

East Hertfordshire District Plan

HERT4: Land North of Hertford Template Response

on behalf of

Wragge Lawrence Graham and Co Trust Corporation Ltd

and

The Kler Group

Sellwood Planning and Barton Willmore

July 2014

Plans

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Introduction

This site delivery template has been completed on behalf of the Wragge Lawrence Graham and Co Trust Corporation Limited (the Trust) and the Kler Group.

There are two different land interests within HERT4. The Kler Group has an option agreement on the 1.68 hectares which comprise the Bengo Nursery part of HERT4, whilst the Trust is the freeholder of the remainder of the site.

1.0 Land Ownership

- The attached plan (**Figure 1**) shows the preferred options HERT4 allocation outlined in red and green. The land shown in yellow represents the extent of the land that could be included within an enlarged HERT4 allocation. The plan also identifies some additional land to the north of the proposed expanded allocation in blue which is also controlled by the Trust.
- The extent of the Trust land within the preferred option site HERT4 is shown in red on the attached plan. Other land owned by the Trust is shown in yellow and blue.
- All the red, yellow and blue land is in the freehold ownership of the Trust.
- The area shown on the Plan in green is Bengo Nursery, which is in the freehold ownership of Major Shepherd and is subject to an option in favour of the Kler Group. This Option Agreement runs until November 2015, at which time the Kler Group will have the option to purchase the site.
- None of the Trust land is subject to an Option agreement.
- The existing use of the area outlined in red, yellow and blue is agricultural.

- The red, yellow and blue land is currently farmed under a farm business tenancy. However, this is being terminated to facilitate the submission of a minerals application on part of the blue land in the summer of 2014.
- The remainder of the HERT4 site, outlined in green, is occupied by Bengoe Nursery, which has been in decline for a number of years. The Nursery is run by the owner but there are no other employees on the site.
- The only right of way through the red, yellow and blue land is 'Restricted Byway No 1' which runs north / south through the site and can be retained without the need for diversion.
- There are no rights of way through the green land.
- There are no Restrictive Covenants on any part of the land. There are also no easements or wayleaves that would affect the development of the land, however there are some minor easements providing access to service media.
- There are no off-site land assembly requirements since the Trust land and the Bengoe Nursery can be independently developed. There will be no need for a CPO.
- The current farm business tenancy on the red, yellow and blue land is being terminated in order to facilitate the imminent minerals planning application. The mineral is a viable deposit and the land immediately to the north of the expanded HERT4 will have been dug and restored by 2020 when residential development can take place on the Trust's land.
- It is considered that the Bengoe Nursery Site could be brought forward for development at an earlier stage than the remainder of the proposed allocation given its distance from the site of the proposed mineral extraction.
- The Nursery Site was the subject of a planning application submitted by Bovis Homes in 2012 for 58 No. dwellings (ref: 3/12/2138/FP). The application was refused,

largely due to its current Green Belt designation. However, despite the Green Belt designation housebuilders have and continue to be interested in the site, demonstrating its viability and attractiveness to the market.

2.0 Survey / Assessment

- **Topography** : Attached is a plan (**Figure 2**) of the existing and proposed (post mineral extraction) site topography for the red, yellow and blue land.

An additional plan is provided demonstrating the existing topography for the green land within *Appendix 1* (Figure 3 of the Bengoe Nursery LVIA).

- **Flood Risk / Drainage** : The whole of HERT4 is within Flood Zone 1. SUDS techniques will be used wherever possible to reduce surface water runoff to existing greenfield rates.
- A Flood Risk Assessment and Surface Water Drainage Strategy was undertaken in November 2012 to inform the previous planning application on the Nursery land. A copy of this report is included at *Appendix 2*.
- The report confirms that the site is located within Flood Zone 1 and is not considered to be at significant risk of flooding. Recommendations are made regarding the finished floor levels of properties to protect against any potential for surface water flooding. Regarding the drainage strategy, soakaways and pervious paving will be utilised. No objection from a flood risk or drainage perspective was raised from East Herts' Community Safety and Health Services Engineers or the Environment Agency.
- **Land Contamination** : The red, yellow and blue land has a history of agricultural use, so there is a low risk of contamination.
- The green land was grassland until 1986 when the Bengoe Nursery was developed. In July 2011 a Phase II Geo-Environmental Survey was undertaken by JBA Consulting

which confirms that there is no evidence of contamination on this land. A copy of this report is included at *Appendix 3*.

