

East Herts Council Report

Executive

Date of Meeting: 22 November 2022

Report by: Councillor Jan Goodeve, Executive Member for Planning and Growth

Report title: North of Hertford – Land West of Wadesmill Road, Bengoe (HERT4, Phase 2) Masterplanning Framework

Ward(s) affected: Hertford Bengoe

Summary

- To enable Executive Members to consider the Masterplanning Framework Document for North of Hertford – Land West of Wadesmill Road, Bengoe (HERT4, Phase 2).

RECOMMENDATIONS FOR Executive to recommend to Council:

- (a) That the North of Hertford – Land West of Wadesmill Road, Bengoe (HERT4, Phase 2) Masterplanning Framework, October 2022, as detailed in Appendix A to this report, be agreed as a material consideration for Development Management purposes.**

1.0 Proposal(s)

- 1.1 In accordance with District Plan Policies DES1 and HERT4, a Masterplanning Framework document has been produced for land North of Hertford – Land West of Wadesmill Road, Bengoe (HERT4, Phase 2), as a collaborative process including engagement with the Shaping Hertford Steering Group.

2.0 Background

- 2.1 The District Plan was adopted in October 2018 and sets out the Council's strategy for delivering growth in East Herts over the Plan period up to 2033.
- 2.2 The East Herts Approach to Masterplanning was first presented to the District Planning Executive Panel in September 2017 (and was subsequently agreed by Council on the 18th October 2017). The report set out a series of steps that describe the various stages involved and processes expected for all 'significant' development sites. 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.
- 2.3 In order to embed the Masterplanning process, District Plan Policy DES1: Masterplanning requires all 'significant' development proposals to prepare a Masterplan. The significance of development is measured not only on its scale, but on the potential impact on the community and local character. However, supporting text at paragraph 17.4.1 of the District Plan suggests that generally a threshold of fifty dwellings or more will apply. Policy HERT4 likewise requires the collaborative preparation of a Masterplan for this particular site.
- 2.4 Policy DES1 requires that the masterplan 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. Policy HERT4 adds further locally appropriate criteria.

- 2.5 The Masterplanning Framework document 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 document 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 Document 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.
- 2.6 Steering groups have been established for each town in the District to help inform the development of strategic sites allocated in the adopted District Plan and other significant sites that come forward for development. These are comprised of East Herts councillors, town and parish councillors, representatives of the local community and other interested groups, where appropriate. The 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.
- 2.7 The Shaping Hertford Steering Group, which has been utilised for engagement on all the Hertford District Plan strategic site allocations and other key sites, was convened to help shape proposals for the HERT4 Phase 2 site from an initial meeting on 08 June 2022 and has been used to assist in progressing the Masterplanning Framework Document.
- 2.8 The North of Hertford – Land West of Wadesmill Road, Bengoe (HERT4, Phase 2) Masterplanning Framework, October 2022 has

been taken through the agreed masterplanning process and has now reached a point where it can be considered by members to be agreed as a material consideration for Development Management purposes.

3.0 Reasons

3.1 The general approach to Masterplanning was first presented to the District Planning Executive Panel in September 2017 (and agreed by Council on 18 October 2017). 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 which is presented to members for consideration.

3.2 Land to the North of Hertford is a strategic allocation (HERT4) within the District Plan, which was adopted on 23 October 2018, which is underpinned by Policy DPS2 'The Development Strategy'. As part of this strategy, which inter alia provides for urban extensions to the five main settlements, the site was released from the Green Belt on the Plan's adoption and, providing compliance with relevant policy criteria was achieved in any future planning application, became available for development immediately at that time.

