

# PLANNING COMMITTEE

## NOTICE AND AGENDA

For a meeting to be held on Thursday, 22 February 2024 at 7.30 pm in the Penn Chamber, Three Rivers, Northway, Rickmansworth.

Members of the Planning Committee:-

Councillors:

Sara Bedford (Chair)  
Matthew Bedford  
Ruth Clark  
Andrea Fraser  
Philip Hearn  
Khalid Hussain

Steve Drury (Vice-Chair)  
Stephen King  
Chris Lloyd  
Debbie Morris  
David Raw

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*Joanne Wagstaffe, Chief Executive  
Wednesday, 14 February 2024*

The Council welcomes contributions from members of the public on agenda items at the Planning Committee meetings. Details of the procedure are provided below:

For those wishing to speak:

Members of the public are entitled to register and identify which item(s) they wish to speak on from the published agenda for the meeting. Those who wish to register to speak are asked to register on the night of the meeting from 7pm. Please note that contributions will be limited to one person speaking for and one against each item for not more than three minutes.

In the event of registering your interest to speak on an agenda item but not taking up that right because the item is deferred, you will be given the right to speak on that item at the next meeting of the Committee.

Those wishing to observe the meeting are requested to arrive from 7pm.

In accordance with The Openness of Local Government Bodies Regulations 2014 any matters considered under Part I business only of the meeting may be filmed, recorded, photographed, broadcast or reported via social media by any person.

Recording and reporting the Council's meetings is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Legislation and the laws of libel and defamation.

The meeting will not be broadcast/livestreamed but an audio recording of the meeting will be made.

**1. APOLOGIES FOR ABSENCE**

**2. MINUTES**

(Pages 3 - 8)

**3. DECLARATIONS OF INTEREST**

To receive any declarations of interest.

**4. NOTICE OF OTHER BUSINESS**

Items of other business notified under Council Procedure Rule 30 to be announced, together with the special circumstances that justify their consideration as a matter of urgency. The Chair to rule on the admission of such items.

**5. 22/1764/FUL - WORLD OF WATER, HEMPSTEAD ROAD, WATFORD, HERTFORDSHIRE, WD4 8QG**

(Pages 9 - 166)

Demolition of existing building and erection of retail food store, (Use Class E(a)), with associated access, parking and amenities.

Recommendation: That subject to the completion of a Section 106 Agreement in respect of a monitoring and evaluation fee of £6k covering a 5 year period relating to the travel plan and a contribution of £16.8k towards highway/cycleway/sustainable transport improvements, that permission be delegated to the Head of Regulatory Services to GRANT PLANNING PERMISSION subject to conditions.

**6. 23/2183/FUL – SILVER BIRCH COTTAGE, EAST LANE, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0NY**

(Pages 167 - 182)

Construction of single storey side extensions and relocation of entrance door.

Recommendation: That PLANNING PERMISSION be GRANTED.

**7. OTHER BUSINESS - if approved under item 3 above**

**EXCLUSION OF PUBLIC AND PRESS**

If the Committee wishes to consider any item in private, it will be appropriate for a resolution to be passed in the following terms:-

“that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined under Part I of Schedule 12A to the Act. It has been decided by the Council that in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

(Note: If other confidential business is approved under item 3, it will also be necessary to specify the class of exempt or confidential information in the additional items.)

**General Enquiries: Please contact the Committee Team at**  
[committeeteam@threerivers.gov.uk](mailto:committeeteam@threerivers.gov.uk)

## THREE RIVERS DISTRICT COUNCIL

**At a meeting of the Planning Committee held in the Penn Chamber, Three Rivers House, Rickmansworth, WD3 1RL on Thursday 18 January 2024 from 7.30pm – 9.05pm**

**Present:** Councillors Sara Bedford (Chair), Steve Drury (Vice-Chair), Matthew Bedford, Ruth Clark, Andrea Fraser, Philip Hearn, Khalid Hussain, Stephen King, Chris Lloyd, Debbie Morris and David Raw

**Also in Attendance:**

Councillors Ciaran Reed and Chris Whatley-Smith

**Officers in Attendance:**

Matthew Barnes, Planning Solicitor  
Tom Norris, Senior Planning Officer  
Matthew Roberts, Development Management Team Leader  
Kimberley Rowley, Head of Regulatory Services  
Claire Westwood, Development Management Team Leader

**External in Attendance:**

Councillor Jon Tankard, Abbots Langley Parish Council

**PC39/23 MINUTES**

**RESOLVED** that the minutes of the meeting of the Planning Committee held on 14<sup>th</sup> December 2023 be approved as being a correct record and are signed by the Chair.

**PC40/23 DECLARATIONS OF INTEREST**

The Chair made a group declaration on behalf of the Liberal Democrat members of the Committee in respect of item 10 23/1766/FUL: 38b Abbots Road, Abbots Langley as the applicant's agent was a Liberal Democrat Councillor.

Councillor Ruth Clarke declared a personal interest in respect of Item 56 23/0761/FUL No.1 and land to the rear Toms Lane, Kings Langley as her aunt lived in close proximity to the dwelling concerned.

**PC41/23 NOTICE OF OTHER BUSINESS**

There were no items of other business.

**PC42/23 22/1945/FUL: LAND TO THE EAST OF LANGLEYBURY LANE AND INCLUDING LANGLEYBURY HOUSE ESTATE, LANGLEYBURY LANE, LANGLEYBURY, HERTFORDSHIRE**

The application was a hybrid application for the creation of a film hub following the demolition of a number of existing buildings and change of use of Langleybury House and Aisled Barn for filming, new car parking provision, alterations to existing access points as well as alterations to the existing cycle path and pedestrian network within the site.

Due to the size and scale of the proposed development it was considered that a site visit was required to ensure that the Committee was fully cognisant of the applications complexity before a decision was made.

**RESOLVED** that Members agreed that a site visit be arranged for Planning Application 22/1945/FUL.

**PC43/23 23/0761/FUL: NO.1 AND LAND TO THE REAR TOMS LANE, KINGS LANGLEY, HERTFORDSHIRE, WD4 8NA**

The application was for the construction of five two storey detached dwellings with accommodation in the roof space served by dormer windows and rooflights with associated access including works to verges, parking and landscaping works including raised terraces following the demolition of the existing building and associated outbuilding.

The application had been called in by three members of the Committee who had cited concerns relating to over development and highway safety.

The Committee was informed that additional pre-commencement conditions were recommended to protect and mitigate the impact on the adjacent railway line and these would be in line with the comments received by Network Rail. These conditions would require prior agreement with the applicant in the event of an approval and covered trespass proof fencing, erection of scaffolding, drainage close to the railway boundary and a risk assessment and method statement.

Condition 11 regarding materials would be amended to include reference to the submission of double glazed or triple-glazed windows and details pertaining to the means of controlling overheating to ensure the minimum sound reduction requirements are met as set out within Table 7 at 5.3 of the Noise & Vibration Impact Assessment. The reason for the condition would also be amended to reference noise mitigation and refer to Policy DM9.

In light of the addition of pre-commencement conditions, the recommendation to grant which was currently delegated to the Head of Regulatory Services would need to also refer to seeking prior agreement from the applicant.

In response to a query as to why the value of the Section 106 (S106) contributions associated with the proposed development had reduced so dramatically following the completion of the viability assessment it was clarified that a number of factors including land values, construction costs and the scale of a development were taken into account during a viability assessment. It was stressed that the assessment had been completed by an independent organisation; furthermore, as a general rule developments of less than ten units were exempt from S106 contributions and the Council was only able to leverage S106 contributions on this development due to the existence of a historic Council policy.

Concerns about access to the site and the lack of footpath at that part of Toms Lane were noted. It was confirmed that Hertfordshire County Council in their capacity as the Highways Authority had no objections to the development on highways grounds. Remodelling of the site entrance, including the removal of trees and vegetation on the boundary with the road, would take place as part of the redevelopment and this would be secured with a Section 278 Agreement.

It was noted that under the National Planning Policy Framework (NPPF) limited infilling within village boundaries was considered to be an allowable exception to restrictions on developments within the Green Belt. The proposed development was located within the village boundary, in a relatively built up area and would not be visible from the road; as such it would not impede on the openness of the Green Belt. Consequently the development was considered to present an exception from Green Belt policies.

The Officer recommendation to approve the application, subject to the conditions set out in the report and the update provided at the meeting, was recommended by Councillor Steve Drury, seconded by Councillor Matthew Bedford, put to the vote and carried.

The voting in favour of the recommendations was as follows For 7, Against 4, Abstain 0.

**RESOLVED** that Planning Application 23/0761/FUL be approved.

**PC44/23 23/1068/OUT: PARCEL OF LAND NORTH OF MANSION HOUSE FARM,  
BEDMOND ROAD, ABBOTS LANGLEY, HERTFORDSHIRE.**

The application was for outline permission for the construction of a data centre of up to 84,000sqm delivered across 2no. buildings including ancillary offices, internal plant and equipment and emergency backup generators, engineering operations and earthworks to create development platforms, site wide landscaping and the creation of a country park. Along with the construction of an ancillary training centre, internal roads and footpaths, cycle and car parking, hard and soft landscaping security perimeter fencing, lighting, drainage, a substation and other associated works and infrastructure following the demolition and clearance of existing buildings and hardstanding.

The application had been called in by three members of the Committee who had cited concerns over the impact the development would have on the Green Belt.

It was noted that, following the publication of the agenda, an article published by Data Centre Dynamics regarding the Government's plans to boost UK data centres had been provided by the applicant and had been circulated to the Committee for information although it did not change the Officer recommendations. Agents acting on behalf of the owner of the land to the south of the site, to the rear of Mansion House Farm had responded to the planning application consultation raising concerns including regarding the potential impact of the development on the proposed adjacent site allocation. In response, it was stressed that the emerging Local Plan was at an early stage and was therefore afforded very limited weight at this stage. In addition, nine further objections to the proposed development had been received which reiterated comments already summarised at paragraph 4.2.4 of the committee report and one neutral comment had been received stating that it seemed a reasonable and necessary development given the forthcoming expansion of Artificial Intelligence.

The agent spoke in support of the application citing the investment and economic benefits that the development would bring to the local area and the improvements that would be made to the site's biodiversity. A local resident and a representative from Abbots Langley Parish Council spoke in objection to the application citing concerns about the adverse impact that the development would have on the Green Belt and the accessibility of the site.

It was clarified that it had not yet been established who would have ongoing responsibility for the maintenance of the proposed country park had not yet been established. It was noted that there were already a number of existing rights of way through the area earmarked for the country park and the site was close to Leavesden Country Park which was publicly accessible.

Whilst the Committee acknowledged that there was a need for a development of this type it was felt that the site proposed on this occasion was not an appropriate location and the proposed development was of a size and scale that would be detrimental to the openness of the Green Belt site. It was considered that the proposed application presented no exceptional circumstances to warrant building on the Green Belt.

The Officer Recommendation to refuse the application on the following grounds:

1. The proposed development would constitute inappropriate development in the Green Belt, would result in harm to openness in both spatial and visual terms, and would conflict with two of the five purposes of including land within the Green Belt. Substantial weight is given to the harm to the Green Belt. Other harm has been identified to the character and appearance and landscape of the area. The harm to the Green Belt and other harm is not clearly outweighed by other material considerations such as to constitute the Very Special Circumstances necessary to permit inappropriate development within the Green Belt. The development is therefore contrary to Policies CP1, CP11 and CP12 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and the NPPF (2023).
2. The proposed development by virtue of its siting, scale, height and massing would fail to protect and enhance the natural environment from inappropriate development or to conserve or enhance the character of the area and would therefore result in significant demonstrable harm to the character and appearance of the area and the natural environment, contrary to Policies CP1 and CP12 of the Core Strategy, Policy DM7 of the Development Management Policies LDD and the NPPF (2023).
3. In order to maximize sustainable travel options, a financial contribution towards supporting the improvement of cycling and walking routes in the vicinity of the site is required. In the absence of a relevant completed undertaking under the provisions of Section 106 of Town and Country Planning Act 1990, the development fails to meet this requirement. The application therefore fails to meet the requirements of Policies CP1, CP8 and CP10 of the Core Strategy and the NPPF (2023).

Was proposed by Councillor Debbie Morris, seconded by Councillor Ruth Clark, put to the vote and carried unanimously.

**RESOLVED** that Planning Application 23/106/OUT be refused.

**PC45/23 23/1128/FUL: CEDARS VILLAGE, DOG KENNEL LANE, CHORLEYWOOD, HERTFORDSHIRE**

The application was for the construction of 7no. new dwellings (ClassC3) in the form of bungalows with roof accommodation, new building to provide a laundry and maintenance store and conversion of an existing garage to serve as a maintenance store and associated parking following the demolition of existing garages.

The application had been called in by Chorleywood Parish Council citing a range of concerns including the impact on the Chorleywood Conservation Area, the impact on the setting of the lodge and main building and inadequate parking provision. It was noted that consideration of the application had been delayed to enable a site visit to be carried out.

A representative of Chorleywood Parish Council spoken reiterating their concerns about parking and the impact that the development might have on flooding and surface water run-off. Councillor Ciaran Reed spoke in his capacity as a ward councillor citing concern about the impact that the development would have on traffic levels and the Conservation Area.

The Committee was informed that since the agenda had been published the Lead Local Flood Authority had submitted further representation citing technical objections and a petition objecting to the development signed by 25 residents had been received.

Committee concerns that the Car Parking Management Plan implied that mitigating measures would only be implemented in the event of 100% occupancy of the development and that the parking spaces nearest to the development should be restricted to residents use only were acknowledged. It was agreed that Condition 14 would be amended to:

- i) condition that the Car Parking Management Plan and associated mitigation measures must be implemented prior to first occupancy occurring and thereafter maintained.
- ii) Include a requirement for the provision of parking enforcement by the management company
- iii) Identify the location of car parking for staff and visitors.
- iv) Specify the parking provision for Blue Badge holders.
- v) Strengthen the reasoning

It was agreed that the final wording of Condition 14 would be agreed in consultation with the Committee.

It was clarified that application being considered was only concerned with formal parking bays. The possible provision of three additional parking bays on an existing gravel area referenced in the Car Parking management Plan would be informal parking spaces which would, should they be implemented may require permission in their own right.

It was agreed that Condition 5 would be amended to specifically reference the use of soft landscaping around the lodge site and new buildings.

It was noted that the Lead Local Flooding Authority had maintained their objection on technical matters and the applicant was working with the Authority to provide additional information.

The Committee acknowledged that consideration of the application should focus on the impacts of the seven new dwellings on the surrounding area and not any existing issues on the wider site.

The Officer recommendation that that subject to the recommendation of approval, and/or no objection from the Lead Local Flood Authority and the completion of a Section 106 Agreement (securing an affordable housing monetary contribution), that the decision be delegated to the Head of Regulatory Services to grant planning permission subject to the conditions set out in the report and as amended by the Committee, and any conditions requested by the Lead Local Flood Authority was proposed by Councillor Sara Bedford, seconded by Councillor Stephen King, put to the vote and carried.

The voting in respect of the recommendation was as follows: For 7, Against 3, Abstain 1.

**RESOLVED** that the decision on Planning Application 23/1128/FUL be delegated to the Head of Regulatory Services.

**PC46/23      23/1352/FUL: MARGARET HOUSE RESIDENTIAL HOME, PARSONAGE CLOSE, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0BQ**

It was noted that this item had been withdrawn from the agenda and would be brought back to a future meeting.

**PC47/23      23/1766/FUL: 38B ABBOTS ROAD, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0BG**

The application was for the construction of a single storey side extension, extension of existing roof to facilitate first floor extension, alterations to site frontage and new access to lower ground floor following demolition of the existing garage.

The application would ordinarily have been considered under delegated powers however the agent for the applicant was a Three Rivers District Council ward councillor.

It was noted that the recommendation should have been 'That the decision be delegated to the Head of Regulatory Services to consider any representations received and that Planning Permission be granted.

Committee concern that the layout of the proposed extension could lend itself to the creation of a standalone dwelling was noted. It was agreed that a further condition aimed at ensuring the extension retained its ancillary use to the existing dwelling in perpetuity would be added to any approval.

The Officer's amended recommendation that approval of the application, subject to the additional condition, be delegated to the Head of Regulatory Services was proposed by Councillor Chris Lloyd, seconded by Councillor Debbie Morris, put to the vote and carried.

The voting in favour of the Officer's amended recommendation was as follows: For 7, Against 0, Abstain 4.

**RESOLVED** that approval of Planning Application 23/1766/FUL be delegated to the Head of Regulatory Services.

**CHAIRMAN**



# Agenda Item 5

## PLANNING COMMITTEE – THURSDAY 22<sup>nd</sup> February 2024

**22/1764/FUL - Demolition of existing building and erection of retail food store, (Use Class E(a)), with associated access, parking and amenities at World Of Water, Hempstead Road, Watford, Hertfordshire, WD4 8QG**

Parish: Abbots Langley Parish Council  
Expiry of Statutory Period: 11.01.2023  
Extension of time: 28.03.2024

Ward: Gade Valley  
Case Officer: David Heighton

Recommendation: That subject to the completion of a Section 106 Agreement in respect of a monitoring and evaluation fee of £6k covering a 5 year period relating to the travel plan and a contribution of £16.8k towards highway/cycleway/sustainable transport improvements, that permission be delegated to the Head of Regulatory Services to GRANT PLANNING PERMISSION subject to conditions.

To view all documents forming part of this application please go to the following website:  
<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RILMTTQFL3900>

Reason for consideration by the Committee: The application was originally called in by three Members of the Planning Committee to discuss the effect on traffic and highway safety.

The application was considered by Members at the Planning Committee Meeting on 16 November 2023. At the November meeting Members agreed to defer the application for the following reasons:

- A.** *Officers to speak with the agent/applicant to request whether they wish to review and make changes to the access arrangements (providing them with 2 weeks to consider).
  - i) If they agree to make changes, Officers to review the extent of changes and whether they can be caught within same application or require a re-submission
  - ii) If the changes can be accepted, Officers to re-consult all relevant parties and bring the application back to a future Planning Committee
  - iii) If they do not wish to make changes to the access arrangements then the following (B, C and D) occurs;*
- B.** *Officers to instruct an independent highway review of the access arrangements, having specific regard to the right turn from Lidl, review of speed and volume of on-coming traffic from the roundabout, cycle safety and acceptability of crossing points.*
- C.** *Officers to discuss with HCC Officers about considering the following points in more detail:
  - Possibility of erecting fencing or similar means of enclosures to stop unauthorised parking on the grass verges either side of the entrance
  - Further discussion on cycle safety, especially crossing the access
  - Further consideration/review into the right turn from Lidl and the speed and volume of on-coming traffic from the roundabout*
- D.** *Following further consideration into the above points (C), Officers to arrange site visit with members of the Planning Committee, Parish and ward Councillors as well as Highways Officer, Planning Officer, Planning Agent and transport consultant).*
- E.** *Delivery times to be discussed with the Applicant and their Agent.*

No other material planning considerations were raised as unacceptable.

**Committee Update:**

- A. Applicant chose not to make changes.
- B. Independent highway review undertaken, See Appendix D.
- C. Hertfordshire Highways Officer response:
  - *Possibility of erecting fencing or similar means of enclosures to stop unauthorised parking on the grass verges either side of the entrance.*

As part of the detailed design for the s278 agreement, the Highway Authority may consider kerbing arrangements that discourage verge parking. However, without knowing the reason for the verge parking, it is difficult to know completely the rationale for such a scheme, although a higher kerb should be perfectly feasible. It may be that with the change of use, all car parking is accommodated within Lidl.

- *Further discussion on cycle safety, especially crossing the access.*

The Highway Authority is content that the scheme seeks to enhance cycle access in the vicinity of the proposed foodstore. This is manifested in the formalisation of an access junction into the proposed foodstore/service road, with an appropriate crossing point and the introduction of a 3m shared footway/cycleway. The mitigation will also allow safe and suitable access to the eastern side of Watford Road and a connection into Gypsy Lane.

- *Further consideration/review into the right turn from Lidl and the speed and volume of on-coming traffic from the roundabout*

The Highway Authority is content further to the submission of a junction model and speed survey data that the reconfigured junction onto Watford Road may accommodate the existing and proposed development traffic. The Highway Authority note that the submitted Road Safety Audit did not raise any issue with the operation of the junction. It is also noted that the applicant seeks to improve significantly the visibility out of the proposed access junction.

- D. A site visit was arranged and took place although the applicant was not in attendance. Whilst at the site visit there was discussion regarding barriers to prevent parking on the grass verges and whether the applicant can deliver the toucan crossing, required by the Warner Bros planning permission.
- E. Delivery times were confirmed as:

Being limited to the same as the proposed operating hours – 0700-2300 Monday-Saturday and 1000-1600 (limited to 6 hours maximum within this window) on Sundays and Bank Holidays.

Other matters:

- Officers discussed the potentially ability to implement the toucan crossing rather than wait for its current planned implementation as part of the Warner Bros application. The applicant confirmed that they could not provide the Toucan crossing which was necessary to make the Warner Bros development acceptable in planning

terms. Hertfordshire Highways further commented that the position is fairly robust from the Warner Brothers application to get a new Toucan crossing.

- Officers requested a drawing clearly showing the final proposed layout, clearly identifying the alterations. This drawing is to be provided prior to the meeting.

The Highways layout drawing (187011-001J) has been updated during the course of review to demonstrate that a 15m taper length could be provided for the north bound right turn into Old Mill Lane for a 40mph speed limit, which would not impact the proposed site junction; the maximum legal length articulated vehicle can turn right; a longer stagger on the island for cyclists and maximum visibility splays are shown, all notable improvements on the existing access.

## **1 Relevant planning history of the application site**

- 1.1 8/319/81: Redevelopment of garden centre
- 1.2 8/29/93: Change of use of building to use as A1 Use (Certificate Of Lawful Proposed Use)
- 1.3 03/00005/ADV: Advert application: Erection of two pole mounted signs illuminated by downlighters – Refused 28.02.2003.
- 1.4 04/0127/FUL: Change of use of land to landscaping/show gardens in association with the adjacent commercial use and landscaping proposals – Permitted 17.03.2004.
- 1.5 04/1039/FUL: Retention of plant display and sales beds without compliance with the condition one of 04/0127/FUL – Permitted 23.09.2004.
- 1.6 09/0667/CLED: Certificate of Lawfulness Existing Use: Use of site for Class A1 (Retail) use – Withdrawn.
- 1.7 10/0286/FUL: Rear extension – Refused 24.04.2010.
- 1.8 18/0981/CLED: Certificate of Existing Use: Use of site for Class A1 (Retail) use – Certificate issued as use lawful.

## **2 Description of Application Site**

- 2.1 The application site is a 1.7hectare area occupying a triangular parcel of land between the Grand Union Canal and the A41 (known as both Hempstead Road and Watford Road). The site is located within the Metropolitan Green Belt and a Canal Buffer Zone and part of the site directly adjacent to the river is designated as a Flood Zone 3b (a functional flood plain of the River Gade). Beyond the site to the north, beyond the bridge, which carries the A41 over the Grand Union Canal, the Canal is designated as an identified Local Wildlife Site. Land to the south of the site, around and including the M25 J19 roundabout, is also designated as a Wildlife Site.
- 2.2 An L-shaped building occupies the site, currently used for an aquatic related retail business. The building has a tiled roof and is partially brick built but otherwise predominantly glazed with the entrance sited on the double gable ended southern elevation. The western gabled section of the building extends to a depth of 25.8m with the gabled section to the east extending further beyond to a total depth of 67.4m. The unenclosed area formed by the L-shaped building is hard surfaced and used for the public display and sale of goods.
- 2.3 The area to the north of the building is used as a landscaped outdoor display area with the area to the south of the building consisting of hardstanding, which is used as a car park for 75 cars. The area to the west of the building comprises of an area of soft landscaping with an area of woodland adjacent to the River Gade.

- 2.4 The existing access to the site is via a junction off the A41/Watford Road. That junction and the access track which runs south from the junction is approximately 25m wide and ends in a turning head approximately 75m from the access. The access road serves the application site, a retail premises to the south of the site, and a residential dwelling.

### 3 Description of Proposed Development

- 3.1 This application seeks planning permission for the demolition of the existing building and the erection of a retail food store ((Use Class E(a)), with associated access, parking and amenities.
- 3.2 The proposed building would be a single storey retail store approximately 4.8m metres high with a predominant flat roof, located approximately 5.5m further north than the existing main building and ancillary buildings on site. It would have a footprint of 1,457 square metres. Solar panels would be installed to the roof, which would also be a green roof.
- 3.3 A landscaped buffer area (mix native woodland planting) would be introduced between the highway (Watford Road A41) and the proposed building for screening purposes. Soft landscaping is also proposed to the west of the building, with new trees and wildflower seeding to open areas and woodland edges. To the store frontage would be mixed native hedgerows and ornamental planting beds.
- 3.4 A total of 98 car parking spaces would be provided to serve customers and employees.
- 3.5 The proposed access and highway arrangements from the A41 would be altered. These alterations would include the clearance of trees and alterations to the road layout.
- 3.6 Amended plans and documents have been received during the course of the application, these include a revised swept path analysis demonstrating that no damage would occur to kerbs and would not conflict with other vehicles; updated pedestrian and cyclist crossing. The revisions also include the consideration of the Warner Bros Studios planning permission and the requirement to implement a Toucan crossing.

### 4 Consultation

#### 4.1 Statutory Consultation

##### 4.1.1 Abbots Langley Parish Council: [Made the following comments]

*Members appreciate the existing site is a retail site with visiting traffic, however, they feel access to this site is a serious concern. At present there are already queueing issues along a major road and this proposal would increase visitor traffic to the site further aggravating the risk to drivers, cyclists, and pedestrians. Furthermore, heavy demand for the motorway frequently results in queueing at this point. Delivery lorries exiting the site would aggravate the situation as they would be required to cross over on-coming traffic to access the motorway. Additionally, members object to the proposed removal of the cycle crossing point to accommodate access for cars and lorries as this would remove essential access to the canal. With respect to the proposed increase in car parking on the west side of the site and the deliveries area on the north side of the site, members have concerns the site's proximity to the River Gade may result in toxic substances seeping into the ground / river resulting in potential pollution of the river. Members also feel the overall scale of the proposed building is excessive in comparison to the existing property. If officers are minded to approve this application, Members request that it be brought to Council.*

##### 4.1.2 Hertfordshire County Council (HCC) Local Lead Flood Authority (LLFA): [Objection]

*We have reviewed the Drainage Strategy prepared by Ardent Consulting Engineers reference 187011-02\_C dated September 2022, and would make the following comments.*

*It is proposed to discharge to Thames Water combined sewer (300mm) at a maximum rate of 9.5 l/s. This is 50% of the existing brownfield rate and higher than the greenfield runoff rates would be for this site. Permeable paving is proposed for parking areas and no other SuDS are proposed on site. The majority of attenuation will be provided in an attenuation tank comprising 304m<sup>3</sup> of attenuation storage.*

*The site is entirely within groundwater Source Protection Zone 1 so we would support excluding infiltration discharge as a viable option.*

*However, at present we would recommend objection for the reasons indicated in the attached Technical Response, summarised below.*

- 1. Agreement in principle for the discharge to Thames Water combined sewer is required.*
- 2. Updated calculations including the following are required.*
  - a. FEH2022 or FEH2013 rainfall data*
  - b. An appropriate climate change allowance for the 1 in 30-year storm*
  - c. Calculations for the 1 in 2-year event (note that no surcharging should occur during this event)*
  - d. Half drain down times for attenuation features*
- 3. Provision of biodiversity and amenity benefits using SuDS*
- 4. Exploration of above-ground SuDS, further restriction of discharge rates and discharge to the River Gade.*

Further Comments received:

*We have reviewed the Drainage Strategy prepared by Ardent Consulting Engineers reference 187011-13 dated December 2023, and would make the following comments. We previously recommended conditions, should this application be granted, in our response dated 21 November 2023. We understand an updated strategy has been submitted which now proposes to discharge to the River Gade via a pumped connection, at a restricted rate of 1.5 l/s (QBAR). Whilst pumped connections are often less sustainable, we consider this an improvement over the previous strategy; which proposed to drain via gravity to the public combined sewer at a higher rate.*

*As per the original strategy, permeable paving is proposed for parking areas. Swales and vegetated filter strips are proposed at the southwest of the site to provide treatment before the attenuation basin.*

*The majority of attenuation will be provided in a dry detention basin with a maximum volume of 766m<sup>3</sup> (water level of 61.745mAOD during a 1:100 year + 40% climate change event). An uncontrolled overflow is provided 300mm above this level (at 62.045mAOD) in the event of pump failure. The minimum top of bank is proposed at 62.145mAOD providing a 400mm freeboard. The basin will discharge to the River Gade via the pump chamber and a swale outfall. It is noted that the basin is provisionally sized to contain the full attenuation requirement for the 1:100 year + 40% climate change event.*

*We note that following a 1:100 year + 40% climate change event, half drain down may take 70 hours however the network can manage a 1:100 year + 40% climate change storm followed by a 1 in 30 year + 35% storm. We encourage further consideration is given to the attenuation provision at detailed design to reduce half drain down times and improve the performance of the network when managing successive storms.*

*We note the calculations indicate a flooded volume of 0.222m<sup>3</sup> at pipe 3.000 (in the vicinity of the car park) during the 1:100 year + 40% climate change event. We would advise the LPA that this minor flood extent is not cause for concern and can likely be engineered out at detailed design.*

*If the LPA is minded to grant permission, we would recommend the approval include the following conditions.*

*Condition 1:*

*Prior to the commencement of development, detailed calculations (including a surcharged outfall) up to and including the 1 in 100 year + 40% climate change event, a CCTV survey of existing assets to be re-used, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms, a construction method statement and confirmation of maintenance responsibilities/adoption shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement and Drainage Strategy prepared by Ardent Consulting Engineers reference 187011-13 and drawing reference 187011-SK011 dated December 2023, and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority.*

*Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and policies of Three Rivers District Council.*

*Condition 2:*

*Should a pump be included in the design of the surface water drainage system, details of how the residual risk of pump failure is managed appropriately and safely would need to be submitted and approved by the LPA. This will include, but is not limited to;*

- 1. How 24 hours of storage of surface water can be accommodated on the site from the drainage system if it fails;*
- 2. Location of M&E plant associated with the pumping station to areas not at risk of surface water flooding or has mitigation to be raised appropriately above the design flood level, and;*
- 3. Provision of an appropriate alternative power supply.*

*Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 167,169 and 174 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.*

*Condition 3: Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority*

*Reason: To prevent flooding and pollution offsite in accordance with the NPPF.*

*Condition 4: Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 1. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved*

*timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.*

*Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of Three Rivers District Council.*

#### *Informative*

*We highly recommend that at detailed design, the applicant explores further options for attenuation. Additional source control features such as tree pits and SuDS planters could to provide attenuation at/near the surface, as well as biodiversity and amenity benefits. SuDS planters in particular will be able to assist with attenuating roof runoff with minimal land take, whilst providing multifunctional benefits as above. Furthermore, we would recommend consideration of incorporating a permanent water level or wet area to the detention pond to maximise its benefit, such that it can provide biodiversity and amenity benefits instead of being dry most of the time.*

*We recommend that Finished Floor Levels are set 300mm above all sources of flooding or 150mm above ground levels, whichever is more precautionary.*

*For further advice on what we expect to be contained within the FRA to support a planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage <https://www.hertfordshire.gov.uk/services/recycling-waste-andenvironment/water/surface-water-drainage/surface-water-drainage.aspx> this link also includes HCC's policies on SuDS in Hertfordshire.*

- 4.1.3 HCC Highway Authority: Latest revised comments following submission of Transport Assessment Addendum [No objection, subject to Conditions and Section 106 Agreement securing travel plan and associated financial contributions]

#### *Recommendation*

*Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:*

#### **COMMENTS:**

*The applicant seeks planning permission for the following development: Demolition of existing building and erection of retail food store, (Use Class E(a)), with associated access, parking and amenities | World Of Water Aquatic Centres Ltd Hempstead Road Watford Hertfordshire WD4 8QG*

#### **Introduction**

*The Highway Authority note the submission of materials in support of the planning application, including the Transport Assessment (Interim) dated September 2022, the Transport Assessment dated January 2023 and the final Transport Assessment Addendum, dated July 2023.*

*The Highway Authority note the extensive engagement with the applicant's transport consultant subsequent to the first submission in late 2022. The document dated July 2023 contains details of these discussions and may be referred to for additional commentary on the discussions surrounding the proposed site access. Given that the technical detail*

*surrounding the access design is contained within this document, including comments made by the Highway Authority, these comments are not repeated in full in this response.*

*The review has comprised comments on the Transport Assessment and more specifically, the reconfiguration of the existing access which serves the World of Water site and the adjoining businesses/dwellings.*

*The Highway Authority has supplied technical comments on the applicant's proposed design, including a review of the Road Safety Audit materials, the latter which has compromised two iterations.*

### **Sustainability**

*The development site is positioned adjoining a number of key roads.*

*The site is accessed from the A41 Watford Road which is a primary distributor road in the Hertfordshire roads hierarchy.*

*Immediately to the south of the site on the road network, the North Western Avenue Hempstead Road (Hunton Bridge), roundabout may be joined, which provides access to the M25 link/A41/A411.*

*The site is therefore well positioned to access the local and strategic highway network.*

*In terms of access to residential areas, the site is accessible to the residential areas of Abbots Langley, Leavesden and North Watford.*

*Right of Way ABBOTS LANGLEY 040 (Bridleway from footpath near Railway Bridge south to Hempstead Road) (A41) known as Gypsy Lane may be accessed on the opposite side of Watford Road to the site. Gypsy Lane provides a useful connection for pedestrians and cyclists to the residential areas in Abbots Langley.*

*The Highway Authority is content that notwithstanding the site's position relative to key distributor roads and the Strategic Road Network that the site does offer the potential to be accessed by walking and cycling trips.*

### **Access**

*The site is presently accessed from a large priority junction which provides access to the World of Water aquatic centre, an adjoining café and military goods store and dwellings.*

*The above access presents a number of engineering challenges with the proposed foodstore usage to which the applicant's transport consultant has responded to, subsequent to comments made by the Highway Authority. This has included comments on visibility (both horizontal and vertical), vehicular access for large vehicles, geometry and turning into the site from both directions.*

*The Highway Authority has noted that safe and suitable access will need to be provided for goods vehicles servicing the proposed foodstore, that satisfactory visibility is ensured (in particular towards Hunton Bridge) and active travel is promoted.*

*Satisfactory access will also need to be maintained to the businesses/dwellings that are currently served from the service road.*

*The Highway Authority has also issued comments relating to ensuring that active travel is achieved, with a shared pedestrian/cycle route running through the junction.*



*The layout as proposed is considered acceptable in terms of highways safety and also seeks to enhance active travel.*

*As the above drawing illustrates, the side road (to the south) has been reconfigured to form a service road with a give way at its junction with the proposed foodstore access road. The Highway Authority has reviewed and commented on the swept path analysis supplied by the transport consultant in order to ensure that safe access may be ensured into the site.*

*The pedestrian/cycleway has been reconfigured to allow cyclists to join the shared section which is continuous to the north of the access road. To the south of the access road, cyclists may use the carriageway of the service road, before joining again a shared footway/cycleway which may be picked up underneath the roundabout going south.*

*It is also noted that the current uncontrolled crossing across Watford Road is to be moved a short distance to the north. This will facilitate an increased length of right turning lane into the proposed development site. The cycleway on both sides of Watford Road will be widened to tie into the proposed crossing. On the eastern side of Watford Road the existing footway/cycleway will be widened to 3m between the proposed uncontrolled crossing and Gypsy Lane.*

*The uncontrolled crossing has also been positioned (further to Highway Authority comments), so as to allow an upgrade to a Toucan crossing which will be facilitated by the Warner Bros. development. The uncontrolled crossing is illustrated on drawing number 187011-SK07B and should be provided as part of the off-site highways works.*

### **Site Layout**

*The Highway Authority note the submission of the Proposed Site Plan, drawing number 2012 - P101 - S2 - P4.*

*The Highway Authority is content with the layout as proposed, although note that further detail should be supplied relating to the internal circulation for pedestrians from the car parking areas.*

