

# **Turley**

## **East Herts District Plan Examination 2017**

### **Matter Statement Matters and Issues Part 2**

**Ptarmigan Land  
1051701**

#### **Chapter 9 - Ware**

October 2017

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## **1.0 INTRODUCTION**

- 1.1 This Part 2 Matter Statement has been prepared by Turley on behalf of Ptarmigan Land (Ptarmigan) and submitted pursuant to the proposed residential allocation of Land North and East of Ware (Policies WARE1 and WARE2).
- 1.2 This Matter Statement sets out Ptarmigan's position as lead promoter in relation to the WARE2 allocation and comments upon policies WARE1 to WARE3 inclusive. The specific questions addressed comprise Q1 to Q5 inclusive.
- 1.3 Ptarmigan's position remains one of support for the emerging Plan notwithstanding some concerns in relation to the OAN and the quantum of housing delivery allocated for Ware during the Plan period, to which representations have been made under Part 1, Matter 2.
- 1.4 The changes sought to the relevant policies are set out in our 2016 representations to the Pre-Submission Plan and were also carried forward in our recent Matter 2 Statement. These changes have also been articulated at the recent Matter 2 hearing sessions.
- 1.5 We request that this Part 2 Statement is read in conjunction with the Technical Note on Hertfordshire Highway Capacity, prepared by TPA, attached at Appendix 1 of Ptarmigan's 2016 representations. In addition, two related technical Appendices are attached to this Matter Statement, which provide updated transport evidence. Appendix 3 provides a further Statement of Common Ground (now signed by Mr Fordham) which should be read in conjunction with the originally submitted Statement of Common Ground Appendices, which are accessible via the Local Plan Evidence Base.
- 1.6 As the promoter of a key strategic allocation site Ptarmigan requests that its professional advisors Turley (Planning) and TPA (Transport) are permitted to participate as necessary in the Examination Hearings, to further articulate the technical matters considered within this Statement, notably in relation to updated evidence at Appendix 1 and 2, to which our relevant e-mail of 9<sup>th</sup> October 2017 refers.

## 2.0 CHAPTER 9 – WARE: RESPONSES TO QUESTIONS

### Q1. What is the Basis for Planning to Accommodate 1,000 New Homes at Ware within the Plan Period?

- 2.1 Ware is one of the larger and more sustainable settlements in East Hertfordshire. Ware is similar to other market towns in the district, in that it has a historic market core, including a number of converted former industrial buildings and a settlement pattern of progressive residential expansion, dating from the Victorian period to the mid/late 20<sup>th</sup> Century. However no significant residential expansion of the town has taken place for over 25 years.
- 2.2 Ware enjoys a high degree of transport connectivity and has good links to the A10, A414 and A602. Ware also has a direct rail service to London via Liverpool Street and Stratford and shares the line with its neighbour (via Hertford East). Ware has excellent sporting and leisure facilities, including Woodson Park, which lies close to the WARE2 allocation site and residents enjoy good access to the countryside, including to the adjacent Lee Valley Regional Park.
- 2.3 Ware is well served by a number of retail outlets, including two superstores and a range of national and other independent retailers. Ware similarly has a good general employment base and is home to a large international employer located in the town centre (GSK). A number of other key employment locations exist throughout the town and these locations are protected as Employment Areas, under policy WARE3, with a presumption in favour of long term retention.
- 2.4 The conversion of former industrial premises to residential use has been largely successful, but the number of conversions secured and the critical need to retain a viable economic base in the designated Employment Areas means that future brownfield redevelopment opportunities will be exceptionally limited.
- 2.5 The general topography of Ware, the location of the A10 and the adjacent flood plain which separates the town from Hertford, indicates that the most sustainable location for strategic expansion is North and East of the town. The quantum of development currently proposed for Ware falls short of the upper end of the range originally identified within the Preferred Options consultation of up to 3,000 dwellings (which was tested in the Strategic Sites Delivery Study 2015).

- 2.6 However the total number of new dwellings in the WARE2 allocation is broadly consistent with the scale of development proposed in nearby Hertford and is proportionate to the scale of the existing town to meet its future housing needs. The spatial form (sustainable urban extension) and the quantum of development proposed is also consistent and proportionate to the balance of the wider spatial strategy for the district, with its focus on future development primarily located at the existing main settlement centres.
- 2.7 Critically, the Council has allocated a strategic scale of development of sufficient critical mass at Ware to be self-sustaining in terms of providing its own essential infrastructure. The focusing of development in one sustainable location of a viable scale will preserve the integrity of the historic core of the town and will ensure provision of the educational, social and other community infrastructure that the new population will require (see response to Q5 below).
- 2.8 The scale of the urban extension proposed will also be sufficient to deliver a new employment site of up to 3 hectares to increase the overall quantum of available employment floor-space within the town (see response to Q2 below).

