

WELWYN HATFIELD BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
and
ACQUISITION OF LAND ACT 1981

WELWYN HATFIELD BOROUGH COUNCIL
(HATFIELD TOWN CENTRE EAST)
COMPULSORY PURCHASE ORDER
2006

STATEMENT OF REASONS FOR MAKING THE
ORDER

1.0 INTRODUCTION

- 1.1 On 24 July 2006 Welwyn Hatfield Borough Council (“**the Council**”) resolved to make The Welwyn Hatfield Borough Council (Hatfield Town Centre East) Compulsory Purchase Order 2006 (“**the Order**”). The land and interests over land proposed to be compulsorily acquired under the Order (“**the Order Land**”) broadly cover the eastern end of Hatfield Town Centre and are described in greater detail in section 2.
- 1.2 The Order dated 25 July 2006 has been made pursuant to section 226 (1) (a) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 and the Acquisition of Land Act 1981 for the acquisition of all interests in the land and the acquisition of new rights within the areas shown coloured pink and blue respectively on the plan for the purposes of securing mixed use development including demolition of existing buildings and provision of new mixed use development including new retail uses (A1, A2, A3, A4, A5 uses) and non residential institutional uses (D1), residential units, new market hall, public realm and bus interchange, together with associated provision for access, servicing, parking (including a multi storey car park) and landscaping; partial retention of White Lion House and retention, alteration and change of use of Kennelwood House.
- 1.3 The Order seeks to acquire all interests in the Order Land, including rights, easements, the benefit of covenants, rent charges and options except where otherwise expressly stated in the Schedule to the Order.
- 1.4 The rights sought are the rights of permanent access to access adjoining land and buildings and access and other rights in order to carry out specific works and to swing the jib of a crane, loaded or unloaded through airspace above parts of the Order Land, in connection with the proposed development.
- 1.5 The Order has been made and will be submitted to The Secretary of State for Communities and Local Government (“**the Secretary of State**”) for confirmation pursuant to the above Acts.
- 1.6 The Council is seeking to assemble in its ownership the land and associated new rights and interests included in the Order to enable the early implementation in a comprehensive manner of the necessary development, redevelopment and improvements scheme known as the Hatfield Town Centre East Development (“**the Scheme**”), This is a policy objective of the Development Plan, which refers specifically to proposals for the redevelopment of the area.
- 1.7 The Scheme is being promoted by St. Modwen Developments (Hatfield) Ltd, the Council’s selected development partner (“**the Developer**”) who will be responsible for delivering the Scheme.

- 1.8 St Modwen Developments (Hatfield) Limited is a wholly owned subsidiary of St Modwen Properties Plc which is a publicly quoted FTSE 250 property investment and development company with shareholder funds at 30th November 2005 of £330 million and a market capitalisation of £550 million. The current value of the investment portfolio under St Modwen management is £822 million. The estimated end value of the development portfolio is considerably in excess of £1 billion. St Modwen funds projects from its own resources. At November 2005, the company had total bank facilities of £309 million of which £100 million was uncommitted. St Modwen has an enviable track record in delivering complex mixed use development projects and is currently involved in twenty mixed use town centre regeneration schemes throughout the UK. As a result, vast experience has been gained in all aspects of the relevant processes required for the delivery of major regeneration projects.
- 1.9 The Scheme is a comprehensive mixed-use development providing new and replacement retail floorspace, new residential units, a bus interchange and a multi-storey car park ("MSCP"). A range of off site benefits will also be provided. Details of the Scheme are given at section 6.
- 1.10 The additional shopping facilities provide by the Scheme are important to the regeneration of Hatfield Town Centre and are considered fundamental to the future status of the town centre which should serve the population of both Hatfield and the southern part of the Borough. The Scheme will be provided in a form which will improve both the quality of retailing and the physical environment of the town centre. The Scheme will be linked to the existing town centre consolidating retail provision in the town and enhancing pedestrian permeability and movement through the town centre.
- 1.11 The Scheme will meet an identified need for further retail provision in Hatfield. The proposal for the Scheme is entirely consistent with central government and local planning policies aimed at consolidating and enhancing new retail, housing and other forms of mixed use development in town centre locations.
- 1.12 There is a qualitative and quantitative need for the nature and scale of the Scheme which is shown by the studies commissioned by the Council which are referred to at paragraph 5.5 of this Statement of Reasons. Hatfield Town Centre is in urgent need of regeneration and the Scheme provides a comprehensive, mixed use development.
- 1.13 The Council's aims and objectives for the town centre emerged during the last District Plan Review process, which commenced in 2000 and where the identified need for redevelopment and re-investment was considered. The policies and principles contained in the planning framework confirmed the need for a major comprehensive retail and mixed use development in the town centre and consultation with the

community and key stakeholders throughout the District Plan Review process confirmed widespread support for the Council's initiative.

- 1.14 Furthermore maintaining and enhancing the Borough's Town Centres is a major objective of the Council's Community Plan (Document 8) and Corporate Plan (Document 9).
- 1.15 The Council supports the Scheme and wishes it to be brought forward in accordance with core retail planning policies for the town centre.
- 1.16 Implementation of the Scheme requires the acquisition of a number of land and property interests. The Developer has secured a number of interests and is continuing its efforts to acquire remaining interests. However, a significant number of interests still need to be obtained, either because ownership is unknown or because ongoing negotiations have not yet been concluded. The Council and the Developer have sought to notify all those who have an acquirable interest within the Hatfield Town Centre East Development area of the Council's intention to make the Order. Interested parties have also been invited to enter into discussions with the Council and the Developer with a view to seeing if their interests can be re-located within the Scheme or alternatively with a view to agreeing the appropriate level of compensation for the acquisition of interests. It is clear, however, that if implementation of the Scheme is to be achieved within a realistic timescale then compulsory purchase powers must be employed. Circular 06/04 advises that it is often sensible for the formal CPO process to be initiated in parallel with negotiations to acquire the Order Land.
- 1.17 The Council recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest (para 17 of ODPM Circular 06/04) (Document 14) which justifies the overriding of private rights in the land sought to be acquired. It is considered that a compelling case exists here.
- 1.18 The Council has consequently made the Order to secure the outstanding interests required to enable implementation of the Scheme necessary to achieve the Council's adopted policy objectives and meet identified need. Discussions will however continue with owners of relevant interests who are willing to sell by agreement at market value in accordance with the compulsory purchase compensation code, with a view to limiting the number of interests which need to be acquired compulsorily. The approach adopted by the Council is in accordance with the advice contained within Circular 04/2006.
- 1.19 On confirmation of the Order, the Council intends to either serve a Notice (or Notices) to Treat or execute one or more General Vesting Declarations, in order to secure unencumbered title of the Order Land.