### **Parking**

*The location of the car parking provision within the site is broadly being retained from the existing use, however the car park will be reconfigured to provide 98 spaces in total. This is to include seven disabled bays, eight parents and child spaces, seven staff spaces and two electric vehicle charging bays. There are currently 82 spaces on the site and therefore the development will provide an uplift in parking across the site.*

### **Cycle Parking**

*A total 10 bicycles spaces are provided in the form Sheffield cycle stands and therefore exceeds the minimum parking requirements. According to the Transport Assessment, "At this stage it is unknown on the number of staff on site at a given time, however it will be ensured that suitable internal space is provided to accommodate cycle storage."*

*The Highway Authority recommend the inclusion of a planning condition to detail the cycle parking. For staff cycle parking, this should be by way of a secure location.*

### **Public Transport**

*The closest bus stops to the site are located on Hempstead Road (named the "Russell Lane" pair). This pair of bus stops provides access to service numbers 501/508 with a route between Hemel Hempstead and Northwood/Watford available to passengers.*

*A further bus stop pair is located on Hunton Bridge Hill (named "Hamilton Road"). This pair of bus stops provides access to service numbers H19/R9 although it is noted that the service pattern is very limited.*

*Kings Langley railway station is the closest train station, located at a distance of approximately 2.5km.*

*Given the site's location on the periphery of the urban area, it is considered that the site is reasonably accessible by public transport which will afford in particular staff the opportunity to travel by modes other than the private car.*

### **Travel Plan**

*This site is located close to a large roundabout and busy main roads which could encourage car use and discourage use of active and sustainable modes to access the site. Notwithstanding the walking/cycling infrastructure available, bus services from stops nearby, and proximity of residential areas where customers and staff may come from, a robust Travel Plan will be required to seek to promote as many trips by sustainable modes as possible.*

*The Travel Plan does require some amendment and development before it is acceptable for this stage. Particular attention should be given to providing clarity on the interim mode shift target and inclusion of either Census data or data from another similar store to give indication of potential mode split. We also need a commitment to annual review of both measures and targets and we expect monitoring to continue even if targets are met in 2 surveys – we require monitoring for min 5 year period and attainment of agreed targets for this period. If targets are met this could indicate potential for further mode shift which could be discussed by between the Co-Ordinator and HCC.*

*Detailed comments are as follows:*

- The Travel Plan has been called a Framework Plan but as the site will have a single land use, it is more appropriately called an Interim Travel Plan.*
- There is only very limited reference to the national and local policy background – we do not require extensive coverage, but brief outline of the main documents and how they relate to Travel Planning is expected as these give a rationale for the plan and the form it takes. Reference should be made to our guidance and in the further development of the plan – please see [www.hertfordshire.gov.uk/travelplans](http://www.hertfordshire.gov.uk/travelplans).*
- Contact details are given for the developers, but details of the Travel Plan Ordinator will need to be provided on appointment along with those of a secondary contact in case of personnel changes. Details of time allocated to role and frequency on site will need to be provided once known.*
- We also ask for a statement of commitment from a suitable member of company management towards the effective implementation of the Travel Plan – this gives us assurance that the plan will be given adequate support within the company.*
- There is a good range of suggested measures to encourage use of sustainable modes. We would encourage promotion of the Intalink website which gives information re bus services in Hertfordshire ([www.intalink.org.uk](http://www.intalink.org.uk)) and HCC website pages on walking and cycling within the county (Walking and cycling routes | Hertfordshire County Council, Hertfordshire Cycling | Hertfordshire County Council).*
- Paragraph 4.6 p17 states that a realistic target is to reduce vehicular trips to 5% - I am assuming this means a reduction by 5% rather than to 5% but needs clarifying. If it is by 5% then this is at the lower end of potential mode shift mentioned as generally possible in paragraph 4.5. TRICS data included is only for vehicular trips so there is no indication of possible existing mode split. Whilst exact nos will not be known prior to baseline survey, an*

*indication can be made through use of Census data and this can help guide relevant interim targets, or potentially data from another similar store.*

- Paragraph 4.10 appears to suggest review of targets in alternate years, whilst paragraph 6.6 talks about annual monitoring report and consideration of remedial measures post-monitoring. We would expect annual review of both measures and targets post-monitoring to ensure plan remains appropriate and relevant.*

- P27 paragraph 6.5 states monitoring will end if 2 consecutive surveys show targets have been met – we would expect surveys to continue to 5 years post store opening to ensure targets remain met and for consideration to be given as to whether further mode shift is achievable. • Monitoring and evaluation fee of £1200 per year (for a 5 year plan) should be sought – so total of £6000.*

*The Highway Authority recommend the inclusion of a Travel Plan condition which will facilitate an updated version, in accordance with Hertfordshire County Council guidance and taking in the above comments to be prepared. Engagement may be made with HCC's Travel Plan team to this effect.*

### **Trip Generation/Distribution**

*The trip generation and distribution exercise are satisfactory. It is noted that there will be an uplift in trips from the existing World of Water site to the proposed foodstore, as set out below in terms of the net increase.*

*As set out within the above extract from the TA, the access onto Watford Road will be intensified from the present usage. This notwithstanding, given the existing commercial usage of the site the Highway Authority is content (in the context of the necessary improvements to the access with Watford Road), that the traffic generation from the proposed foodstore will not have a significant impact on the adjoining local highway network.*

### **Assessment**

*The Transport Assessment provides a capacity assessment of selected junctions on the adjoining local highway network. Analysis using the County's strategic transport model, COMET, has also been undertaken in terms of examining the net increase in trips on the adjoining local highway network and key junctions.*

*The Highway Authority is satisfied that the development may be accommodated on the local highway network and that levels of capacity are not materially affected on the tested junctions.*

### **Off Site Infrastructure Works**

*As shown on the proposed site access plan, a number of off-site highways works will be necessary in order to make the development acceptable in planning terms and facilitate a safe and suitable access into the site. Aside from the reconfiguration works to the public highway in order to facilitate access into the proposed foodstore, the drawing also illustrates widening to the existing shared footway/cycleway.*

*The works also include the relocation of the existing uncontrolled crossing which is located in the near vicinity of the reconfigured site access. All such works will need to be undertaken via a Section 278 agreement.*

### **Construction**

*The Highway Authority will require the preparation of a detailed Construction Traffic Management Plan (see planning condition). The plan should also detail how access to the*

*existing businesses/dwellings will be maintained throughout this process and present a phasing plan for the execution of these works.*

### **Contributions**

*As noted on the Three Rivers District Council website, the Local Planning Authority adopted a Community Infrastructure Levy (CIL).*

*As noted by TRDC, “The Community Infrastructure Levy (CIL) is a charge which allows the Council to raise funds from new developments for use on infrastructure to support the growth in the district. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 (as amended). The money collected from the levy will be used to support development by funding infrastructure that the Council local community and neighbourhood need.”*

*Given that TRDC has an adopted CIL, contributions to provide infrastructure to support the development more generally will be sought via this mechanism. However, wherever possible, the Highway Authority will seek to secure highway works via planning Condition and s278 agreement.*

*First strand (works to be undertaken under s278):*

- Access works to access road junction with Watford Road and adjoining service road;*
- Widening of shared pedestrian/cycle route on both sides of Watford Road*
- Changes to highway layout on Watford Road in the vicinity of the access junction;*
- Relocation of uncontrolled crossing point on Watford Road.*

*Given that TRDC is a CIL Authority, contributions that would have previously been requested under a second strand (S106) framework will come under the auspices of the approved CIL charging schedule.*

*The only Section 106 contributions that the Highway Authority seeks relates to the Travel Plan (£6k per Travel Plan).*

*The Highway Authority note the adopted Guide to Developer Infrastructure Contributions. In accordance with Technical Appendix 1 of the toolkit, a Strand 2 contribution of £422 per job is required. The application form for the development sets out that the development will employ 40 persons which would equate to a required contribution of £16,880.*

*The South West Herts Growth and Transport Plan was developed in partnership with Three Rivers District Council, Watford Borough Council and Hertsmere Borough Council. It was endorsed by the Highways and Transport Panel in January 2020.*

*It is considered that a contribution towards the scheme as identified below could be fitting. Such a contribution would also be consistent with the emerging LCWIP.*

*Notwithstanding the above, it is considered that the off-site highways works and improvement to cycling infrastructure in the immediate vicinity of the site are not of sufficient value for the Highway Authority to request a Strand 2 contribution. The principal on and off-site highways works should be delivered via planning condition and Section 278 agreement.*

### **Conclusion**

*The Highway Authority notes the submission of materials in support of a planning application for a proposed Lidl foodstore.*

*The Transport Assessment documentation is considered to satisfactorily present that the development may be accommodated on the local highway network in vehicle capacity terms.*

*The Highway Authority note the substantial change to the existing access arrangement to the World of Water site and adjoining service road which will require a Section 278 and completion prior to the first use of the development. The Highway Authority note also the relocation of the existing uncontrolled pedestrian crossing and improvements to the walking and cycling routes in the immediate vicinity of the site.*

*In summary, the Highway Authority does not wish to restrict the grant of planning permission subject to the aforementioned planning conditions and Advisory Notes.*

4.1.3.1 Previous Highways comments are attached at **Appendix A**.

4.1.4 Herts Ecology: [No Objection]

*Protected Species: Other than nesting birds no protected species were identified on site, bat surveys did not confirm the presence of a roost within any of the structures. I have no reason to disputer this finding and bats do not need to be considered a constraint to the development.*

*The adjoining riverbank was identified as having moderate potential for water voles A check for water voles, as outline in the ecological report, should also be undertaken prior to construction of the moorings.*

*The removal of areas of woodland and demolition of the existing buildings risks an offence relating to the legal protection of nesting birds. Sensible precautions are recommended in the ecological report, and these should be incorporated into a Construction Environmental Management Plan (biodiversity).*

*Habitats and Biodiversity net gain: The river Gade: adjoins the site but is set back from the development, however the proposals include the establishment of shopping moorings. Measures to ensure the protection of this habitat of principle importance should be outlined in a method statement within the CEMP (biodiversity). (Moorings Not proposed)*

*The majority of the affected site is composed of buildings and hard surfaces, but the proposed application will result in a loss of areas of deciduous woodland and grassland. This will need to be compensated for to ensure a net gain in biodiversity. Soft landscaping proposals include areas of new planting of value to biodiversity, such as native mixed hedging, tree planting and areas of wildflower meadow, and the planning statement outlines that the application will generate a net gain in biodiversity. How this will be delivered and sustained over the long term should be set out in a Landscape and Ecological Management Plan.*

*Applications of this nature are not yet subject to a legal requirement to deliver at least 10% Biodiversity Net Gain (BNG) but the provision of a 'biodiversity metric' would provide a quantified assessment of the biodiversity losses and gains and allow any Net gain delivered by the proposal to be demonstrated.*

*The Preliminary Ecological Appraisal outlines a list of recommendations for biodiversity enhancement. Given the scale of the structures proposed and the nature of the surrounding habitat I advise that as a minimum those adopted in the development should include integrated bat and bird boxes, measures for hedgehogs and improvements to the waterside habitats.*

*A seed mix of WFG4 for Neutral Soils has been proposed for the areas of meadow grass, however for places adjoining woodland or tree cover and subject to shading an alternative*

*mix such as Emorsgate EW1 (recommended with in the ecological report) should be utilised.*

*I advise all measures for the enhancement of biodiversity and ecology are combined into a Landscape and Ecological Management Plan and secured by Condition.*

*Schedule 9 plant cotoneaster was found on site and a method statement to ensure an offence under section 14 of the wildlife and countryside act should form part of the CEMP (biodiversity).*

*Recommended condition wording is given below:*

*• No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. This should outline how nearby Local Wildlife Site, the adjacent river Gade and protected species such as birds and bats and water voles will be safeguarded during construction It should include also include measures to prevent the spread of species listed on Schedule 9 of the wildlife and Countryside Act. The CEMP (Biodiversity) shall include the following*

*A) Risk assessment of potentially damaging construction activity*

*B) Identification of "biodiversity protection zones".*

*C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*

*D) The location and timings of sensitive works to avoid harm to biodiversity features including nesting birds.*

*E) The times during which construction when specialist ecologists need to be present on site to oversee works.*

*F) Responsible persons and lines of communication.*

*G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*

*H) Use of protective fences, exclusion barriers and warning signs if applicable.*

*The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance.*

*No development shall take place (including ground works, site clearance etc) until a Landscape and Ecological Management Plan has been submitted to and approved in writing by the local planning authority. This should give details of all the compensation and enhancement measures being utilised to ensure the development delivers a biodiversity net gain including those within the soft planting plan as well as habitat improvements taken from the recommendations within the biodiversity enhancement section of the Preliminary Ecological Appraisal by Greengage (report date September 2022). Including as a minimum following specific information should be provided:*

*1. Purpose and conservation objectives for the proposed works;*

*2. Details of the number type and location of native-species planting, and/or fruit/nut tree planting;*

*3. The areas to be sown or planted with specific seed mixes or specific species for biodiversity value;*

*4. location and type of integrated bat and bird boxes enhancement measures for hedgehogs and any other enhancement measures.*

*5. These should be shown on appropriate scale maps and plans and include details of initial aftercare and long-term maintenance to ensure their sustained value to biodiversity for a minimum of 30 years;*

*These works shall be carried out strictly in accordance with the approved details and all features shall be retained in that manner thereafter.*

*If the LPA seeks a biodiversity net gain to be demonstrated through the use of a biodiversity metric further wording can be recommended.*

4.1.5 TRDC Local Plans Section: [Made the following comments]

*The site is located within the Green Belt. The NPPF finds the principle of redevelopment on previously developed land within the Green Belt as acceptable as set out in paragraph 149 of the NPPF and states 'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

- Not have a greater impact on the openness of the Green Belt than the existing development; or*
- Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

*The application site comprises of previously developed land and proposes to demolish and rebuild the existing building which would mean there is no additional impact or harm to the openness of the Green Belt.*

*Policy CP6 of the Core Strategy states that the Council will support development that provides an appropriate number of jobs to meet strategic requirements. It also seeks to support economic development in rural areas where this would contribute to sustainable development objective and is consistent in scale with and does not cause harmful effects on the local area and environment. The proposal seeks to redevelop the building to create a new retail store which will provide additional jobs to that of the existing use of the site, therefore the application complies with Policy CP6.*

*Policy CP7 of the Core Strategy states that where there is an identified need for new town centre development, Town and District centres will be the focus for this development; the application site is not located in any Town or District retail centre and therefore fails to comply with Policy CP7 in this regard. The proposal site is outside of the nearest retail centre of Abbots Langley. As the application site is not located in a town centre/retail centre and the Core Strategy is out-of-date, the National Planning Policy Framework (NPPF) requires that a sequential test is applied; main town centre uses (including retail) should be located in town centres and then in edge of centre locations, and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. For retail purposes, an edge of centre site is one which is well connected to, and up to 300 metres from, the primary shopping area. Whilst neither are 'Town Centres', the application site is still not within 300m of the Abbots Langley. The site is therefore an out of centre site and should be considered only if the applicant is able to demonstrate compliance with the sequential test. Where an application fails to satisfy the sequential test, it should be refused.*

*The NPPF states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. In regard to new retail development, Policy CP7 similarly states that proposals will be considered taking into account:*

- a) The location of the proposed development with preference given to centrally located and accessible areas, served by a range of transport modes including public transport*
- b) The impact of development on the viability and vitality of existing centres and local shops*
- c) The appropriateness of the type and scale of development in relation to the centre and its role, function, character and catchment area.*

*The site is located outside the nearest key centre of Abbots Langley and is not within close proximity to a train station (approximately a 32-minute walk to Kings Langley station)*

however, the application supporting documents state there are nearby bus services within a 6 and 13-minute walk from the proposed site.

In considering identified needs for retail development, the South West Herts Retail and Leisure Study (2018) identifies the following additional convenience floorspace needs up until 2036:

<b>Year</b>	<b>Convenience Goods</b>
2026	1,000 – 1,300sqm
2031	1,700 – 2,100sqm
2036	2,400 – 3,100sqm

The South West Herts Retail and Leisure Study recommends that unless any large-scale housing sites come forward which either singularly, or cumulatively, require specific retail provision, that the floorspace needs identified are set aside for meeting the day-to-day needs of the residents of Three Rivers. In addition to this, Policy CP7(k) further states that proposals for any major convenience (food) floorspace (over 1,000sqm) over the Plan period will generally be resisted. The application proposes a total of 1,457sqm convenience floorspace which would contribute to approximately 47% of total convenience floorspace needs until 2036, as identified in the South West Herts Retail and Leisure Study however, the proposal conflicts with Policy CP7(k) of the Core Strategy.

4.1.6 TRDC Tree and Landscape Officer: [No objection, subject to conditions]

A condition should be applied which requires compliance with the submitted tree protection methods statement and implementation of the proposed remedial landscaping scheme.

4.1.7 Hertfordshire Constabulary: [No objection, advisory comments provided]

It is good to see that security has been considered for this application as detailed in the planning statement (1.37, 1.38 SECURED BY DESIGN AND DISABILITY DISCRIMINATION ACT).

4.1.8 TRDC Environmental Protection: [No objection, advisory comments provided]

*Air Quality*

I have reviewed the Air Quality Technical Note prepared by Ardent Consulting Engineers (Report ref. 187011-03\_B).

The Technical Note concludes that the potential for significant air quality effects as a result of the potential impacts identified and recommendation of suitable mitigation measure as necessary, should be considered as part of a full Air Quality Assessment.

It would be preferable for the potential impacts to be considered at this stage, rather than at a later date to satisfy the requirements of a condition. This would allow us to assess the potential impacts of the development and to evaluate any proposed mitigation measures.

Further comments: Following revised Air Quality Assessment

I have reviewed the Air Quality Assessment prepared by Ardent Consulting Engineers (Report ref. 187011-07).



*The assessment of demolition and construction dust impacts has been carried out, there is potential for dust and PM impacts during the demolition and construction phase, however with mitigation measures in place, the overall residual effect is expected to be not significant.*

*The potential impacts on existing sensitive locations as a result of demolition and construction traffic have been qualitatively assessed, the overall effect of emissions from construction and demolition traffic on existing sensitive human and ecological receptors is likely to be not significant.*

*The impacts of operational traffic on nearby existing sensitive properties has been considered, with dispersion modelling of pollutant concentrations having been undertaken. Predicted changes in concentrations as a result of operational traffic are negligible at all receptors and do not result in any exceedances of the relevant national air quality objectives. The overall effect of operational traffic on sensitive properties can be screened out as being not significant.*

*The impact of pollutant concentrations within the site on future users of the proposed development has been qualitatively assessed. Based on the information considered, it is judged that annual mean NO<sub>2</sub> concentrations within the site will be well below the relevant objective, that new users of the proposed development will experience good air quality, and that the site is, therefore, suitable for its proposed end-use.*

*I would recommend that a condition requiring the submission of a dust management plan be applied to any permission granted. The Dust Management Plan should incorporate the measures presented in Section 6.0 of the Air Quality Assessment*

#### *Land Contamination*

*Historical mapping shows that there was a Mill to the west of the site between 1871 and 1876, the River Gade is also shown to the west, the Grand Junction Canal is shown to the north, some watercress beds and a pumping house are shown to the west of the site between 1913 and 1924, a wharf and a Sewage Pumping Station (Watford B.D. Council) are shown to the north, the site remained undeveloped until the mid-20<sup>th</sup> century, Gade Valley Nurseries are shown onsite between 1958 and 1964, a garage is shown to the north east.*

*The site is not recorded as having had a previous potentially contaminative use. There are a number of sites within 250m of the site that have had a previous potentially contaminative use. Activities undertaken at these sites could have given rise to contamination area. These include the following:*

- Road vehicles: Garages and filling stations;*
- Waste: Landfills and other waste treatment and disposal facilities;*
- Transport support & cargo handling;*
- Sewage works and sewage farms.*

*The proposed development will not have a sensitive end use. However, the previous commercial uses of the site may have given rise to contamination. There is a large building and a significant area of hardstanding on site. It is likely materials would have been imported to allow the formation of foundations, to be placed below hardstanding etc. It is possible that there may be materials beneath the structures and the hardstanding that are contaminated and may be inappropriate for reuse. Coal tar tarmac may also be present on site.*

*Based on this, the standard contaminated land condition is recommended on this and any subsequent applications for the site.*

1. *Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with risks associated with contamination of the site shall be submitted to and approved, in writing, by the local planning authority.*
  - i) *A preliminary risk assessment which has identified:*
    - *all previous uses*
    - *potential contaminants associated with those uses*
    - *a conceptual model of the site including sources, pathways and receptors*
    - *potentially unacceptable risks to arising from contamination at the site.*
  - ii) *A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.*
  - iii) *The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.*
  - iv) *A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.*

*Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.*

2. *Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.*

*Reason: To ensure that risks from land contamination to the future users of the land and neighbouring areas land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.*

*The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' available online at <http://www.gov.uk/government/publications/lan-contamination-risk-management-lcrm>.*

3. *Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared*

*in accordance with the requirements of condition, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 1.*

*Reason: To ensure risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors.*

#### 4.1.9 Environment Agency: [No objection]

*Thank you for consulting us on the above application. We have no objections to the proposed development.*

*Informative – Flood Risk Activity Permit*

*The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:*

- on or within 8 metres of a main river (16 metres if tidal)*
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)*
- on or within 16 metres of a sea defence*
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert.*
- In a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.*

*For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422549 or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk). The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.*

#### 4.1.10 Environmental Health:

*No response received.*

#### 4.1.11 National Highways: [No objection]

*We have been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such, we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We are interested in the potential impacts that the development might have on the SRN, in this case M25 J19 and J20. We are interested as to whether there would be any adverse safety implications for the SRN as a result of this proposal.*

*We have undertaken a review of the documents accompanying the outline planning application, particularly the Interim Transport Assessment (ITA) dated September 2022 as prepared on behalf of the applicant by Ardent Consulting Engineers.*

*The development proposals comprise the replacement of the existing 1,283sqm World of Water Aquatics Centre buildings with a new 1,457 sqm Lidl foodstore. The proposed trip generation uses TRICS data to provide overall vehicle trip rates (by GFA) for Retail – Garden Centre as no direct comparison for an aquatic centre is available. We are in agreement with this methodology and the TRICS data detailed in Section 4.5 appears robust and reliable.*

Overall forecasts for the development indicate a total net vehicle trip generation of 45 two-way trips in the AM peak and 117 trips in the PM peak. Vehicle trip generation does however include an element of pass-by, transfer and diverted trips, which has the effect of reducing the proportion of trips that travel externally onto the SRN. With trip reductions, we estimated that the proposals will place 6 two-way trips through M25 J20 in the AM peak and 15 in the PM peak. No new development trips will travel via the M25 off-slips.

Given the numbers of vehicle trips impacting on the SRN, we are satisfied that the proposals would not materially affect the safety, reliability and/or operation of the strategic road network (SRN) (the tests set out in Dft C2/13 para 10 and MHCLG NPPF para 111).

As such, our formal recommendation of no objection is set out in the NHPR attached.

#### 4.1.12 Canal and River Trust: [No objection, informative recommended]

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that suitably worded conditions are necessary to address these matters. Our advice and comments follow:

##### **The impact on the character, appearance, heritage, and users of the waterway**

The site is located to the east of the Grand Union canal which retains a landscaped character and appearance, and the Grade II listed Sparrows Herne Bridge is located to the north of the site. The proposed development would retain a substantial landscaped buffer to the canal and therefore the current bucolic feel of the waterway in this location would be maintained. The protection of existing landscaping and details of any new landscaping proposed should be required by conditions.

The submission does however indicate services access and turning areas to the western elevation of the proposed building and these elements have the potential to result in increased noise and disturbance. There is no detail on proposed boundary treatment to these areas, which may aid in mitigating any noise impacts, and this detail should be submitted for consideration. This matter could be dealt with by condition and the Trust wish to be consulted on this information when available.

##### **The impact on the structural integrity of the canal due to the proximity of the proposed works and drainage proposals**

With any development close to the waterway there is the potential for adverse impacts on the infrastructure of the canal in terms of stability, drainage, pollution etc. The proposed building would be set back from the canal boundary though the service access and yard would be closer to the waterway and the canal is also carried on an embankment to the south of the site. It is therefore important to ensure that the proposed works, vibrations etc do not adversely affect the stability of the canal infrastructure at this location and accordingly we ask that a Construction Methodology is required by condition.

The submission states that surface and foul water are to be discharged to the existing mains system. The drainage methods of new developments can have significant impacts on the structural integrity, water quality and the biodiversity of waterways. It is therefore important to ensure that the drainage system is installed and maintained as indicated. This matter should be addressed by condition.

##### **The impact on the biodiversity of the waterway corridor**

*The waterways have a rich biodiversity, with many areas benefiting from SSSI, SAC, SLINC or CWS designations. Developments can have an adverse impact on the ecology of the waterways. The Trust advise that waterside lighting affects how the waterway corridor is perceived, particularly when viewed from the water, the towpath and neighbouring land, for example waterside lighting can lead to unnecessary glare and light pollution if it is not carefully designed. Any external lighting should be angled downwards, and light directed into the site, and it should not provide flood lighting to the canal corridor to show consideration for bats and other nocturnal species. The details of any external lighting proposed could be addressed by condition.*

*Should planning permission be granted we request that the following informative is appended to the decision notice:*

- 1) *The applicant/developer is advised to contact the Works Engineering Team on 03030404040 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".*

#### 4.1.13 National Grid:

No response received.

#### 4.2 **Public/Neighbour Consultation**

4.2.1 Number consulted: 26.

4.2.2 No of responses received: 24.

4.2.3 23 Objections. 1 Support.

4.2.4 Site Notice: Posted: 06.12.2022 Expired 29.12.2022.

4.2.5 Press Notice: N/A

4.2.6 Summary of Responses:

Objections:

- Extra traffic concern.
- Unsafe access & impact on highway traffic.
- Not enough parking spaces.
- 2 Supermarkets less than a mile away.
- Lack of bus routes.
- Car reliant.
- Loss of pedestrian/cycle crossing.
- Contrary to protect the environment and tackle climate change.
- Local employment minimal.

Support:

- Hertfordshire County Council have dropped their objection.
- Not green land development.
- Employment Opportunities.
- Good road links.

**Officer comment:** The above material planning considerations will be discussed within the following planning analysis sections.

## 5 **Relevant Planning Policy, Guidance and Legislation**

### 5.1 Legislation

5.1.1 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

5.1.2 The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

5.1.3 The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

### 5.2 Policy / Guidance

#### 5.2.1 National Planning Policy Framework and National Planning Practice Guidance

In December 2023 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area). Relevant chapters include: Chapter 2; Chapter 4; Chapter 7, Chapter 8, Chapter 9; Chapter 11; Chapter 12, Chapter 13, Chapter 14 and Chapter 15.

#### 5.2.2 The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP6, CP7, CP8, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM2, DM4, DM6, DM7, DM8, DM9, DM10, DM13 and Appendix 5.

### 5.3 Other

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

## 6 **Reason for Delay**

6.1 Time given to overcome technical highways objections.

## 7 **Planning Analysis**

## 7.1 Principle of development

- 7.1.1 The proposed development would not result in a change of use. The site is considered as one planning unit, with the existing building and site used for selling pond, water features and aquarium equipment including garden furniture, fishing and pet accessories. The site is considered to fall within Use Class E(a) retail. The application proposes the redevelopment of the site and the construction of a building to be used for Use Class E(a) retail use. On that basis, there is no material change of use on the site. Retail use is the lawful use of the site and currently provides 1,313sqm. The net increase in floorspace would be 144sqm, considered to be a very small increase.
- 7.1.2 The site is not allocated for any specific development proposal in the Site Allocations document. However, as advised in this document, where a site is not identified for development, it may still come forward through the planning application process where it will be tested in accordance with relevant national and local policies.
- 7.1.3 Policy CP6 of the Core Strategy states that the Council will support development that provides an appropriate number of jobs to meet strategic requirements. It also seeks to support economic development that provides a range of small, medium and large business premises. The proposed development seeks to redevelop the building to create a new retail food store, which will provide additional jobs to that of the existing use of the site, therefore complying with Policy CP6.
- 7.1.4 Policy CP7 of the Core Strategy states that with regard to convenience (food) shopping, there is likely to be an over supply in the order of 450 square metres to 2021.
- 7.1.5 In the supporting text for Policy CP7, it highlights that there is a) likely to be an oversupply in relation to convenience goods (food shopping) in the order of 450 square metres to 2021 within Three Rivers District and b) 'Whilst this means that no further largescale supermarkets are needed in the District over the next 10 years or so, it does not prevent smaller-scale local convenience stores being considered within the key settlements where there is a particular local need and where such provision will reduce journeys to centres further away.
- 7.1.6 In response to Policy CP7, it must be recognised that as existing the building is over 1,000sqm and thus it is considered that the additional resultant impact from a further 144sqm on site would be negligible, also noting that the building's conversion would not require planning permission to convert to a food shopping use. In this regard, the principle of development is acceptable, subject to other material considerations.
- 7.1.7 Further, the application site does partially represent previously developed land and development on previously developed sites is encouraged, however, any proposal would need to be assessed against all other relevant planning criteria, for example, the application site is also with the Green Belt and other Development Plan Policies and the NPPF are material considerations.

## 7.2 Sequential Assessment

- 7.2.1 Paragraph 91 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. Paragraph 92 of the NPPF states when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 90 also sets out that local authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold.

- 7.2.2 For retail purposes, an edge of centre location is one which is well connected to, and up to 300 metres from, the primary shopping area. Whilst not a 'Town Centre', the application site is still not within 300m of the Abbots Langley. The site is therefore an out of centre location and should be considered acceptable only if the applicant is able to demonstrate compliance with the sequential test. However, it is noted that the site has an existing lawful retail use.
- 7.2.3 In assessing proposals for out of centre locations, the NPPF and NPPG provide two considerations in determining whether a proposal complies with the sequential test; to A) the impact on existing, committed and planned public and private investment in a centre/catchment and B) impact on town centre vitality and viability. This assessment includes the suitability, availability and viability of sites. The consideration with regards the suitability of more central sites to accommodate the proposal. Where the proposal is located in an out of centre location, preference should be given to accessible sites that are well connected to the town centre and with regards to scope, this would be in the form and/or scale of the proposal. The guidance states that it is not necessary to demonstrate that an edge of centre site can accommodate precisely the scale and form of development being proposed but rather to consider what contributions more central sites are able to make individually to accommodate the proposal. Should there be no suitable sequentially preferable locations then the sequential test is passed.
- 7.2.4 It should be noted that the NPPG states that viability of a site should be considered in the plan making process whilst in the decision making section it states that local planning authorities need to be realistic and flexible in terms of their expectations of promoting new development on town centre locations, which can be more expensive and complicated than building elsewhere.
- 7.2.5 The impact of the proposed redevelopment of the site on existing food shopping retailers, the displacement of the existing retailer and shoppers not visiting Watford, Kings Langley and Abbots Langley town centres to access the shops they have been used to has been assessed.
- 7.2.6 The submitted Sequential Test, which reviews potential retail sites within designated Town/District Centres (Rickmansworth, South Oxhey, Abbots Langley, Chorleywood) within the District of Three Rivers and includes Watford Town Centre clearly demonstrates that there are not any sites that are suitable, available and viable for the retail occupier. Following review, in conclusion there are not any available and suitable sites for the size of the proposal.
- 7.2.7 Notwithstanding this, it is also acknowledged that the existing site is within Use Class E retail use and as such in this case, there is a fallback that has substantial weight. All considered, given the results of the Sequential Test, existing use of the site in terms of a retail function and the proposed limited increase of 144sqm in floorspace, it is considered that the parameters set out within the Sequential Test are satisfactory and given the material planning considerations the proposed redevelopment of the site to provide a food retail use is considered acceptable and would not adversely affect existing centres.

### 7.3 Impact on Green Belt

- 7.3.1 The application site is partially previously developed land located within the Green Belt. In respect of the NPPF, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF states that when considering proposals, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations.



7.3.2 Policy CP11 of the Core Strategy sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt or which would conflict with the purposes of including land within it. Policy CP11 is supported by Policy DM2 of the Development Management Policies LDD and states that within the Green Belt, except in very special circumstances, approval will not be given for new buildings other than those specified in national policy and other relevant guidance and are given sufficient weight. Both policies should still be given weight as they are on the whole reflective of national policy which has remain unchanged in respect of Green Belt from the initial adoption of the NPPF in 2012.

7.3.3 The National Planning Policy Framework (NPPF 2023) finds the principle of redevelopment on previously developed land within the Green Belt as acceptable as set out in paragraph 154 of the NPPF and states **‘limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:**

- **Not have a greater impact on the openness of the Green Belt than the existing development; or**
- Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.’

7.3.4 The PPG states that openness is capable of having both spatial and visual aspects whilst the duration of the development and degree of activity likely to be generated, such a traffic generation are factors to consider.

7.3.5 The application site contains a sizable single storey building car park, external retail areas and a large area of open land and pockets of woodland, the latter of which is more open in character and portrays a sense of openness, one of the essential characteristics of Green Belts. However, parts of the site do result in on-site activity, traffic and noise and disturbance, which collectively do impact upon the openness of the Green Belt.

7.3.6 Green Belt Calculations:

Footprint of original buildings including ancillary structures = 1313sqm  
 Proposed building footprint = 1536sqm  
 Increase = 223sqm  
**17% increase in footprint.**

Existing internal retail floorspace = 1050sqm  
 Proposed internal = 1,074sqm  
 Increase internal retail floorspace = 24sqm  
**2% increase in floorspace.**

Volume of original buildings = 5,267m<sup>3</sup>  
 Proposed building volume = 6,752m<sup>3</sup>  
 Increase in volume = 1,485sqm  
**28% increase in volume**

<u>Existing Building</u>	<u>Proposed Building</u>	<u>Differences</u>
Depth: 67.3m	Depth: 61.6m	- 5.7m
Width: (Rear) 12.2m	Width: (Rear) 26.4m	Overall + 1.9m

(Front) 24.5m	Front (20.8m)	
Eaves height: 3.1m	Eaves: 4.3m	+ 1.2m
Ridge height: 5.2m	Parapet height 4.8m	- 0.4m

- 7.3.7 Having regard to the above, the proposed development would represent a 17% increase in footprint over the existing building, an 28% increase in volume over the existing building and a 2% increase in retail floor area. As such there is a spatial impact resulting from the development through its enlargement. Nevertheless, other factors must also be taken into account. The additional proposed floorspace/volume is sited towards the west of the building as the width at this point is greater than the existing, which would be considered as similar to infilling the existing building. This additional aspect would be to the rear, screened from public vantage points and as such the apparent increase would not be readily visible given that the building height would be lowered.
- 7.3.8 The existing single storey building has a low profile and is therefore not particularly prominent in views with low eaves and pitched roof. However, it is clear from the submitted elevations and visual impact assessments that there would not be significant above-ground change to the scale or massing between the existing buildings and the proposed replacement building. Whilst the eaves height of the proposed building would be 1.2m higher at 4.2m, the proposed ridge height would be 0.4m lower than the existing building. It is also noted that the width of the proposed building is 2.6m less than the maximum width of the existing building and the proposed depth of the building would be 6.2m less than the existing. A comparison table to the existing and proposed building details is above.
- 7.3.9 The consolidation of the footprint would mean that the bulk and massing of the proposed building would be more likely to be perceived as one structure. However, in respect of the visual impacts on the Green Belt, the proposal would not appear prominent in longer distance views, but it would be visible from several points along the adjacent highway and parts of the public realm. As such, the building would not result in any greater impact on the openness of the Green Belt than the existing development. This aspect of the development proposal would therefore fall within the relevant NPPF exception as highlighted above.
- 7.3.10 The extension to the existing hardstanding would also fall within being considered as redevelopment of previously developed land. Whilst the increase in hardstanding to the north to form a turning circle at the site is regrettable, it would be a limited addition to the existing hardstanding. This proposed area would replace an existing area of paraphernalia, timber structures (selling products) and areas of path for customers. Further with the proposed soft landscaping and planting around the site, it is considered to minimise the urbanising impact of the development, would preserve the openness of the site and thus no objections are raised in this regard. It is therefore considered that this aspect of the proposal would not have a greater impact on the openness of the Green Belt
- 7.3.11 The potential effectiveness of a proposed landscaping screen in further limiting any proposed visible bulk of the building from the adjacent highway is also recognised, but cannot be solely relied upon in isolation as a permanent feature. Therefore, having regard to this any proposed planting is not considered to negate the visual impact the proposed development would have on the openness of the Green Belt.
- 7.3.12 The provision of a food retailer would result in the provision of further increased on-site activity, noise, vehicles and traffic. It is however acknowledged that there is already a degree of this given the existing use of the site which does not have any existing restrictions in terms of comings and goings. Given the proposal and acknowledged increase in activity it is considered appropriate to limit the hours of activity and external lighting, given the Green Belt location of the proposed development.

