

**Examination of the Welwyn Hatfield
Local Plan**

**Council's Statement for the
Stage 4 Hearing on
Tuesday 26th June 2018**

Session 14

**SADM19 Town Centre North Development Site
– MUS1 (Han40)**



Policy SADM19 – Welwyn Garden City Town Centre North Development Site

5) What evidence is there to suggest that this proposal is truly deliverable within the plan period?

Welwyn Hatfield Response

- a) Policy SADM19 allocates a site known as Town Centre North in Welwyn Garden City for major retail led development of around 6000sqm of comparison goods retail floorspace and 100 dwellings. An SPD for the site was adopted in April 2015 (**WH/14**) to set out development principles and guide development. As such, it is important that the policy is read in conjunction with that document.
- b) The identified site comprises a roundabout with a pedestrian area at below ground level, which is served by subways, a surface level car park, an area of open space known as Anniversary Gardens and a small row of retail units. The Town Centre North Supplementary Planning Document (SPD) was intended to guide the future redevelopment of a site which had long been seen as an opportunity.
- c) The site was first proposed for allocation through the District Plan process of the early 2000's. This noted that the site was capable of accommodating significant retail floorspace, and that its development would be entirely compatible with the original plans for the town centre. This approach was supported by the District Plan Inspector's Report and as a result the site was allocated under Policy TCR4 of the District Plan of 2005 (**WH/3**), with the requirement to undertake a planning brief for the site.
- d) As part of the review of the District Plan some initial work was undertaken to look at this site by consultants Colliers International in 2012 in the "Retail Evolution" report (ECO/11). This report was commissioned to review retailer demand and requirements, and how additional development could add to the town's centre's character, not just its retail offer. This considered how the town's layout contributed to the way in which it functioned and noted that the town centre had no suitable accommodation for retailers to expand, noting that "new development is required" in order to keep a healthy momentum of change in the centre (para 4.3), and stated that the consultants "remain of the opinion that once a new, well located opportunity is made available, the demand will increase as new accommodation becomes available" (para 4.26) and, having considered other possible sites, concluded that Town Centre North was the most appropriate site to provide sufficient additional floorspace to make a major contribution towards the future viability of the town, though careful design would be needed.
- e) The SPD for the Town Centre North site was developed after extensive work with appointed consultants specialising in urban design, retailing and transport, and was adopted in April 2015 following a public consultation process. It considers each element of the site and the means by which it would be delivered in detail. It considers the site and its wider context, land ownerships, conservation area and heritage issues, transport and movement and appropriate land uses in order to develop an indicative development approach, a series of design principles and other key considerations in order to guide developers in delivering development on the site.

- f) This analysis was underpinned by a detailed viability analysis which was undertaken by independent development specialists who were confident that the site was deliverable in viability terms at that time, as well as transport modelling work which was reviewed by the County Council. The SPD was subject to significant engagement with other landowners as well as a six week public consultation, and the final form of the document reflects the results of that consultation process.
- g) The SPD sets out an indicative approach along with key principles, so the Council acknowledges that the final form of development is yet to be designed, and individual developers will bring their own approaches and views to the site. As such, whilst the design principles are key in underpinning future development of the site, the allocation thus has flexibility to be able to respond to different developer approaches, market changes etc.
- h) It is also willing to consider that a larger development site may be necessary to support the vitality and viability of the town centre (para 6.1), which Policy SADM19 also acknowledges.
- i) In terms of the future delivery of the site, it is important to note that there are a relatively small number of landowners. The largest landowner is Welwyn Hatfield Borough Council who own the roundabout and Anniversary Gardens. Hertfordshire County Council are also an important landowner on the site, as the site includes a significant amount of highways land.
- j) The Borough Council's Corporate Property team are fully engaged and are committed to developing the site within the Plan period. To this end, they have undertaken important preparatory work.
- k) The Council is fully aware of other possible issues which may impact on the delivery of this site, though is confident that these can be addressed:
- Land Assembly – As noted above, the Council is the majority landowner of the site. Hertfordshire County Council also hold a significant amount of the land on the site and have been fully supportive of the principle of development. Other land owners are known to the Council following the completion of a Legal Title Report, and covenants on the site have been fully identified.
 - Transport Infrastructure – Hertfordshire County Council have been fully supportive of the development of this site.
 - Willing Developer – It would seem likely that a developer would need to be involved in the development of this site. The Council has experience of working with the development industry on a site master-planned through an SPD, most recently it has signed a development agreement with Lovell Partnerships Ltd, following an OJEU Competitive Dialogue procurement, to undertake comprehensive regeneration of the High View neighbourhood centre in Hatfield, and a planning application is expected for this site later in 2018.
 - Current Resources – The Council's Corporate Property Team includes a capital projects team responsible for delivering a number of the Council's major projects.

The team has a capital budget for professional fees etc. in the current financial year for the Town Centre North site.

- l) As can be seen, delivery of the Town Centre North site would bring significant benefit to the town and to the retail offer of the borough. Whilst the site has some issues to address, there is commitment to redeveloping the site in the Plan period.

6) What mechanisms are in place to ensure its timely delivery?

Welwyn Hatfield Response

- a) As noted above, Welwyn Hatfield Borough Council is the major landowner on the Town Centre North site. As such, the Council is well placed to lead on development of the site, and the key constraints and challenges are understood, and expects the site to be delivered in Years 6 – 10 of the Plan period.
- b) The Council's Corporate Property team are taking a lead on this work and have begun preparatory work including hosting officer workshops and undertaking legal due diligence. The external consultant who provided viability and delivery advice during the development of the SPD has also been retained and is working with the Council's Corporate Property team.
- c) Should it be necessary the Council could use compulsory purchase powers to acquire the remaining landholdings in order to bring forward the site. The Council has relatively recent experience of using Compulsory Purchase Orders (CPO's) for development in Hatfield Town Centre.
- d) The Council's Corporate Property Team includes a capital projects team, responsible for delivering a number of the Council's major projects. The team has a capital budget for professional fees etc. in the current financial year for the Town Centre North site.