2.0 DESCRIPTION OF ORDER LANDS AND THEIR CONDITION

- 2.1 The Order Land comprises approximately 4.8 hectares and is located at the eastern end of Hatfield Town Centre. The Order Land is included within an area bounded by The Common, Wellfield Road, Queensway and Town Centre . The area has a mix of uses including retail, offices, a postal sorting office, a health centre, a small amount of residential accommodation and ancillary uses such as car parking and servicing space.
- 2.2 Full details of the Order Land appear in the Schedule to the Order but in summary the main buildings include: -
- Queensway Clinic
 - White Lion House
 - Kennelwood House
 - Fourways
 - Postal Sorting Office
 - Properties known as The Arcade
 - Properties known as White Lion Square
 - Residential properties
 - The Commons car park
 - Kennelwood Car park
 - The Gun car park
 - Market Square
 - 88 Town Centre (known as The Bill Salmon Centre)
- 2.3 There are a variety of commercial buildings and land uses within the Order Land including retail premises, a market square, public parking areas, B1 office space and public realm. The buildings within the Order Land are generally low quality post war buildings of the 1960's and 70's which are of a mixture of styles and proportions and detract from the area's appearance and economic prospects. None are listed and the site is not within any designated Conservation Area.
- 2.4 Much of the Order Land is under utilised and characterised by tertiary low value land uses including various surface car parks. The Order Land is generally level.
- 2.5 Details of known interests and rights to be acquired are listed in the Schedule to the Order. This Schedule has been prepared based upon information gathered through inspection of Land Registry title documents, site inspections and enquiries, and the responses to the notices issued under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.

3.0 SPECIAL CATEGORY LAND

3.1 It is recognised that Compulsory Purchase Orders may sometimes include land or rights over land which is, or forms part of, a common, open space, or fuel or field garden allotment. With regard to the proposed CPO, the area of land to the South of Queensway is within the Council's ownership and is identified as Urban Open Land (UOL) in the adopted District Plan.

3.2 The adopted District Plan identifies this area of Urban Open Land as UOL 156 - Queensway Park. Furthermore, Policy OS1 of the District Plan identifies that the areas of urban open land that are designated within the Borough are considered to be vital to the form, character and quality of built up areas in terms of the urban open land criteria and therefore are defined as Urban Open Land. A site appraisal for UOL 156 (Queensway Park) is provided by the Welwyn Hatfield District Plan Review, Deposit Version Jan 2001, Open Space Survey and states,

'The site provides a vital open space close to the town centre, important for its visual amenity and informal recreation. It has excellent landscaping features, with mature trees and hedgerows. The site also provides excellent access for pedestrians and cyclists away from the main road.'

3.3 The Order land includes land within UOL156 (Queensway Park) and is required to deliver the road infrastructure for the proposed bus interchange. Such land would normally be subject to special parliamentary procedure unless the Secretary of State gives a certificate under Section 19 Acquisition of Land Act indicating his satisfaction that either –

- Exchange land is being given which is no less in area and equally advantageous as the land taken, or,
- Exchange land is being purchased to ensure its preservation or improve its management, or,
- The land is 209 square metres or less in area or is for the widening and/or drainage of an existing highway and that the giving of exchange land is unnecessary.

3.4 It is considered by the Council that the area of land within UOL 156 that is required to facilitate the proposed bus interchange is minor in comparison to the overall size of UOL 156 (which has a total area of 7,655 square metres) and given the site appraisal of this land (as noted above) it is not considered that the designated land will be detrimentally affected in terms of its overall size, its actual use or the contribution that it makes to the local area. It is therefore considered that the Order land that is part of UOL156 (Queensway Park) would not compromise the value of this area Urban Open Land or the use of the open space as defined in terms of its criteria.

- 3.5 In considering the points noted above, it is also confirmed that the land is both less than 209 sq metres and is required for widening of existing highway and as such the giving of exchange land is considered unnecessary.

4.0 EXPLANATION OF THE USE OF ENABLING POWERS

- 4.1 It is the Council's aspiration to secure the regeneration of Hatfield Town Centre through the development of the eastern end of Hatfield Town Centre - an area that is under utilised and capable of providing a modern, sustainable development which will serve to strengthen the role of the town centre as the retail focus for Hatfield and the southern part of the Borough.
- 4.2 The use of compulsory powers in section 226(1)(a) of the Town and Country Planning Act enables the compulsory acquisition of land where an acquiring authority thinks the acquisition will facilitate the carrying out of development, redevelopment, or improvement on or in relation to the Order land and where the acquiring authority thinks the development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the authority area. The Council believe both that the acquisition of the Order Lands will facilitate the redevelopment of the Order Land and secondly that the resulting redevelopment will result in an improvement to the environmental, social and economic well being of the area. ODPM Circular 06/2004 provides guidance to acquiring authorities on the use of compulsory purchase powers and the Council have taken full account of this guidance in making this Order. The Council is utilising its powers under section 226 (1)(a) because it is not certain it will be able to acquire the land by agreement although efforts will continue in parallel with this process. The purpose in seeking to acquire the land and utilising section 226(1)(a) is set out in detail in paragraph 4 below.
- 4.3 Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to purchase such rights ("new rights") which are not in existence when the Order is made and are specified in the Order. The new rights to be acquired and created are reasonably required to enable the demolition of existing properties, the construction of the new development, redevelopment of existing properties and access to and egress from and the reasonable use of the resultant development and redevelopment.

5.0 THE PURPOSE OF THE ORDER AND THE NEED TO USE CPO POWERS

- 5.1 The purpose of seeking to acquire land compulsorily is to facilitate the comprehensive re-development of the Order Land, which comprises a significant part of Hatfield Town Centre. These proposals would, in the

opinion of the Council, meet its planning and regeneration objectives for the town centre and within a realistic timescale.

- 5.2 The Scheme (as described below in section 6) has been devised by the Developer, with significant input from the Council and English Partnerships, as the best means by which to meet the Council's adopted planning and regeneration objectives for Hatfield Town Centre.
- 5.3 The Council is satisfied that the Scheme is crucial, not only in terms of delivering a retail-led revitalisation of Hatfield, but also to enhance the attraction of Hatfield Town Centre in the light of increased competition from other neighbouring towns and retail centres.
- 5.4 The Council supports the Scheme and wishes it to be brought forward in accordance with retail planning policies for the Town Centre which aim to facilitate the regeneration of Hatfield.
- 5.5 Compulsory purchase is essential to enable the Scheme to take place and for Council to achieve its policy objectives within a realistic timescale. The Council is freeholder of some parts of the Order Land. However, it is unreasonable to expect the Developer to secure agreement to acquire all of the interests by private treaty within any reasonable period of time, if at all. Although reasonable efforts have been made and will continue to be made, to acquire the necessary land and rights by private treaty in order to carry out the Scheme, it is clear that the Order is required to ensure that there is sufficient certainty that the scheme can come forward within a reasonable time period.
- 5.6 The Scheme also involves the carrying out of works to enable the essential integration of the new development with adjoining areas and consequently there is a need to obtain new rights over land and to extinguish and or interfere with existing rights without which the Scheme cannot be achieved.
- 5.7 Compulsory purchase will enable the redevelopment to take place in a timely fashion in order to derive the wider public benefits that the Scheme will also secure and provide certainty for programming and the realisation of the Council's policy objectives. It is therefore considered that compulsory purchase is not only necessary but also justifiable in the public interest.
- 5.8 The Developer, the Council and English Partnerships wish to implement the Scheme as soon as possible. They have entered into a Development Agreement to facilitate this and the Developer has committed to securing the redevelopment of the Order Land by preparing and submitting a planning application which has the benefit of a resolution to grant permission. In addition the Developer has committed funds in the acquisition of the site. The Developer has extensive experience of town centre redevelopment projects and

significant resources and the Council is therefore satisfied that the proposed redevelopment will proceed within a reasonable timescale. Furthermore, there is an associated CPO Costs Indemnity Agreement with the Developer which underwrites the costs to be incurred by the Council in acquiring the Order Land.

