

Hertsmere Borough Council – Elstree Way Corridor AAP

Statement on Matters raised by the Inspector

1. Matter 1: Legal Compliance

- 1.1 The EWCAAP has been developed consistent with the adopted Local Development Scheme (September 2013) in terms of its purpose and scope, although the submission was delayed by four months from the timescales published in the LDS.
- 1.2 The AAP was produced in conformity with the Council's Statement of Community Involvement, Community Strategy and the adopted Local Plan Core Strategy; all these documents have been submitted as supporting information for the examination alongside the EWCAAP. The Elstree Way Corridor is also included as a project in the Hertfordshire Strategic Economic Plan (2014).
- 1.3 A sustainability appraisal was produced for both the Draft EWCAAP and the submission version. An Equalities Impact Assessment has also been submitted which outlines how the Council met the Public Sector Equality Duty (DOC54). All statutory requirements under the Town and Country Planning (Local Planning) Regulations 2012 were met in the production of the AAP, evidence of which can be seen in the public consultation reports (DOC6).
- 1.4 The Council has, and continues to fulfil the 'Duty to Co-operate' with key delivery partners. A statement to this effect was submitted to support the EWCAAP (DOC7).

2. Matter 2: Strategic Vision/Development Framework

- 2.1 The Council believe that there is sufficient guidance in the EWCAAP to implement the overall vision and level of development. The policies in the EWCAAP all contribute to achieving the EWCAAP strategic vision. While this could be highlighted more boldly in the document and the Council would be willing to make such changes – perhaps by way of a cross referencing matrix, it is the Council's opinion that the document as drafted is sufficient. In a similar vein, the 'development principles' supporting policy EWC1 are to be read alongside all the EWCAAP policies.
- 2.2 The EWCAAP is not a fixed masterplan but the intention is to set a series of guiding principles. The reason for this approach is due to the way development will be delivered; individual developments being progressed on different timescales, often utilising the foot print of an existing building. The Council believe this approach will be the most effective and any further detailed master planning would add a level of specificity that could reduce practical delivery of development.
- 2.3 Policy EWC2 seeks to highlight some of the key issues the Council will use to determine applications, providing the key focus for potential developers; it does not replicate all matters that would be considered as part of standard Development

Management practices, covered elsewhere in the EWCAAP or within other adopted plans, but does contain a list of key criteria. If additional cross-referencing in the Policy is considered necessary, the Council would be willing to consider such changes.

3. Matter 3: Land use Strategy (Housing)

- 3.1 Core Strategy policy (CS23) does not in itself explicitly set out an exact number for the amount of housing in the EWCAAP, although projected housing supply (Page 36 of the CS) did suggest a minimum of 800 within the identified opportunity area. This was based on the figures in the Buchannan Feasibility study which proposed up to 1,000 within the general EWC area. The densities proposed are achievable, and have broadly been achieved or exceeded on sites approved and/or delivered to date such as the proposals for Isopad House, submitted by the Heronslea Group and approved in 2013 and for Gemini House submitted by Taylor Wimpey North Thames and approved in 2012. The overall quantum of development proposed is consistent with those outlined in the Buchannan feasibility assessment and the current status of sites within the EWC area is set out in Appendix 1.
- 3.2 Policy EWC3 does not prescribe firm targets on the types of housing that should be delivered; this will be considered on a case by case basis, having regard to Policy CS7 of the Core Strategy (Housing Mix). The Council would be willing to amend Policy EWC3 to include cross-reference to Policy CS7 if this was considered to be necessary although Policy CS7 is referenced in paragraph 4.8. Providing more prescriptive targets could risk the appropriate balance of other factors – such as the level of affordable housing or open space.
- 3.3 The majority of sites in the EWCAAP are either in public ownership (and are to be released for development through relocation of services) or have already been granted permission / subject to detailed pre-application discussions – and therefore are highly deliverable. There continues to be a high level of demand for the development of new sites in the immediate area and the Council has recently approved an additional scheme immediately adjacent to the EWCAAP boundary (Horizon One submitted by Cardif Pinnacle and approved in 2013) and is currently considering another application within the EWCAAP boundary (Avenir House submitted by Brook Road Ltd in 2014). While the Council has also received representations calling for the corridor to be expanded (which is further evidence of market demand in the area) the Council seek only to formally dispose of the existing EWC employment area as identified in the EWCAAP. Any further disposal will be identified following a future employment land review.