**Q2. What is the Overall Amount of Employment and Retail Floor Space to be Allocated in Ware. Would this Meet Identified Needs?**

- 2.9 The evidence for the scale of the employment allocation made at Ware can be ascertained from the Hertford and Ware Employment Study, Final Report, June 2016, undertaken for East Hertfordshire by Wessex Economics (EER/005).
- 2.10 The primary conclusions of the Wessex Study and recommendations for future policy were, inter alia, that existing vacancy rates in Hertford and Ware were low in comparison with other nearby towns at around 1.9% and therefore a strategy of protecting existing employment areas should be maintained. Furthermore, that it was important to consider the inter-relationship between the employment base of a town and the viability and vitality of the town centre.
- 2.11 The WARE2 allocation will deliver circa 3 hectares of new high quality accessible employment floorspace, which will help to stimulate future modal shift and make a significant contribution to the vitality of the existing employment stock in Ware.

**Q3. How and Why was the Planned Level Chosen Ahead of Other Options. Is the Site Selection Methodology Robust and Transparent?**

2.12 For the reasons given in Paragraphs 2.1 – 2.3 above, Ware is a major settlement which is highly sustainable but it also has exceptionally limited future brownfield redevelopment potential to meet its long term housing needs. There has been no strategic development in the town for a generation and the available economic base is almost fully utilised and in need of strategic expansion.

2.13 Therefore, in consideration of the socio-economic needs of the town and of the district as a whole, Ware has a significant part to play in the overall economic future wellbeing of the district and the balance of the spatial strategy across all the major settlements during the Plan period.

2.14 For the reasons given in Paragraphs 2.4 – 2.6 above, the selection of the North and East of Ware as a single, strategic location for growth is based on a robust logic and is a complementary fit in terms of the building upon the existing pattern of settlement, without significant environmental impact or detriment to the town or its historic market core. There are no other realistic alternatives to providing this strategic scale of development in a single alternative location at Ware.

**Q4. How and Why was WARE2 Chosen Ahead of Other Potential Options, Particularly Having Regard to the Alteration of Green Belt Boundaries and Demands on Infrastructure?**

2.15 The opportunities for further urban regeneration in Ware are almost exhausted. The proposed new Green Belt boundaries of the WARE2 allocation are therefore primarily designed to facilitate a sustainable scale of development to meet the long term housing and infrastructure needs of Ware during the Plan period.

2.16 The new Green Belt boundaries have been carefully designed to respond to the existing landscape character and to help reinforce existing landscape assets so that they endure over the longer term. These proposed new boundaries will be reinforced with the strengthening of existing woodlands, using structural planting as links to extend and enhance the green edges, thereby mitigating the impact of the development upon the wider landscape.

- 2.17 The new Green Belt boundaries were conceived to respond sensitively to the local topography and to respect the character of the local and wider landscape. The proposed new Green Belt boundaries will therefore continue to respect the primary purposes of the Green Belt in this location, notably in preventing future unrestricted urban sprawl and future coalescence, whilst continuing to preserve the special character of the historic town centre.
- 2.18 The Green Belt Review 2015, undertaken by Peter Brett (GRB/001) found that almost none of the proposed major site allocations in Bishop's Stortford, Hertford Sawbridgeworth and Ware were considered suitable as Areas of Search in Green Belt terms, nearly all attracting scores of 'Low' or 'Very Low' in the assessment.
- 2.19 However in the majority of these assessments, the allocations were of a strategic scale and so will be visually significant. In addition, as most of these allocations immediately adjoin the urban areas, they will be developed on land previously intended to be safeguarded. However, in the light of the Calverton Case (see Paragraph 4.5 of the Green Belt Topic Paper) the Council has to balance this assessed low suitability against the long term needs of the District and whether the allocation of more isolated sites would create more severe visual impacts.
- 2.20 In the case of Ware, there are no other potential options in the district where this scale of development (which is necessary to meet the overall housing need) could be redeployed with a lesser Green Belt impact. Primarily this is because the nearest alternative locations of North and West Hertford and the Gilston Area scored 'Very Low' in the PBA assessment. Likewise, the extensions proposed East of Stevenage and East of Welwyn Garden City equally scored 'Very Low'.
- 2.21 Those allocations within Bishop's Stortford and Sawbridgeworth which scored slightly better, i.e. 'Low' are not suitable alternative locations, as the cumulative impact of the redeployment of the WARE2 allocation (in full or in part) would demonstrably alter the baseline upon which these sites were originally assessed, logically resulting in even less suitability, given the larger scale of development.
- 2.22 Accordingly, on the basis that the WARE2 allocation has been assessed as being viable, is unlikely to have any infrastructure deficit (see response to Q5) and no alternative Green Belt locations exist which are realistically likely to score higher in Green Belt terms, the WARE2 allocation is appropriately conceived.