7.3.13 In summary, it is considered that the proposal would comprise of the redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt than the existing development or conflict with the purposes of the Green Belt. The development is acceptable and in accordance with Policy CP11 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and the paragraphs 154 (g) of the NPPF 2023.

#### 7.4 Design, impact on the character of the area

7.4.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness.

7.4.2 Policy CP12 of the of the Core Strategy (adopted October 2011) states that development should, '...have regard to the local context and conserve or enhance the character, amenities and quality of an area and should make efficient use of land whilst respecting the distinctiveness of the surrounding area.' The proposed development would only be allowed where proposals are of a scale, density and design that would not cause material harm to the qualities, character and amenity of the area in which it is situated.

7.4.3 The proposed retail building would be relocated slightly to the northwest of the existing building and therefore further away from the highway, which would be separated by an area of proposed landscaping. The application site is also located along a stretch of the A41. It is considered that the re-siting of built form to the northwest, away from the A41 and prominently infilling the existing 'L' shaped footprint would not result in a visually prominent form of proposed development. It is also noted, that given the relocation of the building to the north west and the site topography, that the land is on a lower land level than the adjacent highway and that land levels fall towards the north of the site, the proposed building would be sited lower than the existing pitched roofed building. This would further reduce the building visual impact and would result in the building being less apparent in the street scene.

7.4.4 The proposal would lead to the removal of ancillary buildings, the erection of a single building would amalgamate all of the built form on site, apart from the substation and plant slab to the north of the building. The design and appearance of the proposal would be single storey in nature and would comprise of one flat roofed building. It is noted that there would be an increase in the both the footprint and volume. However, the erection of a single building would largely amalgamate all of the built form on site and given the infill nature away from the highway would not appear to increase the sense of bulk and massing on site from the street scene.

7.4.5 The appearance of the proposed building would be of a retail/light industrial unit and appear of a more modern appearance than the existing building with aluminium panels and glazing and would also include mock timber cladding and green roof. Given the existing character of the area, which includes a petrol station and various building to the south, there is no distinct character within the surroundings. The proposed built form would be re-sited to the northwest away from the narrower northern section of the site, built at a lower land level than the existing building, the proposed building would not detract from the overall appearance of the site. Further, given the splayed nature of the site, the size and position of the proposed building further away from the highway including proposed soft landscape screening, it would not result in the building being more apparent in the street scene.

7.4.6 Specific details regarding materials would be secured by planning condition.

7.4.7 It is considered that the building has been designed sensitively as there is enough variety within the design to ensure it would integrate within the street scene and compliment the area's existing character. For these reasons, the development is considered acceptable and complies with Policies CP1 and CP12 of the Core Strategy.

## 7.5 Impact on neighbouring amenity

- 7.5.1 Policy CP12 of the Core Strategy (adopted October 2011) states that the Council will expect all development proposals to protect residential amenities whilst making efficient use of land respecting the distinctiveness of the surrounding area. Policy DM9 of the Development Management Policies LDD (adopted July 2013) states that planning permission will not be granted for development which has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing and planned development.
- 7.5.2 The site is positioned in a relatively open location within the landscape. There are two immediate neighbouring premises to the south of the site; The Quartermaster military store and Bean Here, a coffee shop. Further south is a single residential property; Glenthorn, sited to the south of the coffee shop, but at a distance of 105m from the proposed building, which would be constructed approximately 16m further north from the existing building.
- 7.5.3 It is not considered that any direct or detrimental impact to the residential amenities of this residential property will arise as a result of the proposed development and its use.
- 7.5.4 Whilst it is accepted that on-site vehicular movements will occur throughout the day it is not considered that the level of movements would arise in any unacceptable harm through noise and disturbance. However, a Parking and Delivery Management Plan is recommended and secured by condition to ensure deliveries occur at acceptable times.
- 7.5.5 It is accepted that given the scale of the development that the construction phase has the potential to cause disturbance to adjacent neighbouring properties. A Construction Management Plan would be secured by condition and will include further details concerning timing of construction activities and deliveries to avoid unacceptable impacts.
- 7.5.6 To summarise, given the siting and layout of the proposed building and site, it is considered that no other harm would arise to neighbouring amenity. The development is therefore considered to comply with Policies CP1 and CP12 of the Core Strategy and Policy DM9 of the Development Management Policies LDD.

## 7.6 Impact on highway safety

- 7.6.1 Policy CP10 of the Core Strategy states that all development proposals should be designed and located to minimise the impacts of travel by motor vehicle on the District. In particular, major development will be expected to be located in areas of highly accessible by the most sustainable modes of transport, and to people of all abilities in a socially inclusive and safe manner. The NPPF at paragraph 114 states that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.6.2 During the course of the application further surveys, modelling and revised information following consultation with Hertfordshire Highways was requested with alterations proposed to the original proposed access and highway arrangement. All previous comments from the Local Highway Authority are attached in Appendix 1.
- 7.6.3 This included within the Transport Assessment addendum, updated visibility splays subject to clearance of trees, a revised swept path analysis demonstrating that no damage would occur to kerbs and would not conflict with other vehicles; updated pedestrian and cyclist visibility splays measured from crossings; a road safety audit.
- 7.6.4 *Visibility*
- 7.6.4.1 Visibility splays in accordance with the 40mph speed limit would be able to be achieved without obscurities along the site frontage, with an improvement over the existing arrangement. The visibility splays were revised to demonstrate that a maximum visibility

splay of 79m could be achieved to the south from the site access, subject to the clearance of overgrown trees, including for pedestrians and cyclists. It was also demonstrated that a 120m visibility splay could be achieved for southbound travelling vehicles from the north. Both of which are considered acceptable and raised no objection for Hertfordshire Highways (See **Appendix B**).

#### 7.6.5 *Access alterations*

7.6.5.1 The proposed access was updated during the course of the application to include a revised Swept Path Analysis to ensure no damage to the kerb with realistic manoeuvres and to not conflict with other vehicles. The revised access road would measure a minimum of 7.3m in width in accordance with Highway guidelines. The application site is currently served by a single vehicular access point which enables two way traffic accessed via a service road off the A41 Watford Road.

7.6.5.2 Additionally, the existing refuge for the stopping of vehicles would also be relocated to the south of the existing roundabout to ensure for turning manoeuvres of larger delivery vehicles. As part of the submission swept path analysis plans have been submitted which confirms that the maximum legal articulated vehicle will be able to access the site from the north and from the south and egress the site in forward gear.

7.6.5.3 It is acknowledged that proposed alterations would widen the existing access to accommodate articulated vehicles in both directions, which would tie-in with the existing highway arrangement and markings.

7.6.5.4 A 1m grassed verge is also proposed to the northern side of the highway, to prevent the visually impaired users from stepping straight onto the highway; all of which would be subject to a condition and a section 278 agreement.

#### 7.6.6 *Pedestrian/Cycle Crossing*

7.6.6.1 A dedicated pedestrian and cycle crossing would be provided approximately 58m north of the proposed site access. The existing foot/cycle way to the eastern side of the A41 would also be extended to the relocated staggered crossing. This would include the extension of the shared use facility to ensure cyclists can re-join the carriage safely to the south of the proposed access. Consideration of the Warner Bros Studios planning permission and the requirement to implement a Toucan crossing. (Paragraph 2.20 of the Transport Assessment Addendum) The revisions also included consideration of the Warner Bros Studios planning permission and the requirement to implement a Toucan crossing. (Paragraph 2.20 of the Transport Assessment Addendum) (See **Appendix C**).

#### 7.6.7 *Trip Generation*

7.6.7.1 Whilst recognising that the proposed development falls within the same use, the level of vehicular activity would likely be more given the increase in visits from members of staff, deliveries and customers.

7.6.7.2 The submitted trip generation assessment which forms part of the Transport Assessment states that there will be an estimated +117 weekday and +140 weekend peak hour trips generated (08:00-09:00 and 17:00-18:00 weekday) and (11:00-12:00 weekend). Based on the existing lawful use of the site as an aquatic/garden centre, the proposed development is highly likely to result in higher trips than the existing use. The Highway Authority states that the trip generation and distribution exercise is sufficient and whilst an upsurge in trips is noted and the access onto Watford Road would be intensified from the present usage. However, given the existing use commercial use of the site the Highways Authority do not consider that the traffic generation from the proposed foodstore would be significant enough to have a safety or severe impact on the surrounding highway network. Furthermore, National Highways do not object to the proposed development, who have commented that

the scheme would not materially affect the safety, reliability and operation of the strategic road network.

- 7.6.8 The Highway Authority have recommended various conditions associated with the new access, visibility splays, parking and servicing areas, pedestrian access, electric car parking, cycle parking and highway offsite improvements. It is recommended that a Travel Plan is secured by condition so as to promote and encourage further sustainable modes of travel to and from the site. Furthermore, specific details of the proposed boundary treatment with regards to fencing and planting and including final levels will be subject to a condition for any approval.
- 7.6.9 A Construction Management Plan would be secured by condition and will require further details concerning construction vehicle numbers, routing, access arrangements, traffic management requirements, storage of materials, contractor parking, timing of construction activities, cleaning of site entrances, and the adjacent public highway.
- 7.6.10 There would also be no significant impact on highway safety as a result of access and trip generation. Hertfordshire Highways have been consulted and have no objection to the revised scheme, subject to conditions. The obligations will include a financial contribution to the Travel Plan (£6k per Travel Plan). There are no road safety concerns and it has been demonstrated that safe and suitable access can be provided.
- 7.6.11 At request of committee members, alternative access arrangements were reviewed and submitted as a 2<sup>nd</sup> transport technical note, which concluded that it would not be feasible to provide a new roundabout junction serving the application site and that the agreed access arrangement is safe and suitable. A 3<sup>rd</sup> transport technical note was also submitted in response to the independent highway review by Evoke. It demonstrates that a safe and suitable access could be provided to serve the site with improvements to the existing access. The proposed access arrangements have therefore been subject to modelling, two road safety audits, Hertfordshire Highways review.
- 7.6.12 Further, at request from committee members, the Council requested an independent highway review, which was undertaken by Evoke, at Appendix D. This also included to investigate specific concerns as to acceptability of the right turn onto the A41 from the proposed development; speed and volume of on-coming traffic from the A41; cycle safety and acceptability of crossing points. These points and rebuttal are discussed in detail at Appendix E, 3<sup>rd</sup> transport technical note. It concluded that no design issues were identified, and that the modelling indicated that there would be sufficient gaps in the main, straight-ahead movements for traffic to turn right. However, no safety concerns have been raised given the modelling results. It is noted that the removal of vegetation would still be required, which would be secured by condition.
- 7.6.13 The volume and speeds of the traffic was considered accurate in line with the transport assessments. Cycle and pedestrian safety is considered as also accurate and the acceptability and adequate visibility can be achieved. Further concerns raised by members of the planning committee have also been addressed. See Appendix F for details.
- 7.6.14 The scheme has evolved considerably during the course of the application with the highway access proposal robustly and independently audited. All parties have concluded that the proposal is safe and can be safely implemented. The development is therefore considered acceptable and complies with Policy CP10 and the NPPF (2023).

## 7.7 Parking

- 7.7.1 With regards to parking, Policy DM13 and Appendix 5 of the Development Management Policies LDD sets out the car parking requirements for the District. The existing site currently has parking for 75 vehicles. Access arrangements would utilise the existing access to the

south entrance. The principal method of arriving by car would be accommodated by the existing car park, which would be reconfigured.

- 7.7.2 As noted, parking requirements are set out in Appendix 5 of the Development Management Policies LDD (adopted July 2013). The requirements are 1 space per 18sqm gross floor area for food superstores up to 2,500sqm retail floor area. When applied to the development (1457sqm), this results in a requirement to provide 81 spaces. In this case, 98 car parking spaces would be provided to serve customers and employees including 8 parent and child spaces, 7 staff spaces and two electric charging bays. The level of parking proposed would be considered acceptable.
- 7.7.3 In respect of cycling parking, Appendix 2 sets out that the requirements are 1 space per 150sqm gross floor area plus 1 long-term space per 10 maximum staff on site at any one time for food superstores up to 2,500sqm retail floor area. When applied to the development 9.7 plus 4 (40 staff) cycle spaces (14) should be provided. Externally, there would be a 5 cycle stands for 10 cycles, while none are currently provided internally. Whilst the external storage is lower than required, it is recognised that the development can be flexible to increase storage if demand requires. Therefore, no objection is held in this regard.
- 7.7.4 In light of the above, whilst recognising the shortfall in cycle provision against standards, for reasons discussed the level provided would be acceptable subject to the legal agreement and conditions.

## 7.8 Waste Management

- 7.8.1 Policy DM10 (Waste Management) of the Development Management Policies LDD (adopted July 2013) advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:
- i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
  - ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers
  - iii) There would be no obstruction of pedestrian, cyclists or driver site lines
- 7.8.2 The proposed development would result in the production of additional waste, arising from the demolition, ground works and construction stages and proposed use. As a result, waste matters will need to be considered as part of the proposed development and waste prevention, re-use, recycling and recovery options employed to minimise waste requiring disposal, in line with the waste hierarchy.
- 7.8.3 Due to the current and proposed commercial use of the application site, refuse and recycling is collected by a private contractor. As a result, it is considered that waste and recycling would continue to be collected by a private contractor. The details of which would be secured by a Waste Management Scheme.
- 7.8.4 In light of the above, subject to a condition regarding waste management the application would be in accordance with Policy DM10 of the Development Management Policies LDD.

## 7.9 Flooding and Drainage

- 7.9.1 The NPPF at paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

- 7.9.2 Policy CP1 of the Core Strategy recognises that taking into account the need to avoid development in areas at risk of flooding will contribute towards the sustainability of the District. Policy CP12 of the Core Strategy also acknowledges that the Council will expect development proposals to build resilience into a site's design taking into account climate change, for example flood resistant design. Policy DM8 (Flood Risk and Water Resources) of the Development Management Policies LDD advises that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate the risks of flooding elsewhere and that the Council will support development where the quantity and quality of surface and groundwater are protected and where there is adequate and sustainable means of water supply. Policy DM8 also requires development to include Sustainable Drainage Systems (SuDs).
- 7.9.3 The application site lies within Flood Zone 1 and is at very low risk from surface water flooding (via the Environment Agency mapping). Whilst the banks and course of the River Gade is in Flood Zone 3, the proposed development area lies outside of this. As part of the application a flood risk assessment was undertaken, which also had regard to surface and ground water flow. The Environment Agency were consulted as part of the application and hold no objection to the proposal.
- 7.9.4 The Lead Local Flood Authority were also consulted as part of the application, and the application sets out that sustainable drainage measures would be implemented in the form of attenuation storage, which will ensure a significant reduction in surface water runoff rates when compared to the current situation with improved permeability across the site when compared to the current impermeable nature of the site. The canal and river trust were also consulted on the application, what noted that the drainage system is installed and maintained as indicated, which would be subject to a condition.
- 7.9.5 The Lead Local Flood Authority, however, have raised concerns subject to further details. Further comments regarding the acceptability of the sustainable drainage measures have been received from the LLFA. The LLFA have subsequently removed their objection, stating planning permission can approved, subject to conditions.
- 7.10 Contamination
- 7.10.1 The application site falls within the Source Protection Zone 2 and a Zone 1 Inner Protection Zone lies approximately 150 metres to the south. The is not recorded as having had potentially contaminative use.
- 7.10.2 Policy DM9 of the Development Management Policies LLD states that the Council will only grant planning permission for development, on, or near to, on land suspected to be contaminated, where the Council is satisfied that:
- i) There will no threat to the health of future users or occupiers of the site or neighbouring land; and
  - ii) There will be no adverse impact on the quality of local groundwater or surface water quality
- 7.10.3 Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution health, living conditions and the natural environment.
- 7.10.4 The application was supported by a site investigation reports to identify possible constraints to the development relating to the ground conditions.
- 7.10.5 Environment Protection have been consulted and have commented that whilst there are a number of sites within 250m of the site that have had a previously contaminative use. Given this, number of conditions as requested and would be applied to any approval.



- 7.10.6 In light of the above, it is not considered the risk posed from contamination would be a barrier to restricting development, subject to conditions.
- 7.11 Impact on trees / landscaping
- 7.11.1 Policy DM6 of the Development Management Policies LDD states that development proposals should seek to retain trees and other important landscape and nature conservation features whilst including new trees and other planting to enhance the landscape of the site and its surroundings as appropriate.
- 7.11.2 Due to the built-up nature of the application site the majority of trees and landscape features can be found along the perimeter of the site. The proposal would result in a loss some trees and an area of grassland. However, replacement trees are proposed as part of a landscaping plan.
- 7.11.3 A large number of new trees and soft landscaping areas will be introduced to compensate any loss including a green roof to the building. This has been shown indicatively via the submitted Soft Landscape Strategy Proposal and includes new trees along the eastern boundary with Watford Road (A41) comprising native trees and hedgerows, new mixed native hedgerows including ornamental planting beds and tree avenue to the store frontage. Areas of landscaping to the west of the building would retain areas of existing woodland blocks with additional infill tree planting with the inclusion of wildflower seeding to open areas and woodland edges.
- 7.11.4 The Landscape Officer has commented on the proposal and holds no objection, subject to compliance with the submitted tree protection methods statement and implementation of the proposed remedial landscaping scheme. In order to existing safeguard trees, it is considered important to recommend such conditions relating to tree protection and the request further details with regards to the submitted detailed soft landscaping proposed.
- 7.12 Wildlife & Biodiversity
- 7.12.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 7.12.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 7.12.3 A Local Biodiversity Checklist has been completed by the applicant and submitted with the application along with a Preliminary Ecological Appraisal. The appraisal concludes with a list of recommendations for biodiversity enhancements. Whilst the majority of the affected site is composed of buildings and hard surfaces, the proposal would also result in a loss of areas of deciduous woodland and grassland. Given the nature of the surrounding habitat the proposed development would include integrated bat and bird boxes, measures for hedgehogs and improvements to the waterside habitat. Herts Ecology had no objection to the findings subject to the incorporation of the mitigation measures to enable a biodiversity net gain, secured by a Landscape and Ecological Management Plan condition.

7.12.4 No lighting details have been proposed, which would be subject to a condition, in order to minimise light spill and direct light away from boundary vegetation in respect to the impact on wildlife.

### 7.13 Sustainability

7.13.1 Policy DM4 of the Development Management Policies LDD sets out that development must produce at least 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply.

7.13.2 The application has been supported by an Energy Usage & Sustainability Statement which confirms that the following design measures will be incorporated into the build; natural daylighting, energy efficient building fabric, low energy lighting, heat recovery ventilation, high efficient heating systems, sub-metering, building energy management system and solar panels (located on the roof) which combined will exceed the policy standard (carbon dioxide reduction 296.57%) and a (330.16% energy reduction). A condition will be attached to require that these measures are implemented in accordance with the submitted Energy Usage & Sustainability Statement.

### 7.14 Planning Balance

7.14.1 The NPPF makes it clear at paragraph 11 that there is a presumption in favour of sustainable development that planning permission should be granted unless either a) there is a clear reason for refusing the development proposal given its impact on an area or asset of particular importance (para 11(d)(i)), or b) that any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (para 11(d)(ii)).

7.14.2 The development has been considered acceptable in accordance with the development plan meaning there is no requirement to consider any further balance. Planning permission should therefore be granted subject to the conditions and the S106 agreement. The obligations will include a financial contribution to the Travel Plan (£6k per Travel Plan) and towards sustainable transport improvements. These are all considered to necessary to make the development acceptable in planning terms, are all directly related to the development and are fairly and reasonably related in scale and kind to the development.

7.14.3 By granting planning permission there will be economic benefits from the creation of construction jobs including the provision of 40 jobs for the store for 144sqm of additional floorspace to an existing retail use. Additionally, a development on this scale will provide a number of indirect economic benefits to the local economy and other environmental factors across the site will be enhanced, from improving on-site drainage, providing greater soft landscaping and biodiversity opportunities. These factors should also weigh in favour of granting planning permission.

7.14.4 The above factors are all material considerations in their own right and would weigh in favour of the development. Clearly, significant benefits in favour of the development would arise from the scheme.

7.14.5 Further, it is recognised the economic benefit along with employment opportunity the proposed development would bring including the enhanced landscape and biodiversity opportunity. The proposal would provide a wider sustainable community benefit.

### 7.15 **Recommendation**

7.15.1 That subject to the completion of a Section 106 Agreement in respect of a monitoring and evaluation fee of £6k covering a 5 year period relating to the travel plan and a contribution

of £16.8k towards highway/cycleway/sustainable transport improvements, that permission be delegated to the Head of Regulatory Services to **GRANT PLANNING PERMISSION** subject to the following conditions:

C1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 Plan numbers

The development hereby permitted shall be carried out in accordance with the following approved plans: P001, P100, P101 Rev P4, P102 Rev P2, P103, P200, P201, P301, 187011-001J, 22-089-P-02, 22-089-SK-01 A, 187011-SK002 C, 187011-SK003 C, 187011-SK07 A, 187011-002 C.

Reason: For the avoidance of doubt, in the proper interests of planning, to safeguard neighbouring amenity and preserve the character and appearance of the surrounding area in accordance with Policies CP1, CP6, CP7, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM4, DM6, DM7, DM8, DM9, DM10, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2023).

C3 Construction Management Plan

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan / Statement shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Reason: This condition is a pre-commencement condition in order to protect highway safety and the amenity of other users of the public highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

C4 Construction Ecological Management Plan (CEMP)

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This should outline how nearby Local Wildlife Site, the adjacent river Gade and protected species such as birds and water voles will be safeguarded during construction. It should include measures to prevent the spread of species listed on Schedule 9 of the Wildlife and Countryside Act. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details. The CEMP shall include the following:

- A) Risk assessment of potentially damaging construction activity
- B) Identification of "biodiversity protection zones".
- C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- D) The location and timings of sensitive works to avoid harm to biodiversity features including nesting birds.
- E) The times during which construction when specialist ecologists need to be present on site to oversee works.
- F) Responsible persons and lines of communication.
- G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- H) Use of protective fences, exclusion barriers and warning signs if applicable.

These works shall be carried out strictly in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to biodiversity during construction and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

**C5 Landscape and Ecological Management Plan (LEMP)**

No development shall take place (including ground works, site clearance etc) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. This should give details of all the compensation and enhancement measures being utilised to ensure the development delivers a biodiversity net gain including those within the soft planting plan as well as habitat improvements taken from the recommendations within the biodiversity enhancement section of the Preliminary Ecological Appraisal by Greengage (report date September 2022). Including as a minimum following specific information should be provided:

1. Purpose and conservation objectives for the proposed works;
2. Details of the number type and location of native-species planting, and/or fruit/nut tree planting;
3. The areas to be sown or planted with specific seed mixes or specific species for biodiversity value;
4. location and type of integrated bat and bird boxes enhancement measures for hedgehogs and any other enhancement measures.
5. These should be shown on appropriate scale maps and plans and include details of initial aftercare and long-term maintenance to ensure their sustained value to biodiversity for a minimum of 30 years;

These works shall be carried out strictly in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to deliver biodiversity net gain and landscape enhancements and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C6 Dust Management Plan

Prior to the commencement of the development hereby permitted, a Dust Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. The Dust Management Plan shall include best practicable means to be incorporated to minimise dust caused by the permitted operations and to prevent the emission of dust from the site. The management of dust emissions shall thereafter be carried out in accordance with the approved plans.

Reason: This is a pre-commencement condition in the interests of surrounding occupiers during the construction of the development and to meet the requirements of Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2019).

C7 Universal condition for development on land affected by contamination

Prior to the commencement of development approved by this planning permission, the following components of a scheme to deal with risks associated with contamination of the site shall be submitted to and approved, in writing, by the local planning authority.

- i) A preliminary risk assessment which has identified:
  - o all previous uses
  - o potential contaminants associated with those uses
  - o a conceptual model of the site including sources, pathways and receptors
  - o potentially unacceptable risks to arising from contamination at the site.
- ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.
- iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

The scheme shall be implemented as approved.

Reason: This condition is a pre commencement condition to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph

174 of the NPPF (2023) and in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C8 Verification report and monitoring and maintenance programme

Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' available online at <http://www.gov.uk/government/publications/lan-contamination-risk-management-lcrm>.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the NPPF (2023) and in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C9 Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 7, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 7.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the NPPF (2023) and in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C10 Materials

Before above ground works commence, samples and details of the types, colour and finish of all external materials, shall be submitted to and approved in writing by the Local Planning Authority prior to their first use on site. Only the materials as approved shall be used in the construction.

Reason: To ensure that the external appearance of the building and site in general is acceptable and preserves the character and appearance of the surrounding area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

C11 Arboricultural Method statement & Tree Protection

No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) whatsoever shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in

accordance with the Appendix One (Tree Plan) and Appendix Two (Tree Protection) within the Arboricultural Method Statement Drawing Number LALW/MS/01 Rev C.

The protective measures, including fencing, shall be undertaken in full accordance with Appendix One (Tree Plan) Drawing Number LALW/MS/01 Rev C and Appendix Two (Tree Protection Fencing) before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained as approved until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

**C12 Highway Improvements – Offsite (Design Approval) Part A**

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on drawing number 187011-001 Rev J have been submitted to and approved in writing by the Local Planning Authority.

Reason: This condition is a pre-commencement condition to protect highway safety and the amenity of other users of the public highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

**C13 Highway Improvements – Offsite (Implementation / Construction) Part B**

Prior to the first use the development hereby permitted, the offsite highway improvement works referred to in Condition 12 Part A of this condition shall be completed in accordance with the approved details.

Reason: To protect highway safety and the amenity of other users of the public highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

**C14 Travel Plan Statement**

At least 3 months prior to the first use of the approved development a detailed Travel Plan Statement for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan Statement shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies CP1 and CP10 of the Core Strategy (adopted July 2013).

**C15 New Access**

Prior to the first use of the development hereby permitted, the vehicular access(es) shall be provided and thereafter retained at the position shown on the approved plan drawing number 187011-001 Rev J. Arrangement shall be made for surface water

drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To protect highway safety and the amenity of other users of the public highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

C16 Visibility Splays

Prior to the commencement of the use hereby permitted, visibility splay(s) shall be provided in full accordance with the details indicated on the approved plan number 187011-001 Rev J. The splay(s) shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To protect highway safety and the amenity of other users of the public highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

C17 Provision of Parking and Servicing Areas

Prior to the first use of the development hereby permitted the proposed access /onsite car and cycle parking / servicing / loading, unloading / turning shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To protect highway safety and the amenity of other users of the public highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

C18 Pedestrian Access

Prior to the commencement of the development hereby permitted, a scheme for pedestrian access from the proposed supermarket to all car parking spaces shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Prior to first use of the development, the scheme shall be completed in accordance with the approved details.

Reason: To protect highway safety and the amenity of other users of the public highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

C19 Cycle Parking

Prior to the first use of the development hereby permitted a scheme for the parking of cycles including details of the design, level and siting (including location of future provision) of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority. The external Sheffield cycle stands shall be erected and permanently retained thereafter. The approved scheme shall be fully implemented before the development is first brought into use and thereafter retained for this purpose.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies CP1 and CP10 of the Core Strategy (adopted July 2013).

C20 Hours



The site shall not be open to the public otherwise than between the hours of 7.00am to 23.00pm; Mondays to Saturdays and 10.00am to 18.00pm; on Sundays or National Holidays.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties and to preserve the openness of the Green Belt in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

**C21 Parking and Delivery Management Plan**

Prior to the commencement of the use hereby permitted, a Parking and Delivery Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Parking and Delivery Management Plan shall incorporate the delivery hours, 0700-2300 Monday-Saturday and 1000-1600 on Sundays and Bank Holidays; servicing arrangements for the use and adequate provision for the parking of delivery vehicles within the site and shall be adhered to at all times.

Reason: In order to protect highway safety and the amenity of other users in accordance with Policy CP10 of the Core Strategy (October 2011).

**C22 Energy measures**

Prior to the first use of the development hereby permitted, the approved details and energy saving measures detailed within the submitted Energy Statement shall be implemented and permanently maintained thereafter.

Reason: In order to ensure that the development will meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to make as full a contribution to sustainable development principles as possible.

**C23 Hard and Soft Landscaping Scheme**

Prior to the first occupation of the development hereby permitted, a scheme of hard and soft landscaping (including green roof), which shall also include details of all new trees including species type and initial planting height and all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The hard and soft landscaping scheme shall follow the details approved as shown on drawings 22-089-P-02 and 22-089-SK-01 REV A.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the development or the completion of the development, whichever is sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area in the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

**C24 External Lighting**

No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position,

height, design and intensity. The lighting shall be installed in accordance with the approved details before the use commences.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

C25 Drainage

Prior to the commencement of development, detailed calculations (including a surcharged outfall) up to and including the 1 in 100 year + 40% climate change event, a CCTV survey of existing assets to be re-used, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms, a construction method statement and confirmation of maintenance responsibilities/adoption shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement and Drainage Strategy prepared by Ardent Consulting Engineers reference 187011-13 and drawing reference 187011-SK011 dated December 2023, and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority.

Reason: This is a pre commencement condition to ensure that the development achieves a high standard of sustainability in accordance with Policy CP1 of the Core Strategy (adopted October 2011), Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013) and the NPPF 2023.

C26 Demolition/Construction Drainage Measures

Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority.

This is a pre commencement condition to ensure that the development prevents flooding in accordance with Policy CP1 of the Core Strategy (adopted October 2011), Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013) and the NPPF 2023.

C27 Surface Water Drainage System

Should a pump be included in the design of the surface water drainage system, details of how the residual risk of pump failure is managed appropriately and safely would need to be submitted and approved by the LPA. This will include, but is not limited to;

1. How 24 hours of storage of surface water can be accommodated on the site from the drainage system if it fails;
2. Location of M&E plant associated with the pumping station to areas not at risk of surface water flooding or has mitigation to be raised appropriately above the design flood level, and;
3. Provision of an appropriate alternative power supply.

Reason: To prevent flooding in accordance with Policy CP1 of the Core Strategy (adopted October 2011), Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013) and the NPPF 2023.

C28 Verification Report

Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 1. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased in accordance with Policy CP1 of the Core Strategy (adopted October 2011), Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013) and the NPPF 2023.

7.15.2 **Informatives:**

- 11 With regard to implementing this permission, the applicant is advised as follows:  
All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

- (a) Making a Non-Material Amendment
- (b) Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to

a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 The applicant is reminded that this planning permission is subject to either a unilateral undertaking or an agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990. It is extremely important that the applicant is aware of the stipulations, covenants and obligations set out within any legal agreements tied to the planning permission. This may include the requirement to notify the Council prior to commencement of the development (as defined within the legal agreement) if certain obligations are required to be paid, for example, an affordable housing contribution including indexation.
- 15 Highways: Storage of Materials  
The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
- 16 Highways: Obstruction of public highway land

It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

17 Highways: Road Deposits

It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

18 Highways: S106 Agreement.

A Section 106 agreement will be required for the following: Approved Travel Plan(s), with individual monitoring fees (and contributions for remedial actions should targets be missed), in accordance with the current HCC Travel Plan Guidance for Business and Residential Development: • Travel Plan The above contributions will come under the auspices of the Planning Obligations Guidance Toolkit for Hertfordshire (2008) for schemes in the local area that accord with the three CIL tests.

19 Highways: Construction standards for works within the highway

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

110 We highly recommend that at detailed design, the applicant explores further options for attenuation. Additional source control features such as tree pits and SuDS planters could to provide attenuation at/near the surface, as well as biodiversity and amenity benefits. SuDS planters in particular will be able to assist with attenuating roof runoff with minimal land take, whilst providing multifunctional benefits as above. Furthermore, we would recommend consideration of incorporating a permanent water level or wet area to the detention pond to maximise its benefit, such that it can provide biodiversity and amenity benefits instead of being dry most of the time.

111 We recommend that Finished Floor Levels are set 300mm above all sources of flooding or 150mm above ground levels, whichever is more precautionary.



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**Response to Planning application from Hertfordshire County Council (T and CP GDP Order 2015)**

**Director of Planning**  
Three Rivers District Council  
Three Rivers House  
Northway  
Rickmansworth  
Hertfordshire  
WD3 1RL

District ref: 22/1764/FUL  
HCC ref: TR/14218/2022  
HCC received: 14 October 2022  
Area manager: James Dale  
Case officer: Oliver Sowerby

**Location**

World Of Water Aquatic Centres Ltd Hempstead Road Watford WD4 8QG

**Application type**

Full Application

**Proposal**

Demolition of existing building and erection of retail food store, (Use Class E(a)), with associated access, parking and amenities

**Recommendation**

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

There is insufficient information supplied with this application to enable the Highway Authority to reach a recommendation. In the absence of the necessary information, the Highway Authority recommends refusal due to doubt over possible implications for highway safety, access and pedestrian and cyclist safety.

**COMMENTS:**

The applicant seeks planning permission for the following development:

*Demolition of existing building and erection of retail food store, (Use Class E(a)), with associated access, parking and amenities*

The Highway Authority note the submission of documents, including an Interim Transport Assessment.

The Interim Transport Assessment contains a number of instances stating that a future Full Transport Assessment will be provided. However, these aspects cover key aspects which are essential to the Highway Authority reaching a view on the highways and transportation aspects of the proposals.

However, this notwithstanding, the Highway Authority has a number of concerns with respect to key aspects set out within the Interim Transport Assessment.

The Highway Authority note the submission of site layout plans as contained within Appendix B of the Interim Transport Assessment.

### **Access**

The Highway Authority wishes to raise the below concerns with respect to the access drawing as presently shown:

- It is unclear how the proposed highway layout will tie-in to the existing layout for Hunton Bridge Roundabout and the existing pedestrian and cycle routes affected by the proposals;
- The uncontrolled (staggered) refuge crossing of the A41 for pedestrians and cyclists would be relocated further north to accommodate a longer right turn lane for the access T-Junction. No corresponding changes have been made to maintain the connecting (signed) pedestrian and cycle routes between the Grand Union Canal and Gypsy Lane;
- No crossing facility has been shown for the existing pedestrian and cycle route in the western verge, where it is crossed by the new access road alignment;
- No route for footway users has been clearly identified into the store.
- Lack of adequate facilities for footway users will increase the risk of conflict between footway users and road users;
- It is not known what boundary treatment is proposed for the development site. Inappropriate fencing/planting/level differences may increase the risk of conflict with other highway users and/or injury to footway users;
- No clear tie-in has been shown between the existing and proposed highway layouts. The central island at the southern end of the right turn lane for the development has not been shown, and no existing road markings have been indicated to the south of this T-junction.
- The existing road signs and markings approaching Hunton Bridge roundabout have not been shown on the drawings. It is not known what changes are proposed to accommodate the new markings that are indicated on the drawings. Inappropriate changes to the existing road destination markings may increase the risk of collisions occurring between road users;
- The access road junction with the A41 is on an uphill gradient at the give way line. No visibility splays (horizontal/vertical plane) have been shown for the junction. Delivery HGVs emerging from the access will take significantly longer to clear the junction area than customer vehicles;
- It is not known if adequate inter-visibility will be provided to and from the access junction, especially for larger vehicles. This will need to be tested in both the horizontal and vertical planes. Inadequate visibility may increase the risk of vehicle pull out type collisions at the junction;
- Two traffic lanes are shown in the access road at the give way line. A vehicle waiting next to another is likely to obstruct the visibility splay of the other driver (and vice versa);
- It is not known if the swept paths of HGVs turning at the junction can be accommodated such that the vehicles do not over-run the verge, central island or adjacent traffic lane;
- Improved information on a more accurate base plan, covering such design elements as; pedestrian and cycle routes, crossing points, site boundary treatments, proposed levels, visibility splays, road signs and markings; should be reviewed; and
- The Highway Authority would prefer an access road alignment to be shown as more perpendicular to the main carriageway.

