

Sainsbury's Supermarkets Ltd

**MCMULLEN BREWERY, HARTHAM LANE,
HERTFORD
PINS REF: APP/J1915/V/09/2101286
LPA REF: 3/08/1528/FP**

Summary Proof of Evidence

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Contents

1 INTRODUCTION 1

2 RELEVANT POLICY 2

3 THE DEVELOPMENT 3

4 RESPONSE TO THE SECRETARY OF STATE’S CALL-IN ISSUES..... 5

 Accessibility Issues 5

 Traffic Impact 6

 Section 106 Obligations Relating to Transport..... 7

 Compliance with Relevant Policy..... 8

5 COMMENTS RAISED BY OTHER PARTIES IN THEIR STATEMENTS OF CASE 9

6 CONCLUSION 10



1 INTRODUCTION

- 1.1 My name is Julian Martin Foot. I am a director of Savell Bird & Axon, part of the WYG Group. My evidence deals with the transportation matters raised in the Secretary of State's call-in letter.
- 1.2 When considering the transportation suitability of the application site it must be recognised that this is a 'brownfield' site lying very close to the town centre and capable of providing attractive and convenient links to and from the centre. The development will help to regenerate the town and the site itself and provide enhanced competition for convenience shopping within Hertford.
- 1.3 Visits to a supermarket are discretionary and customers have choice in where they shop, how they travel and when they travel. Some will find it convenient to combine their visits to a store with an existing journey on the highway, especially during busy periods when they are committed to travelling. For those with flexibility to shop at other times, they can choose to do so whilst avoiding network peaks.
- 1.4 The application proposals include significant enhancements to local walking, cycling and public transport through the section 106 obligation contributions.
- 1.5 It is inevitable that the application site would have been developed at some stage. Hence, some form of traffic impact is therefore also inevitable.
- 1.6 East Herts District Council assessed the application proposals having regard to the consultation response of Hertfordshire County Council (the County Council) and they determined to grant consent.



2 RELEVANT POLICY

- 2.1 I have considered the relevant policies contained within the policy documents referred to in the call-in letter.
- 2.2 In particular, I consider the East of England Regional Spatial Strategy, the East Herts Local Plan Second Review and the Local Transport Plan. I also consider national policy documents: draft PPS4, PPS6 and PPG13.
- 2.3 In respect of the development plan, I highlight policy STC1 which deals with development in town centres and edge of centre. This is the core policy test for this type of development. The policy stresses the sequential approach; that the development should be accessible by a choice of transport means other than the private car and that parking provision, access and traffic generation should be satisfactory and in accordance with Council's adopted standards.
- 2.4 Hence, it is pertinent to note that there is no criterion that looks purely at highway capacity and congestion. Rather, it would appear that the key development plan concern relates to location and overall accessibility.
- 2.5 The County Council's Guide for New Developments provides advice on Transport Assessments but does not provide criteria for determining when development should be resisted on the grounds of congestion.



3 THE DEVELOPMENT

- 3.1 The site is already developed and includes several vacant and derelict buildings previously used by McMullens Brewery, all of which generated vehicular activity when the brewery use was fully active.
- 3.2 Broadly, the proposals are to build a new supermarket on the northern portion of the McMullens site and to re-use of the listed building on the Hartham Lane / Railway Approach junction. The proposals will realign Hartham Lane which currently runs through the middle of the site. All customer vehicular access will be from the northern part of the new Hartham Lane.
- 3.3 Pedestrian access to the site once redeveloped as proposed, will be provided in a variety of places. A new path will run along the riverside edge, and then via a new footbridge across the River Lee to Folly Island and linking to the town centre via Bull Plain. This provides a high quality and attractive link between the site and the town centre.
- 3.4 The existing southern section of Hartham Lane will be retained for access to the brewery. This will carry substantially reduced traffic flows and allow for a shared use by brewery traffic and pedestrians. This would be the route that pedestrians would take if they wish to travel to Cowbridge and on to Old Cross or St Andrews Street.
- 3.5 Within the Sainsbury's scheme there will be provision for 50 cycle standing spaces. These are conveniently located close to the store entrance.
- 3.6 Sustrans National Cycle Route 61 runs adjacent to the application site. This route will remain although it is suggested there will be enhanced signage indicating the route in the vicinity of the store. The new riverside walk will be 3m wide and will permit shared access with cycles.
- 3.7 Two new cycle and walking routes are proposed: a westward link towards Hertford North Station and a route between Route 61 at Hertford Lock via the River Bean, north across the Meads to Ware Park Road, Watermill Lane and into Bengeo.
- 3.8 Information is provided in my evidence on bus provision. The nearest bus stops, serving route 333, are located on Cowbridge Road. Within Hertford, the bus station is



the most popular location for boarding buses though many passengers alight earlier in their journey to walk through the town to visit local facilities.