**Q5. Are the Allocated Sites Appropriate and Deliverable, Having Regard to the Provision of Necessary Infrastructure and Facilities and Taking Account of Environmental Constraints?**

- 2.23 As set out in our Matter 2 Statement (M2S) the Statement of Common Ground (SOCG) and Appendices, signed in March 2017, confirms the agreed infrastructure requirements to facilitate 1,500 dwellings, including the relevant scheme requirements for primary and secondary education provision. A further version of this SOCG (signed by Mr Fordham) is attached at **Appendix 3** for reference.
- 2.24 The deliverability of the WARE2 allocation has been assessed at a number of different stages during the formulation of the emerging Plan. Most notably, as part of the Council's Strategic Sites Delivery Study undertaken by Peter Brett Associates (PBA) in their Report to the Council in September 2015. In this respect, PBA undertook an overall assessment of viability at Ware for a scheme of 2,972 dwellings and a scheme of 2,000 dwellings. PBA concluded that even for the largest dwelling scheme that there were deliverable solutions to all critical new infrastructure (including sewerage, utilities, site access and provision of secondary school education) required to enable the development.
- 2.25 The 2000 dwelling scheme was also considered to be viable and developable although it was acknowledged that other developments may be required to contribute to the cost of providing the secondary school. Our commentary in relation to the delivery of a new secondary school, with up to eight forms of entry, on the WARE2 allocation site and its importance to the spatial planning and wider catchment of Hertford and Ware is as set out at Paragraphs 3.16 – 3.20 of our M2S.
- 2.26 The current scale of development (1,500) has been independently assessed for viability by Ptarmigan and found to be fully viable, without the need for any public subsidy (see Paragraph 3.14 of our M2S). Whilst the totality of the emerging WARE2 allocation is described as 1,500 dwellings, we consider however that the allocation should not impose any implied cap on the resultant scale delivery, provided that a sustainable development is delivered which has appropriate regard to all environmental constraints.
- 2.27 In the light of the PBA work and the SOCG, these constraints primarily relate to the Green Belt itself, which affects all of the strategic sites (discussed above) the prevention of minerals sterilisation and the availability of sufficient highways capacity.

- 2.28 With regard to the avoidance of minerals sterilisation, as stated in our M2S, the WARE2 allocation is only partially affected and so would not be stalled by the need for the prior extraction of minerals across the whole site, even if viable mineral reserves are found. This contrasts with some other strategic sites and there is agreement with the Council and the Minerals Authority that the relevant provisions of WARE2 can be accommodated. The agreed position on minerals is as set out in Paragraphs 3.22 – 3.23 of our M2S.
- 2.29 With regard to Highways capacity and environmental impact, the position of Hertfordshire County Council, as Highways Authority (HCC) is as set out in their letter of 18 September 2017 to East Hertfordshire. In this regard, HCC reaffirm their support for 1,000 dwellings but retain concerns regarding the additional impact of a further 500 dwellings on the network in the absence of a Hertford Bypass.
- 2.30 The response of Ptarmigan's transport consultant (TPA) is attached at **Appendix 1** of this Statement which has been informed by their micro-simulation transport modelling, a summary of which can be found at **Appendix 2**.
- 2.31 TPA's letter to HCC, dated 13<sup>th</sup> October, affirms the agreed position between the parties that the forecast traffic generation from 1,500 units would not block back to any critical junctions. The TPA response places the additional sixty seconds which will be added to future journey times, between Hertford and Ware, in its proper context, i.e. that the delay directly attributable to the WARE2 allocation, only equates to 15 seconds of additional delay per kilometre, Furthermore that this 15 second per kilometre delay would only be experienced in about ten years' time after the completion of the 1,000<sup>th</sup> dwelling.
- 2.32 The TPA response qualifies the assumptions made in determining the likely percentage of modal shift which can be achieved by Personalised Travel Planning (PTP) which is a matter of significance for HCC. In this regard TPA's working assumption has been a likely 10% shift away from single person occupancy car trips, which is a conservative estimate on the basis of the evidence provided for locations such as Nottinghamshire, Leicestershire and Swindon, where PTP has achieved modal shifts of up to 22%.
- 2.33 The TPA response also clarifies to HCC that no allowance was made in their model for any modal shift arising from Ptarmigan's proposals for public realm improvements to Ware High Street, through a shared space scheme together with bus stop and pedestrian improvements. However no consideration is given to any of these physical improvements in the HCC letter, notwithstanding an estimated value of up to £2.9 million.