As the above points illustrate, the Highway Authority has a number of concerns with respect to the technical information submitted. Engineering drawings should be supplied which satisfy the above concerns.

The Highway Authority also has plans as per the Local Cycling and Walking Infrastructure Plan, Watford Borough Council & Three Rivers District Council (December 2021) for a Toucan crossing in the immediate vicinity of the site which may be discussed in more detail with the Highway Authority and Local Planning Authority. The applicant should seek a solution to the pedestrian and cyclist arrangements that can take into account these plans.

However, this notwithstanding, the arrangement as shown on the supporting plans does not satisfactorily tie into the existing pedestrian and cyclist network to give the Highway Authority the confidence that proposed foodstore may be accommodated safely. Both pedestrians and cyclists will be disadvantaged with the applicant's plans to increase the access road width by which it will be necessary to cross three lanes of traffic.

The proposed changes to the junction layout and minor road access should be supported by the submission of a Stage 1 Road Safety Audit.

### **Layout**

The document notes the following:

"It is noted that the current World of Water Aquatics site accommodates servicing and delivery movements via the existing access on the A41, therefore it is considered appropriate that movements for the Lidl foodstore would continue through this access. Full swept-path analysis will be provided in the full Transport Assessment to confirm that the required manoeuvres can occur."

The Highway Authority therefore await this revised information.

Further detail should also be provided with respect to cycle parking, including provision for cargo bikes as per LTN 1/20.

For internal pedestrian routes, the Highway Authority would seek that safe routes are marked out within the site to avoid pedestrian/vehicle conflicts.

Likewise, the plans should make the pedestrian routes to and from the adjoining footway on Watford Road clear. The Highway Authority has concerns that both within the site and across the amended access that pedestrians and cyclists have not been considered satisfactorily and this leads to concerns with respect to safety.

### **Modelling**

The Highway Authority has concerns that the impact of the development has not been satisfactorily considered on the local highway network.

A number of instances are found in the Interim Transport Assessment that point to further work being required, as illustrated below:

"It should be noted that an initial capacity assessment was included within the Transport Scoping Note for the existing A41 / Watford Road junction. As part of the proposals at the time of writing the TSN, it was envisaged the existing junction would be retained in its current alignment for the proposed development. However, the updated proposals now show that the junction will be realigned



so that the approach to the bell mouth is of straighter alignment with marked left/right lanes on the carriageway. This is anticipated to be beneficial in terms of capacity compared to the previous alignment, however in order to provide a robust assessment an updated capacity model of this junction will be undertaken as part of the full Transport Assessment.”

The Highway Authority would expect that a linked junction assessment is undertaken which includes the site access and the A41/Watford Road junction.

“As summarised above, at the time of writing this report it has not been possible to undertake traffic surveys to determine the percentage increases at the offsite junctions listed in Table 5.2. However, using information obtained from DfT Traffic Count 36465 it has been possible to determine the percentage increases at the site access junction. During the AM Peak an increase of 38 vehicles equates to a percentage increase of 3.4% and in the PM Peak an increase of 106 vehicles equates to a percentage increase of 4.9%. Therefore, based on the above, this does not warrant a capacity model, however to be consistent with the scoping note and to provide a robust assessment of the junction, an updated model will be presented as part of the full Transport Assessment. Given the traffic will disperse from the site access and noting that the site surrounds the strategic road network, it is anticipated that the percentage increases will be minimal further afield and would not warrant any off-site modelling.”

“Due to the UK Summer Holidays, it has not been possible to undertake any traffic counts within the surrounding highway network. The Traffic Data Team at HCC were contacted to determine if traffic counts could be obtained. It was confirmed that an updated traffic count has been undertaken at ‘site 155’ in June 2022. Therefore, for the purpose of the full Transport Assessment this data will be obtained to undertake modelling at the site access.”

As noted above and within this response, the access junction (when the design has been reconsidered), should be assessed in accordance with the proposed changes and also consistent with the wider local highway network layout. Given the operation with the roundabout to the south, this should form part of a linked model in Junctions 9.

### **Summary**

This response has identified fundamental issues with the access layout and insufficient supporting information to demonstrate that the development may be accommodated on the highway network.

As such, this leads to concerns with respect to highway safety, sustainability and how pedestrians and cyclists may be safely accommodated given the proposed changes to the access layout.

Given the aforementioned concerns, the Highway Authority does not recommend that planning permission be granted.

**Signed**  
Oliver Sowerby

4 November 2022



Mark Youngman  
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**Response to Planning application from Hertfordshire County Council (T and CP GDP Order 2015)**

**Director of Planning**  
Three Rivers District Council  
Three Rivers House  
Northway  
Rickmansworth  
Hertfordshire  
WD3 1RL

District ref: 22/1764/FUL  
HCC ref: TR/14218/2022  
HCC received: 1 March 2023  
Area manager: James Dale  
Case officer: Oliver Sowerby

**Location**

World Of Water Aquatic Centres Ltd Hempstead Road Watford WD4 8QG

**Application type**

Full Application

**Proposal**

AMENDED PROPOSAL

Demolition of existing building and erection of retail food store, (Use Class E(a)), with associated access, parking and amenities

**Recommendation**

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

**COMMENTS:**

The Highway Authority note the submission of a revised access drawing, 187011-001 Rev E SITE ACCESS ARRANGEMENT, vertical alignment review drawing and an updated Transport Assessment.

The Highway Authority has previously provided comments on both the access design and Transport Assessment.

Detailed comments between the first submission and this revised submission were also supplied to the transport consultant and TRDC in February 2023.

However, with respect to drawing number 187011-001 Rev E, the following issues should still be addressed.

#### Visibility from the Site Access



Visibility from and to the amended access from the roundabout has not been maximised. The parapet for the subway under the A41 is the only practical limitation on improving this. **The roundabout is within a 50mph speed limit, reducing to 40 mph on the exit into the A41, so DMRB visibility does apply especially as this route is a primary distributor.** In notes provided by the applicant it is suggested that Manual for Streets is appropriate. The Highway Authority does not concur with this point.

The need for a Departure from Standards for visibility, to and from the access, is for HCC to consider and progress, provided suitable mitigation measures are incorporated into the proposals for the revised highway layout (e.g., ensure vegetation and signage does not obstruct the visibility that can be provided). It is still considered by the Highway Authority that a slight adjustment to the access and service road to be more perpendicular to the main carriageway, or moving the junction slightly to the north would assist both movements in/out of the site and visibility.

Swept path analysis for larger vehicles turning at the junction shows unrealistic manoeuvres which will have to be undertaken at very low speeds. Even then an articulated HGV turning left into the access over-runs the centre hatching. The swept paths shown for the other manoeuvres are equally unrealistic. Restrictions to inter-visibility at the junction means there is less time to decide when to start the turn. It is more likely that a large vehicle will over-run verge areas and/or tactile paving at the footway crossing point. A HGV should not be required to over-articulate itself to enter a site when it is on a busy road. The access geometry should be amended to ensure more realistic turning manoeuvres for large vehicles can be fully accommodated at realistic manoeuvring speeds.

Maximum achievable visibility splays to and from the access should be clearly shown with suitable works identified to ensure these visibilities can be provided and maintained.

Visibility for both pedestrians and cyclists should be shown where they cross the access road. The Highway Authority has some concern that the retaining wall as presently shown would restrict visibility.

The Highway Authority is not content with the alignment of the cycle route where it approaches the junction. On the northern side of the junction, the cycle route has a sharp bend which causes concern with respect to safety. All radius curves and visibility requirements should be in accordance with guidance contained within LTN 1/20.

An external Stage 1 Road Safety Audit appears to have been undertaken on behalf of the developer. The only document seen was a designer's response to this report (on an older design) The original report should be assessed for compliance with GG119. If compliant, HCC will review the report and provide the response as Overseeing Organisation for the public highway. If not, the Highway Authority would be obliged to reject the report as inappropriate and request that a GG119 compliant Stage 1 Road Safety Audit is provided from an appropriate organisation. However, this notwithstanding, it is recommended that a further Stage 1 RSA is undertaken when the comments supplied within this response are considered by the applicant in the junction design/highway layout.

### **Committed Development**

The Highway Authority wishes to note the consented development for the Warner Bros. studios (22/0491/FUL).

Condition 11 of the decision notice sets out the following requirements:

Highway Improvements - A41 Toucan to the Hempstead Road underpass (HCC Highways)

A) Design Approval No on-site works above slab level for the new buildings shall commence until a detailed scheme for the provision of a toucan crossing of the A41 connecting the local cycle network improvements shown in the drawing 21134-MA-XX-XX-DR-C-1100 P02 to the A41 pedestrian/ cycle subway below the A41/ Hempstead Road roundabout have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction No new buildings shall be occupied until the improvement works referred to in part A of this condition have been completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policies CP10 and CP12 of the Core Strategy (adopted October 2011). Separately, there is also the application submitted to TRDC for the Langleybury Studios (22/1945/FUL) which is yet to go to planning committee.

However, for Warner Bros site, the Highway Authority note the requirement for a Toucan crossing (to tie into the proposed cycle improvements), see below which is an approved drawing.



The Highway Authority would seek that the proposed Lidl development considers the requirement for a Toucan crossing at the point shown on the proposed plans.

Given the position of the access into the Lidl foodstore, it will be important to ensure that the committed Toucan crossing is fully considered in the design. The Highway Authority note also the sensitivity of the site's location to the junction to the south (in particular in terms of queuing) and have requested that a capacity analysis is undertaken.

Furthermore, and notwithstanding the Lidl proposals, the Highway Authority consider that the provision of a Toucan crossing at this location will ensure sustainable access to/from the proposed foodstore and the residential areas to the north-west, namely Abbots Langley and Leavesden. The inclusion of a Toucan crossing at this location would ensure that both pedestrians and cyclists may access the foodstore sustainably and safely and therefore encourage travel by sustainable modes. The applicant may wish to consider joint working on this matter with Warner Bros., although equally a solution that responds to the committed development scheme and the need to promote sustainable travel to the Lidl site may also be considered.

### Summary

The Highway Authority has identified a number of issues with the access design leading to doubts with respect to highways safety.

This response has also set out that a key committed development should be taken into account when designing the proposed highway layout in order to ensure pedestrians/cyclists can cross Watford Road.

In summary, the Highway Authority recommends refusal owing to doubts with respect to highways safety and access layout.

**Signed**  
Oliver Sowerby

22 March 2023



Mark Youngman  
Development Management Group Manager  
Hertfordshire County Council  
Postal Point CH0242  
County Hall  
Pegs Lane  
Hertford  
SG13 8DE

**Response to Planning application from Hertfordshire County Council (T and CP GDP Order 2015)**

**Director of Planning**

Three Rivers District Council  
Three Rivers House  
Northway  
Rickmansworth  
Hertfordshire  
WD3 1RL

District ref: 22/1764/FUL  
HCC ref: TR/14218/2022  
HCC received: 18 July 2023  
Area manager: James Dale  
Case officer: Oliver Sowerby

**Location**

World Of Water Aquatic Centres Ltd Hempstead Road Watford WD4 8QG

**Application type**

Full Application

**Proposal**

AMENDED PROPOSAL

Demolition of existing building and erection of retail food store, (Use Class E(a)), with associated access, parking and amenities

**Recommendation**

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

**CONDITIONS:**

**New Access**

Prior to the first use of the development hereby permitted, the vehicular access(es) shall be provided and thereafter retained at the position shown on the approved plan drawing number 187011-001 Rev I. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

**Reason:**

To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

#### **Visibility Splays**

Prior to the commencement of the use hereby permitted, visibility splay(s) shall be provided in full accordance with the details indicated on the approved plan number 187011-001 Rev I. The splay(s) shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

#### **Reason:**

To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

#### **Provision of Parking and Servicing Areas**

Prior to the first use of the development hereby permitted the proposed access /onsite car and cycle parking / servicing / loading, unloading / turning shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

#### **Reason:**

To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

#### **Pedestrian Access**

Prior to the commencement of the development hereby permitted, a scheme for pedestrian access from the proposed supermarket to all car parking spaces shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Prior to first use of the development, the scheme shall be completed in accordance with the approved details.

#### **Reason:**

To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

#### **Electric Car Parking**

Prior to the use of the development hereby permitted, the development shall include provision for 10% of the car parking spaces to be designated for plug-in Electric Vehicles (EV) and served by EV ready charging points.

#### **Reason:**

To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

#### **Cycle Parking**

Prior to the first use of the development hereby permitted a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority  
The approved scheme shall be fully implemented before the development is first brought into use and thereafter retained for this purpose.

**Reason:**

To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

**Travel Plan**

At least 3 months prior to the first use of the approved development a detailed Travel Plan for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented at all times.

**Reason:**

To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

**Construction Management Plan**

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan / Statement shall include details of\*:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

**Reason:**

In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).



### **Highway Improvements – Offsite (Design Approval) Part A**

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on drawing number 187011-001 Rev I and have been submitted to and approved in writing by the Local Planning Authority.

#### **Reason:**

To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

### **Highway Improvements – Offsite (Implementation / Construction) Part B**

Prior to the first use of the development hereby permitted, the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.

#### **Reason:**

To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

#### **HIGHWAY INFORMATIVES:**

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the

highway. Further information is available via the website:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN4) S106 Agreement. A Section 106 agreement will be required for the following:

Approved Travel Plan(s), with individual monitoring fees (and contributions for remedial actions should targets be missed), in accordance with the current HCC Travel Plan Guidance for Business and Residential Development:

- **Travel Plan**

The above contributions will come under the auspices of the Planning Obligations Guidance Toolkit for Hertfordshire (2008) for schemes in the local area that accord with the three CIL tests.

AN5) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

**COMMENTS:**

The applicant seeks planning permission for the following development:

*Demolition of existing building and erection of retail food store, (Use Class E(a)), with associated access, parking and amenities | World Of Water Aquatic Centres Ltd Hempstead Road Watford Hertfordshire WD4 8QG*

**Introduction**

The Highway Authority note the submission of materials in support of the planning application, including the Transport Assessment (Interim) dated September 2022, the Transport Assessment dated January 2023 and the final Transport Assessment Addendum, dated July 2023.

The Highway Authority note the extensive engagement with the applicant's transport consultant subsequent to the first submission in late 2022. The document dated July 2023 contains details of these discussions and may be referred to for additional commentary on the discussions surrounding the proposed site access. Given that the technical detail surrounding the access design is contained within this document, including comments made by the Highway Authority, these comments are not repeated in full in this response.

The review has comprised comments on the Transport Assessment and more specifically, the reconfiguration of the existing access which serves the World of Water site and the adjoining businesses/dwellings.

The Highway Authority has supplied technical comments on the applicant's proposed design, including a review of the Road Safety Audit materials, the latter which has compromised two iterations.

### **Sustainability**

The development site is positioned adjoining a number of key roads.

The site is accessed from the A41 Watford Road which is a primary distributor road in the Hertfordshire roads hierarchy.

Immediately to the south of the site on the road network, the North Western Avenue Hempstead Road (Hunton Bridge), roundabout may be joined, which provides access to the M25 link/A41/A411.

The site is therefore well positioned to access the local and strategic highway network.

In terms of access to residential areas, the site is accessible to the residential areas of Abbots Langley, Leavesden and North Watford.

Right of Way ABBOTS LANGLEY 040 (Bridleway from footpath near Railway Bridge south to Hempstead Road) (A41) known as Gypsy Lane may be accessed on the opposite side of Watford Road to the site. Gypsy Lane provides a useful connection for pedestrians and cyclists to the residential areas in Abbots Langley.

The Highway Authority is content that notwithstanding the site's position relative to key distributor roads and the Strategic Road Network that the site does offer the potential to be accessed by walking and cycling trips.

### **Access**

The site is presently accessed from a large priority junction which provides access to the World of Water aquatic centre, an adjoining café and military goods store and dwellings.



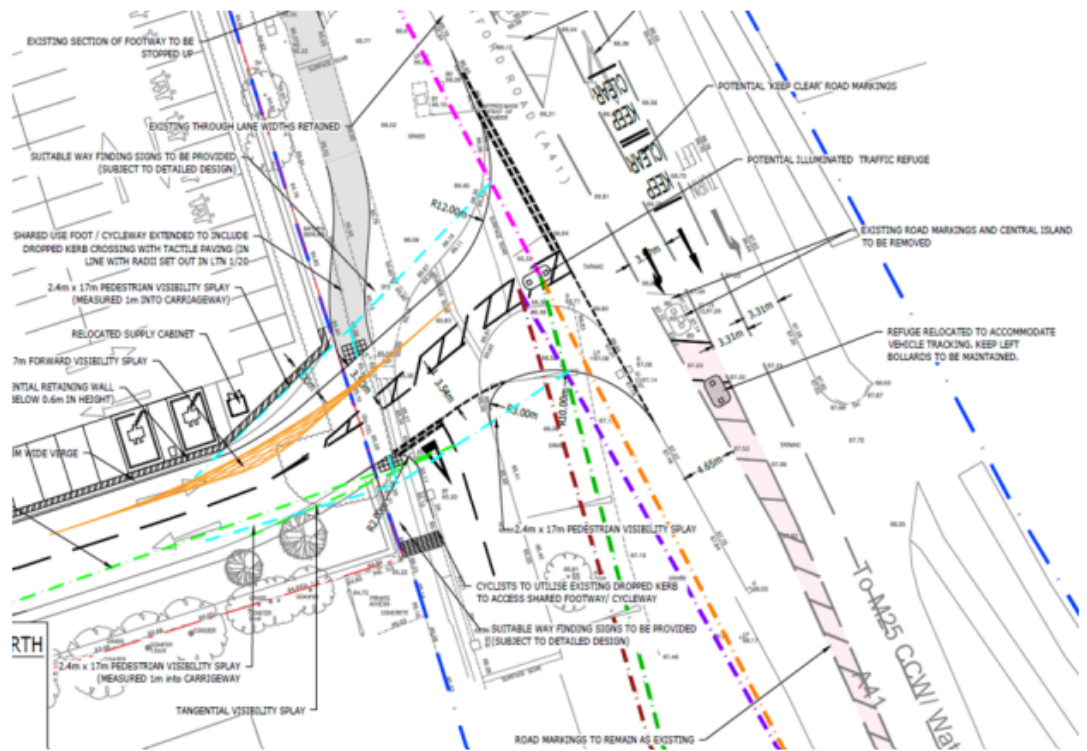
The above access presents a number of engineering challenges with the proposed foodstore usage to which the applicant's transport consultant has responded to, subsequent to comments made by the Highway Authority. This has included comments on visibility (both horizontal and vertical), vehicular access for large vehicles, geometry and turning into the site from both directions.

The Highway Authority has noted that safe and suitable access will need to be provided for goods vehicles servicing the proposed foodstore, that satisfactory visibility is ensured (in particular towards Hunton Bridge) and active travel is promoted.

Satisfactory access will also need to be maintained to the businesses/dwellings that are currently served from the service road.

The Highway Authority has also issued comments relating to ensuring that active travel is achieved, with a shared pedestrian/cycle route running through the junction.

The layout as proposed is considered acceptable in terms of highways safety and also seeks to enhance active travel.



As the above drawing illustrates, the side road (to the south) has been reconfigured to form a service road with a give way at its junction with the proposed foodstore access road. The Highway Authority has reviewed and commented on the swept path analysis supplied by the transport consultant in order to ensure that safe access may be ensured into the site.

The pedestrian/cycleway has been reconfigured to allow cyclists to join the shared section which is continuous to the north of the access road. To the south of the access road, cyclists may use the carriageway of the service road, before joining again a shared footway/cycleway which may be picked up underneath the roundabout going south.

It is also noted that the current uncontrolled crossing across Watford Road is to be moved a short distance to the north. This will facilitate an increased length of right turning lane into the proposed development site. The cycleway on both sides of Watford Road will be widened to tie into the proposed crossing. On the eastern side of Watford Road the existing footway/cycleway will be widened to 3m between the proposed uncontrolled crossing and Gypsy Lane.

The uncontrolled crossing has also been positioned (further to Highway Authority comments), so as to allow an upgrade to a Toucan crossing which will be facilitated by the Warner Bros. development. The uncontrolled crossing is illustrated on drawing number 187011-SK07B and should be provided as part of the off-site highways works.

### Site Layout

The Highway Authority note the submission of the Proposed Site Plan, drawing number 2 0 1 2 - P 1 0 1 - S 2 - P 4.

The Highway Authority is content with the layout as proposed, although note that further detail should be supplied relating to the internal circulation for pedestrians from the car parking areas.

### **Parking**

The location of the car parking provision within the site is broadly being retained from the existing use, however the car park will be reconfigured to provide 98 spaces in total. This is to include seven disabled bays, eight parents and child spaces, seven staff spaces and two electric vehicle charging bays. There are currently 82 spaces on the site and therefore the development will provide an uplift in parking across the site.

### **Cycle Parking**

A total 10 bicycles spaces are provided in the form Sheffield cycle stands and therefore exceeds the minimum parking requirements. According to the Transport Assessment, "At this stage it is unknown on the number of staff on site at a given time, however it will be ensured that suitable internal space is provided to accommodate cycle storage."

The Highway Authority recommend the inclusion of a planning condition to detail the cycle parking. For staff cycle parking, this should be by way of a secure location.

### **Public Transport**

The closest bus stops to the site are located on Hempstead Road (named the "Russell Lane" pair). This pair of bus stops provides access to service numbers 501/508 with a route between Hemel Hempstead and Northwood/Watford available to passengers.

A further bus stop pair is located on Hunton Bridge Hill (named "Hamilton Road"). This pair of bus stops provides access to service numbers H19/R9 although it is noted that the service pattern is very limited.

Kings Langley railway station is the closest train station, located at a distance of approximately 2.5km.

Given the site's location on the periphery of the urban area, it is considered that the site is reasonably accessible by public transport which will afford in particular staff the opportunity to travel by modes other than the private car.

### **Travel Plan**

This site is located close to a large roundabout and busy main roads which could encourage car use and discourage use of active and sustainable modes to access the site. Notwithstanding the walking/cycling infrastructure available, bus services from stops nearby, and proximity of residential areas where customers and staff may come from, a robust Travel Plan will be required to seek to promote as many trips by sustainable modes as possible.

The Travel Plan does require some amendment and development before it is acceptable for this stage. Particular attention should be given to providing clarity on the interim mode shift target and inclusion of either Census data or data from another similar store to give indication of potential mode split. We also need a commitment to annual review of both measures and targets and we expect monitoring to continue even if targets are met in 2 surveys – we require monitoring for min 5 year period and attainment of agreed targets for this period. If targets are met this could indicate potential for further mode shift which could be discussed by between the Co-Ordinator and HCC.

Detailed comments are as follows:

- The Travel Plan has been called a Framework Plan but as the site will have a single land use, it is more appropriately called an Interim Travel Plan.
- There is only very limited reference to the national and local policy background – we do not require extensive coverage, but brief outline of the main documents and how they relate to Travel Planning is expected as these give a rationale for the plan and the form it takes. Reference should be made to our guidance and in the further development of the plan – please see [www.hertfordshire.gov.uk/travelplans](http://www.hertfordshire.gov.uk/travelplans).
- Contact details are given for the developers, but details of the Travel Plan Ordinator will need to be provided on appointment along with those of a secondary contact in case of personnel changes. Details of time allocated to role and frequency on site will need to be provided once known.
- We also ask for a statement of commitment from a suitable member of company management towards the effective implementation of the Travel Plan – this gives us assurance that the plan will be given adequate support within the company.
- There is a good range of suggested measures to encourage use of sustainable modes. We would encourage promotion of the Intalink website which gives information re bus services in Hertfordshire ([www.intalink.org.uk](http://www.intalink.org.uk)) and HCC website pages on walking and cycling within the county (Walking and cycling routes | Hertfordshire County Council, Hertfordshire Cycling | Hertfordshire County Council).
- Paragraph 4.6 p17 states that a realistic target is to reduce vehicular trips to 5% - I am assuming this means a reduction by 5% rather than to 5% but needs clarifying. If it is by 5% then this is at the lower end of potential mode shift mentioned as generally possible in paragraph 4.5. TRICS data included is only for vehicular trips so there is no indication of possible existing mode split. Whilst exact nos will not be known prior to baseline survey, an indication can be made through use of Census data and this can help guide relevant interim targets, or potentially data from another similar store.
- Paragraph 4.10 appears to suggest review of targets in alternate years, whilst paragraph 6.6 talks about annual monitoring report and consideration of remedial measures post-monitoring. We would expect annual review of both measures and targets post-monitoring to ensure plan remains appropriate and relevant.
- P27 paragraph 6.5 states monitoring will end if 2 consecutive surveys show targets have been met – we would expect surveys to continue to 5 years post store opening to ensure targets remain met and for consideration to be given as to whether further mode shift is achievable.
- Monitoring and evaluation fee of £1200 per year (for a 5 year plan) should be sought – so total of £6000.

The Highway Authority recommend the inclusion of a Travel Plan condition which will facilitate an updated version, in accordance with Hertfordshire County Council guidance and taking in the above comments to be prepared. Engagement may be made with HCC's Travel Plan team to this effect.

#### **Trip Generation/Distribution**

The trip generation and distribution exercise are satisfactory.

Based on trip rates set out above, a comparison of the overall net change in vehicle trip generation between the existing use and the proposed development is shown below in **Table 6.5** for weekday trip rates and **Table 6.6** for weekend trip rates.

Site	Weekday AM Peak (08:00-09:00)			Weekday PM Peak (17:00-18:00)		
	Arr	Dep	Total	Arr	Dep	Total
Vehicle Trip Generation (Net Change)	+25	+20	+45	+60	+57	+117

**Table 6.5** – Net Change Weekday Peak Hour Vehicle Trip Generation

Site	Weekend Peak (11:00-12:00)		
	Arr	Dep	Total
Vehicle Trip Generation (Net Change)	+71	+68	+140

**Table 6.6** – Net Change Weekend Peak Hour Vehicle Trip Generation

As set out within the above extract from the TA, the access onto Watford Road will be intensified from the present usage. This notwithstanding, given the existing commercial usage of the site the Highway Authority is content (in the context of the necessary improvements to the access with Watford Road), that the traffic generation from the proposed foodstore will not have a significant impact on the adjoining local highway network.

#### **Assessment**

The Transport Assessment provides a capacity assessment of selected junctions on the adjoining local highway network. Analysis using the County's strategic transport model, COMET, has also been undertaken in terms of examining the net increase in trips on the adjoining local highway network and key junctions.

The Highway Authority is satisfied that the development may be accommodated on the local highway network and that levels of capacity are not materially affected on the tested junctions.

#### **Off Site Infrastructure Works**

As shown on the proposed site access plan, a number of off-site highways works will be necessary in order to make the development acceptable in planning terms and facilitate a safe and suitable access into the site. Aside from the reconfiguration works to the public highway in order to facilitate access into the proposed foodstore, the drawing also illustrates widening to the existing shared footway/cycleway.

The works also include the relocation of the existing uncontrolled crossing which is located in the near vicinity of the reconfigured site access. All such works will need to be undertaken via a Section 278 agreement.

### **Construction**

The Highway Authority will require the preparation of a detailed Construction Traffic Management Plan (see planning condition). The plan should also detail how access to the existing businesses/dwellings will be maintained throughout this process and present a phasing plan for the execution of these works.

### **Contributions**

As noted on the Three Rivers District Council website, the Local Planning Authority adopted a Community Infrastructure Levy (CIL).

As noted by TRDC, "The Community Infrastructure Levy (CIL) is a charge which allows the Council to raise funds from new developments for use on infrastructure to support the growth in the district. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 (as amended). The money collected from the levy will be used to support development by funding infrastructure that the Council local community and neighbourhood need."

Given that TRDC has an adopted CIL, contributions to provide infrastructure to support the development more generally will be sought via this mechanism.

However, wherever possible, the Highway Authority will seek to secure highway works via planning Condition and s278 agreement.

First strand (works to be undertaken under s278):

- Access works to access road junction with Watford Road and adjoining service road;
- Widening of shared pedestrian/cycle route on both sides of Watford Road
- Changes to highway layout on Watford Road in the vicinity of the access junction;
- Relocation of uncontrolled crossing point on Watford Road.

Given that TRDC is a CIL Authority, contributions that would have previously been requested under a second strand (S106) framework will come under the auspices of the approved CIL charging schedule.

The only Section 106 contributions that the Highway Authority seeks relates to the Travel Plan (£6k per Travel Plan).

The Highway Authority note the adopted Guide to Developer Infrastructure Contributions. In accordance with Technical Appendix 1 of the toolkit, a Strand 2 contribution of £422 per job is required. The application form for the development sets out that the development will employ 40 persons which would equate to a required contribution of £16,880.

The South West Herts Growth and Transport Plan was developed in partnership with Three Rivers District Council, Watford Borough Council and Hertsmere Borough Council. It was endorsed by the Highways and Transport Panel in January 2020.

It is considered that a contribution towards the scheme as identified below could be fitting. Such a contribution would also be consistent with the emerging LCWIP.



SM17	-	A411 Hempstead Road and Grand Union Canal Corridor Cycleway Improvements	Cycle Lane (on or off road) along A411 Hempstead Road (Watford) plus enhance the section in front of West Herts College between A411 and High Street. Additional general improvements along the Grand Union Canal corridor and transfer improvements at Grove Mill Ln are to improve connectivity to the Towpath from the A411.
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Notwithstanding the above, it is considered that the off-site highways works and improvement to cycling infrastructure in the immediate vicinity of the site are not of sufficient value for the Highway Authority to request a Strand 2 contribution. The principal on and off-site highways works should be delivered via planning condition and Section 278 agreement.

### Conclusion

The Highway Authority notes the submission of materials in support of a planning application for a proposed Lidl foodstore.

The Transport Assessment documentation is considered to satisfactorily present that the development may be accommodated on the local highway network in vehicle capacity terms.

The Highway Authority note the substantial change to the existing access arrangement to the World of Water site and adjoining service road which will require a Section 278 and completion prior to the first use of the development. The Highway Authority note also the relocation of the existing uncontrolled pedestrian crossing and improvements to the walking and cycling routes in the immediate vicinity of the site.

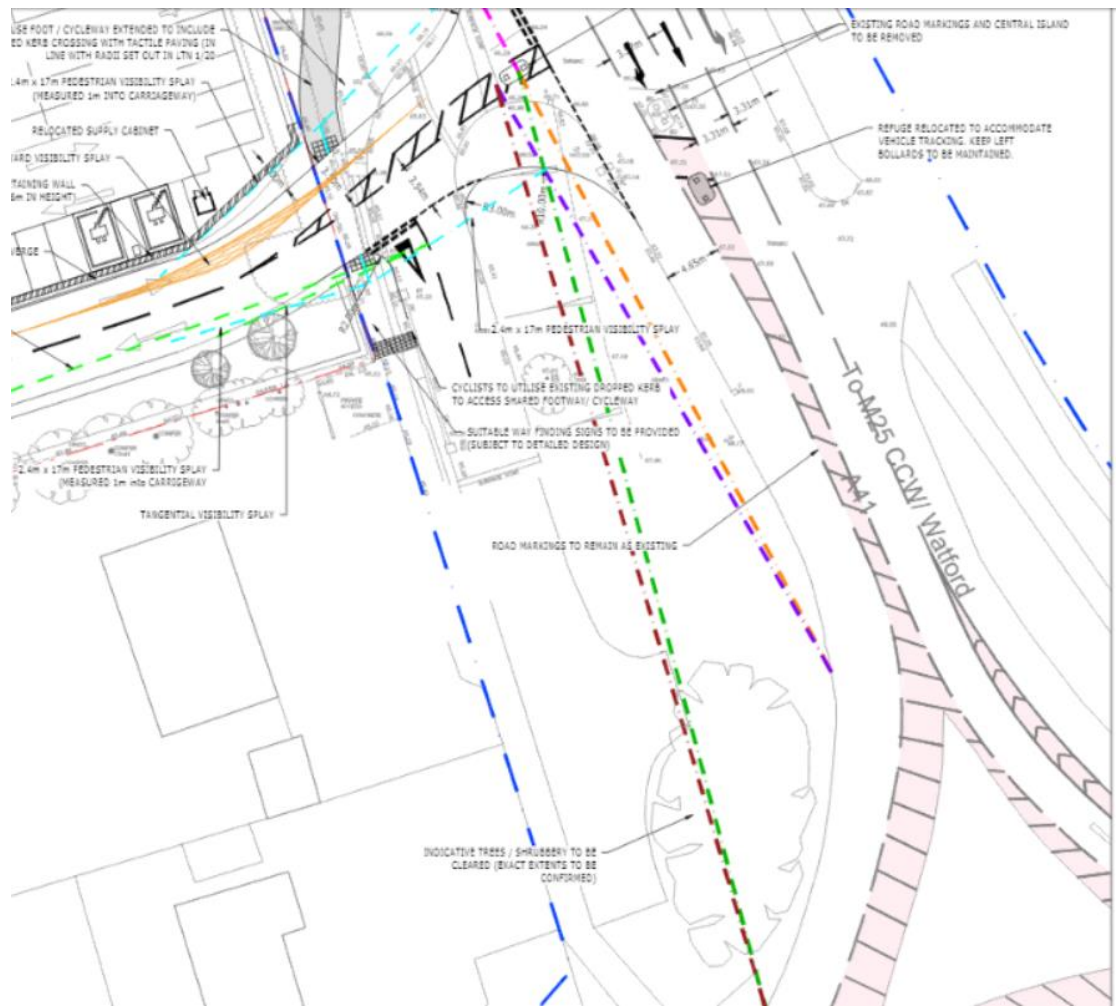
In summary, the Highway Authority does not wish to restrict the grant of planning permission subject to the aforementioned planning conditions and Advisory Notes.