- **Archaeology** : There are no Scheduled Ancient Monuments within the extended HERT4 land, or in close proximity.

In October 2013 an archaeological desk based assessment / walk over survey of the red, yellow and blue land was undertaken by Archaeological Solutions Ltd. Whilst this was primarily done to inform the EIA for the minerals planning application on land to the north of HERT4, the survey area does include the Trust part of HERT4. A copy of the ASL report forms *Appendix 4*. The main area of archaeological potential (the 'alert' area) is shown within the blue land, to the north of that proposed to be allocated under HERT4.

The Archaeological Solutions report identifies features from the HER database within the surrounding area. No features are identified at Bengo Nursery. Given that the main area for archaeological potential is identified to the north of HERT4 and the existing ground disturbance arising from the existing nursery use, it is considered unlikely that the green land will be significantly constrained by archaeology.

- **Heritage Assets** : The HERT4 site contains no listed buildings and is not within a Conservation Area. There are no Scheduled Ancient Monuments or Registered Gardens and the site is not within an Archaeological Priority Area. There is however a Conservation Area located to the south of the site which abuts the southern boundary of the Nursery. Whilst this does not preclude development within HERT4, careful consideration will be given to ensure the detailed design and layout can create a positive relationship between the Conservation Area and the southern boundary of HERT4.
- **Ecology / Trees** : In preparation for the submission of a minerals planning application in the summer of 2014 on the land to the north of the proposed extended HERT4 boundary, an extended Phase 1 Habitat Survey was undertaken by Liz Lake Associates in November 2013. A copy forms *Appendix 5*. An Ecological Appraisal

was also undertaken in October 2012 by Brookes Ecological in relation to Bengoe Nursery (attached at *Appendix 6*). These surveys indicate that the area of proposed residential development is restricted to land under intensive arable production of intrinsically low ecological interest plus the land occupied by Bengoe Nursery.

Adjoining hedgerows, outgrown tree rows and occasional isolated tree specimens within and around the development areas would be retained and managed to enhance their ecological value. In particular, it is noted that trees within the Nursery land are young and therefore do not present any potential bat roost features. Whilst further more detailed survey work would be required at the pre-planning application stage, it is expected that overall direct losses of habitat of ecological importance would be minimal and can be mitigated by new habitat creation.

The only statutorily designated site of nature conservation value in the vicinity of HERT4 is the Waterford Heath Local Nature Reserve (LNR), which is to the west of Sacombe Road at the north western edge of the proposed extended HERT4 site.

- **Landscape / Visual Impact** :

The western part of the northern edge of the preferred options HERT4 site is currently defined and constrained by the southern edge of the adjacent minerals Preferred Area Number 2. However, a planning application for gravel extraction (with extraction programmed to commence in 2015) is currently being prepared and will be submitted later in 2014. If approved, this will ensure that all of the mineral has been extracted from the blue land and the landform reinstated in excess of 200m from the northern edge of the proposed extended HERT4 site by 2020.

It should be noted that there is no logical landscape feature on the ground that defines the currently proposed northern edge of the HERT4 site, and with the current constraint provided by the southern edge of the preferred minerals allocation removed, a more logical landscape led northern boundary for an extended HERT4 site can be defined. This would provide a site of sufficient size to incorporate a number of boulevards that from viewpoints to the north will better integrate the development into

the gently sloping landform. This approach will also better assist the Council in meeting its objectively assessed housing need in Hertford.