6.0 THE NEED FOR REDEVELOPMENT

- 6.1 The Council believes that there is a compelling need for the redevelopment of the eastern end of Hatfield Town Centre. Although the town centre has enjoyed a degree of commercial success in the past, its overall design and poor quality fails to meet modern retailing requirements. The malls are dull and the shop units are generally too small and inconvenient for servicing. Externally, the visual appearance of the surrounding area is also poor, with buildings of neglected or inappropriate appearance and semi-derelict open areas.
- 6.2 Retailing in the Borough has traditionally been dominated by the two town centres in Welwyn Garden City and Hatfield. Both towns were built as planned settlements with the town centres providing shopping, services, community and leisure facilities to serve the resident population.
- 6.3 Economic change and major new development during the retail boom of the 1980's radically altered the balance of retailing in the Borough. From the mid to end of the 1980's, out of centre retailing, warehousing and a food superstore was built at Oldings Corner on the edge of Hatfield, and in 1991 an indoor shopping centre, The Galleria, was built to the west of the town centre and together these provided part of the then new brand of 'leisure' shopping experiences. This, plus the decline and closure of the former British Aerospace site in Hatfield (which resulted in the loss of over 4,000 jobs) had a serious impact on the local economy of Hatfield and the future viability of the town centre.
- 6.4 The 1990's was very much a period of consolidation of retailing in the Borough with some limited extensions to existing out of centre facilities – for Hatfield this mainly resulted in The Galleria going into liquidation and re-opening as a factory outlet centre.
- 6.5 In 2000, whilst preparing for the District Plan review process it was recognised that Hatfield Town Centre displayed a number of problems and needs which were necessary to address in planning for the period to 2011 if the vitality and viability of the town centre was to be retained. Two separate studies commissioned by the Council in preparing the District Plan Review highlighted many of the issues independently. These were ;
- 'Hatfield Town Centre Redevelopment Study', a report by DTZ, June 2000 (Document 10)

- 'Assessment of Retail Floorspace Requirements 2001-2011' a report by Vincent and Goring, January 2002 (Document 11).
- 6.6 Both reports recognised the fact that Hatfield Town Centre had suffered significant decline over the last 20 years and that the closure of British Aerospace between 1989 and 1993 devastated the economy of the town reducing spending power upon which the town centre shops depended. As a result many shops closed and have remained vacant or been replaced by temporary traders.
- 6.7 Another significant factor in the decline of the town centre is that of its design and layout. As one of the first new town centres, it has an inward facing, pedestrianised precinct which fails to draw passing trade and also presents security problems. This has made it unattractive to new outlets. As it was designed in the late 1950s, many of the shop units are too small to meet modern retailers requirements.
- 6.8 Whilst the 1998 adopted District Plan encouraged the redevelopment of the town centre, it had failed to attract new inward investment. The Council, in conjunction with a private developer (Arlington Properties) has since worked to address the fundamental economic weakness of the town by masterplanning the redevelopment of the British Aerospace site (which is approximately 1km to the west of Hatfield Town Centre) for a major mixed-use expansion to the town and this is currently under construction and progress had been positive and continual. However, it is recognised that the town centre is in need of comprehensive redevelopment if it is to address the longstanding design weaknesses and provide for the future needs of an expanded town. The District Plan Review process has provided a key opportunity to deliver a strategy to achieve this.
- 6.9 The full strategy for Hatfield Town Centre is set out in paragraphs 13.43 to 13.46 of the adopted District Plan (Document 4). It is a strategy for the regeneration of the town centre, given the significant economic and physical decline which it has suffered (as explained in the paragraphs above), the aim of which is to re-establish the town centre as the focus for the local community. The objectives are to:
- *Secure new shopping development in the town centre, in order to enhance the quality of retail provision;*
 - *Encourage a greater mix and diversity of uses in the town centre, including leisure, restaurants/pubs/cafes and residential;*
 - *Provide new community facilities, such as for health and library services;*
 - *Improve access for pedestrians and cyclists within and to the town centre;*
 - *Integrate public transport facilities within the town centre;*
 - *Enhance the environment of the centre;*

- *Create dedicated transport links with The Galleria and new Borough centre on the Hatfield Aerodrome site and enable the three centres to work together in providing services for Hatfield.*
- 6.10 This strategy was prepared following pre-deposit consultation (which was part of the District Review process) in partnership with the local community, retailers and other agencies, through the work of the Welwyn Hatfield Area Regeneration Partnership (WHARP).
- 6.11 WHARP was set up by the Council in the 1990s to tackle the problems of economic and social decline experienced in parts of the Borough, most notably central Hatfield. Single Regeneration Budget funding was awarded by the government in 1999 for employment, training and community programmes and in March 2000 WHARP held a public exhibition and awareness event in the town centre, called 'Putting the Heart back into Hatfield', to consult on the future strategy for Hatfield. Earlier consultation as part of the District Plan Review process (through Key Issues Papers) in the Autumn of 1999 had already confirmed support for the redevelopment of Hatfield Town Centre to be included as part of the District Plan Review. But in addition the redevelopment and regeneration of the town centre was confirmed by the WHARP awareness event as one of the highest priorities in any future strategy for Hatfield. After further work with WHARP and with a community forum established as a result of the awareness event, the above objectives were defined as the basis for the future strategy for the town centre.
- 6.12 At the same time, the Council began working with English Partnerships (EP) on development proposals for Hatfield Town Centre. EP still has some residual land interests in the town centre, but is also the Government's agency for urban regeneration.
- 6.13 As a catalyst for the regeneration of the town centre, there was a clear view as to the need for redevelopment so as to provide new shops, leisure, food and drink, residential uses and community facilities. Therefore, in February 2000, in the light of the results of the consultation on the Key Issues Papers, the Council, in conjunction with EP and WHARP appointed DTZ to prepare a strategy for the redevelopment of the town centre (the 'Hatfield Town Centre Regeneration Study' June 2000). DTZ examined the market demand for new floorspace in Hatfield, potential sites for redevelopment and the feasibility of any redevelopment.
- 6.14 The results of their work indicated that there was sufficient market demand to support redevelopment in Hatfield town centre. DTZ identified land at the eastern end of the town centre (including White Lion Square, The Arcade and Kennelwood car park) as the best opportunity for redevelopment, for a number of reasons but primarily because this was (and continues to be) the worst performing area of the town centre, where the majority of vacancies are concentrated and

where redevelopment would establish an anchor to counterbalance the Asda store at the western end of the town centre. Furthermore, DTZ recommended a comprehensive redevelopment of this site, rather than a piecemeal approach, if the fundamental problems of the town centre were to be tackled i.e. outdated, inward facing design, shop units too small, poor pedestrian linkages.