4. Matter 4: Land Use Strategy – Community Facilities, Education, Health and other uses

- 4.1 The EWCAAP seeks to identify the infrastructure that is needed within the AAP boundary for delivery via s106. It does not seek to address wider infrastructure issues that will be accommodated in the area outside the AAP. The proposed modification to

paragraph 7.8 will provide further narrative on how the council will address wider infrastructure issues outside of the AAP. In terms of policy EWC4, it is only elements f,g,h (school, open space, health facility) that the Council will seek developers to directly contribute to.

- 4.2 The reserved site for a school at Maxwell Park has been included in the EWCAAP as an option should an alternative location not be found. Both the Borough Council and County Council continue to actively seek opportunities for the school to be accommodated on an alternative site outside the EWCAAP and will progress this as part of the emerging Site Allocations DPD. The Council seeks to retain community facilities in the EWCAAP, which has resulted in the clauses proposed in paragraph 4.2, where the AAP states that development on this site would only be considered should an up-to-date assessment of need demonstrate that suitable alternative provision has been made elsewhere. A similar approach was previously taken in Shenley where a site was reserved for a possible school, associated with the 900 home expansion of the village. As the site was subsequently not needed, the site was transferred to Shenley Park Trust to manage as an area of open space for the community.
- 4.3 During the course of developing the EWCAAP, the Council has been in close dialogue with the National Health Service (NHS) and the local Clinical Commissioning Group (CCG), who highlight a need for increased healthcare provision in the area (the NHS has submitted a formal representation to this effect). Since the consultation on the EWCAAP closed in March 2014, on-going engagement with the NHS/CCG appears to suggest that the reserve site fronting Elstree Way is now the more viable option.

5. Matter 5: Movement Framework

- 5.1 The proposed highway improvements have been developed in conjunction with the County Council, and form a component of the wider transport interventions proposed in the Elstree and Borehamwood Urban Transport Plan (2013). The objective of the Urban Transport Plan is consistent with the adopted Core Strategy.
- 5.2 Three versions of the highway improvements have been modelled, all of which were considered by the consultants to be capable of delivering the growth proposed in the EWCAAP. The final design was chosen after further dialogue with the Highway Authority, after modelling work identified it as the optimum solution in order to facilitate a modal shift.
- 5.3 It is proposed (MOD 7, 8 and 23) to place the final scheme as an appendix rather than embedded in the movement framework chapter in order to avoid prescribing specific access points or minor design factors (which will be developed as the scheme moves towards a final commissioned design). The principles outlined in paragraph 5.2 should provide sufficient guidance for development management purposes in the interim.

- 5.4 Policy EWC6 provides broad guidance on how public realm and townscape will be considered as part of scheme design. The Council is not seeking to be overly prescriptive on the design of buildings or public realm, and it considers the best approach will be to use existing develop management processes to determine building design; the County Council has confirmed that it would like to prepare its detailed designs for the highway and public realm improvements in 2015/16. This will be guided by a series of other existing documents including the Hertsmere Planning and Design Guide SPD and the use of a Design Review where appropriate for individual proposals and the Hertsmere Streetscape Manual (prepared in consultation with the County Council), Urban Transport Plan and Roads in Hertfordshire for the highways scheme and public realm improvements. This approach is consistent with NPPF paragraph 60.

6. Matter 6 – Design Strategy

- 6.1 Proposed building heights in the EWCAAP are consistent with the existing urban form of the area, with taller office buildings already lining Elstree Way and more modest buildings on roads leading to the north and south. Policy EWC7 seeks to emulate this, with taller buildings to the front, tapering down to the existing two story buildings on the periphery.
- 6.2 Car parking standards (EWC8) have been reduced in the EWCAAP to reflect the 'accessibility areas' defined in the Urban Transport Plan; the AAP does not go into detail on non-residential standards as the EWCAAP does not seek to allocate a significant amount of non-retail space.
- 6.3 The policy does not preclude development exceeding these standards, and also actively encourages development to look to utilise any oversupply of parking where possible. Such an approach has already been achieved within the Elstree Way Corridor; the Civic Centre Car Park also caters for spaces required at the Ibis Hotel through an agreement with the hotel operators. The development at Foster House also secured parking provision at the existing off-street parking facility serving Imperial place through a s106 agreement.