- 2.34 TPA also clarify that there is the potential to provide further initiatives (via future S106 contributions) where this would increase the effectiveness of stimulating modal shift. Importantly, TPA emphasise the scale advantages of the 1,500 dwelling scheme over that of the uncontested 1,000 dwelling scheme. Essentially, it is only the larger 1,500 dwelling scheme that can facilitate the proposed circular bus route at a higher frequency of every 15 minutes Monday to Saturdays.
- 2.35 Ptarmigan's position is therefore that this increase in the frequency of the circular bus route, combined with the implementation of the PTP and the £2.9 million S106 obligation would provide a mode shift of sufficient magnitude to mitigate the impact of an additional 500 dwellings at a point in time which is over a decade away. We therefore reiterate that the most practical planning approach is to allocate the entirety of the WARE2 allocation within the Plan period and let future planning applications for more than 1,000 dwellings demonstrate that sufficient mitigations exist at the time of their submission.
- 2.36 It is an established principle that a sound Plan needs to be flexible, in order to adequately respond to any unforeseen delays to future delivery from its allocated sites. Essentially this means having depth in reserve to bring on stream further sustainable sites as and when required. The current wording of WARE2 is however predicated on the absolute expectation that no mitigation will be achieved before 2033, thereby effectively setting a cap on development to only 1,000 dwellings within the Plan period.
- 2.37 This is not only a technically incorrect assumption, based on the modelling evidence undertaken by TPA, but as currently worded, the policy will artificially limit the delivery potential of the site to 2033, even when mitigation is demonstrated. The resolution to this is set out in Paragraphs 3.9 - 3.10 of our M2S.
- 2.38 We note that some Matter 2 respondents have questioned the reliance upon the urban extensions and their assumed rate of delivery on the basis of generic national survey evidence. However, as stated in our M2S submissions, not every urban extension is the same and the ability of an extension to deliver will primarily depend on the value of the land and the viability of the scheme, the legal constraints to land assembly and the presence of any physical or abnormal constraints.
- 2.39 With regard to WARE2, we reiterate that the land value is sufficient for the scheme to be viable and policy compliant and there is a robust delivery model, with Ptarmigan as lead promoter (the other signatory to the SOGC being Mr Fordham).

- 2.40 In addition, there are no abnormal site conditions or other site characteristics which would delay the commencement of development, as set out in the SOCG. Furthermore it has been agreed with the Council as part of these hearings that 100 dwellings will be built by 2022 and the first 1,000 dwellings will be fully completed by 2028.
- 2.41 Accordingly, the real issue to address as part of this question is whether it is appropriate to impose a hibernation period of five years on this allocation, after the completion of the 1,000<sup>th</sup> dwelling, before consideration is given to the additional 500 dwellings, which is a development that is already agreed in principle. This is particularly important in relation to the wider delivery strategy and the other strategic allocations, should they experience any unforeseen delivery delays during the Plan period.
- 2.42 In conclusion, we reiterate that on the balance of land value and site control and the lack of any abnormal site constraints or costs, the timing and rate of delivery of WARE2 will be essentially contingent upon how rapidly the allocation and subsequent permissions can be secured. We however remain confident that the start of construction is achievable by 2020, with an annual delivery rate (inclusive of affordable housing) of approximately 200 dwellings per annum achievable thereafter.

End

# **Appendix 1**

**Letter to Hertfordshire  
County Highways Authority  
Dated 12 October 2017**

**Prepared by TPA**

# Appendix 2

**Non-Technical Summary of  
Micro-Simulation Traffic Modelling**

**Prepared by TPA**

# **Appendix 3**

**Further Statement of  
Common Ground**

**Signed by Ptarmigan and  
Mr A Fordham**