The north western extent of the proposed extended HERT4 site is defined by desire to provide a new public open space opposite the entrance to the Waterford Heath Local Nature Reserve and Semi-Natural Greenspace which itself features an excellent public viewpoint with long views over the reserve to the north and west. As well as the public footpaths that cross this site, there are many additional public paths within this green space. Access to this facility from the northern edge of Bengoe is currently poor and there is no highway footpath between the main south eastern entrance into Waterford Heath Nature Reserve and Semi-Natural Greenspace and the northern edge of Bengoe. Pedestrian access is currently via the Sacombe Road which features a bend at this location. A key opportunity is to provide safe pedestrian access on the eastern side of the Sacombe Road linking to a new linear public open space on the higher ground along the northern edge of the proposed development parcel. This approach would also provide a new public viewpoint with panoramic views to the north and east (towards the western edge of Ware Park) across the Rib Valley.

Public open space with good views are generally more valued by the public than those without. Consideration of the setting of Ware Park and the long views across the valley from the higher vantage points to the west would form part of the development proposals for the HERT4 site.

Since the earlier Liz Lake Associates concept master plan was prepared in 2012 for the Trust land, a detailed topographical survey of the site has been prepared. This has indicated that locating the proposed Wadesmill Road roundabout further north than was the case with the previous concept master plan would work better topographically with the existing landform, and this has helped fix the north eastern corner of the proposed development envelope.

The Liz Lake Associates assessment of the landscape implications of developing an enlarged HERT4 site (300 dwellings) forms *Appendix 7* to this submission.

A separate Landscape and Visual Impact Assessment (LVIA) was produced by Stride Treglown in October 2012 in respect of the Bengeo Nursery land (*Appendix 1*). The LVIA considers a number of viewpoints from within the Nursery itself and the surrounding area. The LVIA concludes that mid-distant views of Bengeo Nursery are limited to the west, south and east, due to existing built form and vegetation. Given its edge of settlement location, the land will be viewed in the context of its built up surroundings when viewed from the north. The LVIA adds that mitigation measures could be provided in the form of enhanced landscaping and vegetation, particularly around the boundary of the land to offer screening.

- **Transport** : A Transport Strategy has been prepared by Vectos which is attached as *Appendix 8*. This considers the transport implications of both the currently proposed HERT4 Site (up to 150 dwellings) and an enlarged site of up to 300 dwellings. A further report was submitted direct to HCC in late June 2014 and this forms *Appendix 9*.

The previously submitted planning application on the Bengeo Nursery land maintained and upgraded the existing site access point. This was considered acceptable by Hertfordshire County Council (HCC) Highways department who raised no objection to the proposal. It is proposed that this access would be upgraded and utilised for the future residential development of the Nursery site.

- **Population impacts, child yields and education needs** : The Preferred Options document identified the HERT4 site as a potential site for 150 dwellings. However, the consultation response submitted by the Trust in May 2014 sets out the reasons why the site area could be increased to accommodate 300 dwellings. The population arising from the two options is 360 and 720 people respectively. Attached as *Appendix 10* is a report on Education provision prepared by Mike Melton which considers the educational implications of a development of 300 dwellings. Since the child yield is calculated on a formulaic basis, the number of children resulting from 150 dwellings will be half that assumed in *Appendix 10*.
- **Utilities** : The position on utilities is understood to be

- Water : No need for reinforcement other than very locally
- Gas : No need for reinforcement other than very locally
- Electricity : A new substation could be required, depending on the size of HERT4
- Telecoms / Broadband : No information available, but unlikely to be a constraint to the commercial provision of IT
- Foul Drainage : The consultant team has contacted Thames Water regarding foul water capacity in the local area. Thames Water has previously confirmed that the site is able to discharge into existing sewers in Sacombe Road and Wadesmill Road, which provides flexibility. The Sacombe Road sewer has a capacity for 150 dwellings and Wadesmill Road sewer has capacity for 100 dwellings without any upgrade. A further 100 dwellings (350 in total) could be served by an upgrade of 450 metres of sewer to the trunk sewer. An impact study has been commissioned from Thames Water to further understand the implications of the proposed development on the foul drainage network and the results of this are awaited.

3.0 Illustrative Master Plan

Figure 3 is an indicative concept master plan prepared by Liz Lake Associates and Barton Willmore which demonstrates how the currently proposed HERT4 site and the yellow land to the north can be comprehensively developed to provide up to 300 dwellings. If the HERT4 allocation remained at 150 dwellings, the Bengo Nursery part of the indicative concept master plan would be unchanged, but the northern boundary of the Trust land would be drawn further south.