**Signed**  
Oliver Sowerby

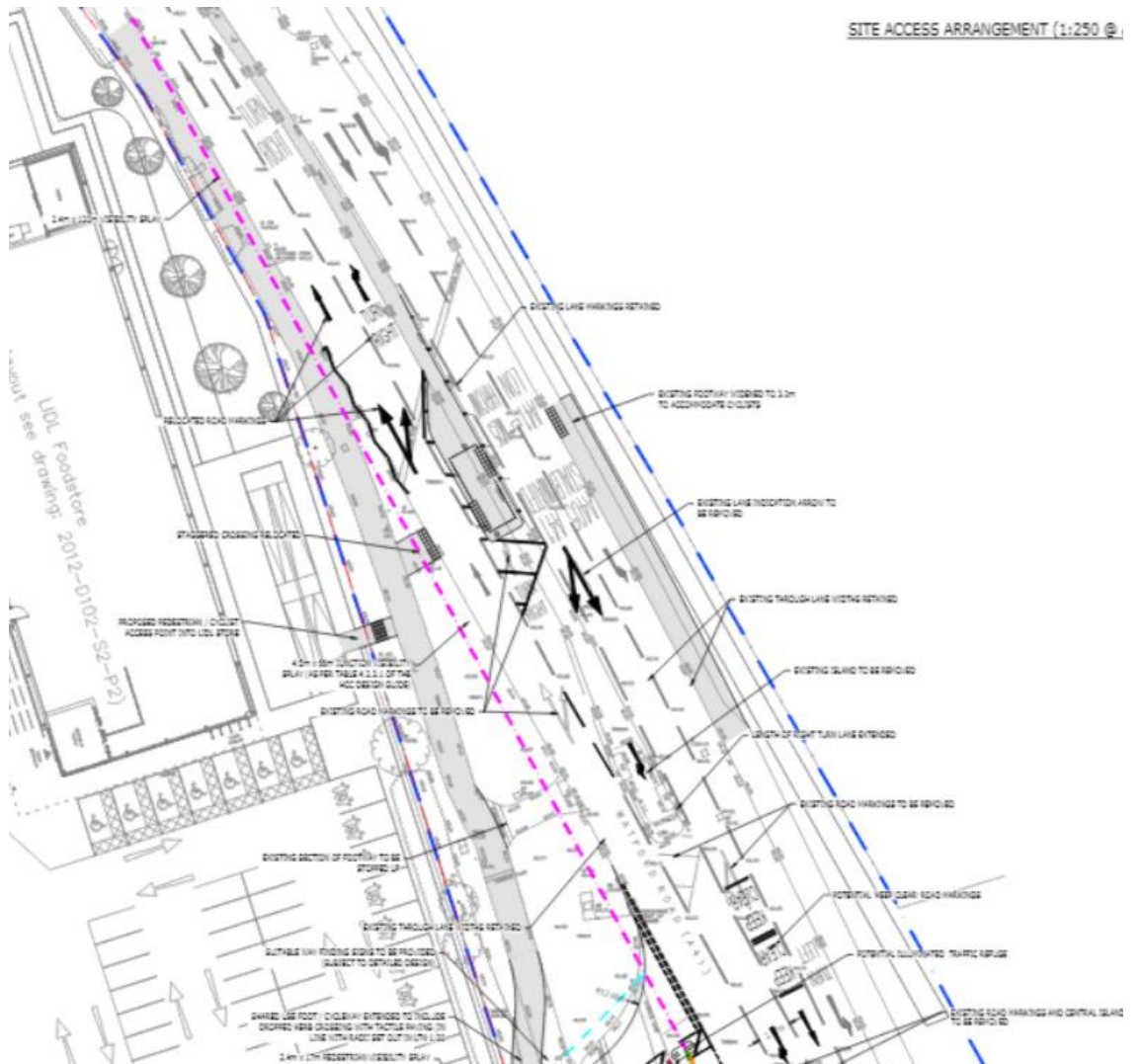
28 July 2023

# Appendix B – Visibility Splays

## South of Access



North of Access

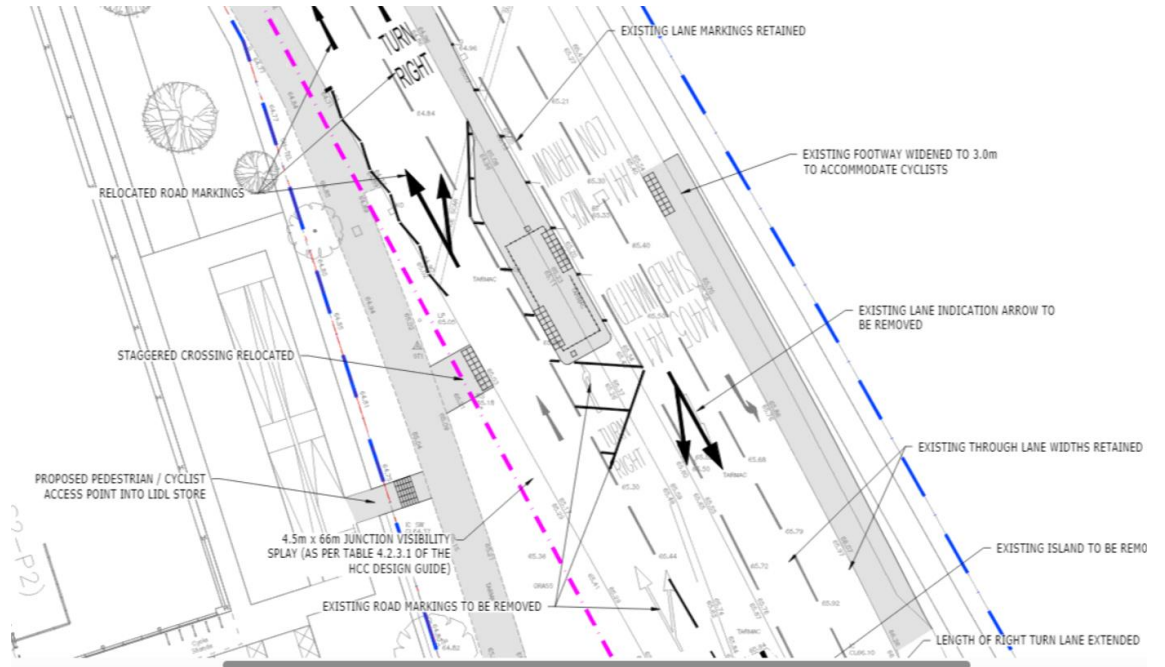


Vegetation Removal

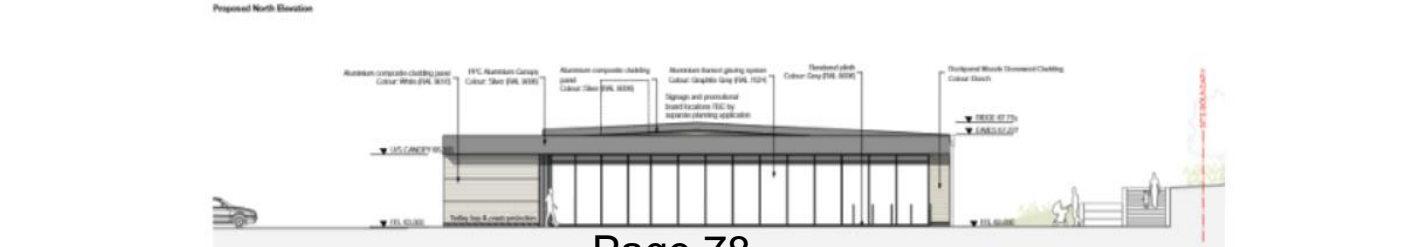
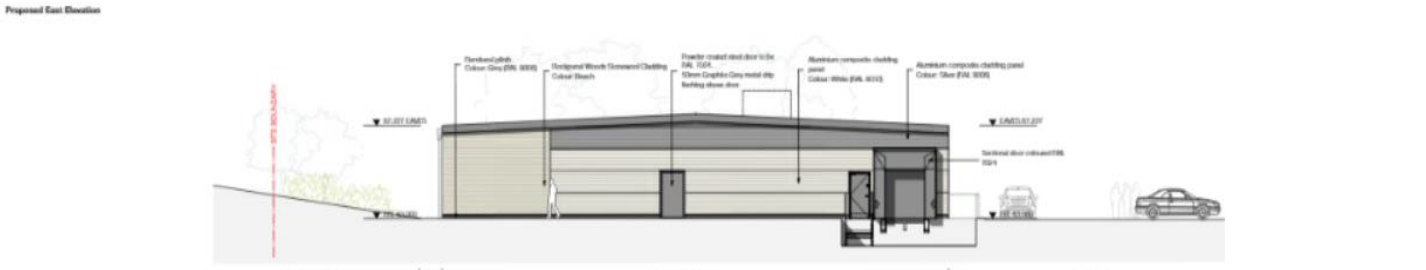
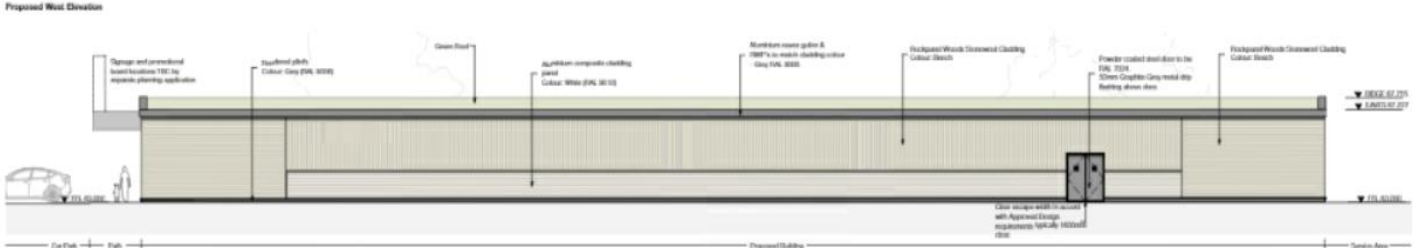
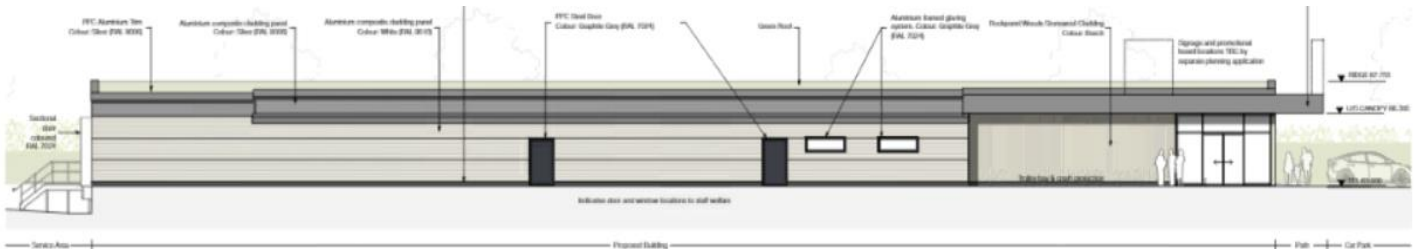
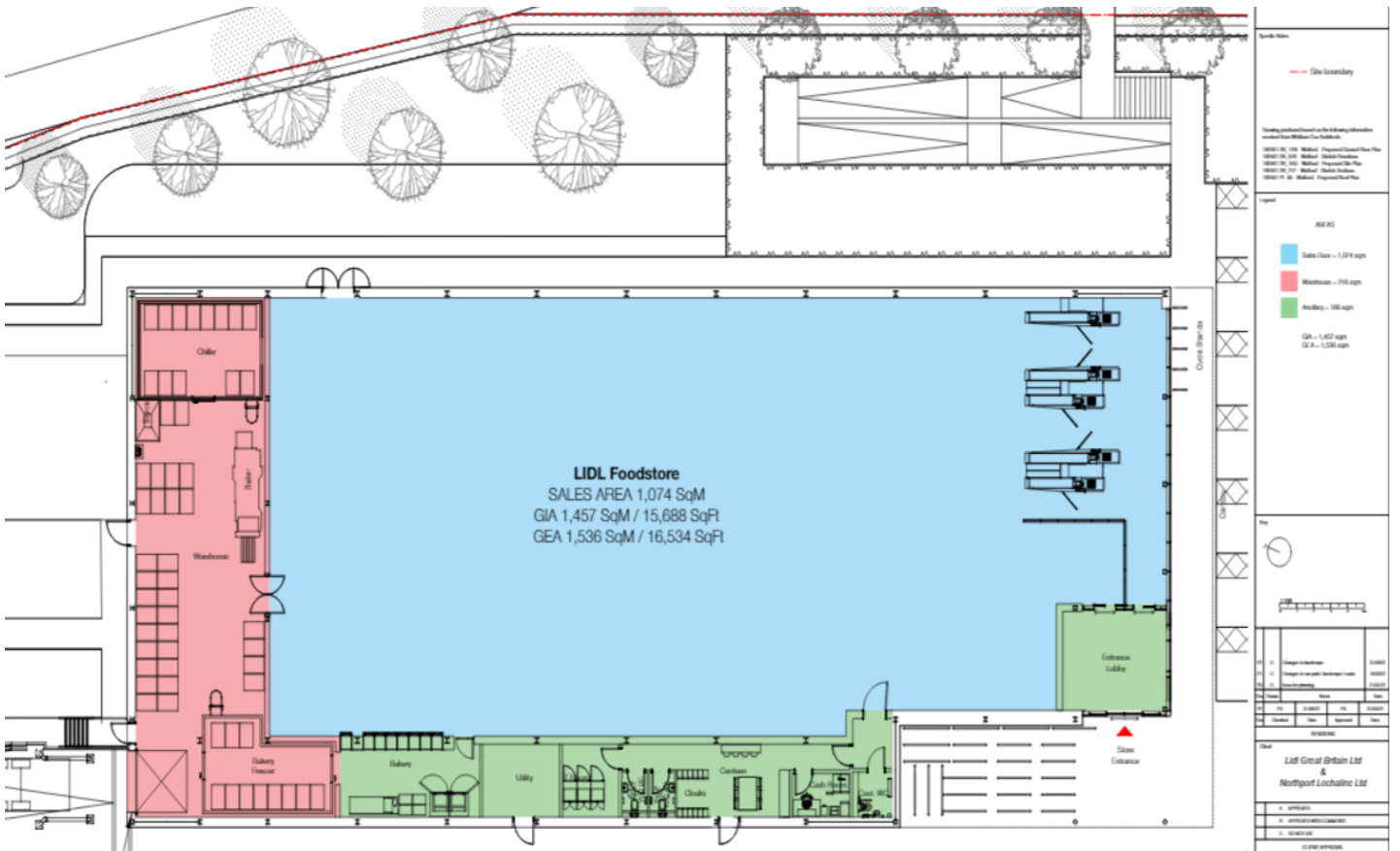


# Appendix C

## Pedestrian/Cycle Crossing

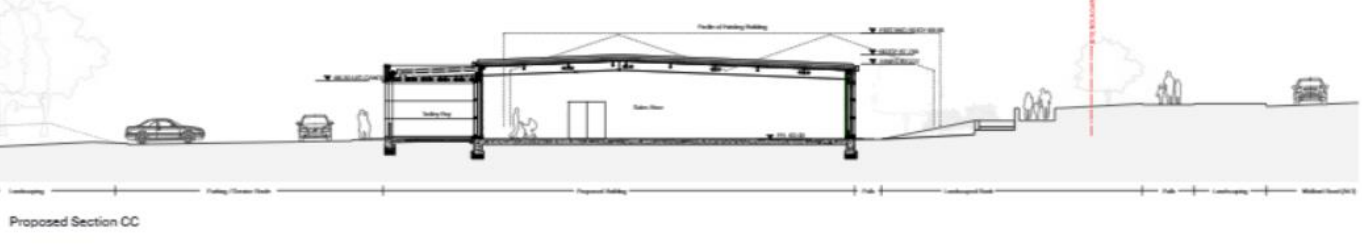
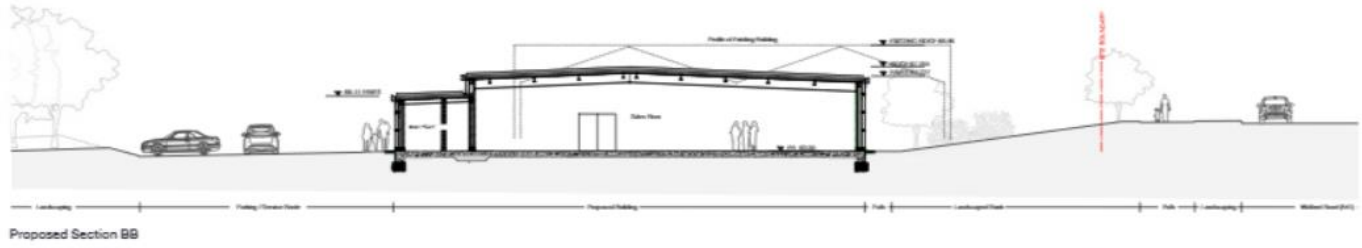
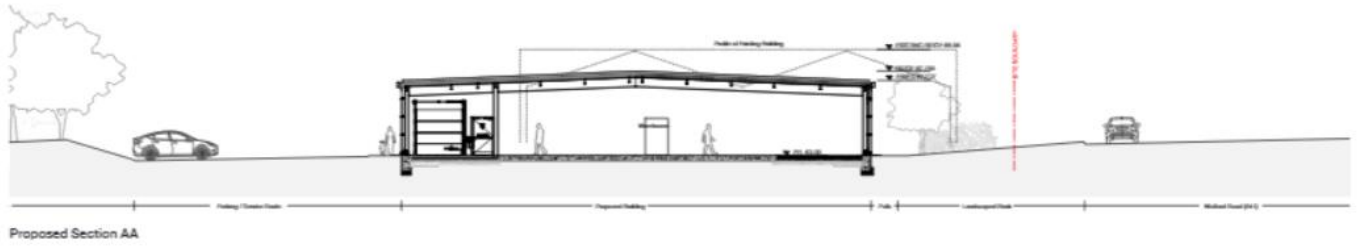
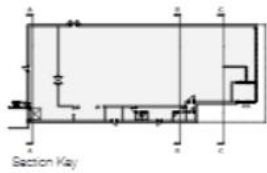






# 11.0 Proposed Scheme

11.5 Proposed Site Sections



# 11.0 Proposed Scheme

11.4 Proposed Materials



Entrance Elevation











# 10.0 Visual Impact

## 10.1 Google Earth Views

The following pages assess the potential visual impact of the proposed building against the existing through importing the massing model into Google Earth.

In the key views shown the existing building largely (or entirely) obscures the proposed massing model, indicating little to no increased visual impact, which can be seen in red.

This technique was used throughout the design process in order to inform the scale, siting and profile of the proposed building, aiming to arrive the most minimal increase in visual impact achievable to preserve the openness of the green belt.

These images are indicative, illustrating the approach taken throughout the design process. For further information, please refer to the TVIA that forms part of this application.



View 1 - Looking South Along Watford Road



View Key

Proposed building shown in Red



View 2 - Looking South Along Old Mill Road



View 3 - Looking North Along Watford Road



View 4 - Looking North Along Watford Road



View Key

Proposed building shown in Red



View 5 - Looking North along Watford Road







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## 1. Introduction

- 1.1.1. Evoke Transport Planning Consultants Ltd (Evoke) has been commissioned by Three Rivers District Council (TRDC) to undertake an independent highway review of a live planning application (ref: 22/1764/FUL) which proposes the “demolition of existing building and erection of retail food store, (Use Class E(a)), with associated access, parking and amenities” at the existing World of Water Aquatic Centres Ltd, Hempstead Road, Watford, WD4 8QG.
- 1.1.2. TRDC is the local planning authority (LPA) and Hertfordshire County Council (HCC) is the local highway authority (LHA).
- 1.1.3. It is acknowledged that, at the TRDC Planning Committee on 16 November 2023, Members of the Planning Committee agreed to defer the application to seek an independent highway review of the current scheme. It was agreed that the application should return to a future Planning Committee.
- 1.1.4. It is understood that Planning Committee members specifically requested a review of the following:
- Proposed access arrangements, having specific regard to the right turn from the proposed development onto the A41
  - Speed and volume of on-coming traffic from the A41
  - Cycle safety
  - Acceptability of crossing points
- 1.1.5. In order to review the highway proposals in support of the proposed development, we have considered the below information / documents:
- Transport Assessment (January 2023)
  - Transport Assessment Addendum (July 2023)
  - 2<sup>nd</sup> Transport Technical Note (December 2023)
  - Manual Classified Count (MCC) traffic survey at Watford Road / A41 Watford Road junction (undertaken 11 October 2022)
  - Automatic Traffic Count (ATC) traffic survey at A41 exit arm of the Hunton Bridge Roundabout (A41 / M25 /A411 Hempstead Road) (undertaken 15 – 21 February 2023)
  - Site Access Arrangement (187011-001 Rev I)
  - Consultation responses from HCC
  - Road Safety Audit Stage 1 (dated January 2023) and Road Safety Designer’s Response (January 2023)

- 1.1.6. A site visit was undertaken on 9 January 2024 during the morning peak hour of between 08:00 and 09:00. The existing site conditions and highway layout were reviewed in conjunction with the development proposals.
- 1.1.7. The review of the proposed highway works and associated documents is included below, with comments set out against each of the four key concerns raised by the Planning Committee as set out above.

## 2. Proposed Access Arrangements – Design Review

- 2.1.1. The topographical survey base mapping obtained to support the proposed development and the access arrangement were reviewed against the existing site conditions to ensure that there were no anomalies and that all constraints have been considered within the development proposals. The proposed access designs presented have used the topographical mapping for the base, this increases the level of accuracy compared with using OS Base mapping.
- 2.1.2. The development proposals, access design and topographical survey base mapping appear both consistent and representative of the existing site conditions.

### 2.2. Overview

- 2.2.1. A technical review has been undertaken on Ardent drawings reference 'Site Access Arrangement - 187011-001 Rev I' and 'Potential Toucan Crossing Upgrade Review – 187011-SK07 Rev A'. We note the specific concern raised as to the acceptability of the right hand turn from the proposed development and commentary on this is provided below.
- 2.2.2. It is understood that the 'Potential Toucan Crossing Upgrade' has come at the request of the local highway authority to demonstrate how the development proposals can be upgraded at a future date to meet off-site improvements required for a third-party development in proximity to the site.
- 2.2.3. The design review has been carried out in accordance with relevant guidance documents and referenced accordingly. The guidance referred to is listed below:
- *Design Manual for Roads and Bridges - CD 123 Geometric design of at-grade priority and signal-controlled junctions (CD 123)*
  - *Local Transport Note 1/20 – Cycle Infrastructure Design (LTN 1/20)*
  - *Roads in Hertfordshire: Highway Design Guide 3rd Edition Section 4 – Design Standards and Advice (HCC Section 4)*
  - *Traffic Signs Manual - Chapter 5 - Road Markings (TSM Chapter 5)*
- 2.2.4. Design issues raised within the site review have been shown on the plan in **Appendix A** with reference to their applicable paragraph numbers from within this highway review document.

### 2.3. Levels

- 2.3.1. As shown on the topographical survey base mapping, there is a clear level difference between the A41 and the site, reducing the feasibility of certain junction options. This is shown below in Figure 1.

**Figure 1 – Level Difference at Site Access Location**



#### **2.4. Site Access Arrangement Review (187011-001 Rev I)**

##### Junction

- 2.4.1. The proposed access width is 7.3m, which meets the requirements of “*Roads in Hertfordshire: Highway Design Guide 3rd Edition Section 4 – Design Standards and Advice.*”
- 2.4.2. Kerb radii of 10m and 12m have been proposed. This meets the minimum radius requirements provided in CD 123 5.6.1.
- 2.4.3. An illuminated traffic island is proposed on the access road at the junction. With reference to CD 123 5.8, the proposed minor arm approach lane width should be 4.0 metres for this junction arrangement either side of the island. The proposed design provides widths in excess of the minimum requirements. This is acceptable for this design and location.

##### Horizontal Alignment

- 2.4.4. The existing ghost island right turn lanes are proposed to be modified to accommodate the junction access location and development requirements.
- 2.4.5. The existing central reserves and central hatching omit the requirement for any hatched taper on approach to the right turn lanes and the design meets the minimum requirements as set out in CD 123 Table 6.1.1.

2.4.6. The A41 adjacent to the site access location is subject to a 40mph speed limit, however we note that the speeds recorded in the Automatic Traffic Count (ATC) survey of the northbound traffic (approaching from Hunton Bridge Roundabout) identified an 85th percentile speed of 29.7mph.

2.4.7. In accordance with CD 123 for a 30mph design speed, the following criteria should be met:

- Turning Length = minimum of 10m (CD 123 6.4)
- Deceleration Length = minimum of 25m (CD 123 Table 5.22)
- Direct Taper Length = minimum of 5m (CD 123 Table 5.22)

2.4.8. In accordance with CD 123 for a 40mph design speed, the following criteria should be met:

- Turning Length = minimum of 10m (CD 123 6.4)
- Deceleration Length = minimum of 40m (CD 123 Table 5.22)
- Direct Taper Length = minimum of 15m (CD 123 Table 5.22)

#### ***Northbound Right Turn Lane (from site onto A41)***

2.4.9. As above, the specific concern as to the acceptability of the right hand turn onto the A41 from the proposed development has been considered in detail.

2.4.10. No design issues with this aspect of the access design have been identified.

2.4.11. The access proposals have been modelled in the priority junction assessment tool (PICADY) and it is noted that the full model output report is included as Appendix I of the Transport Assessment.

2.4.12. With reference to the egress movement from the site onto the A41 within the 2036 + development scenario (see further comments below on this), the site egress stream during the weekday peak shows a maximum ratio to flow capacity (RFC) of 0.28 (PM period) with a queue of 0.4 passenger car units (PCU's), and during the weekend peak there is an RFC 0.41 and a queue of 0.8 PCU's. An RFC of 0.85 would normally be taken as the junction/movement operating above the theoretical capacity and the queuing prediction in the model is less than 1 vehicle.

2.4.13. This point is further exemplified by turning movements detailed in the Transport Assessment which show a low level of additional trips making the right turn movement out of the site onto the A41, especially when compared to the existing flows. Approximately 13 vehicles in the weekday morning peak and approximately 39 vehicles in the weekday evening peak make this movement.

2.4.14. The modelling therefore indicates that there will be sufficient gaps in the main, straight ahead movements for traffic to turn right.

#### ***Northbound Right Turn Lane (Old Mill Lane)***

2.4.15. The existing northbound right turn lane into Old Mill Road is proposed to be reduced in length. A 10m turning length is still provided with approximately 50m deceleration length, which meets the minimum requirements for a 40mph design speed as set out above.

2.4.16. The direct taper length for this right turn lane is proposed at 5m. While this meets the minimum requirements for a 30mph design speed (in accordance with the recorded vehicle speeds), it is less than the minimum requirements for a 40mph design speed.

#### ***Southbound Right Turn Lane***

2.4.17. The existing southbound right turn lane into the site is proposed to be lengthened. A 10m turning length is still provided with approximately 40m deceleration length, which meets the minimum requirements for a 40mph design speed.

- 2.4.18. The direct taper length for this right turn lane is proposed at 5m. While this meets the minimum requirements for a 30mph design speed (in accordance with the recorded vehicle speeds), it is less than the minimum requirements for a 40mph design speed.

#### ***Through Lane Widths***

- 2.4.19. In accordance with CD 123 6.8, all through lane widths should be between 3m and 3.65m.
- 2.4.20. As part of the proposals, all existing through lane widths are to be retained. Whilst the southbound lanes are c.3.4m, the northbound through lane is between c.4.3 and 4.65m.
- 2.4.21. These are all existing widths and allow for a suitable alignment through the junction and provide a familiarity to road users. The existing site conditions would suggest retention of these through lane widths appears suitable in this location. The accident data within the Transport Assessment identifies no accidents occurring at this location.

#### ***Turning Lane Widths***

- 2.4.22. In accordance with CD 123 6.10, all turning lane widths shall meet the minimum requirement of 3.5m but shall not exceed 5m.
- 2.4.23. The existing northbound right turn lane into Old Mill Road has a retained turning width of c.3.2m which is below the minimum requirement (albeit operates as existing).
- 2.4.24. The existing southbound right turn lane into the site, has a turning width starting at c.5.6m and narrowing down to c.3.57m by the site access turn in. This is below the minimum requirement but is recognised as an existing situation. The PIA data within the Transport Assessment shows no accidents in this location.
- 2.4.25. Whilst this exceeds the maximum 5m turning lane width, this arrangement accommodates the existing highway alignment and northbound right turn lane. Any attempt to reduce this to below 5m could negatively impact the overall alignment along the A41 and on balance the design is considered to be acceptable.
- 2.4.26. No safety issues were raised within the Road Safety Audit on this design matter.

#### **Vertical Alignment**

- 2.4.27. Full details of the vertical alignment and levels have not been provided. However, this would be provided at the detailed design stages (which is a standard approach). We would suggest that the omission of any level details at this stage should not be considered fundamental to the design principles. The level differences will need to be considered at the next stage, together with any supporting structures or earthworks required.

#### **Visibility**

- 2.4.28. Visibility at the proposed site access location is shown below in Figure 2 (taken during the site visit) and reflects the development proposals with regards to achievable visibility in both directions.

**Figure 2 – Visibility at site access (to north and south respectively)**



- 2.4.29. It is noted that removal of the vegetation in the primary direction would still be required, as has been proposed within the design. This can be controlled by a Condition imposed on any planning permission.
- 2.4.30. Visibility from the proposed access has been shown as achievable in all directions in accordance with the recorded speeds.
- 2.4.31. Given the speed surveys undertaken and correspondence with the local highway authority the visibility at the proposed junction is considered suitable and demonstrate visibility for the existing and proposed site conditions can be achieved.
- 2.4.32. Given the proposed access road speeds, the pedestrian/cyclist visibility splays demonstrated from the crossing point across the access road are suitable.
- 2.4.33. Given the proposed access road speeds, the eastbound forward visibility demonstrated on approach to the junction is suitable.

#### Road Signs, Markings and Lighting

- 2.4.34. Full details of signing have not been provided. However, this would be provided at the detailed design stages. The omission of any signing details at this stage should not be considered fundamental to the design principles and is in line with standard practice.
- 2.4.35. Further, the proposed road markings as shown in the development proposals are suitable and in accordance with TSM Chapter 5.
- 2.4.36. Full details of lighting have not been provided. However, this would be provided at the detailed design stages. The omission of any lighting details at this stage should not be considered fundamental to the design principles and the existing columns would be relocated accordingly if required.

#### Swept Path Analysis

- 2.4.37. The designer has undertaken swept path analysis for articulated vehicles around the site access. The proposals demonstrate that all relevant vehicles movements can be accommodated within the proposed design at the relevant and requested forward gear speeds of 10kph. It should be noted that the 'right out' movement from the access has not been included.

#### Drainage

- 2.4.38. Full details of the drainage have not been provided. However, this would be provided at the detailed design stages. The omission of any drainage details at this stage should not be considered fundamental to the design principles and highway alignment.

## **2.5. Road Safety Audit and Designers Response**

2.5.1. A Road Safety Audit Designers Response (187011-09 January 2023) has been produced following a Stage 1 Road Safety Audit (RSA1).

2.5.2. The Designers Response provides comment on the issues raised as part of the RSA1. As part of this design review, the RSA1 'Audit Items' have been reviewed with comment below:

### Audit Item No. 3.1.1

2.5.3. The response with regards to the posted speed limit and accident history are suitable. As noted within the designers response, this is an existing layout arrangement with a priority junction and right turn lane and therefore no major highway changes are proposed.

2.5.4. The recorded speeds would also suggest that speeds are not excessive on approach to the junction.

### Audit Item No. 3.1.2

2.5.5. Response suitable with item to be assessed at detailed design stages.

### Audit Item No. 3.1.3

2.5.6. Response suitable with item to be assessed at detailed design stages.

### Audit Item No. 3.3.1

2.5.7. Consultant has responded to item raised and provided junction modelling to demonstrate capacity concerns. Consultant has also demonstrated vertical visibility is achievable.

### Audit Item No. 3.3.2

2.5.8. Consultant has not accepted RSA1 problem or recommendation. However, the rationale to not relocate the access or provide other junction options appears justified, and in particular, the site levels and the proximity to the existing roundabout appear to have guided the design to provide a feasible option. Given this is an existing junction arrangement and the consultant has provided evidence that the junction operation in terms of capacity is adequate, the response is suitable.

### Audit Item No. 3.3.3

2.5.9. Consultant has made amendment to the design to accommodate this item with vegetation noted as to be removed.

### Audit Item No. 3.4.1

2.5.10. Consultant has made amendment to the design to accommodate this item and the responses are as appropriate for this stage of the process.

### Audit Item No. 3.4.2

2.5.11. Consultant has made amendment to the design to accommodate this item and demonstrated that visibility is achievable.

### Audit Item No. 3.4.3

2.5.12. Consultant has made amendment to the design to accommodate this item to provide the recommended non-motorised user requirements.

### **3. Speed and Volume of on-coming traffic from the A41**

#### **3.1. Vehicle Speeds**

- 3.1.1. An ATC survey was commissioned by Ardent Consulting Engineers to alleviate the concerns previously raised by Hertfordshire Highways in relation to visibility along the A41 to the south (in the direction of the Hunton Bridge Roundabout).
- 3.1.2. The survey was located on the A41 Watford Road circa 75m to the south of the proposed access junction, recording approach vehicle types and speeds in the northbound direction as vehicles egress from the circulatory carriageway. It was undertaken between Wednesday 15<sup>th</sup> February and Tuesday 21<sup>st</sup> February 2023.
- 3.1.3. It should be noted that WebTAG Unit M1.2 – Data Sources and Surveys states that surveys should typically be carried out during a ‘neutral’ or representative month, avoiding main and local holiday periods, local school holidays and half terms, and other abnormal traffic periods. It is understood that Hertfordshire half term holidays fell between 13<sup>th</sup> February and 17<sup>th</sup> February 2023 and therefore the ATC data could be seen as not representing a neutral period and may not reflect normal traffic conditions. Justification should be provided as to the validity of this data.
- 3.1.4. The Transport Assessment states that the recorded 85<sup>th</sup> percentile vehicle speeds on the exit of the Hunton Bridge Roundabout on to the A41 Watford Road was 29.7mph (48kph). The southbound traffic was not surveyed. It should be noted that this is an average 85<sup>th</sup> percentile speed across the surveyed seven-day period. The ATC has been reviewed and the stated 85<sup>th</sup> percentile speed is accurate. For reference, the average seven-day speed was 26.4mph, the 5-day average speed was 26mph and the 5-day average 85<sup>th</sup> percentile speed was 29mph.

#### **3.2. Existing Volume of Traffic**

- 3.2.1. The volume of traffic during the morning peak period was considered within the site audit undertaken on 9 January 2024. We would note that the traffic volume did not appear excessive.
- 3.2.2. The right turn lane into Old Mill Road appeared to be operating below capacity and no queuing was observed outside the existing right turn lane length, as shown in Figure 3 below.



Figure 3 – Right Turn into Old Mill Lane



- 3.2.3. The existing volume of (weekday) on-coming traffic from the A41 roundabout is further evidenced in the MCC survey results undertaken at the Watford Road / A41 Watford Road junction (site access) on Monday 11th October 2022.
- 3.2.4. Further details on peak hour periods are included below.
- Weekday morning peak 08:00 – 09:00 = 957
  - Weekday evening peak 16:00 – 17:00 = 952
- 3.2.5. It should be noted that the evening peak hour utilised in the Transport Assessment (17:00 – 18:00) is not presented in the MCC outputs.
- 3.2.6. The existing volume of on-coming traffic from the A41 roundabout is also evidenced in the ATC survey results undertaken at the A41 exit arm of the Hunton Bridge Roundabout (A41 / M25 /A411 Hempstead Road) (undertaken 15 – 21 February 2023). The data is summarised below:
- Weekday average morning peak 07:00 – 08:00 = 873 / 08:00 – 09:00 = 764
  - Weekday average evening peak 16:00 – 17:00 = 1133 / 17:00 – 18:00 = 1109
- 3.2.7. As identified above, there is a difference between the existing traffic volumes surveyed in the MCC and ATC surveys, with examples below:
- Weekday morning peak 08:00 – 09:00 = 193 higher in MCC than ATC
  - Weekday evening peak 16:00 – 17:00 = 181 lower in MCC than ATC

3.2.8. Justification should be provided regarding the variation between the MCC and ATC surveyed traffic flows.

### **3.3. Future additional volume of traffic**

3.3.1. When considering the volume of traffic, it is important to consider the proposed future levels of traffic as a result of the proposed development.

#### Trip Generation

3.3.2. It is acknowledged that pre-application feedback from HCC was provided to the Applicant in August 2020. Within this feedback, trip generation was accepted and HCC raised no objections or issues with the approach taken in respect of trip type.

3.3.3. We have reviewed the TRICS data, including the acceptability of the selected criteria, and the approach is generally acceptable. New surveys have been added since 2020. Utilising these surveys could result in approximately 10 additional vehicle trips in the both the morning and evening peak, however this is not envisaged to have a material impact on the local highway network.

3.3.4. It is noted that the Transport Assessment and subsequent documents and assessments utilised the following peak hours:

- Weekday morning peak: 08:00 – 09:00
- Weekday evening peak: 17:00 – 18:00
- Weekend peak: 11:00 – 12:00

3.3.5. With regards to the weekday morning and evening peak hours, these are the network peak hours used (although we note that they differ to the actual peak hour of the land use).

3.3.6. With regards to the selected weekend peak, this matches the Discount Retail Store peak identified in the TRICS surveys, compared to the Garden Centre peak identified in the TRICS surveys which was 14:00 – 15:00. This variation is not considered to result in a material impact.

3.3.7. It should however be noted that the TRICS peak hours refer to those which are identified within the selected surveys and are not necessarily location specific. In comparison, the ATC survey identifies a more accurate local network peak (MCC not referred to as the full outputs are not included). The surveys identify the following network peaks:

- Weekday morning peak: 07:00 – 08:00
- Weekday evening peak: 16:00 – 17:00
- Weekend peak: 13:00 – 14:00

3.3.8. The TRICS data for Garden Centres does not cover the 07:00 – 08:00 hour period, and therefore it would not be possible to alter the weekday morning peak trip generation. Trip generation for a garden centre during 0700 to 0800 are likely to be limited reflecting trading hours. The TRICS trip rates for the above alternative peak hours have been applied to the existing and proposed quantum of development. There is a small decrease against what is currently presented; however it does not result in a material change to the overall trips. The trip generation is therefore acceptable.

