

Review of Statements of Common Ground
Rule 6 Party
Keep the G in WGC
and the
Welwyn Garden City Heritage Trust

Appeal reference: APP/C1950/W/22/3294860
BioPark, Broadwater Road, Welwyn Garden City

June 2022



Review of Statements of Common Ground

1. Introduction

This document provides comments from the Rule 6 parties Keep the G in WGC and the Welwyn Garden City Heritage Trust on the statements of common ground (SoCG) produced between the appellant and the Council regarding planning appeal reference: APP/C1950/W/22/3294860, BioPark, Broadwater Road, Welwyn Garden City.

2. Statement of Common Ground between the Council and the appellant

Topic	Location within SoCG	Text in the SoCG	Comments from Rule 6 parties Keep the G in WGC and the Welwyn Garden City Heritage Trust	Conclusions / recommendations
Context	Para 3.11	73 Bridge Road East – Pending decision	Error in the table. Application 6/2020/2268/MAJ was refused by the Council 18/06/21. An appeal is currently ongoing.	Recommend amending the table to clarify that the application was refused by the Council 18/06/21, and an appeal is currently ongoing.
Landscaping	Page 15	Extensive landscaping including...	We have concerns regarding the amount of open space being provided on site. We would not therefore agree that there is 'extensive landscaping' provided.	Recommend that the use of the word extensive is identified as an area of disagreement.
Heritage	Paragraph 6.2	Following matters are considered acceptable to the Council and are not matters of dispute: <ul style="list-style-type: none"> Heritage 	As outlined in our Statement of Case, we have concerns that the proposed development would have a detrimental impact on views from the town centre conservation area. The site will be highly visible from the conservation area, creating a new more active skyline with an overall greater scale and mass than existing buildings on the site. Due to the proposed height, massing, and number of individual blocks, we believe that the proposed development would have an impact on the setting and significance of the conservation area and introduce visual clutter and crowding to the	Recommend that the impact of views from the town centre conservation area is identified as an area of disagreement.
	Paragraph 6.16	There will be no harmful impact on the setting or significance of the former Roche Building, the Shredded Wheat factory or Welwyn Garden Conservation Area associated with the proposed development (Paragraphs 9.51-9.53, Committee Report).		

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			skyline, compared to the existing visual of the singular BioPark block.	
Heritage / design	Paragraph 6.17	The proposal therefore complies with Chapter 16 of the NPPF (Conserving and enhancing the historic environment), local Policy R28 and emerging local policies SADM15, SP15, and SP9 (insofar as Policy SP9 relates to heritage assets).	<p>We do not agree that the proposed development complies with emerging Local Plan policy SP15 and Chapter 16 of the NPPF.</p> <p>Policy SP15, states that ‘all development proposals, through their design and detailing, will be required to demonstrate that they have responded to the key characteristics of a Garden City’. In addition, Policy SP15 requires developments to ‘demonstrate how consideration of the historic character and significance of the town has been taken into account at an early stage in the design process’.</p> <p>We believe that the proposed development has failed to provide a design approach and provision of good quality private and communal open spaces which successfully meet the Garden City principles expected of development within Welwyn Garden City.</p> <p>In relation to Chapter 16 of the NPPF, we have concerns that the proposed development would have a detrimental impact on views from the town centre conservation area. The site will be highly visible from the conservation area, creating</p>	Recommend that compliance with the requirements of emerging Local Plan policy SP15 and Chapter 16 of the NPPF is identified as an area of disagreement.

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			a new more active skyline with an overall greater scale and mass than existing buildings on the site.	
Amenity space	Paragraph 6.20	Sufficient and high quality public, communal and private amenity space is provided for the proposed development.	<p>We have concerns regarding the amount of open space being provided on site. As outlined in our Statement of Case, we have concern that the proposed development does not provide useable public open spaces which will sufficiently meet the needs of the residents. There is a reliance on balcony / terrace spaces, and communal rooftop gardens which will not provide adequate spaces for residents to exercise and play. This will increase pressure on existing open spaces in the surrounding area which are not designed to accommodate the increased population which will result from the development.</p> <p>We would not therefore agree that sufficient and high quality public, communal and private amenity space is provided for the proposed development.</p>	Recommend that the extent and quality of public, communal, and private amenity space is identified as an area of disagreement.
Areas of disagreement	Section 7, paragraph 7.2 onwards	<p>The Appellant disagrees with WHBC that the refusal of the application on the basis of the proposed mix of dwelling types and sizes is justified.</p> <p>The Appellant disagrees with the Council that the proposed</p>	We support the reasons for refusal identified by the Council.	The areas of disagreement identified between the Council and the appellant within this section should also be noted as areas of disagreement between the appellant and this Rule 6 party.