3.3 It should be noted 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.

- 3.4 The first parcel, north of Sacombe Road, underwent the masterplanning process and the Masterplanning Framework for this phase of the site was approved at Council on 23 October 2019 and became a material consideration for Development Management purposes. A planning application for the development was subsequently approved and the site, now known as The Stiles, is nearing completion of 52 dwellings in line with the policy timeline. The development has generally been positively received in terms of its design, layout and overall appearance.
- 3.5 The second phase of the site allocation, West of Wadesmill Road, is the subject of the current Masterplanning Framework process. It should be noted that Policy HERT4 details that mineral extraction should occur on the neighbouring site prior to the second phase for 100 dwellings coming forward for development. Since the District Plan's preparation, however, there has been a change in circumstances whereby the mineral extraction now looks unlikely to occur in the near future, if at all.
- 3.6 While this policy issue may potentially impact decision-making once an application is submitted, the masterplanning process is a separate pre-cursive process to be undertaken in advance of that stage being reached. Indeed, applicants for planning permission at any of the District Plan's strategic allocations are obliged, via Policies DES1 and (in this case) HERT4 II, to enter into the Masterplanning process prior to submission of any planning application. It is therefore incumbent on the Council to engage with the site promoters irrespective of any potential policy conflict.
- 3.7 Engagement in a masterplanning process provides the best opportunity to ensure a collaborative approach aiming to achieve the most successful design for the development and to help influence the design of the scheme that will inevitably be submitted as a planning application in due course.

- 3.8 While it is recognised that there is the policy matter of mineral extraction not having yet occurred on the neighbouring site to be considered at the later application stage, failure to have engaged in the masterplanning process at this pre-cursive stage could have resulted in a scheme significantly less favourable than had the opportunity for engagement with officers and the Shaping Hertford Steering Group been employed. Indeed, several key aspects of the current high-level layout design were amended following input from officers and other stakeholders.
- 3.9 Furthermore, it should also be borne in mind that if a non-collaborative scheme were to be submitted, refused and subsequently appealed, there would be very little to no opportunity to influence the shape of the development in the event that appeal be allowed.
- 3.10 In recognition of all the above, the Council has therefore entered into the Masterplanning process for Phase 2 of the HERT4 strategic allocation on a 'without prejudice' basis, which should not be seen as pre-determining the outcome of any future planning application. This position has been made clear to both the site promoters and to any members of the public who have been in contact with the Council. Therefore, any future planning application submitted would be objectively considered by the Development Management Committee in due course, taking all relevant planning considerations into account in reaching a decision at that time.
- 3.11 As well as the policy position set out in the District Plan, it is also important to note that the Bengo Neighbourhood Area Plan was adopted in July 2021, and that this document also forms part of the development plan for the area, to be taken into account in bringing forward any development proposals.
- 3.12 In respect of the design attributes for the second phase of the HERT4 allocation, the site promoters (who are the same company currently developing The Stiles at phase one) have

actively and positively engaged with the Council's officers through exchange of ideas to help shape the development proposals. The design framework for the site responds to the policy requirements of both the District Plan and Bengoe Neighbourhood Plan and has been established as a result of an analysis of constraints and opportunities; through discussions with officers; the Hertfordshire Design Review Panel; the Shaping Hertford Steering Group; the local community; and, other relevant stakeholders.

3.13 The final Masterplanning Framework sets out a vision for a high quality, sustainable, landscape and design-led scheme to the north of the town and which relates well to adjoining development.

3.14 In recognising the differing topography of part of the site to the first phase, the character of second phase intends for the continuity of design from The Stiles at its western, flatter half, with the design of the eastern side respecting its sloping characteristics in layout.

3.15 Permeability through the entire HERT4 allocation is a key aspect of design, with prominence given to the existing byway at the heart of the development and which offers opportunity for pedestrian and cycle connectivity within and external to the site. The development will offer a mix and range of housing and includes provision for 40% affordable housing. The landscaping of the scheme is of key importance, especially given the relationship with the surrounding countryside outside of the site boundary, which remains in the Green Belt. In particular, the northern boundary is therefore planned to have a substantial native tree and shrub buffer.

Engagement

3.16 Throughout the masterplan process a number of meetings have taken place with officers and the site promoters, Durkan, and

their associates to help shape the high-level overarching form of development at the site.

- 3.17 Two meetings of the Shaping Hertford Steering Group have taken place in relation to Phase 2 of the HERT4 strategic site allocation and these have allowed for the open debate of issues. The Steering Group comprises relevant district, county and town council members and officers, alongside community representatives including the Hertford Civic Society and residents' groups. Alongside technical advice from officers, the information gained from local knowledge and input of participants has helped inform the emerging development proposals.
- 3.18 A public consultation exercise was undertaken between 30 August and 14 September 2022, with an in-person event at Bengo Cricket Club on 31 August and a dedicated website throughout the period enabling the submission of comments and communication with the site promoters. The consultation was advertised via a postcard drop to Bengo addresses and by advertising in the local press in addition to social media.
- 3.19 While the public consultation was a privately run event by the site promoters and outside of the planning processes which are the responsibility of the Council, a significant number of emails were received by both members and officers. Correspondents were advised that there was no mechanism for views to be considered at this stage and that any comments should therefore be made when an application was in place, based on the scheme submitted at the time. However, for information purposes, the key points that were raised and forwarded to the Council are detailed in the table at **Appendix B**, with officer comments in relation to the issues raised alongside. A further public consultation was held on 19 October 2022, but this was more concerned with plans being developed for the future planning application. However, it did show draft proposals that

have developed which more appropriately align with the views of both officers and the Hertfordshire Design Review Panel.