#### Trip Type

3.3.9. It is acknowledged that the trip generation exercise sets out all potential trips resulting from the proposed development, however this does not account for the typical characteristics of a food store which can generate different trip types. This includes pass by trips, diverted trips and transferred trips, along with new trips.

- 3.3.10. The Transport Assessment makes reference to the 95/2 and 14/1 TRICS Research Reports which provide guidance on the nature of pass by, diverted and transferred trips and concludes that the proportion of trips generally accepted to be non-primary is between 30 – 40%. The Transport Assessment suggests that up to 60% of the trips generated by the food store will be new or transferred trips, with the remaining 40% comprising an even split between pass-by and diverted trips.
- 3.3.11. While this is likely a robust estimate, it should be noted that no evidence is presented to justify these percentages. We would highlight that a Retail Impact Assessment should generally be produced and considered alongside the Transport Assessment in the assessment of potential trip types.

#### Trip Distribution

- 3.3.12. To distribute trips, and in the absence of observed traffic counts, 2011 Census 'Usual Resident Population' data for the existing residential population of the surrounding area available on the Official Labour Market Statistics has been used to estimate the proportion of vehicle trips that could travel along each key route to/from the site. The more detailed methodology explained in Section 6.1.14 of the Transport Assessment is noted and acceptable, although we would reiterate the above point on trip types.

#### Impact of Development

- 3.3.13. Comment on the impact of the development cannot be completed due to the following reasons:
- Baseline not modelled in PICADY
  - No evidence of TEMPro growth factors utilised for future year traffic flows
  - Note that the committed toucan crossing linked to the 22/0491/FUL permitted application for the Warner Bros studio has been included in the design (see further commentary below) however there is no evidence as to whether any further committed developments have been included in the modelling and if so, no evidence on what developments has been included
  - 2036 future year stated and 2036 future year modelled in PICADY – would expect an opening year assessment and post five years to be provided.
- 3.3.14. It is noted that HCC also queried the use of the 2036 future year in the initial pre-application advice given in February 2021, where it was requested that, in order for a full assessment of the impact of the proposals to be made, an opening year and post five-year assessment should be provided.
- 3.3.15. The use of a 2036 future year is however considered a robust position as this would include a higher level of background growth, when compared with the opening and post five-year assessment scenarios.

## **4. Cycle (and pedestrian) Safety**

- 4.1.1. The following comments on the consideration of cycle safety in the development proposals are provided. Pedestrian safety has also been considered.

#### Cycle Facilities - Widths

- 4.1.2. The existing shared use footway/cycleway and staggered crossing has been accommodated within the proposed design.
- 4.1.3. In accordance with LTN 1/20 Table 6-3, the minimum width requirements for a shared use facility is 3m.
- 4.1.4. This allows cycle flows of up to 300 cyclists per hour however cycle flows will be much lower than this figure and therefore a 3m width is acceptable.

- 4.1.5. The existing and retained sections of shared use footway/cycleway meet the 3m minimum width requirement. Where new sections of footway are proposed, these appear to meet the 3m width requirement.

#### Cycles Facilities – Horizontal Alignment

- 4.1.6. On the southbound approach to the access road, there is an alignment change. The horizontal curvature of the footway/cycleway here meets the minimum radii requirements as shown in LTN 1/20 Table and allows for a robust 20kph design speed.

#### Hazard Paving

- 4.1.7. Corduroy and tactile paving has been proposed throughout and appears suitable in defining the proposed and existing route through the proposed junction works.

#### Crossing Islands

- 4.1.8. It is proposed to relocate the existing staggered crossing to the north, to accommodate an increased deceleration length for the southbound right turn lane into the site.
- 4.1.9. The proposed staggered crossing is c.4m width, meeting the requirements of “*Roads in Hertfordshire: Highway Design Guide 3rd Edition Section 4 – Design Standards and Advice*” Table 4.11.3.6
- 4.1.10. The tactile crossing widths are suitably proposed at 3.2m to accommodate the 3m width footway/cycleways.
- 4.1.11. The crossing segregation between the two sets of tactile paving on the staggered island is c.1.35m. “*Roads in Hertfordshire: Highway Design Guide 3rd Edition Section 4 – Design Standards and Advice*” Section 4 Table 4.11.3.6 suggests this distance should be a minimum of 1.8m.
- 4.1.12. A preferable width of 3m between crossing limits is often recommended, allowing for cyclists to manoeuvre between the crossings on the island.
- 4.1.13. It is recommended that the distance is increased to align with HCC requirements. This can be addressed at detailed design stage.

## **5. Acceptability of Crossing Points**

- 5.1.1. The proposed toucan crossing upgrades, which are illustrated in 187011-SK07 Rev A have been reviewed; the proposed toucan crossing upgrades suitably demonstrate that the proposed staggered island could be upgraded to accommodate a signalised toucan crossing arrangement, with additional road markings and extension of the proposed tactile paving required.
- 5.1.2. Whilst no forward visibility has been shown to the signal heads on drawing 187011-SK07 Rev A, the supporting report ‘Transport Statement Addendum 187011-R-11 July 2023’ makes reference to an additional drawing (187011-SK08) which was produced to demonstrate forward visibility to the signal heads.
- 5.1.3. This report suggests visibility in the southbound direction is achievable for a 40mph design speed, and whilst northbound forward visibility of only 100m can be achieved, that this should be acceptable and that it was deemed acceptable to the HCC signals team.
- 5.1.4. Based on the above correspondence and recorded speeds, adequate visibility can be achieved and that the principles of the upgrade appear feasible.

- 5.1.5. It is however not clear whether consideration has been given to the possibility of the 22/0491/FUL application not progressing and therefore the possibility of the proposed toucan crossing upgrades not progressing. It may be worth exploring the impact on this development should the application/scheme not come forward, and specifically whether an alternative improvement option should be explored, and in what form this would be.

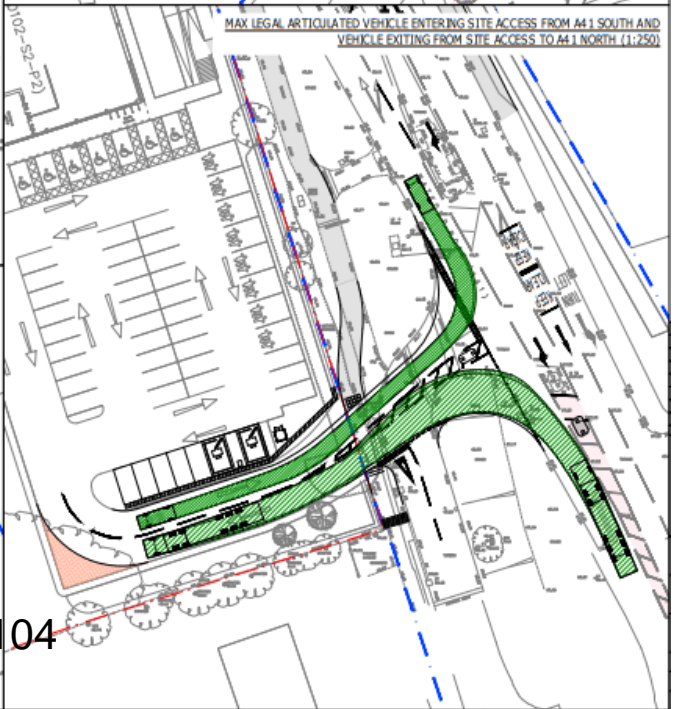
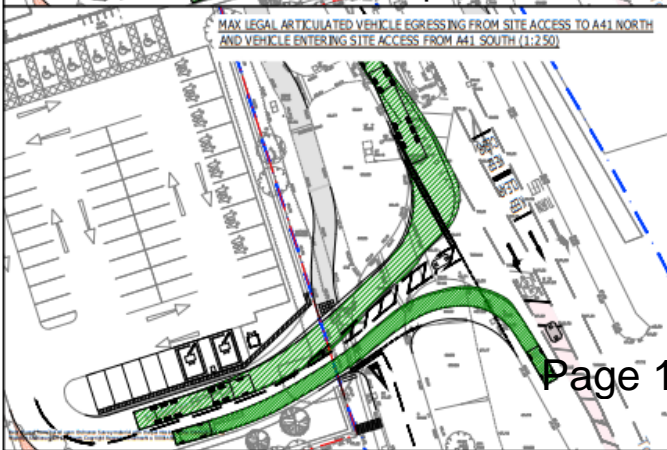
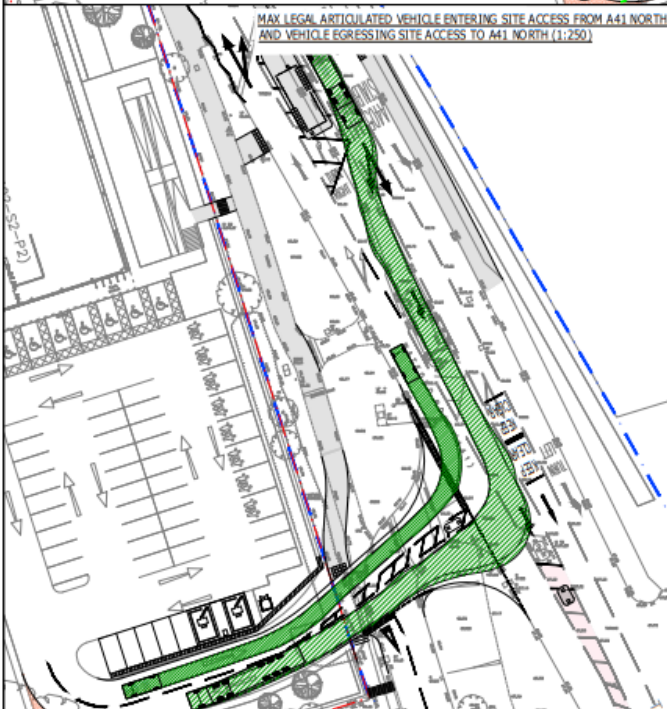
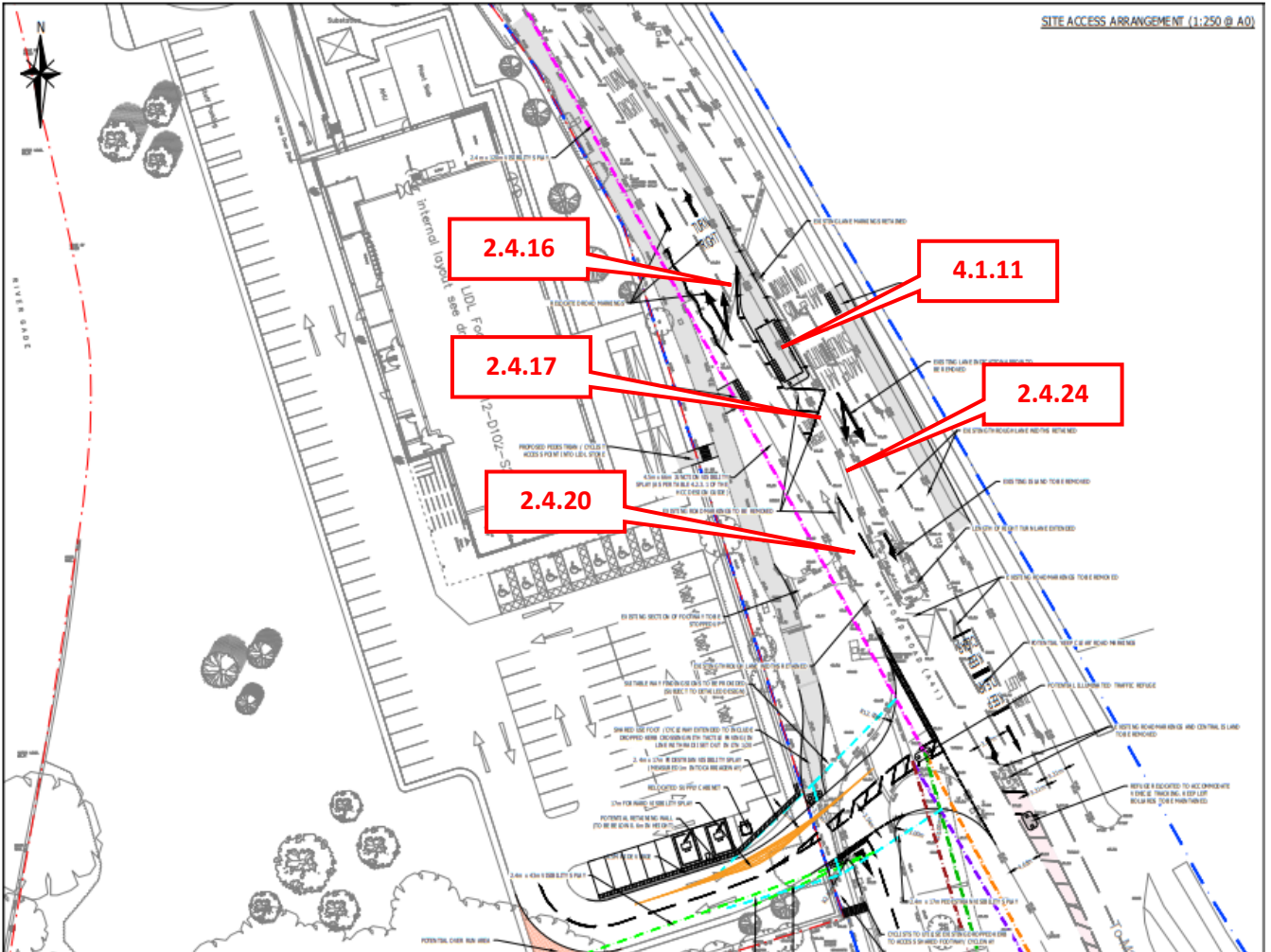
## 6. Conclusions and Summary

- 6.1.1. Evoke has undertaken an independent highway review of an active planning application (ref: 22/1764/FUL) which proposes the “demolition of existing building and erection of retail food store, (Use Class E(a)), with associated access, parking and amenities” at the existing World of Water Aquatic Centres Ltd, Hempstead Road, Watford, WD4 8QG).
- 6.1.2. The request for an independent review comes as a result of a TRDC Planning Committee on 16 November 2023 where the Committee agreed to defer the application to allow a review of the following items to be undertaken:
- Proposed access arrangements, having specific regard to the right turn from the proposed development onto the A41
  - Speed and volume of on-coming traffic from the A41
  - Cycle safety
  - Acceptability of crossing points
- 6.1.3. The key supporting application documents and consultation responses have been considered together with a site audit. The key conclusions of the above highway review are summarised below:
- **Proposed Access Arrangements – Design Review:** Design generally compliant, with vehicle movements being accommodated however it is noted that:
    - In regard to the northbound right turn lane and the southbound right turn lane proposals meets the minimum requirements for a 30mph design speed (in accordance with the recorded vehicle speeds), but do not meet the minimum requirements for a 40mph design speed
    - The through lane and turning lane widths are proposed to be retained as existing. These do not wholly meet minimum requirements however no safety concerns have been raised and retention of the existing provision appears suitable
    - Level differences to be considered at next stage
    - Removal of the vegetation in the primary direction would still be required, as has been proposed within the design. This can be controlled by a Condition imposed on any planning permission.
    - Road signing, lighting and drainage details to be provided at detailed design stage
  - **Speed and Volume of on-coming traffic from the A41:** the existing situation has been generally accurately described and assessed. However, it should be noted that:
    - The ATC survey was undertaken during Hertfordshire school half term holidays and therefore the data may not represent normal traffic conditions
    - It has not been possible to review the impact of the proposed development on the local highway network due to omissions of information around the baseline model, TEMPro growth, committed developments and due to 2036 being utilised for future year modelling
    - 2036 is however considered to present a robust position, with a lower level of background growth likely occurring should opening year and post five-year scenarios be alternatively assessed.

- **Cycle and Pedestrian Safety:** generally appears to have been accurately considered however it is recommended that the width between the two sets of tactile paving is increased to align with HCC standards
- **Acceptability of Crossing Points:** based on the above correspondence and recorded speeds, adequate visibility can be achieved and the principles of the upgrade appear feasible. The impact of the 22/0491/FUL application not progressing and therefore the proposed toucan crossing upgrades not progressing should be considered

<b>APPROVAL</b>					
<b>Number:</b>	<b>Name:</b>		<b>Position:</b>	<b>Date:</b>	<b>Modifications:</b>
01A	Author:	Pia Tiley	Principal Consultant	12/01/2024	
	Checked:	Richard Stacey	Managing Director	15/01/2024	
	Approved:	Richard Stacey	Managing Director	15/01/2024	
01B	Author:	Pia Tiley	Principal Consultant	25/01/2024	Updated following client comments
	Checked:	Richard Stacey	Managing Director	25/01/2024	
	Approved:	Richard Stacey	Managing Director	25/01/2024	

# APPENDIX A – DESIGN REVIEW WITH REPORT REFERENCES





**LIDL GREAT BRITAIN LIMITED AND NORTHPORT  
LOCHALINE LIMITED**

**WORLD OF WATER AQUATICS, KINGS LANGLEY**

**3rd TRANSPORT TECHNICAL NOTE**

**REPORT REF.  
187011-R-15**

**February 2024**

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**Drawing 187011-SK08 – Potential Toucan Signal Head Visibility**

## **Appendices**

**Appendix A – Evoke Transport Independent Highways Review**

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### **Document Control Sheet**

<b>REV</b>	<b>ISSUE PURPOSE</b>	<b>AUTHOR</b>	<b>CHECKED</b>	<b>APPROVED</b>	<b>DATE</b>
-	DRAFT	RS	AG	DRAFT	30.01.24
-	FINAL	RS	AG AG	ATB ATB	06.02.24

### **Distribution**

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## **1. INTRODUCTION**

- 1.1. Ardent Consulting Engineers (ACE) have been instructed by Lidl Great Britain Limited and Northport Lochaline Limited to prepare a Transport Technical Note (TTN) in respect of a proposed Lidl Food Store on land to the west of the A41 / Watford Road (application reference 22/1764/FUL). The Local Planning Authority is Three Rivers District Council (TRDC), whilst Hertfordshire County Council (HCC) are the Local Highway Authority.
- 1.2. This ACE Transport Technical Note (TTN) provides a response to a TTN prepared by Evoke Transport, who were commissioned by TRDC to undertake an independent highway related review of the documentation and drawings prepared by Ardent Consulting Engineers following deferral at Committee. A summary of the key conclusions is provided below with the full Evoke Transport TTN report contained within **Appendix A** for completeness.
- 1.3. It should be noted that Evoke Transport Independent Highways Review does not highlight any fundamental reasons for refusal. In relation to the design review of the access arrangement, it was stated within the review that the *“Design generally compliant, with vehicle movements being accommodated”* and *“the existing situation has been generally accurately described and assessed”*. Finally, it was noted that *“cycle and pedestrian generally appear to have been accurately considered”*
- 1.4. It is however noted the Independent Highways Review did raise the following comments that will be addressed and commented on within this report noting they do not highlight any fundamental reasons for refusal.

### ***Proposed Access Arrangements***

- *“In regard to the northbound right turn lane and the southbound right turn lane proposals meets the minimum requirements for a 30mph design speed (in accordance with the recorded vehicle speeds), but do not meet the minimum requirements for a 40mph design speed;*
- *The through lane and turning lane widths are proposed to be retained as existing. These do not wholly meet minimum requirements however no safety*

*concerns have been raised and retention of the existing provision appears suitable;*

- *Level differences to be considered at next stage;*
- *Removal of the vegetation in the primary direction would still be required, as has been proposed within the design. This can be controlled by Condition imposed on any planning permission; and*
- *Road signing, lighting and drainage details to be provided at detailed design stage”.*

#### ***Speed and Volume of on-coming traffic from the A41***

- *“The ATC survey was undertaken during Hertfordshire school half term holidays and therefore the data may not represent normal traffic conditions”*
- *“It has not been possible to review the impact of the proposed development on the local highway network due to omissions of information around the baseline model, TEMPro growth, committed developments and due to 2036 being utilised for future year modelling 2036 is however considered to present a robust position, with a lower level of background growth likely occurring should opening year and post five-year scenarios be alternatively assessed.”*

#### ***Cycle and Pedestrian Safety***

- *“generally appears to have been accurately considered however it is recommended that the width between the two sets of tactile paving is increased to align with HCC standard.”*

#### ***Acceptability of Crossing Points***

- *“based on the above correspondence and recorded speeds, adequate visibility can be achieved, and the principles of the upgrade appear feasible. The impact of the 22/0491/FUL application not progressing and therefore the proposed toucan crossing upgrades not progressing should be considered”*

1.5. The purpose of this report is to review and provide a response to each of the key points raised in the independent highway review undertaken by Evoke Transport.

This report should also be read in conjunction with the previous documents submitted to support the planning application.

## **2. ARDENT RESPONSE TO INDEPENDENT HIGHWAY REVIEW**

- 2.1 This section of the reports provides ACE's response to the independent highway review undertaken by Evoke Transport. For clarity, each comment received from Evoke Transport are show within this report is in *italics*, followed by Ardent Consulting Engineers response provided below each point.

### **Proposed Access Arrangement Comments**

#### **Junction**

*"Kerb radii of 10m and 12m have been proposed. This meets the minimum radius requirements provided in CD 123 5.6.1.*

*An illuminated traffic island is proposed on the access road at the junction. With reference to CD 123 the proposed minor arm approach lane width should be 4.0 metres for this junction arrangement either side of the island. The proposed design provides widths in excess of the minimum requirements. This is acceptable for this design and location."*

- 2.2 The above point is noted, and no further commentary/amendments to the site access arrangement is required.

#### Horizontal Alignment

*"The existing central reserves and central hatching omit the requirement for any hatched taper on approach to the right turn lanes and the design meets the minimum requirements as set out in CD 123 Table 6.1.1."*

- 2.3 The above is noted, and no further commentary/amendments to the site access arrangement is required.

*"The A41 adjacent to the site access location is subject to a 40mph speed limit, however we note that the speeds recorded in the Automatic Traffic Count (ATC) survey*

*of the northbound traffic (approaching from Hunton Bridge Roundabout) identified an 85th percentile speed of 29.7mph.*

*In accordance with CD 123 for a 30mph design speed, the following criteria should be met:*

- *Turning Length = minimum of 10m (CD 123 6.4)*
- *Deceleration Length = minimum of 25m (CD 123 Table 5.22)*
- *Direct Taper Length = minimum of 5m (CD 123 Table 5.22)*

*In accordance with CD 123 for a 40mph design speed, the following criteria should be met:*

- *Turning Length = minimum of 10m (CD 123 6.4)*
- *Deceleration Length (CD 123 Table 5.22)*
- *Direct Taper Length (CD 123 Table 5.22)*

2.4 The above is noted and further information is provided below for each individual aspect raised in the independent highways review.

Northbound Right Turn Lane (from site onto A41)

*"As above, the specific concern as to the acceptability of the right hand turn onto the A41 from the proposed development has been considered in detail.*

*No design issues with this aspect of the access design have been identified.*

*The access proposals have been modelled in the priority junction assessment tool (PICADY) and it is noted that the full model output report is included as Appendix I of the Transport Assessment.*

*The modelling therefore indicates that there will be sufficient gaps in the main, straight-ahead movements for traffic to turn right."*



- 2.5 The above is noted and confirms that there will be sufficient gaps to allow for future development users to turn right from the access on to the A41, as demonstrated by the results of the junction modelling which is deemed suitable for a 40mph speed limit. This should therefore alleviate Councillors' concerns in relation to the suitability of this aspect of the arrangement.

Northbound Right Turn Lane (Old Mill Lane)

*"The existing northbound right turn lane into Old Mill Road is proposed to be reduced in length. A 10m turning length is still provided with approximately 50m deceleration length, which meets the minimum requirements for a 40mph design speed as set out above.*

- 2.6 The above is noted, and no further commentary/amendments to the proposed arrangement is required.

*"The direct taper length for this right turn lane is proposed at 5m. While this meets the minimum requirements for a 30mph design speed (in accordance with the recorded vehicle speeds), it is less than the minimum requirements for a 40mph design speed. "*

- 2.7 In the first instance, it should be stressed that the above arrangement has been reviewed by the Local Highway Authority and two Independent Road Safety Audits, where it was concluded that the design would not give rise to any significant road safety concerns.

- 2.8 Notwithstanding the above, **ACE Drawing 187011-001J** has been updated to demonstrate how a 15m taper length could be provided (in line with CD 123 Table 5.22) for a 40mph speed limit, to alleviate the above concerns without significant impact on the proposed arrangement or requirement for additional modelling. The implementation of this increased direct taper would not have any significant impact on the proposed arrangement and should therefore not warrant refusal of the scheme. It is envisaged that this could be incorporated at detailed design stage, but the updated drawing included within this TTN should give confidence to the Committee that this can be delivered without significant impact on the overall operation of the junction.

Southbound Right Turn

*"The existing southbound right turn lane into the site is proposed to be lengthened. A 10m turning length is still provided with approximately 40m deceleration length, which meets the minimum requirements for a 40mph design speed.*

*The direct taper length for this right turn lane is proposed at 5m. While this meets the minimum requirements for a 30mph design speed (in accordance with the recorded vehicle speeds), it is less than the minimum requirements for a 40mph design speed."*

- 2.9 In relation to the proposed 5m taper length, it should be stressed that this is the length of the taper that is currently provided in the existing junction arrangement, which operates in a safe and suitable manner with no recorded road traffic collisions that could be linked to the existing 5m taper length.
- 2.10 There are a number of constraints including the existing staggered crossing point and the proximity of the Old Mill Road / Watford Road junction. Therefore, careful consideration was given to ensure that both junction arrangements are designed appropriate to the local conditions without a detrimental impact on the operation of either junction.
- 2.11 It should be noted that the deceleration length provided will be in line with a 40mph speed limit (as per CD123) and provides a significant betterment over the existing arrangement. This would therefore allow for vehicles to decelerate before undertaking the turning manoeuvre reducing the risk of conflicts.
- 2.12 Furthermore, it can be demonstrated that on **ACE Drawing 187011-00J** that a Typical Length Articulated Vehicle can suitably manoeuvre and align within the lane without overhang or encroachment into oncoming lanes which further signifies the suitability of the proposed arrangement.
- 2.13 This arrangement has also been subject to two separate road safety audits undertaken by a third party, which raised no concerns with the arrangement as proposed.

- 2.14 When considering the above, a 5m taper length should be considered acceptable in this instance without providing any additional modifications to the agreed access arrangement at this stage, noting the existing situation and constraints.

Through Lane Widths

*"In accordance with CD 123 6.8, all through lane widths should be between 3m and 3.65m.*

*As part of the proposals, all existing through lane widths are to be retained. Whilst the southbound lanes are c.3.4m, the northbound through lane is between c.4.3 and 4.65m.*

*These are all existing widths and allow for a suitable alignment through the junction and provide a familiarity to road users. The existing site conditions would suggest retention of these through lane widths appears suitable in this location. The accident data within the Transport Assessment identifies no accidents occurring at this location. "*

- 2.15 The above is noted and no further commentary/amendments to the arrangement are required.

Turning Lane Widths

*"In accordance with CD 123 6.10, all turning lane widths shall meet the minimum requirement of 3.5m but shall not exceed 5m.*

*The existing northbound right turn lane into Old Mill Road has a retained turning width of c.3.2m which is below the minimum requirement (albeit operates as existing).*

*The existing southbound right turn lane into the site, has a turning width starting at c.5.6m and narrowing down to c.3.57m by the site access turn in. This is below the minimum requirement but is recognised as an existing situation. The PIA data within the Transport Assessment shows no accidents in this location.*

*Whilst this exceeds the maximum 5m turning lane width, this arrangement accommodates the existing highway alignment and northbound right turn lane. Any attempt to reduce this to below 5m could negatively impact the overall alignment along the A41 and on balance the design is considered to be acceptable.*

*No safety issues were raised within the Road Safety Audit on this design matter"*

- 2.16 The above is noted and has been confirmed that the proposed arrangement has been deemed acceptable by the Independent Highway Review. It is important to stress that careful consideration was given to the existing alignment as alluded to in the above comment. This allows for larger vehicles serving the site such as an articulated vehicle to align in the lane without encroachment into adjacent lanes.
- 2.17 This arrangement was also considered acceptable the HCC and two Road Safety Audits which raised no road safety concerns.

#### Vertical Alignment

*"Full details of the vertical alignment and levels have not been provided. However, this would be provided at the detailed design stages (which is a standard approach). We would suggest that the omittance of any level details at this stage should not be considered fundamental to the design principles. The level differences will need to be considered at the next stage, together with any supporting structures or earthworks required."*

- 2.18 It should be stressed that a vertical alignment review was undertaken in relation to visibility as demonstrated in **ACE Drawing Number 187011-002D**. The drawing confirms that the calculated visibility splays can be achieved in the vertical alignment in line with the DMRB, taken to a object height of 260mm to the circulatory carriageway of the roundabout.
- 2.19 It can be confirmed that a full vertical alignment and levels review will be undertaken as part of the detailed design stage. However, the assessment undertaken demonstrates that visibility can be achieved in the vertical alignment.

Visibility

*"Visibility at the proposed site access location is shown below in Figure 2 (taken during the site visit) and reflects the development proposals with regards to achievable visibility in both directions.*

*It is noted that removal of the vegetation in the primary direction would still be required, as has been proposed within the design. This can be controlled by a Condition imposed on any planning permission.*

*Visibility from the proposed access has been shown as achievable in all directions in accordance with the recorded speeds."*

- 2.20 To provide context, it should be stressed that the calculated visibility splays from the speed survey are not shown on the most recent access arrangement drawing (**ACE Drawing 187011-003I**), at the request of HCC.
- 2.21 Nonetheless, the initial purpose of the speed survey was to derive vehicle speeds to calculate visibility splays which was undertaken in February 2023. While it is noted that this was undertaken during the school holidays, typically flows are lighter and therefore traffic flows are still in free-flow conditions which ensures that the recorded 85<sup>th</sup> percentile speeds are still representative and suitable to use to calculate visibility splays.
- 2.22 Following this HCC requested that maximum achievable visibility splays are shown to the circulatory carriageway as they exceed calculated splays based on recorded vehicle speeds to provide a robust assessment.
- 2.23 **ACE Drawing 187011-003J** therefore demonstrates that a 2.4m x 120m visibility splay (in accordance with a 40mph speed limit) can be achieved to the north and a maximum splay of 2.4m x 79m to the south, which is a significant betterment than the existing arrangement and exceeds the required visibility based on the recorded vehicle speeds which provides a worst-case scenario.

*"Given the speed surveys undertaken and correspondence with the local highway authority the visibility at the proposed junction is considered suitable and demonstrate visibility for the existing and proposed site conditions can be achieved.*

*Given the proposed access road speeds, the pedestrian/cyclist visibility splays demonstrated from the crossing point across the access road are suitable.*

*Given the proposed access road speeds, the eastbound forward visibility demonstrated on approach to the junction is suitable"*

- 2.24 The above comments are noted, and no further commentary/amendments the site access arrangements are required.

#### Road Signs, Markings and Lighting

*"Full details of signing have not been provided. However, this would be provided at the detailed design stages. The omittance of any signing details at this stage should not be considered fundamental to the design principles and is in line with standard practice.*

*Further, the proposed road markings as shown in the development proposals are suitable and in accordance with TSM Chapter 5.*

*Full details of lighting have not been provided. However, this would be provided at the detailed design stages. The omittance of any lighting details at this stage should not be considered fundamental to the design principles and the existing columns would be relocated accordingly if required. "*

- 2.25 The above comments are noted and can be confirmed that full details of road signs, markings and lighting will be included at detailed design stage.

#### Swept Path Analysis

*"The designer has undertaken swept path analysis for articulated vehicles around the site access. The proposals demonstrate that all relevant vehicles movements can be accommodated within the proposed design at the relevant and requested*

*forward gear speeds of 10kph. It should be noted that the 'right out' movement from the access has not been included."*

- 2.26 It should be stressed that for the purposes of the planning application and in line with industry standards, left in and left out swept paths were showed as they typically are the worst case and most onerous manoeuvres at a T-junction arrangement. However, for completeness and to give confidence of the suitability of the proposed site access, **ACE Drawing 187011-001J** has been updated to show how a Max Legal Articulated Vehicle can turn right out of the access road on to the A41 without conflict or encroachment. This should therefore alleviate the concerns raised by the independent highways review.

#### Drainage

*"Full details of the drainage have not been provided. However, this would be provided at the detailed design stages. The omission of any drainage details at this stage should not be considered fundamental to the design principles and highway alignment."*

- 2.27 It can be confirmed that details for the drainage will be provided as part of the detailed design stage. Full details of the drainage strategy are provided within **ACE Report 187011-13**, noting that there is no objection from the LLFA subject to detailed design comments.

#### **Road Safety Audit and Designer's Response**

- 2.28 It is noted that Evoke Transport, within the independent highways review, provided a review of the Road Safety Audit Stage 1 and Designer's Response (**ACE Report 187011-09**) undertaken in January 2023. In order to not repeat the identical comment multiple times, the comments raised by the independent highways review were accepted and noted by Ardent Consulting Engineers and no further commentary is required.

#### **Speed and Volume of on-coming traffic from the A41**

##### Vehicle Speeds

*An ATC survey was commissioned by Ardent Consulting Engineers to alleviate the concerns previously raised by Hertfordshire Highways in relation to visibility along the A41 to the south (in the direction of the Hunton Bridge Roundabout).*

*The survey was located on the A41 Watford Road circa 75m to the south of the proposed access junction, recording approach vehicle types and speeds in the northbound direction as vehicles egress from the circulatory carriageway. It was undertaken between Wednesday 15<sup>th</sup> February and Tuesday 21<sup>st</sup> February 2023.*

*It should be noted that WebTAG Unit M1.2 – Data Sources and Surveys states that surveys should typically be carried out during a 'neutral' or representative month, avoiding main and local holiday periods, local school holidays and half terms, and other abnormal traffic periods. It is understood that Hertfordshire half term holidays fell between 13<sup>th</sup> February and 17<sup>th</sup> February 2023 and therefore the ATC data could be seen as not representing a neutral period and may not reflect normal traffic conditions. Justification should be provided as to the validity of this data.*

*The Transport Assessment states that the recorded 85<sup>th</sup> percentile vehicle speeds on the exit of the Hunton Bridge Roundabout on to the A41 Watford Road was 29.7mph (48kph). The southbound traffic was not surveyed. It should be noted that this is an average 85<sup>th</sup> percentile speed across the surveyed seven-day period. The ATC has been reviewed and the stated 85<sup>th</sup> percentile speed is accurate. For reference, the average seven-day speed was 26.4mph, the 5-day average speed was 26mph and the 5- day average 85<sup>th</sup> percentile speed was 29mph.*

2.29 While it is accepted that the ATC survey was undertaken during the Hertfordshire half term holidays due to time constraints with the application, it should be stressed that the purposes of the ATC was to obtain vehicle speeds only, to calculate visibility splays from the site access. The resulting traffic flows were not used in any modelling or resulting calculations. Typically, while traffic flow levels are lower during holiday periods, traffic is likely to be more free flowing

2.30 In any case and as previously alluded to, HCC requested in their final set of comments (February 2023) that maximum achievable visibility splays should be showed, which exceeds that of the calculated splays and provides a robust assessment and assurance that more than required visibility can be achieved.



2.31 Therefore, the use of the speed survey to derive visibility was not incorporated within the final submission. The final visibility splays shown exceed the that of the speed survey and should therefore remain suitable as confirmed by HCC.