- 3.9 In terms of deliveries, Sainsbury's service yard is proposed in the north-west corner of the application site, to be accessed from the new section of Hartham Lane.
- 3.10 The Hartham Lane area includes several industrial warehouses along with the McMullens Brewer, accordingly, there has been an established history of HGV movements to the application site along the local roads feeding the site.
- 3.11 Swept path assessments for various sizes of delivery vehicles are included in my evidence and illustrate that, as expected, certain manoeuvres will require opposing traffic streams to proceed with caution. However, this is typical of many historic market towns (and in some more modern towns).
- 3.12 Articulated deliveries would be scheduled to arrive during the night time hours of between 19:00 and 07:00.
- 3.13 A home delivery service will be provided. This would allow residents of Hertford to enjoy the benefits of shopping at Sainsbury's but without needing to actually visit the store.
- 3.14 Sainsbury's will implement a Travel Plan at the store to encourage staff to travel by the most sustainable mode practical. The Travel Plan will include measures to promote walking, cycling, the use of public transport and car sharing. It will primarily be aimed at staff, although information will be displayed in appropriate locations to advise customers of opportunities (and advantages) to travel by modes other than the private car.



4 RESPONSE TO THE SECRETARY OF STATE'S CALL-IN ISSUES

- 4.1 I have examined the predicted transport related consequences of the development and comment upon them.
- 4.2 I accept that whilst there would be some transport related effects there are benefits that can be offset against these effects. In particular, the site's proximity to the town centre thereby allowing linked trips to take place; the ease of access to the store by those visiting the town centre, especially those arriving on foot, by bicycle and by bus; the provision of improvements to the walking and cycling network within Hertford; and the improved choice and accessibility of food retail facilities for the town's population.

Accessibility Issues

- 4.3 The site already enjoys accessibility to a number of bus routes. These services are all within convenient walking distance and readily available to those who either do not have access to a car or choose to use public transport to access the store.
- 4.4 The provision of the new pedestrian link between the application site and the town centre via Folly Island will significantly assist in providing access to the bus station.
- 4.5 The bus station can be improved through the contribution towards sustainable transport measures in the section 106 obligation.
- 4.6 The proposed development will also make positive contributions towards the walking and cycling network within Hertford and close to the development site. In regards to cycling, there is the potential to provide additional linking route to Sustrans National Cycle Route 61 heading west and east of the site.
- 4.7 A home delivery service would be provided. This would allow residents of Hertford to enjoy the benefits of shopping at Sainsbury's without needing to visit the store.



Traffic Impact

- 4.8 The primary issues which influence traffic impact associated with any redevelopment are the vehicular trip attraction, trip type and the distribution of the trips.
- 4.9 The level of traffic that will be attracted to the site has been assessed drawing on the TRICS database and also on information specifically relating to Sainsbury's stores.
- 4.10 I conclude that owing to the circumstances of the development location, traffic will be generated at the lower end of the range of observations from other locations.
- 4.11 I consider in detail the type of trips that are made to supermarkets, these being: primary trips, new primary trips, diverted primary trips, linked trips, pass-by trips and pass-by diverted trips.
- 4.12 Inherent within such clarifications are trips that are already on the wider highway network and that will divert to the new store location. These effects need to be taken into account when examining the amount of additional traffic there will be on local roads as a result of the development proposals.
- 4.13 Generally, traffic conditions on the local highway network are typical of many historic market towns throughout the UK, with periods of congestion during peak periods and quieter free-flowing conditions at other times.
- 4.14 Capacity tests carried out using observed data shows that parts of the network are currently operating at or close to capacity. The additional impact of the development has been assessed under predictions that I consider to be realistic and also under sensitivity assumptions that apply traffic growth and increased trip generation, in line with the County Council's preferences.
- 4.15 The results show there will be some impact and that this is higher with the sensitivity flows. However, whilst there are increases in queues and delays, the changes are not large and, in practice, there will be no impacts that are so adverse as to be unsafe or environmentally unacceptable and to warrant a refusal on the grounds of traffic impact.



- 4.16 It is also important to recognise the potential of the site to generate traffic under alternative land use proposals. Hence, it is not appropriate to judge the site against an alternative that assumes no future traffic generation on this important edge of centre, regeneration site.