At this stage, and in order to calculate the likely number of dwellings that might be delivered, an assumption of 27 dwellings / hectare has been made. This includes a generous provision of new public open space within and immediately adjacent to the development site. It is acknowledged that, in reality, a variety of different densities are likely to be appropriate

across the site with an assumption that low densities will be appropriate at the interface with the surrounding countryside.

A new roundabout is proposed on the B158 Wadesmill Road, which will serve the proposed HERT4 development parcel on the Trust land to the west of Wadesmill Road. The precise location will depend whether the final form of the allocation is for 150 or 300 dwellings. The roads within the development parcels will follow a logical hierarchy in accordance with Manual for Streets with a central loop road capable of accommodating buses. Access from the Wadesmill Road will feature a green gateway with formal boulevard trees planted in broad verges. Secondary access roads will lead to low key tertiary and shared surface roads on the periphery of the development areas with the design intention that dwellings will generally front onto the outside perimeter of the development areas.

The Bengo Nursery part of the site can be accessed independently via a priority junction based on the current access to the nursery. Bengo Nursery has the ability to accommodate higher density housing and hence its layout is more formal with a central square. Enhanced planting will be provided on the boundaries with Sacombe Road and the Allotment gardens. Along the southern boundary of the site, adjoining the Bengo Conservation Area and allotments, open space and planting is proposed to enhance the relationship and views between the site and the Conservation Area / allotments.

New structure planting of mixed hedgerows and parkland scale trees is proposed between the proposed residential site and the adjacent field to the north west which has been identified as a preferred area for gravel extraction in the Herts Minerals Local Plan Review (2002-2016). This proposed new landscape infrastructure (as well as additional temporary screening measures during the mineral extraction phase) will form part of the separate Minerals application and will provide an appropriate buffer between the two sites.

New planting will reinforce the existing trees and outgrown hedgerows along the site side of Wadesmill Road.

The Restricted Byway 1 that runs north south through the site is to remain a green lane where pedestrians, equestrians and cyclists have priority. It is to be retained within a generous area

of linear public open space, retaining long views to the north. Provision may also be made for pedestrian and cycle linkages between proposed phases of development to ensure permeability.

At densities of 27dph it will be possible to ensure that key streets within the proposed new development feature boulevard tree planting. This approach will be appropriate for new development adjoining the Green Belt. The East Herts GI plan recommends that ‘any future growth and redevelopment should plan for street tree planting as an integral part of the master plan to ensure climate change adaption’. It will also be important to ensure that trees are not planted where they might close down important views in the long term that are considered to be of value.

A key objective for the concept master plan has been to ensure that the remainder of Ware Park land on the other side of the valley can be seen from within parts of the proposed residential layout and in particular from key areas of public open space. This approach will ensure that the best views of the surrounding landscape are brought into the new resident’s everyday experience, whilst reinforcing sense of place within the development.

New low key tertiary and shared surface roads on the edge of the proposed development areas as well as areas of linear public open space will achieve a permanent new boundary to the Green Belt to the north of Bengo.

4.0 Schedule of Development

Based on the illustrative concept master plan (Figure 3) for 300 dwellings, the indicative land use budget is

	Bengo Nursery	Ware Park Trust	Total
Residential	1.08 ha	6.28 ha	7.36 ha
Roads	0.28 ha	1.33 ha	1.61 ha
Open Space	0.32 ha	1.70 ha	2.02 ha
Total	1.68 ha	9.31 ha	10.99 ha

The indicative land use budget for Bengo Nursery remains constant in both the 150 and 300 dwelling options for HERT4.

Since the Trust and the Kler Group are not housebuilders or developers, it is difficult to be precise on quantum of floorspace and mix, but it is assumed that it will be broadly as follows

- average dwelling size 85 m² (ranging from 50 m² to 120 m²)
- affordable housing provision in accordance with the new District Plan policy
- a tenure mix to reflect the policy in the new District Plan
- a dwelling mix which encompasses a full range of dwelling sizes and types.

