

Land south of Whittington Way

Countryside Properties



Note of Meeting

- Project:** 13041
- Date:** 8th October 2014
- Time:** 12.30pm
- Venue:** East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ
- Attendees:** Martin Paine (MP) – East Herts District Council (EHDC)
Chris Butcher (CB) – EHDC
Shilpa Rasaiah (SR) – Peter Brett Associates (PBA)
Stuart Cook (SC) – PBA
Elliot Page (EP) – PBA
Rob Smith (RS) – Atlas
Mike Lambert (ML) – Countryside Properties (CP)
Rosa Etherington (RS) – CP
Andrew Fisher (AF) – CP
Ian Mitchell (IM) – Mayer Brown
Andrew Martin (AM) – Andrew Martin – Planning (AM-P)
Olivier Spencer – AM-P
- Purpose:** PBA viability surgery for Bishop's Stortford South.

Items Discussed

1. Introductions were made.
2. ML gave apologies on Gary Duncan's behalf and began by asking about the outputs EHDC is looking for from the viability surgery. MP explained that PBA has been instructed to prepare a Delivery Study, which will consider site-specific viability and the deliverability of the Local Plan generally, on behalf of EHDC. As part of this process, PBA require more information than they



currently have, particularly in relation to the parameters for their viability work. Robust inputs are needed to assist in preparation of the study.

3. CB recognised that the education position in Bishop's Stortford (BS) is complicated and this includes whether or not to relocate the Bishop's Stortford High School and Hertfordshire & Essex High School to a co-located site. MP noted that the Chairs of both schools had set out a desire to relocate and that their preference was the land south of Whittington Way.
4. ML explained that CP's and the landowners' position was to plan for any quantitative need arising from the development, but that relocating the boys and girls high schools would be to address a qualitative deficiency. In principle, land could be reserved for a new school on-site but if the quantitative need for this is met by the planned provision at Bishop's Stortford North (BSN), then where does the additional demand for an extra school come from?
5. AM considered the planning appeal at the site in 2011/12 and that the Secretary of State's (SoS's) decision referred to both Green Belt issues and the education case for relocating two schools not being fully demonstrated. The need for relocating the two schools must be set out clearly.
6. ML referred to AM's letter of 8th August as the starting point – i.e. that there is no clear policy requirement from Hertfordshire County Council (HCC) or EHDC to co-locate both schools and that HCC's position is to provide for the secondary education needs of the catchment area in demographic and capacity terms generally.

POST-MEETING NOTE: *Since the meeting a co-ordinated press release by the Herts and Essex High School and the Bishop's Stortford High School indicates that the High School wishes to relocate to Whittington Way but that the Herts and Essex High School wishes to remain at its current site.*

Site Promotion

7. AM explained that AM-P had made representations on CP's behalf to the District Plan Preferred Options in May 2014. This included a site-specific brochure which considers on-site constraints and opportunities and presents two options for development – based on the policy expectations in the Preferred Options document. AM-P / CP also provided a supplementary letter in August 2014 with other information on the site's deliverability. CP is now in the process of working up its own evidence base to feed into the Local Plan process and to support an early planning application.

- 
8. ML thought that it would be helpful if CP and EHDC could reach a position of agreement on the deliverability of the site and sign up to a Statement of Common Ground (SoCG) prior to the Local Plan Examination in Public (EiP).

Education

9. MP explained that PBA was also advising EHDC in respect of CIL and the potential to pool funding. SR suggested that given the wider educational needs that could be required to support a school at this site, the best way forward would be to seek CIL contributions towards the cost of a school – this will in turn affect the way the PBA viability model will treat the S106 contributions needed for an onsite school from this particular development. In addition, given the wider uncertainty, SR suggested that the way forward would be to safeguard land at this site for a school for an agreed timescale and if at this point a school is not required, this land could then be released for residential use. AM / ML thought that this was a good idea.

