ambition is to create a well-designed development that responds to the character of the surrounding area. The SPD:
- Sets out the existing planning policy framework for bringing forward appropriate redevelopment of Old River Lane.
 - Establishes placemaking and design principles.
 - Will improve the quality of proposals.
 - Will ensure high quality-design.
- 3.3 The SPD has been prepared in line with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 and will be a key material consideration in determining the acceptability of development on the site and seeks to reduce uncertainty by creating a framework against which development proposals can be assessed

Content of the SPD

- 3.4 The SPD addresses a range of planning matters relating to the redevelopment of Old River Lane. As such the SPD has been split into nine Chapters as follows:
- **Introduction** – describes the background to the SPD including the planning policy context and the process for preparing the SPD.
 - **Site Context and Analysis** – examines the historical development of the area, looking back at the evolution of Bishop's Stortford, followed by a brief history of the Old River Lane site. Further analysis of the Old River Lane site today follows and how it relates to the wider town centre.
 - **Policy BISH8 Old River Lane** – provides further information on the policy requirements of BISH8 with

reference to land use on the site.

- **Transport Options** – considers broad transport issues and options relating to Old River Lane.
- **Vision and Development Objectives** – sets out the vision for the Old River Lane site and development objectives.
- **Constraints and Opportunities** – sets out the constraints and opportunities that were identified following the appraisal of the site and its existing uses.
- **Design Principles** – sets out the design principles that will guide development at Old River Lane.
- **Strategic Masterplanning Framework** – sets out the framework for development proposals at Old River Lane.
- **Planning Application Requirements** – outlines the documents required to accompany planning applications.

3.5 An Old River Lane Steering Group was set up last year (2021) to ensure a better understanding of the key issues and aspirations that the community have for the Old River Lane site. The Council was able to get feedback on the emerging proposals and principles as well as jointly setting a vision and objectives for the site. The discussions that have taken place at the Steering Group meetings have therefore influenced both the scope and content of the SPD.

Consultation

3.6 The draft Old River Lane SPD was subject to public consultation in accordance with the Town and Country Planning (Local Planning) (England) 2012 (as amended) and the Council's adopted Statement of Community Involvement (2019).

3.7 The draft SPD was published for consultation for four-weeks between the 5 July and 2 August 2022 (5pm). The consultation was advertised via a press release. Information was also made available on the Council's website and via social media.

3.8 A total of **439** responses were received from **97** consultees. Most of the responses contained several issues. The main issues raised are summarised below:

Objection to the demolition of the United Reformed Church (URC) Hall	Objections focussed on the need to retain the URC Hall, particularly as it has now been identified as an Asset of Community Value.
Objection to the demolition of Charringtons Houses	Objections focussed on the loss of office space, plus concern that the SPD takes no account of the carbon embedded in existing buildings.
Objection to the loss of the Waitrose Carpark	Concern that the Waitrose carpark was being lost rather than re-provided on site.
Lack of commitment to climate change and sustainability	The SPD should be strengthened to recognise the importance of climate change and environmental sustainability.
Objection to loss of trees	Particular concern that the mature trees across the site would be cut down.
Concern over building heights	Concern that building heights should not impact on the character of the area or on heritage assets.
Lack of clarity over leisure facilities	Further guidance on appropriate 'leisure' uses requested.
Lack of clarity over the public square	Further information requested on the public square.
Objection to	View that there is no requirement for

another cinema in the town	another cinema in Bishop's Stortford.
Mixed views on a new Arts Centre	View that a new arts centre would not be required if the URC Hall was refurbished. Some support for a new Arts Centre but further information requested.
Key documents need updating	Requirement to update the plan to reference the updated Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards (1 st Revision) and the Hertfordshire Eastern Area Growth & Transport Plan.

- 3.9 Officers have considered these issues in full and made amendments where they add value to the SPD.
- 3.10 The issues raised as part of the consultation; the officer responses and the proposed amendments to the SPD are included in the Consultation Statement, attached at **Appendix A**. For clarity, a track change version of the document has also been attached at **Appendix B**, so that it is easier to see where the changes are within the SPD.
- 3.11 Members are therefore invited to agree these officer responses; the proposed modifications; and the adoption of the final document. A final version of the Old River Lane SPD is attached at **Appendix C**.

Strategic Environmental Assessment

- 3.12 Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects, must be subject to an environmental assessment. It is therefore a requirement that the Council undertakes a Screening Assessment to determine whether the Old River Lane SPD should

be subject to a Strategic Environmental Assessment.

- 3.13 The Regulations require that the Council consults three statutory bodies in reaching this determination. Consultation has therefore been carried out with Natural England, Historic England and the Environment Agency.
- 3.14 Natural England has confirmed that they welcome the production of the SPD which provides guidance on the design and implementation of Policy BISH8 (Old River Lane), including the integration of green infrastructure, urban greening, and water management. Natural England also confirm that in their view the proposals contained within the SPD will not have significant effects on sensitive sites that they have a statutory duty to protect.
- 3.15 Historic England, having reviewed both the SPD and the draft Screening Statement has confirmed that they support the conclusion of the draft Screening Statement that determines that an SEA is not required for the Old River Lane SPD.
- 3.16 The Environment Agency have confirmed that they have no comments to make regarding the Old River Lane SPD at this stage
- 3.17 The final Screening Statement is attached in **Appendix D**. It concludes that the SPD is unlikely to have significant environmental, social, or economic effects beyond those of the District Plan policies it supplements; does not create new policies and only serves to provide useful guidance on how to effectively and consistently implement the District Plan policies and therefore does not require a Strategic Environmental Assessment.

4.0 Options

- 4.1 Option 1: Not adopt the SPD – this would mean that there wouldn't be an overarching strategy produced to guide future development at Old River Lane.

4.2 Option 2: Adopt the SPD – this will allow the Council to set out the strategy and aspirations for the redevelopment of the Old River Lane site.

5.0 Risks

5.1 The SPD will help guide the redevelopment of the Old River Lane site.

6.0 Implications/Consultations

6.1 The draft Old River Lane SPD was subject to a four-week public consultation as detailed above.

Community Safety

No

Data Protection

No

Equalities

The SPD provides more detailed guidance on policies in the East Herts District Plan 2018, which was the subject of an EqIA.

Environmental Sustainability

The Old River Lane SPD has been screened to determine whether a Strategic Environmental Assessment (SEA) is required. The final Screening Statement is attached at Appendix D.

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

The SPD is not introducing new legal requirements.

Specific Wards

Bishop's Stortford Meads

7.0 Background papers, appendices and other relevant material

7.1 **Appendix A:** Consultation Statement

7.2 **Appendix B:** Track change version of the Old River Lane SPD

7.3 **Appendix C:** Final version of the Old River Lane SPD

7.4 **Appendix D:** Final SEA Screening Report

Contact Member

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