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		<p>development would conflict with draft Policy SP 7.</p> <p>The Appellant disagrees with the Council that there is conflict with Paragraph 130f) of the NPPF due to the proposed housing mix. The disagreement relates only to Paragraph 130f)'s criteria for new development to be inclusive.</p> <p>The Appellant disagrees with the Council that there is conflict with Paragraphs 120c) and 120d) of the NPPF, relating only to whether the proposed new homes would meet identified needs for housing.</p>		
Areas of disagreement	Section 7, paragraph 7.8	The Appellant disagrees with the Council that the level of residential parking provided in the Appeal scheme is insufficient, having regard to the scheme's proposed improvements to active travel and sustainable transport networks. The Appellant and the Council disagree in relation to the impact of the development on residential parking provision, and specifically whether there would be adverse	We support the reasons for refusal identified by the Council.	The areas of disagreement identified between the Council and the appellant within this section should also be noted as areas of disagreement between the appellant and this Rule 6 party.

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		impacts on the area as a result of the additional pressure that would be created on the availability of parking in the area.		
Areas of disagreement	Section 7, paragraph 7.12 and 7.13	<p>The Council disagrees with the Appellant’s view that the appeal proposal is of high quality design which relates to the context of the Garden City and respects the immediate context of the site through appropriate form, height, bulk, scale and massing.</p> <p>The Council and the Appellant disagree that RfR3 is justified with reference to Policies D1 and D2 of the District Plan, the Broadwater Road West SPD, Paragraphs 130 and 134 of the NPPF or Policy SP 9 of the emerging Local Plan.</p>	We support the reasons for refusal identified by the Council.	The areas of disagreement identified between the Council and the appellant within this section should also be noted as areas of disagreement between the appellant and this Rule 6 party.
Additional areas of disagreement, design	n/a	n/a	<p>Local Plan Policy D2 is not identified as an area of disagreement within the SoCG.</p> <p>Policy D2 requires new development to respect and relate to the character and context of the area, as a minimum maintaining the character of the existing area. It is our view that the proposed development fails to appropriately relate to the character of this section of the Broadwater Road West area and the height of existing development</p>	It is recommended that this is identified as an area of disagreement between the appellant and this Rule 6 party.

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			immediately adjacent to the site, therefore the proposed development is contrary to Local Plan Policy D2.	
Additional areas of disagreement, design	n/a	n/a	<p>Local Plan Policy H6 is not identified as an area of disagreement within the SoCG.</p> <p>Policy H6 states that in central areas with good access to sustainable modes of transport, residential density can exceed 50 dph 'provided that the development will not have an adverse impact on the character of the surrounding area and can satisfy design policies of the Plan'. It is our view that the proposed density on the site would have a detrimental impact on the character, setting and sense of place of the surrounding area, and the density level is not supported by design guidance in the SPD. The density of the proposed development would therefore be contrary to Policy H6.</p>	It is recommended that this is identified as an area of disagreement between the appellant and this Rule 6 party.
Additional areas of disagreement, design	n/a	n/a	<p>Emerging Local Plan Policy SP7 is not identified as an area of disagreement within the SoCG.</p> <p>Policy SP7 states that new developments should demonstrate how the mix of tenure, type and size of housing proposed reflects the Councils latest evidence of housing need and market demand. In our view, the type and mix of housing being proposed on the site has no relation to the identified local needs for the area, and does not</p>	It is recommended that this is identified as an area of disagreement between the appellant and this Rule 6 party.