### **Existing Volume of Traffic**

*The volume of traffic during the morning peak period was considered within the site audit undertaken on 9 January 2024. We would note that the traffic volume did not appear excessive.*

*The right turn lane into Old Mill Road appeared to be operating below capacity and no queuing was observed outside the existing right turn lane length.*

*Further details on peak hour periods are included below*

- *Weekday Morning Peak – 08:00 – 09:00 = 957*
- *Weekday Evening Peak – 16:00 – 17:00 = 952*

*It should be noted that the evening peak hour utilised in the Transport Assessment (17:00 – 18:00) is not presented in the MCC outputs.*

2.32 It should be stressed that the full outputs were included within Appendix B of the Transport Assessment (**ACE Report 187011-05E**). For completeness, the full outputs are included within **Appendix B** of this report.

*"The existing volume of on-coming traffic from the A41 roundabout is also evidenced in the ATC survey results undertaken at the A41 exit arm of the Hunton Bridge Roundabout (A41 / M25 /A411 Hempstead Road) (undertaken 15 – 21 February 2023). The data is summarised below:*

- *Weekday Morning Peak – 07:00 – 09:00 = 764*
- *Weekday Evening Peak – 16:00 – 17:00 = 1109*

*As identified above, there is a difference between the existing traffic volumes surveyed in the MCC and ATC surveys, with examples below*

- *Weekday Morning Peak – 07:00 – 09:00 = 193 higher in MCC than ATC*

- *Weekday Evening Peak – 16:00 – 17:00 = 181 lower in MCC than ATC*

*Justification should be provided regarding the variation between the MCC and ATC surveyed traffic flows."*

2.33 As alluded to previously, the ATC survey was undertaken to derive vehicle speeds only and was not used in any modelling as it was undertaken during the Hertfordshire school holidays where traffic levels are typically not representative/considered suitable for modelling purposes. It should also be noted that the ATC survey also only measured vehicle flows in the northbound direction and therefore does not account for the two-way flows along the A41 which is required to undertake junction modelling.

2.34 Therefore, as is usual practice when undertaking junction modelling, an MCC survey was undertaken to determine the existing two-way traffic levels on the network on the 11<sup>th</sup> October 2022. It should be stressed that while the peak periods within the report and modelling are labelled as AM and PM, the busiest period within the survey period was identified to use within the junction modelling as demonstrated in the below screenshot, representing the busiest periods for assessment

Time Period	A41 South						Watford Road						A41 North						Total H/T
	Left to Watford Road			Straight to A41 (North)			Left to A41 (North)			Right to A41 (South)			Straight to A41 (South)			Right to Watford Road			
	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	
0730-0745	0	0	0	205	10	225	0	0	0	0	0	0	262	6	274	0	0	0	
0745-0800	0	0	0	211	11	233	1	0	1	0	0	0	237	11	259	1	0	1	
0800-0815	0	0	0	227	6	239	0	0	0	0	0	0	220	7	234	0	0	0	
0815-0830	0	0	0	249	7	263	0	0	0	0	0	0	223	4	231	0	0	0	1960
0830-0845	0	0	0	250	8	266	1	0	1	0	0	0	229	11	251	0	0	0	1979
0845-0900	1	0	1	189	5	199	0	0	0	0	0	0	231	12	255	0	0	0	1940
0900-0915	2	0	2	202	10	222	0	0	0	0	0	0	243	9	261	1	0	1	1953
0915-0930	2	0	2	195	8	211	1	0	1	0	0	0	218	9	236	0	0	0	1909
<b>Hourly Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>937</b>	<b>32</b>	<b>1001</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>909</b>	<b>33</b>	<b>975</b>	<b>1</b>	<b>0</b>	<b>1</b>	

Time Period	A41 South						Watford Road						A41 North						Total H/T
	Left to Watford Road			Straight to A41 (North)			Left to A41 (North)			Right to A41 (South)			Straight to A41 (South)			Right to Watford Road			
	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	
1630-1645	2	0	2	255	3	261	2	0	2	1	0	1	232	3	238	1	0	1	
1645-1700	3	0	3	265	3	271	1	0	1	0	0	0	234	5	244	0	0	0	
1700-1715	1	0	1	286	3	292	2	0	2	1	0	1	246	4	254	2	0	2	
1715-1730	2	0	2	273	2	277	1	0	1	2	0	2	291	2	295	0	0	0	2153
1730-1745	2	0	2	282	5	292	1	0	1	5	0	5	228	3	234	1	0	1	2183
1745-1800	0	0	0	269	3	275	0	0	0	1	0	1	236	2	240	0	0	0	2180
1800-1815	0	0	0	265	4	273	1	0	1	1	0	1	244	2	248	1	0	1	2152
1815-1830	0	0	0	279	0	279	0	0	0	1	0	1	222	2	226	0	0	0	2081
<b>Hourly Total</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>1106</b>	<b>13</b>	<b>1132</b>	<b>5</b>	<b>0</b>	<b>5</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>999</b>	<b>14</b>	<b>1027</b>	<b>3</b>	<b>0</b>	<b>3</b>	

**SUMMARY RESULTS OF A41 / WATFORD ROAD - 11/10/22**

2.35 The MCC survey identified that the busiest period in each peak hour were as follows:

- AM (07:45-08:45) – 1,976 two-way flows along the A41; and
- PM (16:45-17:45) – 2,159 two-way flows along the A41.

2.36 For completeness, the northbound flows have been extracted from the above peaks which results in the following:

- AM (07:45-08:45) – 1,001 two-way flows along the A41; and
- PM (16:45-17:45) – 1,132 two-way flows along the A41

2.37 The difference between the ATC and MCC is therefore demonstrated below:

- AM (07:45-08:45) – 273 higher in MCC than ATC
- PM (16:45-17:45) – 23 higher in MCC than ATC

2.38 It can be seen that the MCC results in higher traffic levels than the ATC when considering the busiest period within the survey data and is therefore considered suitable to use within the junction modelling. This therefore should provide the independent highways review team with sufficient justification as to why the MCC has been used for junction modelling purposes and therefore should be considered acceptable as it provides a worst-case scenario.

#### Trip Generation

*"It is acknowledged that pre-application feedback from HCC was provided to the Applicant in August 2020. Within this feedback, trip generation was accepted and HCC raised no objections or issues with the approach taken in respect of trip type."*

2.39 It should also be noted that the above trip rates were agreed at pre-application stage and were used throughout the planning process as agreed with HCC.

*"We have reviewed the TRICS data, including the acceptability of the selected criteria, and the approach is generally acceptable. New surveys have been added since 2020. Utilising these surveys could result in approximately 10 additional vehicle trips in the both the morning and evening peak, however this is not envisaged to have a material impact on the local highway network."*

2.40 This is noted, though as highlighted above these have been agreed from the pre-application stage and was accepted throughout the planning process. Furthermore, no details were provided of the additional site and how comparable they are to the proposed development and location.

*It is noted that the Transport Assessment and subsequent documents and assessments utilised the following peak hours:*

- *Weekday morning peak: 08:00-09:00*
- *Weekday evening peak: 17:00-18:00*
- *Weekend peak: 11:00-12:00*

*With regards to the weekday morning and evening peak hours, these are the network peak hours used (although we note that they differ to the actual peak hour of the land use).*

*It should however be noted that the TRICS peak hours refer to those which are identified within the selected surveys and are not necessarily location specific. In comparison, the ATC survey identifies a more accurate local network peak (MCC not referred to as the full outputs are not included). The surveys identify the following network peaks:*

- *Weekday morning peak: 07:00-08:00*
- *Weekday evening peak: 16:00-17:00*
- *Weekend peak: 13:00-14:00*

2.41 As described above, the busiest time period within the survey period has been used to provide a robust assessment (07:45-08:45 and 16:45-17:45) and therefore represents the busiest network peak hour. While it is noted that the proposed food store busiest peak hour does not coincide with the traditional morning and evening peak hours, it does provide a robust assessment as the highway network is most sensitive to increases in these periods. Furthermore, the ATC survey was undertaken during the school holidays in the northbound direction only and therefore is not considered to demonstrate a more accurate local network peak.

2.42 This is confirmed within Evoke Transport's independent highways review which states that... *"The ATC survey was undertaken during Hertfordshire school half term holidays and therefore the data may not represent normal traffic conditions"*.

*"The TRICS data for Garden Centres does not cover the 07:00 – 08:00 hour period, and therefore it would not be possible to alter the weekday morning peak trip generation. Trip generation for a garden centre during 0700 to 0800 are likely to be limited reflecting trading hours. The TRICS trip rates for the above alternative peak hours have been applied to the existing and proposed quantum of development. There is a small decrease against what is currently presented; however it does not result in a material change to the overall trips. The trip generation is therefore acceptable."*

2.43 As previously alluded to, the ATC was only undertaken to derive vehicle speeds in the northbound direction from the Hunton Bridge roundabout and should not be relied on for junction modelling or any highway impact purposes. Further to this, the busiest hour during the MCC has been identified to ensure a robust assessment has been undertaken.

2.44 Notwithstanding the above, it is noted that the trip generation is considered acceptable by the independent highways review, and no further commentary will be provided.

#### Trip Type

*"It is acknowledged that the trip generation exercise sets out all potential trips resulting from the proposed development, however this does not account for the typical characteristics of a food store which can generate different trip types. This includes pass by trips, diverted trips and transferred trips, along with new trips.*

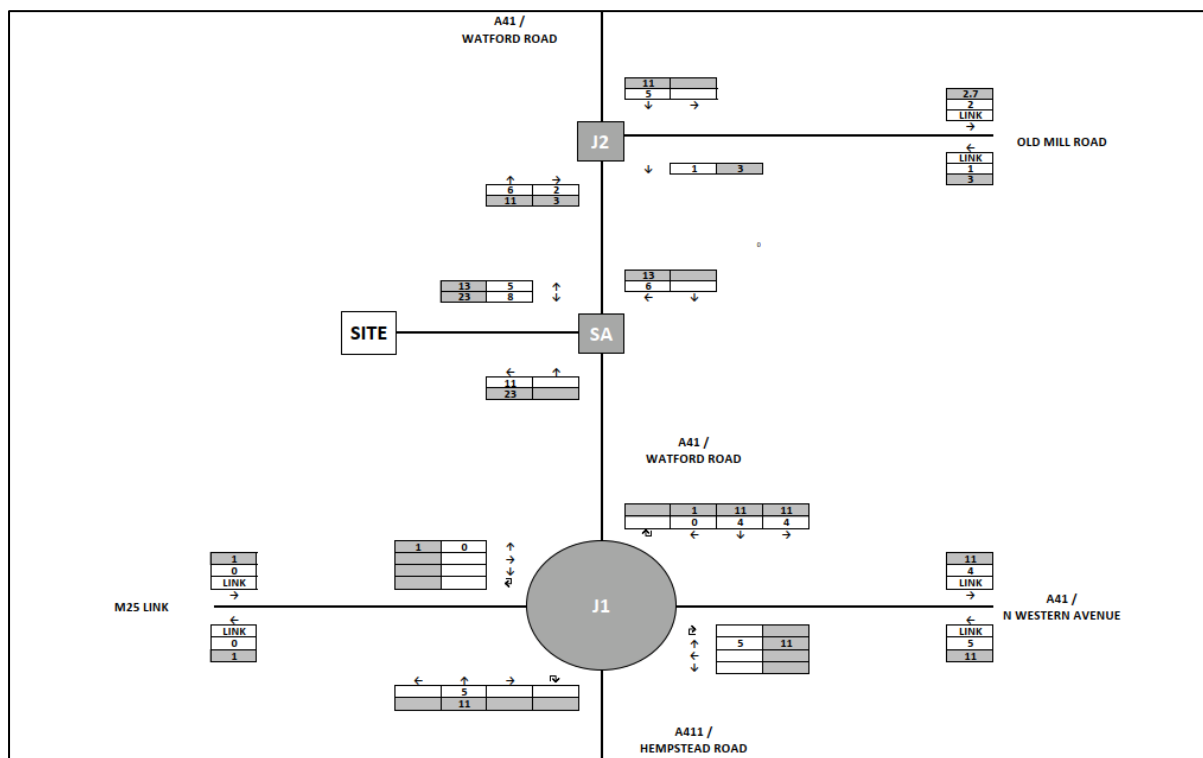
*The Transport Assessment makes reference to the 95/2 and 14/1 TRICS Research Reports which provide guidance on the nature of pass by, diverted and transferred trips and concludes that the proportion of trips generally accepted to be non-primary is between 30 – 40%. The Transport Assessment suggests that up to 60% of the trips generated by the food store will be new or transferred trips, with the remaining 40% comprising an even split between pass-by and diverted trips.*

*While this is likely a robust estimate, it should be noted that no evidence is presented to justify these percentages. We would highlight that a Retail Impact Assessment should generally be produced and considered alongside the Transport Assessment in the assessment of potential trip types."*

2.45 It should be stressed that the methodology undertaken is industry standard based on the TRICS 95/2 and 14/1 Research Reports and is commonly accepted on similar sites.

2.46 For the purposes of the assessment, "transferred" and "new" trips have been grouped together and any transferred trips have been allocated as 'new' trips on the road network, which allows for a robust assessment.

2.47 There has been no detailed consideration of the supermarkets or retail outlets that any potential transferred trips could derive from, so all “transferred” trips are classified as “new” trips on the network as showed in Figure 6 within the supporting Transport Assessment (see extract below).



2.48 The above extract shows the “new and transferred” trips grouped together. It is therefore concluded that there would be a maximum increase of 72 two-way trips in the evening peak hour, noting this does not account for the trips generated by the existing retail use.

2.49 Given, no due consideration has been given to the retail impact of the transferred trips, a Retail Impact Assessment (RIA) is not required in this instance. Further to this, the Planning Officer noted that the sites lawful use is material in determining the level of assessment needed to justify the retail use and was deemed that an RIA was not required for planning purposes. This should alleviate the concerns raised by the independent highways review.

Trip Distribution

*"To distribute trips, and in the absence of observed traffic counts, 2011 Census 'Usual Resident Population' data for the existing residential population of the surrounding area available on the Official Labour Market Statistics has been used to estimate the proportion of vehicle trips that could travel along each key route to/from the site. The more detailed methodology explained in Section 6.1.14 of the Transport Assessment is noted and acceptable, although we would reiterate the above point on trip types"*

2.50 As highlighted above, all transferred trips have been allocated as new trips for a robust assessment and therefore should alleviate the concerns raised on this particular matter.

2.51 It is noted that the distribution overall is considered acceptable, and no further commentary will be provided.

Impacts of Development

*"Comment on the impact of the development cannot be completed due to the following reasons:*

- *Baseline not modelled in PICADY*

2.52 It is noted that the Baseline (2022) has not been modelled in PICADY. The reasoning for this is owing to the substantial amendments between the two junction arrangements was not considered a comparable assessment.

2.53 Though it should be noted that the junction operates within sufficient capacity with a maximum RFC of 0.41 in the weekend period and 0.28 in the evening peak period during a "With Development 2036" scenario. It is therefore considered that a Baseline scenario would not provide any meaningful information in this instance given the proposed development is to result in an increase of movements and site access is predicted to operate well within capacity with the proposed scheme in place.

- *No evidence of TEMPro growth factors utilised for future year traffic flows*



2.54 The TEMPro growth factors are contained within Figure 18 of the supporting Transport Assessment for the Three Rivers District area. For clarity these are reproduced below:

- *AM 2022 to 2036 = 1.0715*
- *PM 2022 to 2036 = 1.0805*

2.55 This should alleviate the concerns raised by the Independent Highway Review.

*"Note that the committed toucan crossing linked to the 22/0491/FUL permitted application for the Warner Bros studio has been included in the design (see further commentary below) however there is no evidence to whether any further committed developments have been included in the modelling and if so, no evidence on what developments have been included."*

2.56 It can be confirmed that no further Committed Developments have been included within the assessment. This approach was considered acceptable by HCC throughout the planning process. Notwithstanding, the 2036 TEMPro future year allows for allocated sites and the resulting growth in traffic to provide a robust assessment. The 2036 future year also coincides with the Local Plan horizon year and therefore provides a comprehensive assessment.

*"2036 future year stated, and 2046 future year modelled in PICADY – would expect an opening year assessment and post five years to be provided."*

2.57 While it is noted that an opening year assessment and post 5 years is usually provided when considering traffic impacts, a 2036 future year is considered more robust in this instance. For example, should an opening year of 2026 be considered/achieved (subject to receiving planning approval), this would indicate a future year of 2031 which is 5 years prior to the 2036 future year included within ACE's modelling.

2.58 This should therefore provide some clarity to the independent highway review to why a 2036 future year has been used and give reassurance that it provides a worst-case scenario and a robust assessment of the proposed arrangement.

## **Cycle (and pedestrian) Safety**

### Cycle Facilities – Widths

*"The existing shared use footway/cycleway and staggered crossing has been accommodated within the proposed design.*

*In accordance with LTN 1/20 Table 6-3, the minimum width requirements for a shared use facility is 3m.*

*This allows cycle flows of up to 300 cyclists per hour however cycle flows will be much lower than this figure and therefore a 3m width is acceptable.*

*The existing and retained sections of shared use footway/cycleway meet the 3m minimum width requirement. Where new sections of footway are proposed, these appear to meet the 3m width requirement."*

- 2.59 It is noted that the independent highways review considers the widths of the cycle route to be acceptable and therefore no further commentary will be provided.

### Cycle Facilities – Horizontal Alignment

*"On the southbound approach to the access road, there is an alignment change. The horizontal curvature of the footway/cycleway here meets the minimum radii requirements as shown in LTN 1/20 Table and allows for a robust 20kph design speed."*

- 2.60 It is noted the horizontal alignment of the cycle route is considered acceptable and no further commentary will be provided.

### Hazard Paving

*"Corduroy and tactile paving has been proposed throughout and appears suitable in defining the proposed and existing route through the proposed junction works."*

2.61 It is noted that the hazard paving is considered suitable and accepted by the Independent Highways Review. Ardent Consulting Engineers agree with the above and no further commentary will be provided.

Crossing Islands

*"It is proposed to relocate the existing staggered crossing to the north, to accommodate an increased deceleration length for the southbound right turn lane into the site.*

*The proposed staggered crossing is c.4m width, meeting the requirements of "Roads in Hertfordshire: Highway Design Guide 3rd Edition Section 4 – Design Standards and Advice" Table 4.11.3.6*

*The tactile crossing widths are suitably proposed at 3.2m to accommodate the 3m width footway/cycleways.*

*The crossing segregation between the two sets of tactile paving on the staggered island is c.1.35m. "Roads in Hertfordshire: Highway Design Guide 3rd Edition Section 4 – Design Standards and Advice" Section 4 Table 4.11.3.6 suggests this distance should be a minimum of 1.8m.*

*A preferable width of 3m between crossing limits is often recommended, allowing for cyclists to manoeuvre between the crossings on the island.*

*It is recommended that the distance is increased to align with HCC requirements. This can be addressed at detailed design stage."*

2.62 In light of the above, **ACE Drawing 187011-001J** has been updated to demonstrate how a longer stagger of 1.8m on the island could be provided to ensure that cyclists could safely manoeuvre through the stagger. At this stage of the process, it is envisaged that this would be implemented and investigated further at detailed design stage. Though at this stage, should alleviate the concerns raised by the independent highways review by demonstrating that this minor amendment could be implemented if deemed as a requirement.

### **Acceptability of Crossing Points**

*The proposed toucan crossing upgrades, which are illustrated in 187011-SK07 Rev A have been reviewed; the proposed toucan crossing upgrades suitably demonstrate that the proposed staggered island could be upgraded to accommodate a signalised toucan crossing arrangement, with additional road markings and extension of the proposed tactile paving required.*

*Whilst no forward visibility has been shown to the signal heads on drawing 187011-SK07 Rev A, the supporting report 'Transport Statement Addendum 187011-R-11 July 2023' makes reference to an additional drawing (187011-SK08) which was produced to demonstrate forward visibility to the signal heads.*

2.63 This is noted. **ACE Drawing 187011-SK08** has been appended to this report for completeness.

*This report suggests visibility in the southbound direction is achievable for a 40mph design speed, and whilst northbound forward visibility of only 100m can be achieved, that this should be acceptable and that it was deemed acceptable to the HCC signals team.*

*Based on the above correspondence and recorded speeds, adequate visibility can be achieved and that the principles of the upgrade appear feasible.*

2.64 This is noted and no further commentary is provided.

*It is however not clear whether consideration has been given to the possibility of the 22/0491/FUL application not progressing and therefore the possibility of the proposed toucan crossing upgrades not progressing. It may be worth exploring the impact on this development should the application/scheme not come forward, and specifically whether an alternative improvement option should be explored, and in what form this would be.*

2.65 It should be stressed that **ACE Drawing 187011-SK07** was prepared to ensure the infrastructure associated with the proposed development would not prejudice the

deliverability of the toucan crossing, which is set by the planning condition of the Warner Bros application (22/0481/FUL).

- 2.66 It should be noted that there is no formal requirement set out by HCC or TRDC to deliver a Toucan Crossing for the Lidl application in the event that the Warner Bros application does not proceed.
- 2.67 It is also considered that sufficient improvements to the wider pedestrian and cycling infrastructure have already been allowed for within the planning application including the relocation of the existing staggered crossing facility and associated works to accommodate this including the conversion of the footway on the eastern edge of the A41 to a cycle route. It also includes a significant betterment in cycling and pedestrian infrastructure at the site access itself, with a dropped kerb crossing facility provided with sufficient visibility to approaching vehicles.
- 2.68 The above should therefore alleviate the concerns raised by the independent highways review.

### **3. SUMMARY AND CONCLUSIONS**

- 3.1 Ardent Consulting Engineers (ACE) have been instructed by Lidl Great Britain Limited and Northport Lochaline Limited to prepare a Transport Technical Note (TTN) in respect of a proposed Lidl Food Store on land to the west of the A41 / Watford Road (application reference 22/1764/FUL).
- 3.2 This report provides a response to a Transport Technical Note prepared by 'Evoke Transport' who were commissioned by TRDC to undertake an independent highway review of the documentation and drawings prepared by Ardent Consulting Engineers following deferral at Committee.
- 3.3 This report provides a comprehensive response to each individual point raised by the independent highways review with further justification provided where necessary on the junction design, traffic flows and suitability of pedestrian and cycling infrastructure.
- 3.4 In light of the above, **ACE Drawing 187011-003J** has also been updated to reflect the comments received in relation to the junction design as follows:
- An increased taper length has been provided from 5m to 15m on the northbound right turn lane in to Old Mill Lane;
  - It has been demonstrated how a maximum legal length articulated vehicle can turn right from the realigned site access road to the A41 without encroachment or conflict. This was allowed for in the original submission but was not demonstrated on the drawings as the left in / left out manoeuvres are more onerous; and
  - The stagger length between the tactiles on the relocated crossing has been increased from 1.3m to 1.8m to be in line with the HCC Highway Design Guide.
- 3.5 The Automatic Traffic Count undertaken in February 2023 was used to derive vehicle speeds only to calculate visibility splays. While it is noted that this was undertaken

in the February half term, typically traffic flows are lower and are free flowing ensuring that representative 85<sup>th</sup> percentile speeds are recorded.

- 3.6 The junction modelling undertaken in the Transport Assessment made use of the Manual Classified Count, and this report confirms that this remains a robust assessment as the flows are higher than those recorded in the ATC.
- 3.7 While the trip generation was considered acceptable in the Independent Highways review, further justification was given to support the peak hours used and that they coincide with the busiest highway network period.
- 3.8 For the purposes of the assessment, "transferred" and "new" trips have been grouped together and effectively all transferred trips have been allocated as new trips which allows for a robust assessment. Therefore, no consideration has been given to the retail impact of the surrounding supermarkets and was considered acceptable to the LPA during the planning process.
- 3.9 While it is noted that an opening year assessment and post 5 years is usually provided when considering traffic impacts, a 2036 future year is considered more robust in this instance as it provides a worst-case scenario.
- 3.10 There is no formal requirement set out by HCC or TRDC to deliver a Toucan Crossing for the Lidl application in the event that the Warner Bros application does not proceed. Though, careful consideration has been given to ensure the development proposals do not prejudice the delivery of a Toucan Crossing in the future.
- 3.11 Overall, the Independent Highways Review does not highlight any fundamental reasons for refusal. In relation to the design review of the access arrangement, it was stated within the review that the *"Design generally compliant, with vehicle movements being accommodated"* and *"the existing situation has been generally accurately described and assessed"*. Finally, it was noted that *"cycle and pedestrian generally appear to have been accurately considered"*
- 3.12 In conclusion, this Transport Technical Note demonstrates that safe and suitable access could be provided to serve the site from the A41 and would be no severe off-

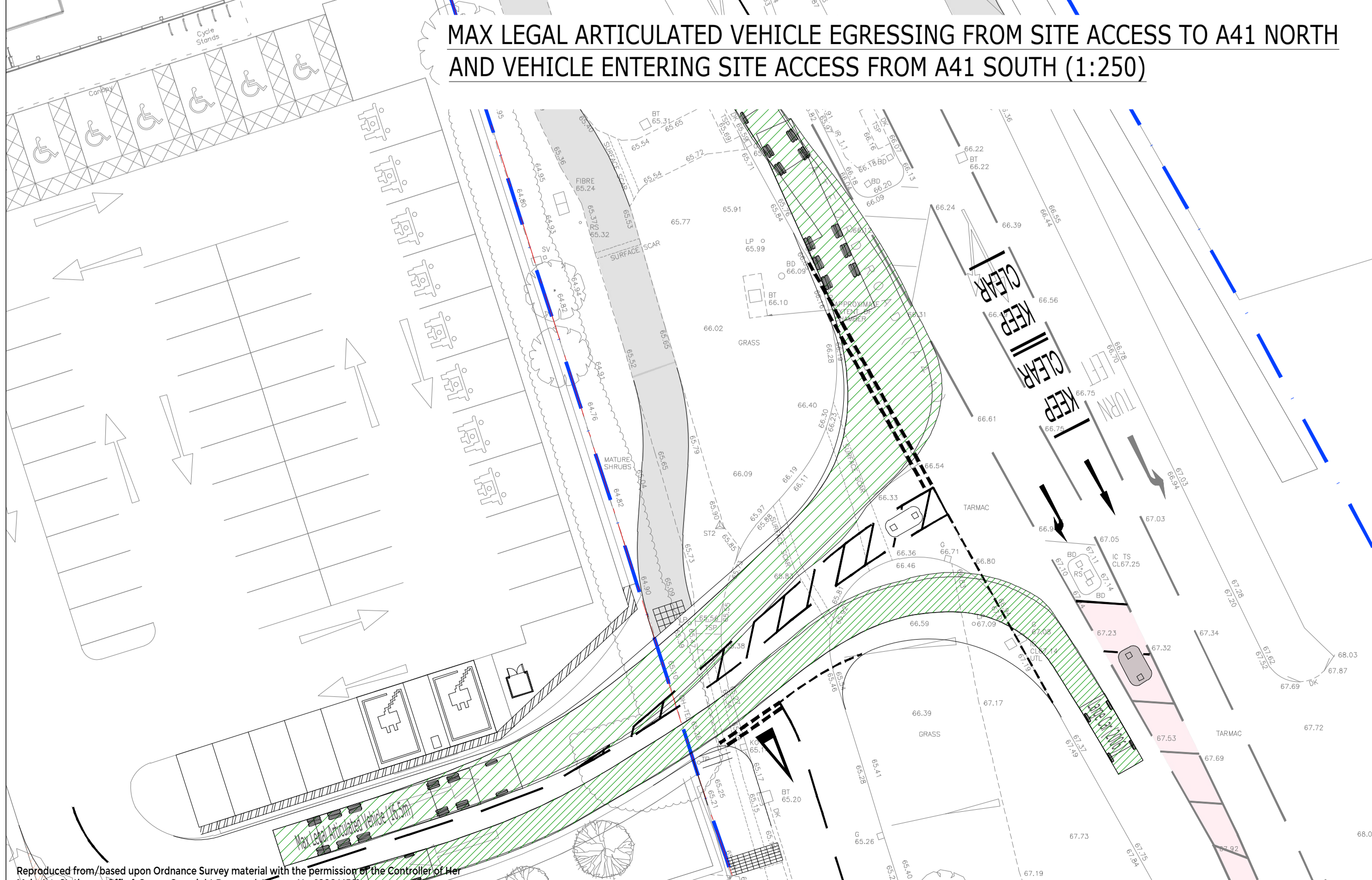
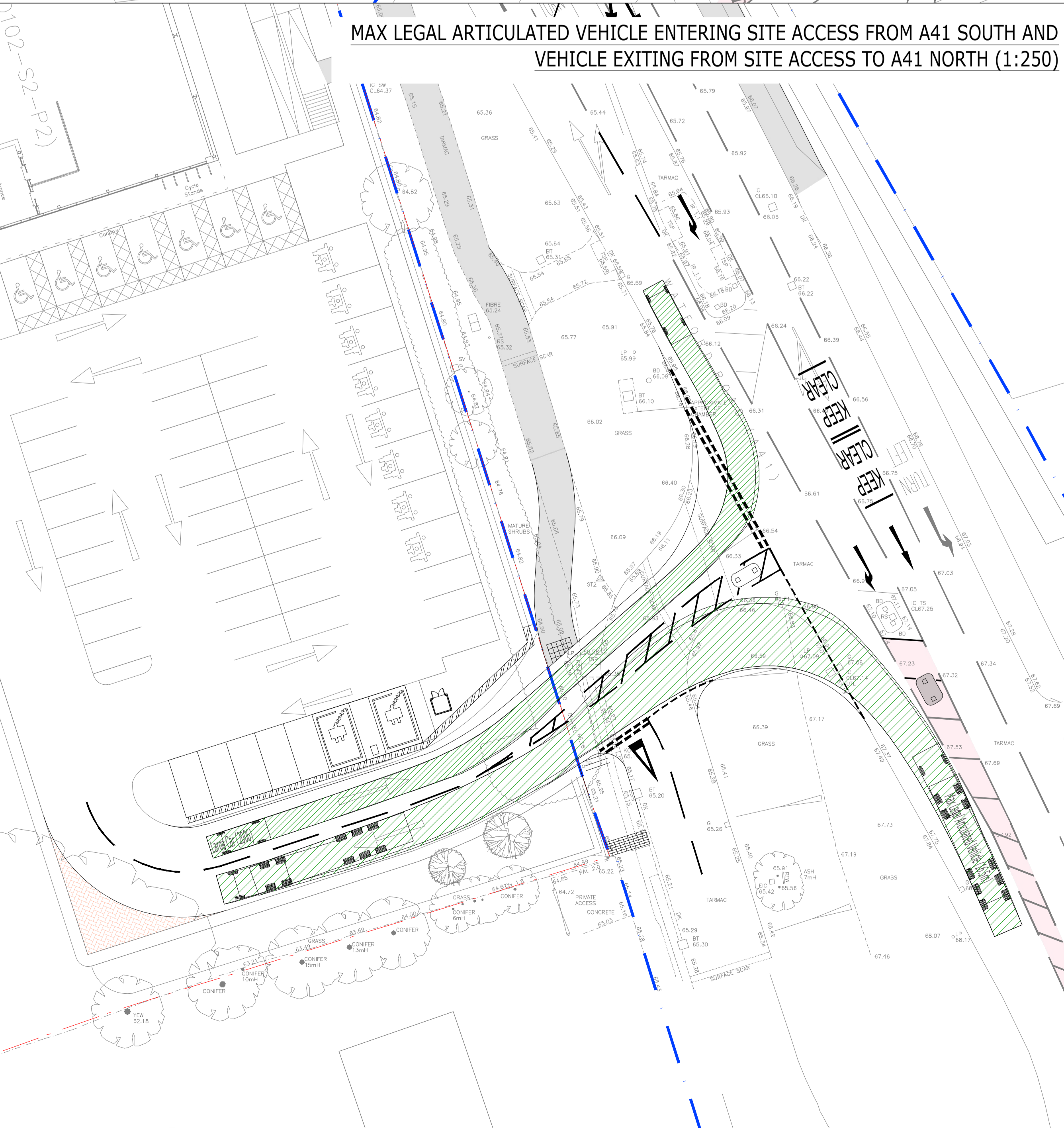
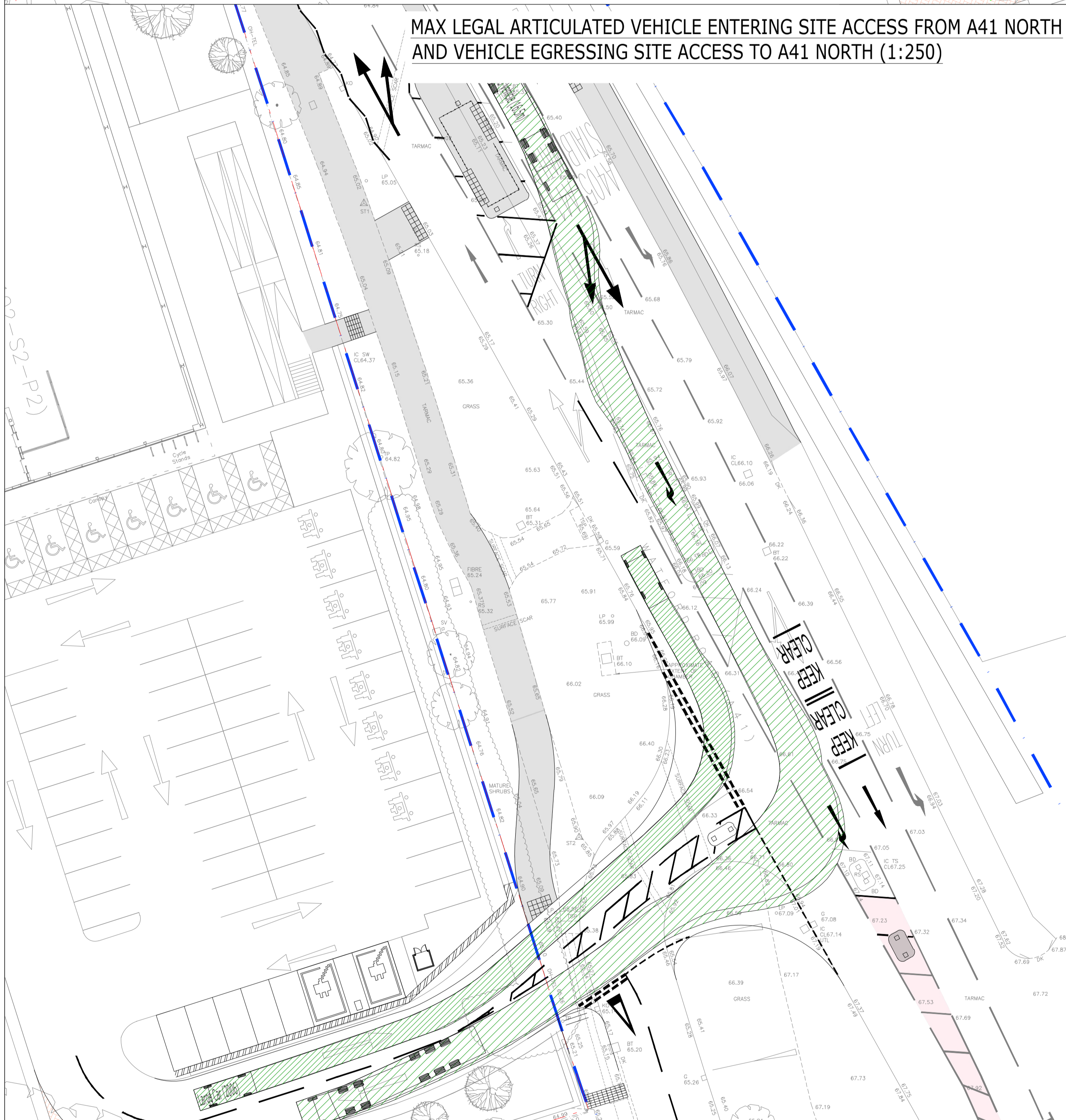
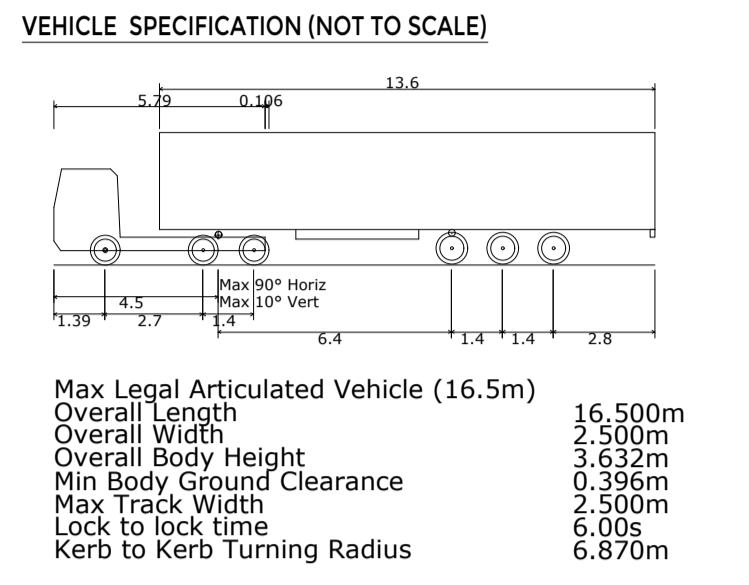
site highway impacts that would warrant a reason for refusal particularly in light of the NPPF.