Transport

10. IM explained the extent of transport modeling work which he understood was taking place at present by Jacobs on behalf of Essex County Council and Hertfordshire County Council. This looks broadly at sub-regional growth and the likely highway improvements works thought to be necessary to accommodate this.
11. In terms of Whittington Way, IM noted that a transport mitigation strategy had been developed as part of the previous appeal process, based on two secondary schools on-site. This identified a need for certain localised highway improvements and other sustainable transport measures. In the context of wider growth in the sub-region, trips from Whittington Way to M11 J8 were likely to be very small in number.
12. EP understood the basis of the strategy, but flagged up that HCC was concerned about the cumulative impact of all developments on major junctions and whether each development was only looking after itself and that there may be different impacts resulting from residential when compared to the school based scenario. IM noted that Jacob's/ ECC modeling work is due to be completed at the end of November and that it should be easy to establish from that what share should be attributed to each development, including Whittington Way.
13. ML felt that it was highly unlikely that any reasonable highway contribution could render development at Whittington Way unviable.

- 
14. EP asked whether the London Road corridor was likely to be an issue. IM recalled the previous appeal process and that the biggest issue along London Road was not highway capacity per se, but parked cars causing obstructions along the road. A relatively modest mitigation package was put forward to address this and to provide better cycle links and bus improvements to the town centre. IM also explained that Mayer Brown had been in initial contact with HCC about transport impacts etc.
 15. MP asked why Mayer Brown assumed that the previous appeal scheme would have a worse transport impact than the current plans. IM noted that the appeal proposal involved two 8 form entry secondary schools, up to 3,200 pupils and an 80% trip generation figure for morning drop-offs. These were very robust figures for the purpose of impact testing and the current plans for residential or residential and one secondary school would create fewer trips. **IM agreed to prepare a short note to set this out for EHDC's and PBA's benefit.**
 16. EP asked whether the previous appeal dealt with inward migration into the town centre. IM noted that the figures tested were very robust and assumed that all trips would go back to where they came from, including through the town centre where relevant. IM knew from experience at Beaulieu Park that CP can encourage significant bus take up to a town centre, with various measures such as free bus tokens in the first year of occupation and heavily marketed bus services. EP accepted that HCC's modeling may miss the scope to get new residents onto buses.
 17. ML reiterated that development at Whittington Way should be viable subject to off-site costs. There is no need for major new infrastructure to facilitate the development, therefore everything should be workable at Whittington Way.
 18. **IM agreed to send a copy of the s106 agreement for the previous appeal, including its schedule of planning contributions, to PBA.** Most of the contributions were based on alternative means of transport and there was no great need for highway improvement works. In the town centre there is little else that can be physically done to alleviate any congestion. EP saw the key message as being one of changing travel patterns and shifting trips to shoulders of the peak, where possible.

Financial Appraisal Information

19. RS identified that the work PBA is doing needs to be adequate to satisfy an Inspector. As a result there is a need for some high level figures now. Simply believing that everything is viable will not suffice.

- 
20. ML also confirmed that a viability appraisal has been put forward to EHDC for ASR5 at Hazel End and which contained agreed assumptions of build costs and sales values. No one knows precisely how much will be required to fund any off-site works, but CP is confident that this greenfield site will be viable.
 21. ML also confirmed that if PBA provide a draft financial appraisal, CP is willing to review this with a view to signing it off prior to the full report being published. SC agreed to this..
 22. For the purposes of viability testing, SC was minded to test 750 new homes and a secondary school on-site. ML was satisfied with this approach.
 23. SR asked whether the policy requirement for up to 40% affordable housing was acceptable to CP. ML felt that this may need to be reviewed at the s106 stage, subject to the quantum of other contributions that EHDC and HCC may seek.