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			<p>take into account the existing approvals for smaller dwellings in the surrounding area which will adequately support local needs for this housing type. The proposed housing mix is therefore contrary to the requirements of emerging Local Plan Policy SP7.</p>	
Additional areas of disagreement, design	n/a	n/a	<p>Emerging Local Plan Policy SP9 is not identified as an area of disagreement within the SoCG.</p> <p>Policy SP9 requires new development to ‘respect neighbouring buildings and the surrounding context in terms of height, mass and scale’. It is our view that the proposed development fails to appropriately relate to the character of this section of the Broadwater Road West area and the height and density of existing development immediately adjacent to the site, therefore the proposed development is contrary to emerging Local Plan Policy SP9.</p>	<p>It is recommended that this is identified as an area of disagreement between the appellant and this Rule 6 party.</p>
Additional areas of disagreement, design	n/a	n/a	<p>Emerging Local Plan Policy SP15 is not identified as an area of disagreement within the SoCG.</p> <p>Policy SP15 states that ‘all development proposals, through their design and detailing, will be required to demonstrate that they have responded to the key characteristics of a Garden City’. In addition, Policy SP15 requires developments to ‘demonstrate how consideration of the historic character and significance of the</p>	<p>It is recommended that this is identified as an area of disagreement between the appellant and this Rule 6 party.</p>

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			town has been taken into account at an early stage in the design process'. It is our view that the design of the proposed development fails to appropriately meet Garden City principles in providing 'beautifully and imaginatively designed homes with gardens'.	

3. Statement of Common Ground between the Council and the appellant relating to townscape matters

The areas of disagreement identified between the Council and the appellant within this SoCG should also be noted as areas of disagreement between the appellant and this Rule 6 party.

Other comments relating to the impact of the proposed development on views from the town centre conservation area are presented within section 2 above.

4. Statement of Common Ground between the Council and the appellant relating to transport matters

Topic	Location within SoCG	Text	Comments from Rule 6 parties Keep the G in WGC and the Welwyn Garden City Heritage Trust	Conclusions / recommendations
Provision of public transport	Para 4.3.3	Additional bus stops and services are available within a short walk of the site access to Broadwater Road, including the 403 and 404 services available on Mill Green Road via Peartree Lane, circa 450m from the site access. In addition, a range of bus services are available from the bus	Any information regarding bus services should also outline the level of service provided at each stop. For example, while services may be available from the 404 route, this only includes 5 buses per week. Within our Statement of Case we note that while bus services are available on Broadwater Road and within the surrounding area, there is concern that the limited evening and weekend	It is recommended that where bus services are identified within the SoCG, further information on the regularity of buses at the surrounding stops should be included. Alternatively, it is recommended that the quality of bus services available from the site

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		stops on Bridge Road, opposite the station and located within a 10 minute walk from the site access (circa 750m).	services, even following the service improvements proposed through the two years of developer contributions, will not be sufficient to allow residents to fully meet their needs without the use of a car.	should be identified as an area of disagreement between the appellant and this Rule 6 party.
Need for a car	Para 8.3.3	A review of local services and facilities within the vicinity of the site demonstrates that the majority of everyday services and facilities are within a comfortable 1.6km walking distance from the site, including Welwyn Garden City (for access to a range of services and facilities), as well as rail services. Importantly, both primary and secondary education facilities are provided less than 10 minutes walk to the west of the site access. Such proximity ensures no need to travel by car of this purposed. In addition, as set out in Section 2, the site is excellently located to local public transport services (including bus and rail) which provide greater access to a range of services and destinations.	<p>Within our Statement of Case we have raised concerns regarding the quality of pedestrian and cycle access to and from the site, and the ability of this provision to encourage new residents to walk and cycle to access local services and facilities. In addition, we have raised concerns regarding the availability of east to west links where relying on available rail routes.</p> <p>Based on these issues, we have concerns that there will be a greater need for cars and parking spaces for residents of the site than the provision of proposed parking will allow.</p> <p>We therefore do not agree that there will be no need for proposed residents of the site to access services and facilities by car.</p>	It is recommended that this is identified as an area of disagreement between the appellant and this Rule 6 party.
Access to services and facilities	Para 8.3.3	Importantly, both primary and secondary education facilities are provided less than 10 minutes walk to the west of the site access.	This is an error. Stanborough School is the nearest secondary school, which is located 1.1 miles from the site, which is estimated to be a 22 minute walk.	It is recommended that this is identified as an area of disagreement between the appellant and this Rule 6 party.

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5. Statement of Common Ground between the Council and the appellant relating to housing mix and five year housing land supply matters

We have no comments on the information included within the housing mix and five year housing land supply SoCG.