- 6.15 On this basis, the Council identified land at the eastern end of the town centre for comprehensive redevelopment for retail and mixed uses, in the deposit version of the District Plan Review published in January 2001. As part of the consultation on the Deposit Plan, the Council held a meeting with traders and property owners in the Town Centre. The results of the consultation on the deposit Plan showed broad support for the proposed redevelopment site and for the strategy for the town centre.
- 6.16 In the light of this and the urgent need to progress the redevelopment of the town centre, in December 2001 the Council and EP published a draft development brief for the Hatfield Town Centre East site for public consultation (Hatfield Town Centre Redevelopment; A Development Brief for Town Centre East, Draft November 2001, produced in association with BDP and DTZ). Consultation involved an exhibition in the town centre and further meetings with traders and landowners and with the community forum. The results of the consultation again showed strong support for the proposals outlined in the development brief. Following this consultation some alterations were made to the brief which was then adopted as Supplementary Planning Guidance in September 2002 (Document 12).
- 6.17 Subsequently, during 2002 the Council and EP invited bids from developers to undertake the redevelopment scheme. Initial expressions of interest were received in April 2002 and following a selection process, in January 2003 the Council and EP announced the appointment of St Modwens as the preferred developer for the scheme.
- 6.18 St Modwens have a strong track record of town centre redevelopment schemes. Their winning proposal scheme comprised a mixed use redevelopment of the site including new retail floorspace, leisure/food and drink uses, residential apartments, a new bus station and multi storey car parking. In addition, they proposed the redevelopment of the nearby Forum site in Lemsford Road, on the western edge of the town centre, for a new health centre and community facility and for the provision of affordable housing. Full public consultation on the scheme took place in April 2003 and there was strong public support for the proposed scheme. The Developer worked alongside the Council and EP to further develop their proposals with support from DTZ as well as BDP (architects assisting the Council) and an application was submitted in January 2004. Whilst a resolution for planning permission was given by the Council in September 2004 further refinements to the scheme were made culminating in a revised planning application

submitted in September 2005. In addition to the revised application a separate planning application was submitted which proposed the redevelopment of an adjoining site at 88 Town Centre (the Bill Salmon Centre). This application proposes the demolition of an existing building and the erection of a three storey building comprising of 5 retail units on the ground floor, 15 flats at first floor and above as well as the provision of new public realm. Whilst this development is the subject of a separate planning application, it is integral to the delivery of the main town centre proposals and is therefore considered to be part of the Scheme. Resolutions to grant planning permission for both applications (i.e. the Scheme) were given in January 2006 and both applications are subject to a Section 106 Agreement being entered into.

- 6.19 To conclude, the strategy for Hatfield Town Centre has widespread support from the local community, including residents and town centre businesses and is considered to be a critical part of the overall strategy to regenerate Hatfield. The proposals in the Plan for redevelopment at the eastern end of the town centre were worked up in consultation with local residents, retailers and landowners. They have the backing of the government's regeneration agency, English Partnerships, and are being taken forward by an established and experienced town centre development company, St. Modwens. The Scheme will provide a major boost to Hatfield, provide much needed shops, services, community facilities and affordable homes for the people of Hatfield as well as meeting a significant part of the Borough's retail needs.
- 6.20 The Council, EP and the Developer signed a Development Agreement on 22nd December 2005 which sets out the details of partnership arrangement to ensure the delivery of the redevelopment scheme within a reasonable timescale.

7.0 THE TOWN CENTRE EAST SCHEME

- 7.1 To summarise, the Scheme proposals comprise the demolition of existing buildings and the provision of a new mixed use development including new retail (Class A1, A2), a new market hall (Class A1), food and drink uses (Class A3, A4 and A5), and non residential institution uses (D2), new residential units (Class C3), new public realm and the provision of a bus interchange, together with the partial retention of White Lion House and the full retention, alteration and change of use of Kennelwood House to a public house (A5). Temporary uses of site will also include a contractors compound and public car park which will be required during the construction phases. A detailed explanation of each of these elements will now follow.

- 7.2 The redevelopment of the Order Land will provide:

- an attractive range of new high quality retail facilities that will reinforce the role of the Hatfield Town Centre and encourage growth in economic activity to benefit the existing retail offer;
- an improvement in the variety and diversity of shopping in the Hatfield Town Centre including in particular a new department store, stores with large floor areas and smaller specialist shops;
- improvements to the quantity and quality of car parking in the Hatfield Town Centre;
- the improvement of pedestrian and public transport links in, through and around the Hatfield Town Centre and the improvement of pedestrian links by the pedestrianisation of a number of routes through the proposed redevelopment scheme;
- the upgrading of the physical and urban environment in this part of the Hatfield Town Centre;
- additional Hatfield Town Centre residential properties; and
- new leisure and food and drink facilities.

7.3 In detail, the Scheme for which the Council has resolved to grant Planning Permission is delivered through two separate applications the detail of which is outlined further below and the background and relationship between the applications is given in section 7

Planning application S6/2004/001/FP

7.4 Planning application S6/2004/001/FP for the redevelopment of the main area of the Order Land provides for: -

- 13,901sqm GEA Retail Floorspace
- 275 New residential units
- 669 space MSCP
- Residents podium level car park –195 spaces
- Indoor market building
- New public realm

7.5 Apart from Kennelwood House and a section of White Lion House all of the buildings within the application site boundary will be subject to demolition.

7.6 The scheme principally comprises of new retail units focused around new pedestrian streets and squares along with the new residential units sitting at first floor and above. In terms of the character of the development the applicants have sought to create a scheme that will have an enduring appeal. The development comprises of a number of defined blocks which together function as single frontages to the malls and squares within the scheme. Whilst this adds to the variety of the frontages, the individual blocks utilise a family of standard elements and features which are repeated throughout the frontages in various ways so that there is homogeneity to tie the development together in an identifiable way. The scheme further uses a select palette of

traditional and modern facing materials and colourways. The main component parts of the Development are set out below.

New Town Square

- 6.6 The focal point of the scheme is the provision of a new Town Square. It is designed such that the main access is via the existing High Street from the west, at the end of the pedestrian vista from ASDA. The square can also be accessed via the new pedestrian malls running to the north and south. It is surrounded and fronted by new retail uses at ground floor level and is overlooked by residential uses on all elevations. The town square will act as an area in which events can be concentrated and will incorporate an electrical point for a Christmas tree and other promotional activities.
- 6.7 The town square is the heart of the development and the focus for movement and views from the pedestrian malls emanating from it. The vista from the Old St. Albans Road through to town square will be terminated by a landmark development block consisting of retail at ground floor and residential on the floors above. This block will form the backdrop to the town square and will be the tallest building within the proposed scheme at a height of six storeys. The roofline of this building is stepped and capped by a finial/mast.

North Mall

- 6.8 North Mall is a new pedestrianised shopping street, which links North Square at the northern end of the town centre to the new Town Square. This forms part of the new north / south axis through the scheme and provides a key vista. Proposals for the North Mall will consist of part new build and part refurbishment, with primary retail and community uses over three storeys.
- 6.9 White Lion House located on the new Town Square is the focus for refurbishment. This building currently reflects 1960s style architecture with a concrete canopy overhanging the pedestrian mall at ground floor level. It is intended to expand and refurbish the retail element at ground floor level so as to create four improved retail units fronting the pedestrianised area on Old St. Albans Road. The main entrances into these units will be via Old St. Albans Road and servicing to these units will be from the rear, via The Common service access. The building will also be extended, eastwards at ground floor level, providing definition to the western edge of Town Square.
- 6.10 The existing first floor offices of White Lion House will be converted to residential and it is also intended to retain and refurbish the existing residential element on the second and third floor levels.
- 6.11 The eastern side of North Mall consists wholly of new development. At the northern end, fronting onto The Common, three new ground floor

retail units are proposed which will provide an attractive frontage on The Common. The largest retail unit on the eastern side of North Mall, Unit 1 measures almost 2000 sqm at ground floor level and fronts onto North Mall at ground floor level providing a key anchor unit.