5.0 Phasing

Figure 4 is an indicative phasing plan which shows how the site could be progressively developed. In view of the need for prior mineral extraction to facilitate the development of the Trust part of HERT4, this land is unlikely to be available for residential development prior to 2020. However, the Bengo Nursery land can be brought forward as a first phase during the 2016 – 21 period since there is a sufficient buffer between the Nursery's northern boundary and the area of proposed mineral working. This land would be accessed from Sacombe Road following an upgrade to the existing access, as was considered acceptable by HCC Highways department in 2012. The Trust land will be accessed from the new roundabout on Wadesmill Road and it is likely that land to the east of the north / south byway would comprise the second phase starting in 2020 / 2021 and the land to the west would be the third phase starting in 2024.

The likely level of completions from the site (assuming 300 dwellings) would be:

2011 – 2016	NIL	
2016 – 2021	50	(Bengo Nursery)
2021 – 2026	250	(Ware Park)

2026 – 2031	NIL
2031 – 2036	NIL

The build out rate is assumed to be 50 dwellings per year but this would be dependent on the performance of the wider economy and the number of competing outlets selling houses in the local area.

The specific dependency in terms of the development of the Trust part of HERT4 is the need to remove minerals under, and close to, the site. In order to resolve this issue, discussions have taken place with HCC as Minerals Authority. HCC is supportive of an early Minerals Application. *Appendix 11* is a Minerals Update prepared by Douglas Symes Associates which confirms the appointment of a minerals contractor, the programme to the submission of a minerals application in the summer of 2014 and the phased programme of extraction and restoration to allow the development and occupation of the Trust's land to commence by 2020.

Given that the minerals preferred area ends at the northern boundary of the preferred options HERT4 allocation (the northern boundary of the red land) and the subsequent extended buffer between the minerals extraction area and the land at Bengoe Nursery, it is considered that this part of the site would be suitable for a first phase of development during the period 2016-2021. Representations have been made to East Herts District Council on behalf of the Kler Group to promote the early release of the Bengoe Nursery land for development.

6.0 On-site Infrastructure

Since neither the Trust nor the Kler Group are developers, it is not possible to give precise costs for on-site infrastructure. However, the following are broad estimates

- | | |
|---|----------|
| - Wadesmill and Sacombe Road Accesses | £750,000 |
| - Internal Roads and surface water drainage | £1.8m. |

7.0 Off-site Infrastructure

Since neither the Trust nor the Kler Group are developers, it is not possible to give precise costs for off-site infrastructure. However, the following are broad topic areas where contributions may be appropriate

- Off-site traffic mitigation
- Public Transport
- Foul Water upgrade : Information awaited from Thames Water
- Education : depending on local school capacity at the time of development takes place, any requirement to fund pupil places would be based on the HCC pupil cost multiplier prevailing at the time.

8.0 Promoters Baseline Data

The Trust is a private landowner and not a developer or housebuilder. After the Local Plan is adopted, it is anticipated that the Trust would propose to offer the land to the market. In addition, it is anticipated that the Kler Group would sell the Nursery land to a house builder if outline planning permission is granted. In view of this, the Trust and the Kler Group are not in a position to answer this question.

This approach has been discussed with Martin Paine at East Herts District Council and it has been agreed that it would be inappropriate for the Trust and the Kler Group to answer this question.

9.0 Long Term Management / Maintenance

This will be determined by the eventual housebuilder or developer. However, it is assumed that future management or maintenance would either be achieved through adoption of the land by the Council with a commuted sum or via a private management company.

10.0 Anticipated Delivery and Financial Model

The Trust is not a housebuilder or developer. As a consequence, the intention of the Trust is to promote its part of the HERT4 site through the development plan process and then offer it to the market.

Kler Group intend to promote the Nursery part of the HERT4 site through the development plan process and then submit an outline planning application at the appropriate time. Once outline permission is secured, the Nursery land will be sold to a housebuilder. The Kler Group confirm that they have been approached by housebuilders recently, indicating the Nursery site's viability and attractiveness to the market.

Project financing, cashflow modelling and the appropriate finance rate will be a matter for the successful housebuilder / developer.