7) Should the proposal be promoting the provision of car parking within the site? Is this a sustainable outcome?

Welwyn Hatfield Response

- a) Both Policy SADM19, and the SPD for the site, recognise the importance of this site to the future of Welwyn Garden City Town Centre. The site offers the opportunity to develop a new key element of the town centre's offer, providing both retail floorspace and new dwellings.
- b) Both the Policy and the SPD recognise the importance of the opportunity to improve pedestrian access, public realm and access to public transport. This is covered by a number of the points of the policy detailing what development must cover, specifically "(iv) achieve good pedestrian access and linkage with the rest of the town centre"; and "(vii) improve passenger transport provision in the town centre". These are in line

with Local Plan Policies SP4 Transport and Travel and SADM3 Sustainable Travel for All

- c) However, it is also important that policy recognises the current role of motor vehicles. This is reflected in points (v) and (vi) of the Policy which seek to “ensure efficient vehicle movement on surrounding roads” and to “provide adequate car parking to meet the needs of the development”.
- d) This is in line with paragraph 40 of the NPPF which says that Local Authorities should seek to improve the quality of parking in town centres, which recognises that car parking does contribute towards the vitality of town centres and that its effective management is important to the overall success of town centres. It is important to note that the Local Plan Policy refers to “adequate car parking” so it would not be intended to over provide such car parking. The area covered by the policy and the SPD includes an existing, well used, car park so it is important that any redevelopment mitigates this loss, a point made in the SPD.
- e) The approach to car parking in the Policy is one of ensuring that there is adequate provision for car parking, whereas the approach to pedestrian and cycle movements, and to public transport is one of using the opportunity to improve provision to the benefit of the town. To this end, the policy is sustainable and provides the right balance between the different modes of transport in line with other strategic and development management policies in the Plan.

Policy SADM19 – Welwyn Garden City Town Centre North Development Site

- 8) **Should the design criteria refer to the need to preserve and enhance the setting as well as the character and appearance of the conservation Area?**

Welwyn Hatfield Response

- a) The NPPF defines 'setting' as the surroundings in which a heritage asset is experienced. Paragraphs 128, 132 and 137 emphasise the need to conserve and enhance heritage and to consider the contribution the setting makes to the significance of an asset.
- b) Welwyn Hatfield Borough Council acknowledge that the setting of Welwyn Garden City Conservation area has a role in positively influencing the significance of the conservation area. The Welwyn Garden City Conservation Area Appraisal (HIS/1) describes the conservation area and identifies how the views into and from the conservation area contribute to the setting, particularly from Parkway to the south. In this context, development proposals in the town centre will be assessed against Local Plan Policy SADM15, which requires that proposals should respect the character, appearance and setting of any heritage asset.
- c) The Conservation Area Appraisal identifies how the key views, buildings and the road layout in the town centre are important to the character of the conservation area. Given the location of the Town Centre North Development Site MUS1 (Han40) within the conservation area it is important that it preserves or enhances the character of the area. The site specific Town Centre North Policy SADM 19 specifically refers to the character of the conservation area, but it is important it also refers to the need to consider the wider setting.
- d) This omission was raised by Historic England in response to the Proposed Submission Local Plan consultation and the following modification has already been proposed to Policy SADM19. The word 'appearance' has now also been added for clarity and to ensure consistency with Policy SADM15 of the Local Plan:

“Preserve **and or** enhance the character **or appearance** of the Conservation Area **and its setting**”.

- 9) **Is the extent of the proposed loss of the existing public open space within this development site fully justified and consistent with other Policies of the Plan, in particular SP11 and SADM17?**

Welwyn Hatfield Response

- a) The Anniversary Gardens within the Town Centre North Development site has been intended for development since the original Garden City master plan drawn up by Louis de Soissons in 1920. It was occupied by a police station until the 1960s and subsequently used as a green and laid out with planting and a path. Concern about the loss of open space in this location was previously considered at the District Plan Review Local Plan Inquiry in 2003. In the Inspector's report published in 2004 (WH/3B), the Inspector noted that the gardens were a pedestrian link but lacked the sense of enclosure or focus of activity to make them a meaningful public space. The

report concluded that the benefits of providing more usable public space as part of a proposed redevelopment outweighed the benefits of designating the current Anniversary Gardens as urban open land¹.

- b) Criterion iii of SADM19 recognises the need to enhance the public realm and landscape in the town centre. More detail is provided in the Welwyn Garden City North Supplementary Planning Document (WH/14), produced by the Council in 2015 to guide the future development of the site. The land use objectives in the SPD clearly set out that any new development must provide replacement open space, including an element of soft landscaping. There is a strong emphasis on the need for the new development to enhance the open space and ensure that the provision of new public realm underpins the layout of the new development. Design Principle 3 requires proposals to deliver a new functional civic space and maintain green space in the public realm.
- c) Therefore, the development of the site is not contrary to the other policies of the Plan, particularly Policy SP11 and SADM17. Anniversary Gardens is not designated as urban open land and is not key to the character of the conservation area. However the SPD does set out a requirement for the re-provision of some open space and soft landscaping, as illustrated in the indicative design layout set out in the adopted planning brief SPD. Policy SADM 19 and the SPD for the site seek to enhance the provision in the town centre to improve the function of the public open realm.

¹ Paragraphs 10.1.19 to 10.1.21 of the Inspector's Report 2004 (WH/3B in the Examination Library)