- 6.12 On the eastern side of North Mall at first floor a unit has been allocated for use as a potential location for new community uses within the scheme. This unit will be accessed via a ground floor entrance at the northern end of North Mall and will measure 580 sqm, (excluding the ground floor entrance hall).

North Square

- 6.13 North Mall is terminated by North Square, a formal square facing onto The Common. This square is a key entrance into the town centre from the north approach into the town centre and from the main entrance/exit from the proposed multi storey car park which also sits along The Common. It is anticipated that the square will be further defined through opportunities for public art and seating.

South Mall

- 6.14 South Mall provides both a vista and access from the new town square through to the proposed indoor market hall which is located at the southern edge of the development site. The South Mall consists of redeveloped and new retail floorspace at ground floor level and residential floorspace on the upper levels. Units to the west of the mall comprise the redeveloped covered Arcade and will be serviced at the rear via Dog Kennel car park at the rear of the buildings.

Café Square

- 6.15 Café Square is located at the southern end of South Mall. The square is fronted by a crescent shaped building to the north, which will contain new A3 uses at ground floor level and residential uses at first and second floor levels.
- 6.16 This crescent shaped building will provide frontage development forming the northern side of Café Square and overlooking Kennelwood House. The building is modelled on the more traditional form of crescent, will have a strong appearance with a tiered roof form as each of the storeys is set back from a canopy line. It is intended that the café / restaurant uses will occupy the ground floor with the opportunity for seating areas to spill out onto a central area used for outdoor eating and drinking, entertainment, stalls and other activities. At first floor level and above the residential uses will overlook Café Square.
- 6.17 It is anticipated that a water feature will be provided within the square and together with the proposed leisure uses within the crescent building this will be a much more informal civic space.

Kennelwood House

- 6.18 Kennelwood House is currently occupied by Hatfield Town Council. The building dates from the early part of the last century and whilst not listed it is proposed to be retained, restored to its original design and used as a restaurant / public house (A4 use).

Market Hall

- 6.19 The new Market Hall will front Café Square to the north and the enhanced Market Square to the west. It is intended that Market Square will continue to be used as the location for the outdoor markets, with possible shared use of the facilities to be contained within the new Market Hall. The building would provide an all weather enclosure to accommodate local market traders.
- 6.20 The ground floorspace of the Market Hall measures approximately 1,000 sqm and the potential facilities proposed include a centre management and security suite, public toilets and a taxi office to serve the adjacent 8 bay taxi rank (alongside Queensway).

Wellfield Road Retail Frontage

- 6.21 Fronting onto the roundabout between Queensway and Wellfield Road will be a block of residential development. This has been designed such that it replicates some of the features of the development block to Town Square and will similarly be a building of strong architecture to terminate this vista onto the roundabout. This block has gone through revisions and design changes following the submission of the application and a key change has been to that of the roofline of the building. It is now considered that the design of the building is such that whilst it will appear as a strong feature to this frontage it will not appear overly dominant or bulky within the streetscene.

Residential

- 6.22 In total, there are 275 new residential units proposed within the town centre redevelopment scheme. The units are all located at first floor and above and will overlook various public elements of the scheme. There are 195 residential parking spaces proposed within the scheme which will be at podium level and will be secured for residential use only.
- 6.23 At first floor level a pedestrian bridge link is proposed over South Mall. This will link the residential units on the western side of South Mall with those located to the east. The bridge will also enable residents on the west side to access the allocated residential parking spaces.

6.24 The residential element of the scheme is accommodated in a variety of forms, mainly at first, second and third floor levels, although a small element is contained at fourth and fifth floor levels. The distribution of unit size is outlined below;

Residential Types	
1-bedroom apartments	83 units
2-bedroom apartments	192 units
Total	275 units

Affordable Housing

6.25 The planning brief stipulates that 30% of the housing to be provided should be affordable whilst an additional 10% should be allocated for key workers. It is proposed that the majority of this requirement is to be provided on the nearby Forum site and an application for planning permission for this has been submitted by the Metropolitan Housing Trust.

Car Parking

6.26 A major element of the scheme will be for the provision of a new multi storey car park (MSCP) which will be located on the site of the present Commons car park. This 569 space MSCP will replace the spaces currently provided by The Gun car park and Kennelwood car park (as these will be lost to the development) and will provide increased parking capacity to meet the requirements of the new development. Of these spaces a proportion will be allocated for residential use.

6.27 It is anticipated that the proposed multi storey car park will be the main central public car parking facility within the town centre and therefore will be used as a short stay facility with longer stay parking catered for by the existing Link Drive surface car park (located to the south of the town centre) and Dog Kennel Lane car park.

Bus Facility

6.28 A bus interchange is proposed to the south of the town centre on land which is currently part of the existing Market Place. The interchange will be accessed from Queensway and will accommodate the following:

- 4 bus stands;
- Design to meet Disability Discrimination Act requirements;
- Highly visible covered passenger areas or bus shelters
- Seating areas;
- Paper and electronic information systems;
- CCTV;
- Operational access to and from Queensway;
- Integration with main pedestrian routes and safe management of pedestrian crossing movements.

- 6.29 The bus interchange has also been designed to allow buses to make a right hand turn out of the interchange back onto Queensway and on to the surrounding road network. This was a key requirement of the bus operators. The delivery of this will involve widening the existing highway (Queensway) slightly to create new carriageway.

Taxi Rank

- 6.30 A taxi rank is provided to the south of the proposed indoor market hall. The rank has been designed to accommodate eight taxis.

The Section 106 Agreement

- 6.31 The applicant's proposal is accompanied by a range of measures to enable the development to be satisfactorily controlled. All of the planning obligations are considered to be necessary to enable the Development to proceed and they meet the legal requirements for the validity of planning obligations set out in planning circular 05/2005. A summary of the obligations are provided at Appendix 2. It is expected that the planning obligation agreements in respect of the Main Scheme and the Bill Salmon Centre will be completed shortly and the planning permissions issued.

88 Town Centre/Bill Salmon Centre (Planning application S6/2005/1254/FP)

- 6.32 Planning application S6/2005/1254/FP for the redevelopment of 88 Town Centre (also known as the Bill Salmon Centre) proposes the demolition of 88 Town Centre and the erection of a new four storey building which will provide 625sqm of new retail floorspace and 15 new residential units. In addition the scheme proposes the provision of new public realm.

8.0 THE PLANNING POSITION

- 8.1 The Council has been granted borough status and officially became Welwyn Hatfield Borough Council on 23 May 2006. Previous policy documentation retains the reference to the Council's former title of District Council.
- 8.2 The statutory Development Plan comprises the Hertfordshire Structure Plan (Document 2) and the Welwyn Hatfield District Plan 2005 (Document 4).
- 7.3 The adopted Structure Plan covers the period 1991 – 2001 and provides the framework for town centres as the preferred location for retail development. Strategically the plan identifies Hatfield as a town centre and requires the vitality and viability of town centres to be

maintained and strengthened by developing appropriate shopping and other facilities, improving accessibility especially by use of passenger transport and providing for a diverse range of uses to encourage both daytime and evening activity. Furthermore, the Structure Plan advocates a sequential approach to the selection of sites for retail development and defines the hierarchy of towns and local centres within Hertfordshire to where local plans should direct investment. The relevant policies, together with those of the District Plan, Regional Planning Guidance and National Planning Policy and other relevant planning documentation are contained in Appendix 1 to this Statement.