3.20 The site promoters engaged with the Hertfordshire Design Review Panel on 12 September 2022 and, subject to various suggestions for improvement, the draft Masterplan was generally positively received. Suggestions from the Panel to improve the scheme related to:

- designs reflecting Policy HERT 4 wording and going beyond minimum standards;
- the proposals needing to be genuinely landscape-led to celebrate the natural assets of the site and its surroundings;
- designs responding to the need for biodiversity and drainage enhancements to influence the strategic design;
- greater consideration being given to the movement of pedestrian and cyclist movement, both within the development site and via connections to wider networks;
- utilising the topography of the eastern half of the site to provide a richer arrival experience and development which responds to the gradient and setting.

Conclusion

3.21 With the adopted District Plan in place, it is important that the Council can continue to demonstrate a delivery of 5 years housing supply. 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 Masterplan Document will be a material consideration in the decision-making process and is key to ensuring that any planning application should meet the Council's aspirations.

3.22 Feedback following both the public consultation and the Design Review Panel, alongside advice from the Council's planning and

urban design officers and input from the Shaping Hertford Steering Group, has helped the site promoters shape the final form of the Masterplanning Framework for the site.

- 3.23 It should be noted that the Framework provides a high-level concept at this stage, with detailed plans to be finalised prior to submission of a planning application for the development, which is expected by the end of the year.
- 3.24 It is the view of Officers that this Masterplan Document provides a good basis upon which to move forward to preparing a detailed application. 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 Durkan, their associates, and other key stakeholders to ensure that the best possible quality design is achieved on this site.
- 3.25 It is therefore recommended that the Masterplan Framework, as detailed at **Appendix A**, be agreed as a material consideration for Development Management purposes.

4.0 Options

- 4.1 The Council could choose not to engage in, or agree, a Masterplanning Document for the site. However, this would be contrary to District Plan Policies DES1 and HERT4. It would also mean that, when determining the application, the Council would not be able to take account of a design framework prepared in collaboration with the Steering Group and key stakeholders. This would be likely to have a detrimental impact on design quality and community engagement.

5.0 Risks

5.1 The submission of a Masterplan is a requirement of the adopted District Plan. If a scheme progresses to the planning application determination stage without an agreed Masterplan, this would be contrary to such requirements.

6.0 Implications/Consultations

6.1 The masterplanning process included public engagement and steering group meetings with members, officers and local representatives. This is detailed above in the main body of the report.

Community Safety

No

Data Protection

No

Equalities

An overarching EIA was undertaken as part of the District Plan process.

Environmental Sustainability

The site is a strategic allocation in the adopted District Plan, 2018 and as such has undergone rigorous assessment as part of this process. The Masterplanning Framework Document incorporates design principles that seek to address environmental sustainability.

Financial

No.

Health and Safety

No.

Human Resources

No.

Human Rights

No

Legal

No

Specific Wards

Hertford Bengo

7.0 Background papers, appendices, and other relevant material

- 7.1 **Appendix A:** North of Hertford – Land West of Wadesmill Road, Bengo (HERT4, Phase 2) Masterplanning Framework
- 7.2 **Appendix B:** Summary of Issues Raised and reported to East Herts Council from members of the public as a response to Durkan’s Public Consultation between 30 August and 14 September 2022
- 7.3 HERT4 North of Hertford (Sacombe Road, Bengo) Masterplanning Framework, October 2019
<https://eastherts.fra1.digitaloceanspaces.com/s3fs-public/2019-10/HERT4%20Masterplanning%20Framework.pdf>
- 7.4 Bengo Neighbourhood Area Plan (adopted July 2021)
https://cdn-eastherts.onwebcurl.com/s3fs-public/2021-11/Bengo%20Neighbourhood%20Area%20Plan_Fixed.pdf

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