POST-MEETING NOTE: *Countryside Properties continues to express concerns about the level of information sought by PBA as part of the Delivery Study, and draws attention to the principles set out on pages 10-11 of the Harman Report.*

Potential Layout

24. MP asked about the scope to provide a gypsy and traveller site at Whittington Way, given that 12 new pitches are required across the district. ML explained that this was not factored into the plans and that any gypsy and traveller site would clearly affect viability. CP would not support such a use on-site. MP stated that further consideration would need to be given to this, since the District Plan would not be found sound unless it could demonstrate that it was providing for housing needs, including those of Gypsies and Travellers and Travelling Showpeople, in the first five years of the plan and beyond. A recent PBA report on site selection to meet Gypsy and Travellers/Travelling Showpeople needs had demonstrated that there was a shortage of suitable, available and deliverable sites in the District. Therefore the promoters of all the strategic sites and broad locations were being asked to consider this issue further. PBA were considering the impact on viability as part of their brief.
25. MP also asked about the assumptions that were used to inform the number of potential units on-site, in either scenario, i.e. 750 or 1,000 dwellings. OS explained that two draft concept plans were presented in the back of the site brochure and having regard to on-site constraints, they showed suitable development areas to provide the above numbers of units at an average of approximately



30 dwellings per hectare. ML noted that circa 27 ha of development land, as shown on the first plan, could comfortably accommodate 750 dwellings.

26. RS asked about the views south from the Hertfordshire Way (a key issue at the previous appeal) and whether the potential secondary school would be a good neighbour to the public right of way. AM noted that further master planning will be carried out in due course to establish a more detailed layout, but that the position in respect of a Local Plan allocation is fundamentally different to the previous appeal process and that there is a pressing need to release land for housing.

Technical Work

27. RE provided an update on archaeology, ecology and landscape and visual impact. 4AD has been instructed to prepare a desktop archaeological review and geophysical analysis. This will report in due course. Green Environmental is carrying out ecological surveys at the moment, but there have been no protected species identified on site to date. Further work is ongoing. Landscape and visual impact work was carried out earlier this year and fed into the site promotion brochure and the two concept masterplan options.
28. AF provided an update on drainage, utilities and services. MLM has been instructed to deal with drainage. Further investigations are ongoing regarding the ditch / culvert under London Road. Otherwise surface water drainage will be attenuated on-site at greenfield runoff rates, plus 30% for climate change. Triconnex has reviewed the availability of services and utilities. Their work demonstrates that all key services are available and that there is scope to upgrade connections, where necessary. AF agreed to provide the Flood Risk Assessment and the Archaeological WSI once complete.

Other Provision On-Site

29. MP explained that EHDC has an emerging policy for 10% renewable energy generation and asked whether this would be viable on-site. AF noted that CP had allowed for compliance with the Building Regulations and the Code for Sustainable Homes. ML felt that CP would probably manage the emerging policy based on what is known to work and measure that do not impact on viability.

- 
30. SR / MP also referred to an emerging policy for water usage of 110 litres / per day, which is more stringent than the Building Regulations require. AF felt that these figures could be achieved through flow restrictors and other relatively cost effective measures.
 31. SR asked whether a GP surgery had been allowed for on-site. ML was of the view that this could be delivered at the new local centre on-site.

Timescales

32. Moving onto timescales, MP noted that the preparation of two evidence base documents were influencing the programme for the next stage of the Local Plan: transport modeling work expected to be completed by 21st November; and, work on the SHMA by the end of October. MP thought that EHDC may be in a position to seek agreement on the next consultation draft of the Local Plan before the General Election, but that consultation itself was unlikely to take place until after purdah and the election was out of the way. Submission of the plan to the SoS could take place in late 2015, with a view to adoption in 2016.
33. ML noted that a planning application could be made at Whittington Way in Autumn 2015, subject to Local Plan timescales and could dovetail with the final stages of plan preparation (in particular the EiP). This could allow CP to commence on-site in January 2017, with the first sales coming online in March 2018.
34. RE explained that with two outlets, CP was expecting approximately 150 completions per year from the site (including affordable units).
35. MP thought that PBA's full study could be ready by December, at the earliest. **MP also asked AM-P / CP to prepare a note of the meeting and circulate for approval.**
36. The meeting concluded at approximately 2.30pm.