7.4 The main planning application for the Scheme was submitted to the Council in January 2004 and was subsequently amended in September 2005. The Scheme is presented through a full application and is accompanied by an Environmental Assessment, Traffic Assessment and Design Statement and the planning application (given reference S6/2004/001/FP) was presented to the Council's Planning Control Committee on 19th January 2006 in the form of a comprehensive report which set out the material considerations relevant to the determination of the application. Accordingly, full regard was had to the provisions of the Development Plan and to all the policies set out in the Appendix. The Council's Planning Control Committee resolved to recommend that planning permission be granted for the main scheme subject to the satisfactory completion of an agreement under S106 of the Town and Country Planning Act 1990 and this will be completed shortly to secure the provision of the relevant planning obligations referred to in Appendix 2.

7.5 In addition the Bill Salmon Centre redevelopment, which is also part of the Scheme, was submitted to the Council September 2005. The Bill Salmon Centre development is presented through a full application and is accompanied by a Design Statement and the planning application (given reference S6/2005/1254/FP) was presented to the Council's Planning Control Committee on 19th January 2006 in the form of a comprehensive report which set out the material considerations relevant to the determination of the application. Accordingly, full regard was had to the provisions of the Development Plan and to all the policies set out in the Appendix. Consequently, the Council's Planning Control Committee resolved to recommend that planning permission be granted for the main scheme subject to the satisfactory completion of an agreement under S106 of the Town and Country Planning Act 1990 to secure the provision of the relevant planning obligations referred to in Appendix 2.

Related Planning Permissions

7.6 There are a number of planning permissions relevant to the implementation of the Scheme as they represent off site facilities that must be secured prior to the implementation of the scheme generally.

S6/2004/0002/FP - Healthy Living Centre

This scheme provides for a new premises to the West of the town centre and will allow for the relocation of the Queensway Health Clinic, the Council Area Housing Office and some of the Bill Salmon Centre users.

S6/2004/427/FP – Forum Site Scheme

This scheme provides for the provision of 84 affordable housing units plus the re-provision of public parking in the form of a decked car park and provides for some of the affordable housing required as an objective of the regeneration of the town centre to be provided off site.

8.0 THE CASE FOR ACQUISITION OF INDIVIDUAL INTERESTS AND RIGHTS

8.1 As explained in this Statement of Reasons the Council has given careful consideration to the reasons as to why it is necessary to include the land shown on the Order Plan. All freehold owners, lessees and occupiers affected by the proposed compulsory purchase order have been invited to enter into discussions with the Council and/or Developer with a view to agreeing appropriate terms for payment of compensation and, where appropriate, to discuss options for relocation.

9.0 HUMAN RIGHTS CONSIDERATIONS AND ANY OTHER CONSIDERATIONS

9.1 The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole". Both public and private interests are to be taken into account in the exercise of the Council's powers and duties as a local planning authority. Any interference with a Convention right must be necessary and proportionate.

9.2 The Council is of the view that in pursuing this Order, it has carefully considered the balance to be struck between individual rights and the wider public interest. Any interference with Convention rights, if there is any, is considered to be justified in order to secure the economic, social, physical and environmental regeneration that the Scheme will bring. Appropriate compensation will be available to those entitled to claim it under the relevant provisions of the relevant statutory provisions.

9.3 The Council considers that there is a compelling case in the public interest for confirmation of the Order and that the Order, if confirmed, would strike an appropriate balance between public and private interests. The rights of owners of interests in the Order lands under the

Human Rights Act 1998, in particular the rights contained in Article 8 and Article 1 of the First Protocol, have been taken into account by the Council when considering whether to make the Order and when considering the extent of the interests to be comprised in the Order. In addition, having regard to the provisions of the 1990 Act and the guidance set out in Circular 06/2004, the Council considers that the Order Land is both suitable for and will facilitate the carrying out of development, redevelopment and improvement and will make a positive contribution in the promotion or achievement of the economic, social and environmental wellbeing of its area for the reasons explained in this statement.

10 OTHER SPECIAL CONSIDERATIONS

- 10.1 As noted in section 2 the Order Lands include a Postal Sorting Office. Negotiations have taken place with the Royal Mail with regard to its relocation needs in respect of the sorting office on The Common. A suitable relocation site is available and has been offered to the Royal Mail and agreement has been reached.

11.0 RELATED APPLICATIONS/APPEALS/ORDERS

- 11.1 An application will be made by the Developer to the Secretary of State pursuant to Section 247 of the 1990 Act for the stopping up and diversion of highways and footpaths which are required to facilitate the Scheme.

12.0 ADDITIONAL INFORMATION

Website

- 12.1 Information about the project as it progresses is available on the Council's website at www.welhat.gov.uk.

Council Contacts

- 12.2 Owners and tenants of properties affected by the Order who require information about the CPO process can contact Mike Storey, telephone 01707 357457 during all normal office hours or make an appointment to visit the Council Offices in Welwyn Garden City, Hertfordshire, AL8 6AE.

Legal Advisors

- 12.3 The Council has appointed solicitors to act on its behalf in progressing the making of a CPO and owners and tenants of properties affected by the Order may contact them direct on any legal issue arising in respect

of the process. Please contact Martin Damms or Merle Wray at Pinsent Masons at 3 Colmore Circus, Birmingham B4 6BH, telephone 0121 200 1050.

- 12.4 Please note, however, that these solicitors are **legal advisers to the Council** and cannot give advice about individual circumstances. Owners and tenants of properties affected by the Order should seek their own professional advice concerning your specific rights, including potential rights to compensation.

Developers

- 12.5 The developers of the proposed scheme are St Modwen Developments (Hatfield) Limited, 16 Berkeley Street, Mayfair, London, W1J 8DZ, contact Nick Kay, telephone 020 7499 5666.

Compensation Issues

- 12.6 In any CPO process there is always an endeavour to discuss compensation issues and to purchase properties by agreement, if possible, rather than compulsorily. Owners and tenants of properties affected by the Order who wish to discuss this option should contact Nick Kay in the first instance whose details appear above. The Council's consultant is Stephen Watts at DTZ 1 Curzon Street London W1A 5PZ, telephone 020 7643 6450.

Council's Housing Needs Service

- 12.7 The Council's Housing Needs Service, telephone 01707 357620 exists to provide impartial and independent housing (not legal) advice and assistance to anyone who is homeless or threatened with homelessness, or has a housing related problem.

The Order, Order Map and Statement of Reasons

- 12.8 A copy of the Order, Order Map and this Statement of Reasons and the documents referred to in the attached list can be inspected at the Council's Offices, The Campus, Welwyn Garden City, Hertfordshire, AL8 6AE between 9am and 5pm on Mondays to Thursdays and between 9am and 4.30 pm on Fridays and at the Welwyn Hatfield Council Hatfield Housing Office, 30/32 Town Centre, Hatfield, Hertfordshire, AL10 0LD between 8.45am and 5.15pm on Mondays, Tuesdays and Thursdays, between 10am and 5.15pm on Wednesdays and 8.45am to 5.45pm on Fridays, and is available for inspection on the Council's website (www.welhat.gov.uk).
- 12.9 This Statement of Reasons for making the Compulsory Purchase Order is not intended to discharge the Council's statutory obligations

under the Compulsory Purchase by Non Ministerial Acquiring
Authorities (Inquiries Procedure) Rules 1990.