7. Matter 7: Delivery and Implementation

- 7.1 The basis for the contributions sought to deliver the key infrastructure projects – the highways improvement, the new school and health facility - continue to be developed through mechanisms set out in the Council's Developer Contributions Framework (DCF).
- 7.2 The Council was also invited by the Hertfordshire Local Enterprise Partnership to submit a bid for 2015/16 Single Local Growth Fund (SLGF); the EWC is identified in its Strategic Economic Plan. Although the key infrastructure projects to support the level of development in the EWC will be funded through developer contributions, there is an inevitable 'lag', with the Council only being able to secure these contributions once development occurs. The ability to have funds available to secure the infrastructure

upfront will not only ensure sustainable development, it will de-risk sites and accelerate the pace of development. A SLGF award will be on the basis a loan which the Council would subsequently repay to the Local Enterprise Partnership through s106 contributions collected from sites in the EWC.

- 7.3 The level of funding required from development to deliver the projects was scoped as part of the Buchannan feasibility study and the subsequent CIL viability assessment (2013) - where it was established that development could absorb a s106 amount of £6,000 per unit in addition to a CIL charge of £60 per m² (on the assumption of an average unit size of taking 85m²). The DCF establishes a maximum charge of £8,000 per unit (index linked) which is less than the cost that would have been incurred on development should the Council have decided to adopt CIL in the EWCAAP.
- 7.4 The EWC is an 'active' site for development, with approximately 500 units having already been started or completed to date. There is little in the way of infrastructure constraints which directly prohibit development and the issue is mitigating impacts and making the area operate more sustainably. The necessary highway works for example have been set in phases in order to react to patterns of development and facilitate a modal shift, through new pedestrian crossings, cycle lanes and a bus priority lane, rather than to specifically release a development site.
- 7.5 The EWCAAP does not set out all infrastructure requirements needed as a result of development in the EWC - it seeks only to address those issues specific to the AAP boundary. The proposed modification to paragraph 7.8 (MOD20) provides further commentary on how the Council will address the need for any wider infrastructure investment required as a result of growth. This may include investment through CIL on items not located in the EWC, but nonetheless will serve the EWC.

8. Matter 8: Monitoring and Review

- 8.1 Due to an administrative error, some copies of the EWCAAP omitted a further table highlighting the monitoring framework on page 30 – this covered the monitoring of policies EWC5 to EWC9. The omitted section was placed on the Council's website (and notification via the regulation 24 letter) for 6 weeks. No representations have been received on the omitted tables.
- 8.2 The Council believe the indicators in chapter 8 are comprehensive and appropriate; however, if the inspector or any participants have views on any additional indicators, the Council will consider them.

9. Conclusion

- 9.1 The Council is satisfied that the EWCAAP meets all necessary legal requirements, and is consistent with the adopted Core Strategy. The EWCAAP has been developed in close consultation with key public sector organisations, and the Council will continue this co-operation through to the implementation of the plan.

9.2 In line with the National Planning Policy Framework, the EWCAAP has been prepared with the 'presumption in favour of sustainable development' at the forefront, facilitating the borough's housing needs and reacting to market demand. The EWC is a 'live' site with development able to come forward irrespective of the AAP – as such the EWCAAP seeks to establish guiding principles, ensuring that future development is sustainable.

Appendix 1

Current status of sites in the Elstree Way Corridor

Opportunity Sites	Site / Development	Status	Units
1	Isopad / Hertsmere House	Permission Granted	150
	Remainder of OS	None	50
2	Elstree Studio	Not proposed for residential development	0
3	Civic Cluster	Not proposed for residential development	0
4	EWC North	Scoping of site delivery by HCC underway	175 - 200
5	EWC South – Affinity Sutton Building	Pre-application, possible application before end of 2014	75-100
	Remainder of OA	Police Station and former Job Centre vacated. HCC scoping plans for relocation of fire station to OA 4	225 - 275
6	Car park	None	25-50
7	Maxwell Park	Not proposed for residential development	0
8	Leisure Centre and Hotel	Not proposed for residential development	0
9	Garage	None	50
10	Avenir House	Application received	39
11	Manor Way	None	100 - 125
White area between OS 5 and 7	Foster House	Built	114
White area above OS 11 / east of OS 9	Gemini House	Under construction	172
White area below OS 10 / east of OS 8	Oaklands College	Built	125
	Studio Way	Built	86
		Total Built / under construction	497
		Total proposed	1386 - 1586
		Total in the 'Opportunity Area'	664 - 789