Section 106 Obligations Relating to Transport

- 4.17 Contributions are offered towards the delivery of a bridge at Dolphin Yard across the River Lee Navigation to the south of the Folly Island bridge proposed by Sainsbury's. The local planning authority consider that such a crossing would further add to the permeability of the local area and offer an additional route for connecting to/from the proposed development.
- 4.18 The section 106 obligation requires the provision of non vehicular public rights of way between the site and Folly Island over the proposed bridge link and along the alignment of the former Hartham Lane.
- 4.19 The most significant single element of the section 106 obligation relates to the payment of £505,000 for the delivery of sustainable transport measures in the vicinity of the site including improvements to bus stops, Hertford Bus Station and , pedestrian and cycle facilities as may be identified in the Hertford Transport Plan.
- 4.20 The Section 106 requires that a Travel Plan to encourage sustainable travel be submitted and approved.
- 4.21 Sainsbury's are obligated to monitor their traffic attraction levels. As there has been issued raises about the potential level of the traffic attraction of the proposed store, this monitoring will assess the flows and compare them to those predicted. Should the predictions be exceeded, Sainsbury's are obligated to pay £50,000 in the year the observation up to a maximum of 5 years, or £250,000 if the rates are exceeded in each year. An 'exceedance' is deemed to have occurred if the average peak hour flows exceed the predicted 'target' flows or if there are six or more occasions when they exceed the target flow by more than 20%.
- 4.22 A Car Park Management Plan will be agreed with the planning and highway authorities. This will be focused on ensuring the car park is as short stay shoppers car park that allows adequate time for visitors of to the store to also visit the town centre.



- 4.23 Funding is provided within the section 106 obligation for funding an improved pedestrian crossing of Port Hill.
- 4.24 To address concerns that the County Council had in relation to overspill parking funding is set aside in the section 106 obligation to cover consultation over wider traffic regulation orders in the Port Vale area and around the site.
- 4.25 A further provision requested by the County Council relates to rat-running through the Port Hill area of Bengoe. Provision of £25,000 has been set aside to contribute towards a scheme for the area.

Compliance with Relevant Policy

- 4.26 I consider that the proposals are in compliance with the relevant policies contained within the key documents referred to in the call-in letter.
- 4.27 In my evidence, I consider these policies in turn and relate them back to the specific factors of the application scheme.



5 COMMENTS RAISED BY OTHER PARTIES IN THEIR STATEMENTS OF CASE

- 5.1 I am aware that a number of parties have submitted Statements of Case to the Planning Inspectorate. Specifically I refer to Hertfordshire County Council, Tesco Stores Ltd and Hertford Civic Society.

- 5.2 In dealing with each of these parties I consider that concerns relating to traffic impact have been overstated and fail to give sufficient recognition to the policies of the development plan. In particular, that the site is located in an edge of centre location on a previous used site; that it is accessible to a range of transport modes and offers significant potential for increased walking, cycling and public transport trips.



6 CONCLUSION

- 6.1 The application site is on the edge of the town centre, accessible to the town centre by a choice of means of transport and on a previously used site. This makes it an important regeneration opportunity and very well suited for the proposed supermarket.
- 6.2 The Sainsbury's scheme strives to integrate the development into its surroundings, maximising the connections to key destinations such as the town centre and providing funding through the section 106 obligation to enhance key local transport links and facilities.
- 6.3 Parts of the local highway network are known to be operating at or close to capacity. Taking due account of trip generation, distribution, allowance of existing trips etc, there might be some increase in queues and delays as a result of the development.
- 6.4 Whilst this impact can be lessened through adjustments to the signal timings, even if that is not done the practical consequence will be to influence the type of trips made to the store at the busiest times. In this respect, it is important to understand the discretionary nature of retail trips. The reality is that traffic will find its equilibrium level. In practice, there will be no material effect on traffic conditions on the highway network adjacent to the application site, in a situation where there is choice over shopping habits and travel mode.
- 6.5 Furthermore, the application site requires to be regenerated. To refuse the Application on the grounds of traffic impact would logically result in the blighting of the site.
- 6.6 The proposed development will make a positive impact on walking and cycling within Hertford and would assist in improving conditions for public transport users. Sainsbury's have indicated that they will monitor their traffic attraction rates and make further contributions towards local transport improvements should the predicted levels be exceeded.
- 6.7 There are other significant transport related benefits of the scheme. These include the provision of a convenient and pleasant link to the town centre, investment in local walking and cycle facilities and investment in the bus station.

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