13. LIST OF DOCUMENTS IN THE EVENT OF AN INQUIRY

1. Report to Council Cabinet authorising the use of CPO powers dated 8 November 2005.
2. Hertfordshire County Council Structure Plan - adopted 1998
3. Hertfordshire County Council Structure Plan: Deposit Plan – January 2001
4. Welwyn Hatfield District Plan – adopted, 2005
5. Welwyn Hatfield Council - Local Plan Review - First Deposit Draft – 2000
6. Welwyn Hatfield Council - Local Plan Review - Second Deposit Draft 2002
7. Report to Welwyn Hatfield Council regarding amendments to the Second Deposit Draft
8. Welwyn Hatfield Council Community Plan, Published August 2004
9. Welwyn Hatfield Council Corporate Plan 2006 – 2010, Published March 2006
10. Hatfield Town Redevelopment Study, DTZ, June 2000
11. Assessment of Retail Floorspace Requirements: 2001-2011, Vincent and Goring, January 2002
12. Hatfield Town Centre Planning Brief, adopted September 2002
13. Relevant National Planning Policy Guidance and Planning Policy Statement and relevant Regional Planning Policy
14. ODPM Circular 04/06
15. The Town and Country Planning Act 1990
16. Planning application and supporting documents submitted to Welwyn Hatfield Council and registered under application reference S6/2004/0001/FP
17. Planning application and supporting documents submitted to Welwyn Hatfield Council and registered under application reference S6/2005/1254/FP

Dated 24 July 2006
Pinsent Masons
Solicitors to the Council

APPENDIX 1 TO THE STATEMENT OF REASONS

PLANNING POLICY

The Development is in accordance with national, regional and local policies. In resolving to grant planning permission for the Scheme (and the related permissions referred to in the main text) the Council has taken into account the advice of the Secretary of State issued in relevant National Planning Policies as well as the local planning policies and other material planning considerations referred to below, although this is not an exhaustive analysis: -

National Planning Guidance

PPS1 – Delivering Sustainable Development, 2005

- Advises that sustainable development should be pursued in an integrated manner where environmental, economic and social objectives should be achieved over a period of time.
- Promotes urban regeneration to improve the well being of communities, to improve facilities, to promote high quality and safe development and create new opportunities for the people living in those communities.
- Advises that developments that attract a large number of people, especially retail, leisure and office development, should be focussed in existing centres to promote their vitality and viability, encourage social inclusion and more sustainable patterns of development.
- Advises that planning should make the fullest use of public transport and focus development in existing centres and/or sites near to major public transport interchanges so as to reduce the need to travel and secure more sustainable patterns of transport development.
- Promotes the more efficient use of land through higher density, mixed use development and the re-use of suitably located previously developed land and buildings.
- Promotes high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact, not just for the short term but over the lifetime of the development.

PPG 3 Housing and Amendments

- Plan to meet the housing requirements of the whole community, including those in need of affordable and special needs housing.
- Promotes creation of mixed and balanced communities.
- Notes that priority should be given to re-using previously-developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of greenfield sites.
- Advocates more sustainable patterns of development by building in ways which exploit and deliver accessibility by public transport to jobs, education and health facilities, shopping, leisure and local services.
- Seeks to reduce car dependence by ensuring that schemes facilitate more walking and cycling, by improving linkages by public transport between housing, jobs, local services and local amenity, and by planning for mixed use.

- Promotes good design in new housing developments in order to create attractive, high-quality living environments in which people will choose to live.

PPS 6 – Planning for Town Centres, 2005

- Continues to promote a plan led approach to promoting development in town centres.
- Promotes the focus of development to existing centres so to regenerate them.
- Promotes higher density, mixed use development to improve vitality and viability of town centres.
- Recommends the use of planning conditions to control the management of town centre developments.
- Acknowledges that Local Authorities should use tools such as Compulsory Purchase Orders where appropriate to address land assembly, planning and design issues associated with the growth and management of their centres.

PPS 22 – Renewable Energy, 2005

- Advises that development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.

PPG13 – Transport 1999

- Promotes easy access to shopping, leisure facilities and services.
- Aims to reduce the need to travel by car.

PPG14 – Development on unstable land 1990

- Provides advice for local authorities, developers and landowners on the exercise of planning controls on land which all unstable or potentially unstable.
- Notes that the responsibility for determining whether land is suitable for development rests primarily with the developer.

PPG24 – Planning and Noise

- Much of the development which is necessary for the creation of jobs and the construction of essential infrastructure will generate noise. The planning system should not put unjustifiable obstacles in the way of such development. Local planning authorities must ensure that development does not cause an unacceptable degree of noise.

Regional Planning Guidance

RPG9 – Regional Planning Guidance for the South East 2001

Draft Regional Spatial Strategy for the East of England, December 2004
Policy SS5 Town Centres - notes that thriving, vibrant and attractive centres are fundamental to the sustainable development of the East of England and

will continue to be the focus for investment, environmental enhancement and regeneration.

Following the examination in public of the draft Regional Spatial Strategy (held between 1st November – 16th December 2005 and 17th January – 1st March 2006-06-23) the report of the panel has recently been issued (19th June 2006). Chapter 5 of Volume 1 of the report refers to Sub Regions/Locations and proposes New Policy LA3: Key Centre for Development and Change: Welwyn Garden City and Hatfield. This policy notes that Welwyn Garden City and Hatfield will jointly be key regional centres for development and change within the London Arc and that amongst the main elements of the vision are the provision for substantial employment growth over the period to 2021 by (amongst other proposals) creating a more vital Hatfield Town Centre.

Hertfordshire Structure Plan Review 1991 – 2011 adopted 1998

Policy 1	Sustainable Development
Policy 2	Design and Provision of Development
Policy 3	Comprehensive Settlement Appraisals
Policy 4	Town Centres
Policy 6	Settlement Pattern and Urban Concentration
Policy 7	Main Development Strategy
Policy 16	Retailing
Policy 17	Location of New Retail Development
Policy 23	Networks and facilities for non motorised transport and buses
Policy 25	Car parking

Deposit Stage on draft policy alterations to roll forward the Hertfordshire Structure Plan to 2016

The current Hertfordshire Structure Plan was adopted by the County Council in April 1998 and covers the period 2011. The County Council has undertaken technical work to decide what changes (termed 'alterations') may be needed to roll the plan forward another five years to 2016 and the first stage of consultation on the updated Structure Plan took place during the summer of 2002. Following the introduction of the new planning system of Local Development Frameworks the County Council will not be progressing the review of the structure plan although the Deposit Stage draft does hold some weight as a material consideration.

Welwyn Hatfield District Plan, Adopted April 2005

The Welwyn Hatfield District Plan was adopted April 2005. The table below outlines the key relevant policies where it is considered that the scheme meets or facilitates the policy objectives noted either through the design of the scheme, through the requirement of planning conditions or through S106 obligations.

It should be noted that the strategy and objectives for Hatfield town centre as identified in the District Plan were considered by the inspector as part of the review process and were accepted.

Policy	<u>POLICY MATTER</u>
	Sustainable Development Chapter
SD1	Development proposals will be permitted where it can be demonstrated that they accord with the principles of sustainable development.
	Resources Chapter
R19	Planning permission will be granted where appropriate conditions may be imposed to ensure an adequate level of protection against noise/vibration.
R29	WHC will require an archaeological assessment where necessary.
	Movement Chapter
M1	WHC will take every opportunity to integrate different modes of travel.
M2	Developers of major new traffic generating developments will be required to submit a transport assessment. This must demonstrate measures to be taken to minimise vehicular movements and state whether highways works or traffic management measures will be required.
M3	Applications for development at or above given thresholds must be accompanied by a Green Travel Plan. The measures proposed included in the Green Travel Plan will be secured through planning conditions or through a S106 agreement.
M4	Planning conditions or S106 will be used to ensure the implementation of highway works or obligations.
M5	WHC will seek improvements in facilities for the safe and convenient movement of pedestrians. New developments should give priority to pedestrian access in their layouts.
M6	WHC will require proposals for new development to encourage cycling and developers may be required to provide or contribute towards off site facilities and planned cycle network.
M10	WHC will support the improvement of passenger transport services and will require that this mode be given priority over the car in the layout and design of new developments.
	Design Chapter
D1	WHC will require that all new development is of a high quality design.
D4	WHC will expect new development to create or enhance public areas and the public realm.

D5	WHC will require all new development to take account of existing and proposed movement patterns. New development will be required to make provision for pedestrian, cyclist and passenger transport facilities.
D6	WHC will require all new development to enhance and contribute to the legibility of the development and the area in which it is located.
D7	WHC will require all new development to contribute to safer communities.
D8	All development should include landscaping as an integral part of the overall design. Landscaping schemes will require the use of materials which respect the character of an area and should be designed such that maintenance is straightforward.
D9	All new development should be designed to allow access by the disabled, young children in prams and pushchairs and those who are temporarily disabled. Access to the site and within buildings and open spaces must be considered.
D10	WHC will expect developers to include as appropriate the provision of an element of public art.
D11	Applicants will be required to submit a design statement with all applications for business, commercial or residential developments.
	Implementation and Monitoring Chapter
IM2	Development will be required to provide for the infrastructure, services and facilities which are directly related to it and necessary to the granting of planning permission. Developers will be required to provide or finance the cost of such provision which will be implemented through a S106 agreement.
	Community, Leisure and Tourism Chapter
CLT11	WHC will support proposals to improve the library facilities in Hatfield Town Centre.
	Retailing and Town Centres Chapter
TCR14	Land at the eastern end of Hatfield Town Centre is identified for comprehensive redevelopment for a mixed use, retail led scheme. Development should be carried out in accordance with a planning and development brief approved by WHC as supplementary planning guidance.
TCR21	WHC will require development proposals in Hatfield town centre to contribute to improving the infrastructure and services for pedestrian, cycle and bus access in accordance with policy IM2.
TCR22	WHC will seek to enhance and renew the environment of Hatfield town centre and will require new development to be of good quality design and contribute to schemes to improve the wider public realm in the town centre.

Hatfield Town Centre East Revised Planning Brief – September 2002

Welwyn Hatfield Council, in conjunction with English Partnerships and the Building Design Partnership prepared a planning brief to guide the form and content of the redevelopment of Hatfield Town Centre East. The document was adopted as supplementary planning guidance in September 2002. The approved SPG was prepared in accordance with the provisions of Planning Policy Guidance Note 12 (Development Plans and Regional Planning Guidance) and with assistance from Hertfordshire County Council, Hatfield Town Council, external consultants and other relevant bodies and agencies. The SPG was also subject to extensive consultation with the community regarding the future of Hatfield Town Centre and details of this process can be found in the Hatfield Town Centre East Redevelopment Brief. English Partnerships have also adopted the brief as a standard against which the scheme should be assessed.

The planning brief notes that the Council's overall vision for the town centre is the comprehensive and co-ordinated redevelopment of the town centre east site to ensure a vital and viable town centre as a whole. The brief sets prescriptive guidance on components of the development i.e. retail, leisure, offices, housing, community facilities, markets, bus interchange, refurbishment, density of development, height/scale, public realm improvements and car parking.

APPENDIX 2 TO THE STATEMENT OF REASONS

Summary of Obligations in the Section 106 Agreements to be made between St Modwen Developments (Hatfield) Limited, St Modwen Properties Limited, and the Council and Hertfordshire County Council

Hatfield Town Centre East S106 Agreement

- Provision to submit a phasing programme or similar outlining the programme of development and to abide by the agreed programme.
- A financial contribution to be paid to the Council for public realm improvements outside of the application site boundary along Old St. Albans Road (or the provision of these improvements to an agreed specification).
- A financial contribution to be paid to HCC for youth and childcare, library and secondary education provisions.
- Provision of fire hydrants.
- Provision of bus facilities in accordance with HCC specifications.
- Agreement with HCC as to the lease arrangements for the management and maintenance of bus interchange.
- A financial contribution to be paid to WHC for the provision of additional town centre signage.
- A financial contribution to be paid to WHC for a replacement recycling facility (or for this facility to be provided on an alternative site to our specification).
- A financial contribution to be paid to WHC for the provision of three additional Shopmobility scooters.
- The delivery of a new shopmobility facility premises.
- A financial contribution to be paid to HCC for the extension to Queensway cycle track.
- A financial contribution to be paid to HCC for the provision of a pedestrian crossing at Wellfield Road.
- A financial contribution to be paid to HCC for the promotion of sustainable transport measures.
- A financial contribution to be paid to HCC for improvements to the Lemsford Road/Common junction.
- Provision for town centre parking strategy and management – including a financial contribution to be paid to HCC for the design, implementation and management of off street parking controls.
- Construction traffic measures and controls.
- Provision of agreed highway works.
- The provision of affordable and key worker housing – either on or off site.
- A scheme for public art plus its implementation.
- Provision of a CCTV in accordance with approved strategy including the funding of a camera outside of the development site on Old St. Albans Road.
- Definition of the primary and mixed use retail frontages.
- Restriction of the amalgamation of units over a certain size.

- Provision for public access throughout certain areas of the site and elsewhere to dedicate footpaths.
- Provision for the weekly market and monthly farmers market.
- Public toilets to be provided either in market hall or elsewhere as agreed.
- A financial contribution to be paid to WHC for the designation of the taxi rank.
- Provision of a Green Travel Plan and appointment of a Green Travel Plan Co-ordinator.
- Commitment to the continued project monitoring as identified in the Environmental Monitoring Plan.
- Appointment of Project Liaison Officer.
- Commitment that contractors on site abide by a Code of Construction Practice and that adverse impact during this phase will be reduced by the use of an agreed mitigation strategy.

Bill Salmon Centre S106 Agreement

- Provision to submit a phasing programme or similar outlining the programme of development and to abide by the agreed programme.
- A financial contribution to be paid to HCC for youth and childcare, library and secondary education provisions.
- Provision of CCTV in accordance with an approved strategy or a commuted sum for the provision of CCTV cameras/equipment.
- Provision of fire hydrants.
- Provision of a relocation strategy to secure permanent replacement accommodation for the existing community groups currently operating from the Bill Salmon Centre building.
- Provision of parking spaces within the Town Centre East redevelopment (proposed Multi Storey Car Park) for the approved residential units or the provision of a commuted sum for the provision of alternative car parking facilities.
- Provision for public access throughout certain areas of the site or the dedication of such areas to adopted highway.
- Provision of a mitigation strategy to covers impacts during construction and operation.