Drawings

- NOTES:
1. ACCESS SHOWN INDICATIVELY AND SUBJECT TO DETAILED DESIGN AND AGREEMENT WITH HIGHWAY AUTHORITY.
  2. REDLINE BOUNDARY SHOWN INDICATIVELY BASED ON PLANS RECEIVED. TO BE CONFIRMED WITH THE DESIGN TEAM.
  3. HIGHWAY BOUNDARY SHOWN BASED ON OS PLAN RECEIVED FROM HCC.
  4. EXISTING ROAD MARKINGS BASED ON GOOGLE EARTH IMAGERY.
  5. SUBJECT TO JUNCTION CAPACITY ASSESSMENT / ASSESSMENT OF LEVELS / EXTENDED TOPO SURVEY TO COVER EASTERN SIDE OF A41.

- KEY:
- INDICATIVE SITE BOUNDARY
  - INDICATIVE HIGHWAY BOUNDARY (BASED OFF OS)
  - 2.4m x 84m JUNCTION VISIBILITY SPLAY BASED ON MAXIMUM ACHIEVABLE VISIBILITY (SUBJECT TO MANAGEMENT OF TREES)
  - 4.5m x 84m JUNCTION VISIBILITY SPLAY BASED ON MAXIMUM ACHIEVABLE VISIBILITY (SUBJECT TO MANAGEMENT OF TREES)
  - 2.4m x 56m JUNCTION VISIBILITY SPLAY BASED ON DMRB MFS2 CALCULATIONS USING MEASURED SPEEDS
  - 4.5m x 56m JUNCTION VISIBILITY SPLAY BASED ON DMRB MFS2 CALCULATIONS USING MEASURED SPEEDS



FOR INFORMATION ONLY

I	UPDATED TO HCC COMMENTS	R05	AC	ATB	03.05.23
H	UPDATED TO HCC COMMENTS	R05	AC	ATB	13.04.23
F	UPDATED TO HCC COMMENTS	R05	AC	ATB	23.03.23
E	MEASURED SPEEDS VISIBILITY SPLAYS ADDED	R05	AC	ATB	02.03.23
D	MINOR AMENDS	R05	AC	ATB	07.02.23
C	HCC COMMENTS	R05	AC	ATB	07.02.23
B	CLIENT COMMENTS	R05	AC	ATB	12.01.23
A	AMENDS TO REFLECT R04 STAGE 1	R05	AC	ATB	30.01.23
Rev	Description	Drn	Chk	App	Date

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Client: **NORTHPORT PROPERTY LIMITED**

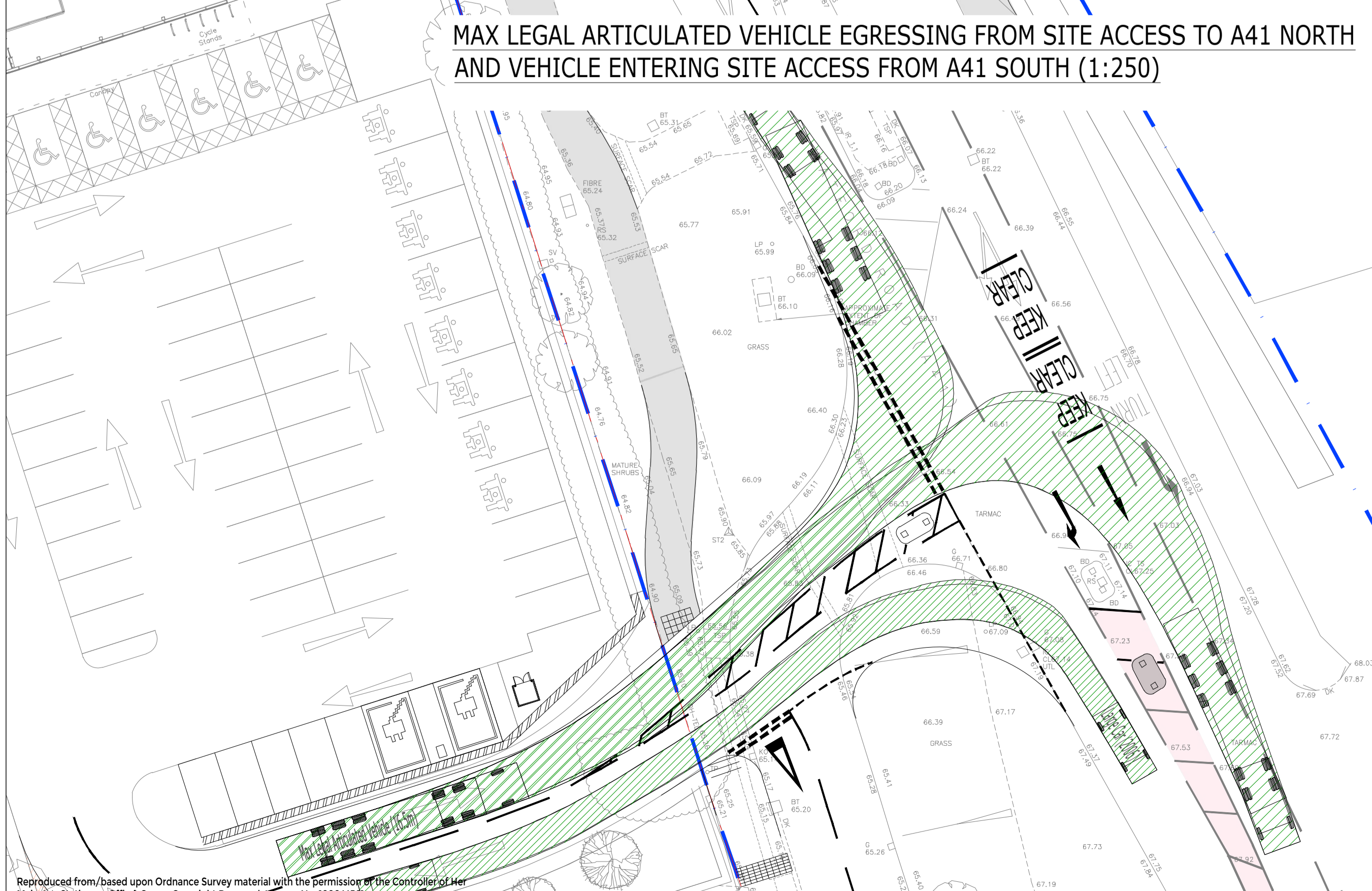
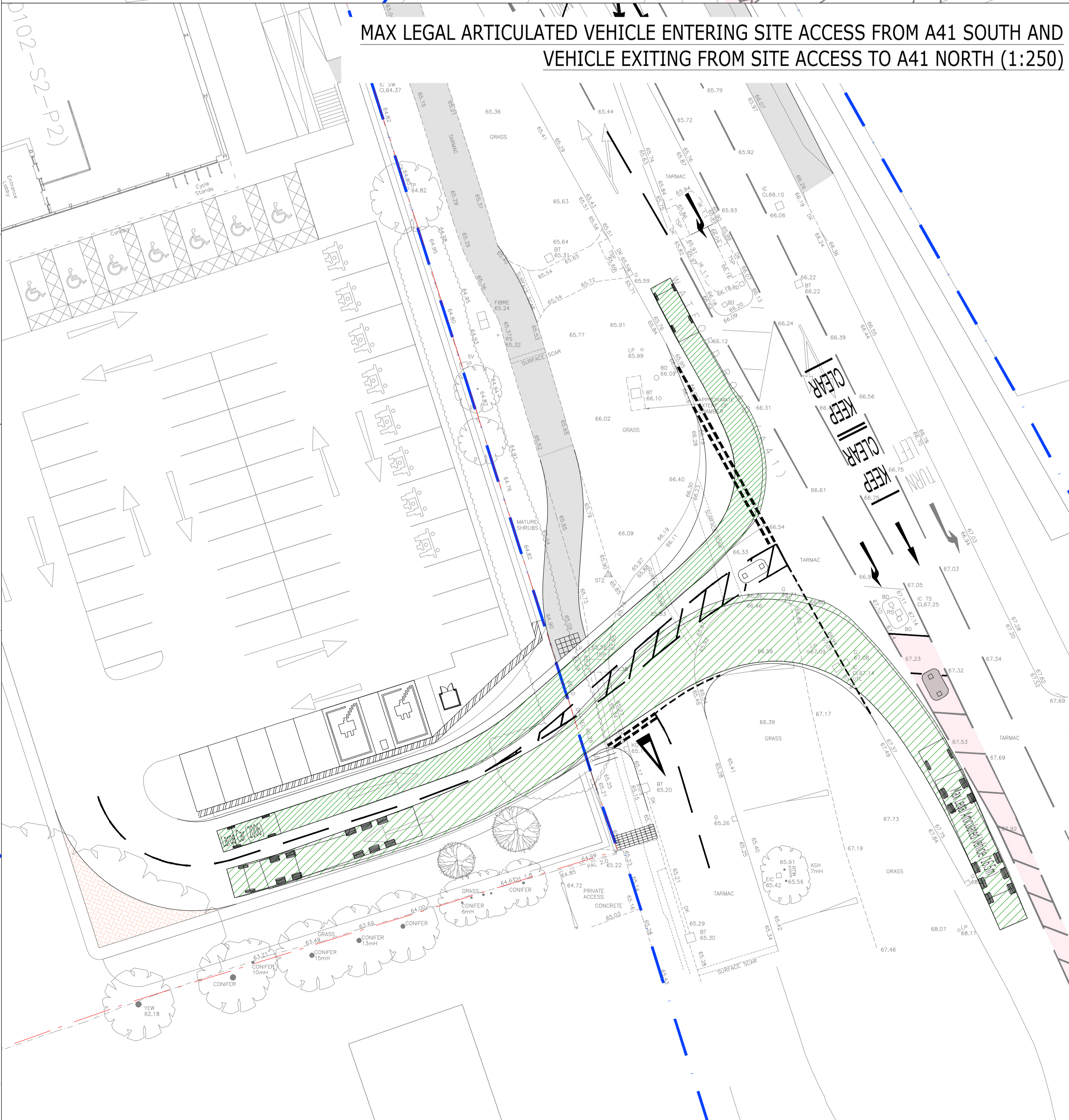
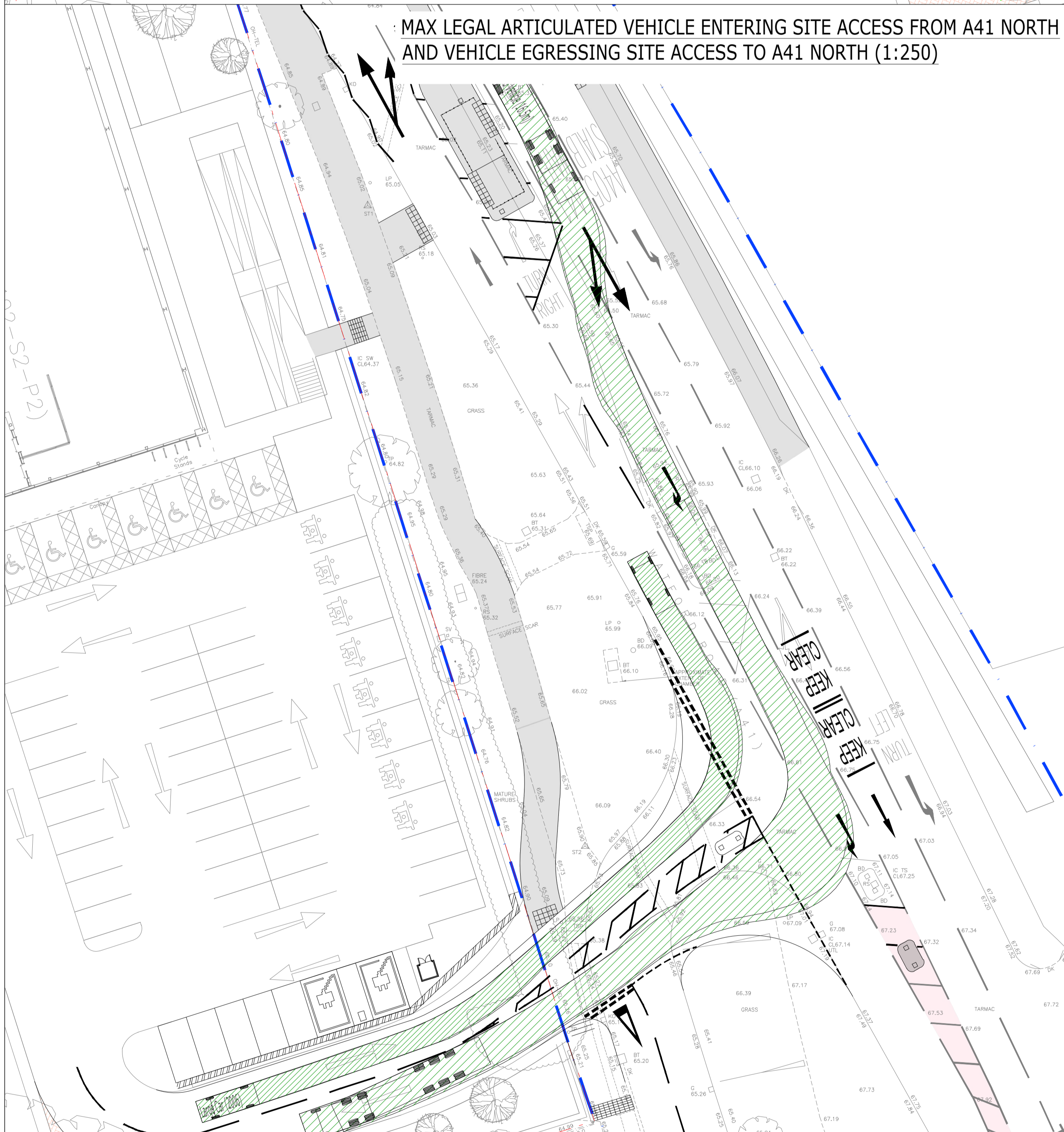
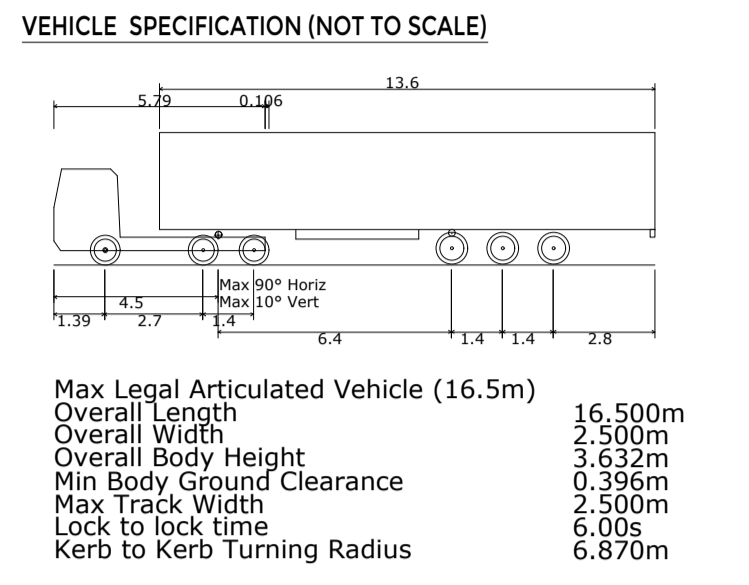
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Drawing Title: **SITE ACCESS ARRANGEMENT**

AD Scale	Date	Designed by
AS SHOWN	16.12.22	RDS
Drawn by	Checked by	Approved by
RDS	ATB	DM
Drawing Number	187011-001	

- NOTES:
1. ACCESS SHOWN INDICATIVELY AND SUBJECT TO DETAILED DESIGN AND AGREEMENT WITH HIGHWAY AUTHORITY.
  2. REDLINE BOUNDARY SHOWN INDICATIVELY BASED ON PLANS RECEIVED. TO BE CONFIRMED WITH THE DESIGN TEAM.
  3. HIGHWAY BOUNDARY SHOWN BASED ON OS PLAN RECEIVED FROM HCC.
  4. EXISTING ROAD MARKINGS BASED ON GOOGLE EARTH IMAGERY.
  5. SUBJECT TO JUNCTION CAPACITY ASSESSMENT / ASSESSMENT OF LEVELS / EXTENDED TOPO SURVEY TO COVER EASTERN SIDE OF A41.

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  - 4.5m x 84m JUNCTION VISIBILITY SPLAY BASED ON MAXIMUM ACHIEVABLE VISIBILITY (SUBJECT TO MANAGEMENT OF TREES)
  - 2.4m x 56m JUNCTION VISIBILITY SPLAY BASED ON DMRB MFS2 CALCULATIONS USING MEASURED SPEEDS
  - 4.5m x 56m JUNCTION VISIBILITY SPLAY BASED ON DMRB MFS2 CALCULATIONS USING MEASURED SPEEDS



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Rev	Description	Drn	Chk	App	Date
J	UPDATED TO HIGHWAY REVIEW COMMENTS	RDS	AC	ATB	30.03.23
I	UPDATED TO HCC COMMENTS	RDS	AC	ATB	03.05.23
H	UPDATED TO HCC COMMENTS	RDS	AC	ATB	13.04.23
F	UPDATED TO HCC COMMENTS	RDS	AC	ATB	23.03.23
E	MEASURED SPEEDS VISIBILITY SPLAYS ADDED	RDS	AC	ATB	02.03.23
D	MINOR AMENDS	RDS	AC	ATB	07.02.23
C	HCC COMMENTS	RDS	AC	ATB	07.02.23
B	CLIENT COMMENTS	RDS	AC	ATB	30.01.23
A	AMENDS TO REFLECT RBA STAGE 1	RDS	AC	ATB	30.01.23

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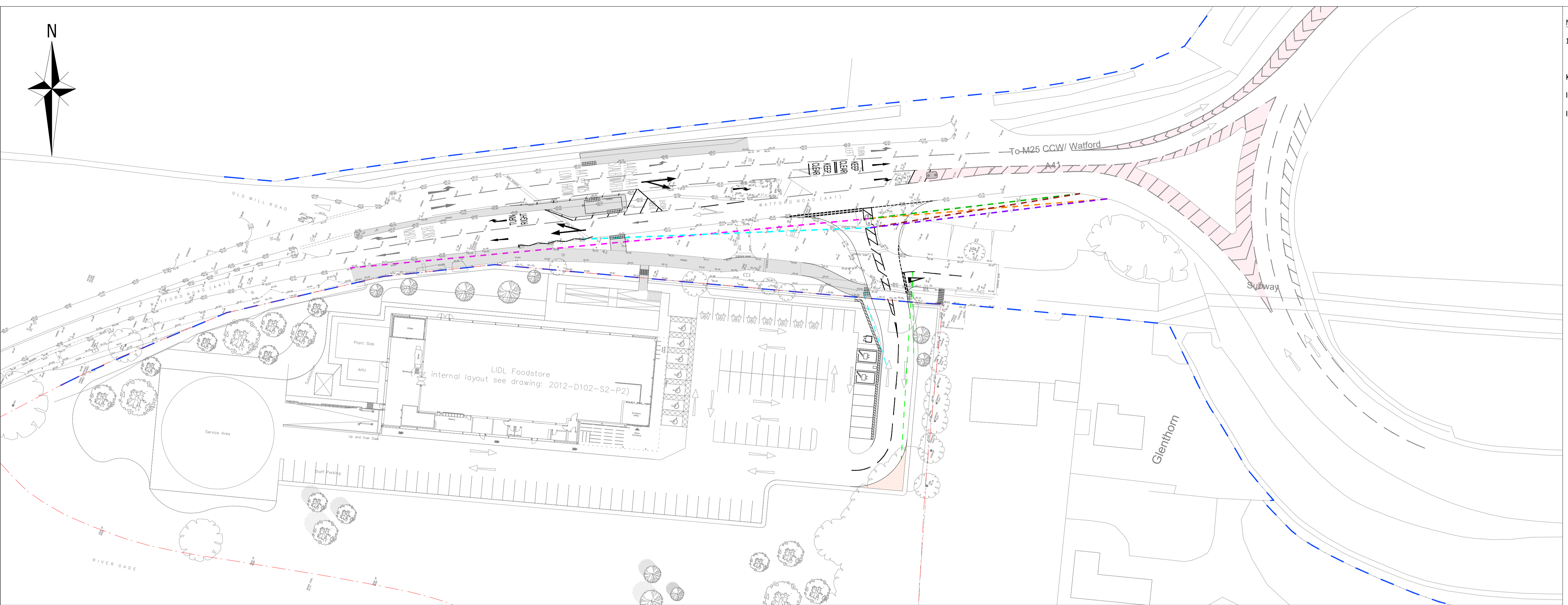
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Drawing Title: SITE ACCESS ARRANGEMENT

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RDS	ATB	DM

Drawing Number: 187011-001

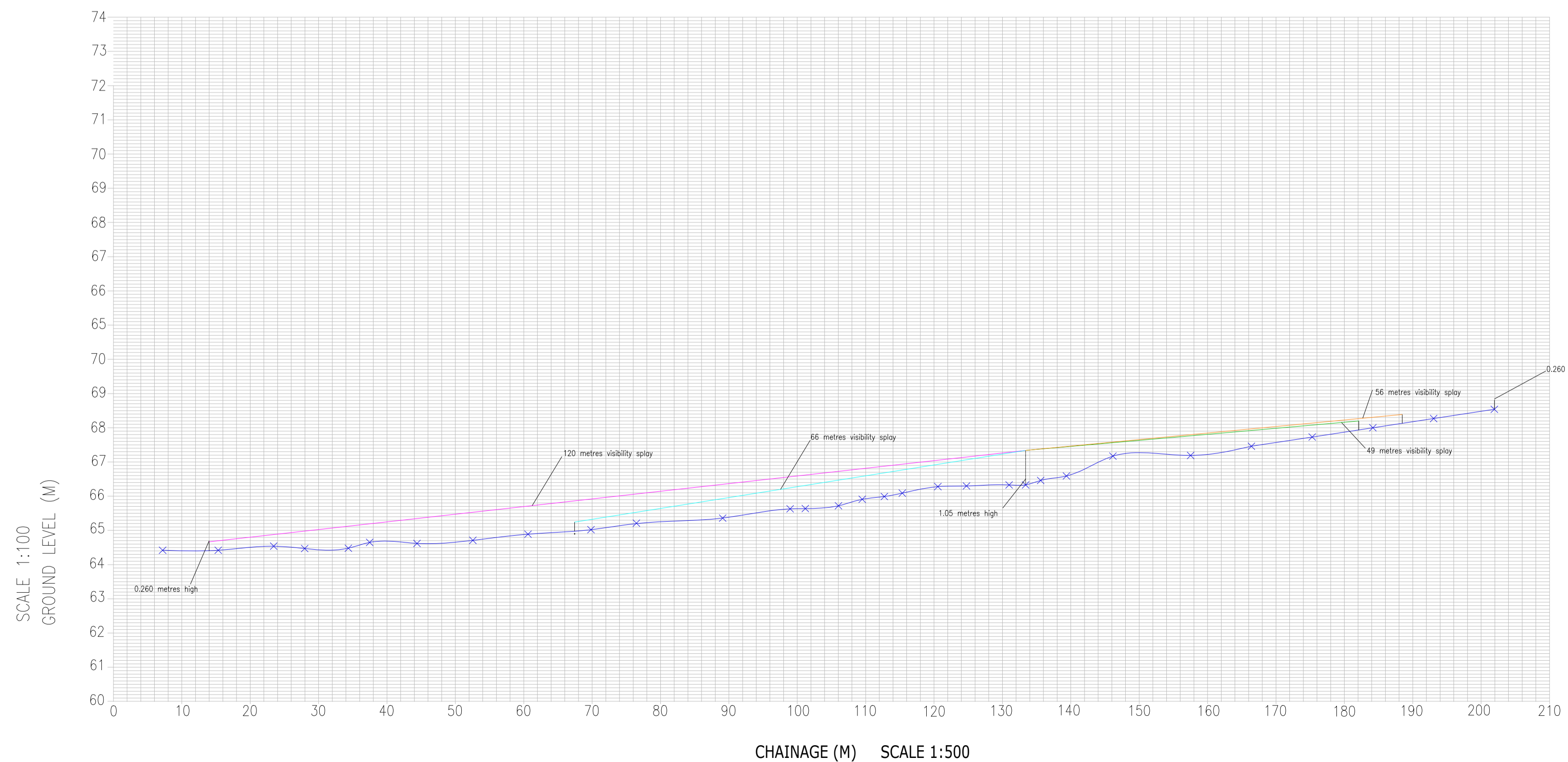
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NOTES  
 1. VISIBILITY IS ALSO SUBJECT TO THE CUTTING BACK OF EXISTING HEDGEROW AND DETAILED DESIGN.

KEY:  
 INDICATIVE SITE BOUNDARY - - - - -  
 INDICATIVE HIGHWAY BOUNDARY (BASED OFF OS) - - - - -

Page 140



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D	UPDATED ACCESS ARRANGMENT	RDS	AG	ATB	10.10.23
C	MEASURED VISIBILITY SPLAYS ADDED	RDS	AG	ATB	02.03.23
B	MINOR AMENDS	RDS	AG	ATB	09.02.23
A	HCC COMMENTS	RDS	AG	ATB	07.02.23
Rev	Description	Drn	Chk	App	Date

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 BUREAU VERITAS  
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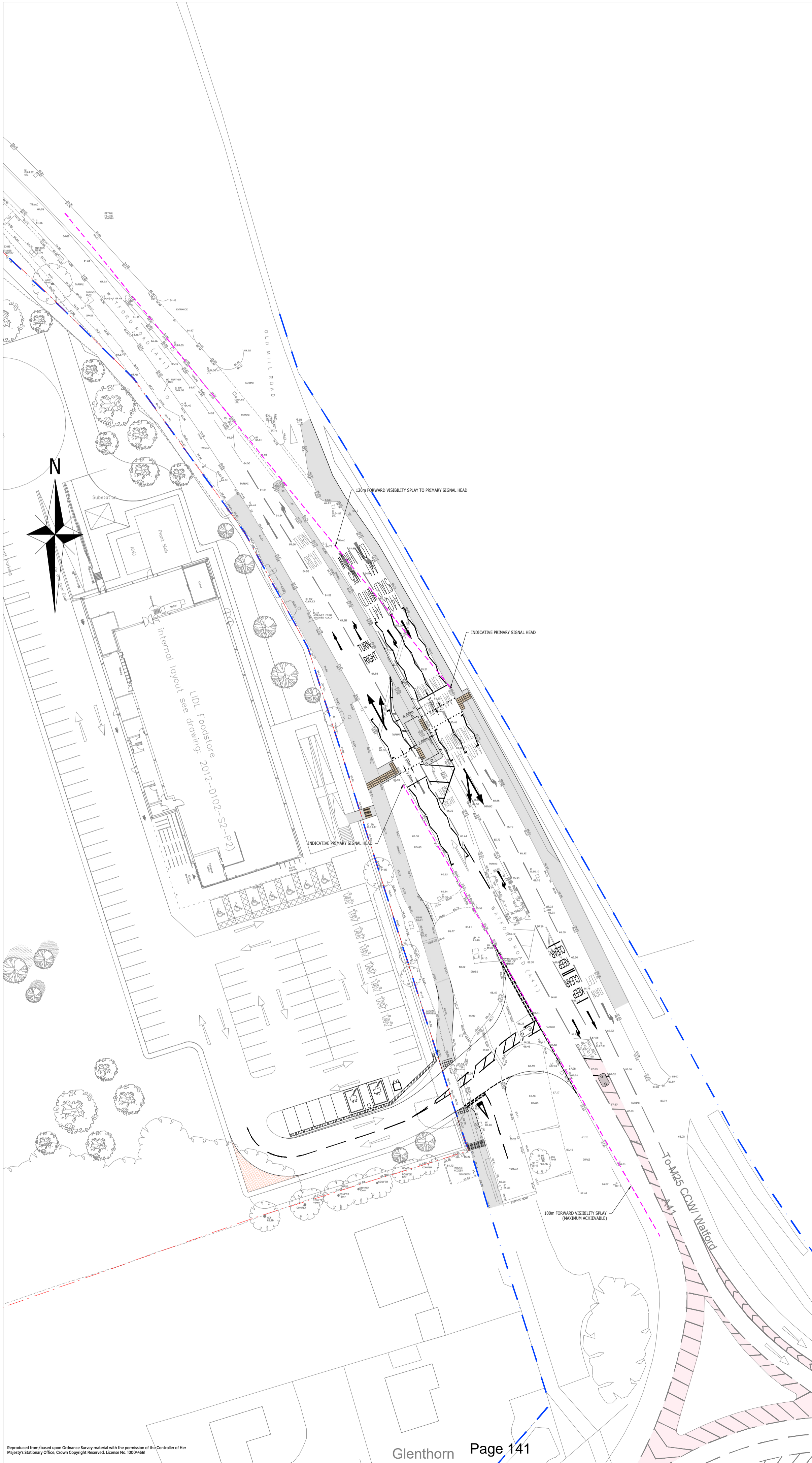
Client  
**NORTHPORT PROPERTY LIMITED**

Project Title:  
**WORLD OF WATER AQUATICS,  
 KINGS LANGLEY**

Drawing Title:  
**VERTICAL ALIGNMENT REVIEW**

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Drawn by	Checked by	Approved by
RDS	AG	ATB
Drawing Number	187011-002	
		Rev <b>D</b>

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- NOTES:
- POTENTIAL TOUCAN CROSSING SHOWN INDICATIVELY AND SUBJECT TO DETAILED DESIGN AND AGREEMENT WITH HIGHWAY AUTHORITY (NOT TO BE DELIVERED OR FUNDED BY THIS PLANNING APPLICATION).
  - REDLINE BOUNDARY SHOWN INDICATIVELY BASED ON PLANS RECEIVED. TO BE CONFIRMED WITH THE DESIGN TEAM.
  - HIGHWAY BOUNDARY SHOWN BASED ON OS PLAN RECEIVED FROM HCC.
  - EXISTING ROAD MARKINGS BASED ON GOOGLE EARTH IMAGERY.
  - TOUCAN CROSSING TO BE DELIVERED BY WARNER BROTHERS STUDIOS LIMITED IN ACCORDANCE WITH CONDITION 11 OF TRDC PLANNING REF 22/0491/FUL.
  - LOCATION OF SIGNAL HEADS ARE INDICATIVE AND SUBJECT TO CONFIRMATION.

KEY:

INDICATIVE SITE BOUNDARY - - - - -

INDICATIVE HIGHWAY BOUNDARY (BASED OFF OS) - - - - -

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DRAFT

NOT FOR CONSTRUCTION

Rev	Description	Drn	Chk	App	Date
Third Floor The Hallmark Building 52-56 Leadenhall Street London EC3M 5JE Tel: 020 7680 4088 Web: www.ardent-ce.co.uk E-mail: enquiries@ardent-ce.co.uk					

Client					
NORTHPORT PROPERTY LIMITED					
Project Title:					
WORLD OF WATER AQUATICS, KINGS LANGLEY					
Drawing Title:					
POTENTIAL TOUCAN SIGNAL HEAD VISIBILITY					
A2 Scale	Date	Designed by			
1:250	26.04.23	RDS			
Drawn by	Checked by	Approved by			
RDS	AG	DRAFT			
Drawing Number		187011-SK08		Rev	
				-	

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Appendix A  
Evoke Transport Independent Highways Review

<b>Client:</b>	Three Rivers District Council
<b>Document Type:</b>	Technical Note
<b>Document Reference:</b>	R-23-0172-01B
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## 1. Introduction

- 1.1.1. Evoke Transport Planning Consultants Ltd (Evoke) has been commissioned by Three Rivers District Council (TRDC) to undertake an independent highway review of a live planning application (ref: 22/1764/FUL) which proposes the “demolition of existing building and erection of retail food store, (Use Class E(a)), with associated access, parking and amenities” at the existing World of Water Aquatic Centres Ltd, Hempstead Road, Watford, WD4 8QG.
- 1.1.2. TRDC is the local planning authority (LPA) and Hertfordshire County Council (HCC) is the local highway authority (LHA).
- 1.1.3. It is acknowledged that, at the TRDC Planning Committee on 16 November 2023, Members of the Planning Committee agreed to defer the application to seek an independent highway review of the current scheme. It was agreed that the application should return to a future Planning Committee.
- 1.1.4. It is understood that Planning Committee members specifically requested a review of the following:
  - Proposed access arrangements, having specific regard to the right turn from the proposed development onto the A41
  - Speed and volume of on-coming traffic from the A41
  - Cycle safety
  - Acceptability of crossing points
- 1.1.5. In order to review the highway proposals in support of the proposed development, we have considered the below information / documents:
  - Transport Assessment (January 2023)
  - Transport Assessment Addendum (July 2023)
  - 2<sup>nd</sup> Transport Technical Note (December 2023)
  - Manual Classified Count (MCC) traffic survey at Watford Road / A41 Watford Road junction (undertaken 11 October 2022)
  - Automatic Traffic Count (ATC) traffic survey at A41 exit arm of the Hunton Bridge Roundabout (A41 / M25 /A411 Hempstead Road) (undertaken 15 – 21 February 2023)
  - Site Access Arrangement (187011-001 Rev I)
  - Consultation responses from HCC
  - Road Safety Audit Stage 1 (dated January 2023) and Road Safety Designer’s Response (January 2023)

- 1.1.6. A site visit was undertaken on 9 January 2024 during the morning peak hour of between 08:00 and 09:00. The existing site conditions and highway layout were reviewed in conjunction with the development proposals.
- 1.1.7. The review of the proposed highway works and associated documents is included below, with comments set out against each of the four key concerns raised by the Planning Committee as set out above.

## 2. Proposed Access Arrangements – Design Review

- 2.1.1. The topographical survey base mapping obtained to support the proposed development and the access arrangement were reviewed against the existing site conditions to ensure that there were no anomalies and that all constraints have been considered within the development proposals. The proposed access designs presented have used the topographical mapping for the base, this increases the level of accuracy compared with using OS Base mapping.
- 2.1.2. The development proposals, access design and topographical survey base mapping appear both consistent and representative of the existing site conditions.

### 2.2. Overview

- 2.2.1. A technical review has been undertaken on Ardent drawings reference 'Site Access Arrangement - 187011-001 Rev I' and 'Potential Toucan Crossing Upgrade Review – 187011-SK07 Rev A'. We note the specific concern raised as to the acceptability of the right hand turn from the proposed development and commentary on this is provided below.
- 2.2.2. It is understood that the 'Potential Toucan Crossing Upgrade' has come at the request of the local highway authority to demonstrate how the development proposals can be upgraded at a future date to meet off-site improvements required for a third-party development in proximity to the site.
- 2.2.3. The design review has been carried out in accordance with relevant guidance documents and referenced accordingly. The guidance referred to is listed below:
- *Design Manual for Roads and Bridges - CD 123 Geometric design of at-grade priority and signal-controlled junctions (CD 123)*
  - *Local Transport Note 1/20 – Cycle Infrastructure Design (LTN 1/20)*
  - *Roads in Hertfordshire: Highway Design Guide 3rd Edition Section 4 – Design Standards and Advice (HCC Section 4)*
  - *Traffic Signs Manual - Chapter 5 - Road Markings (TSM Chapter 5)*
- 2.2.4. Design issues raised within the site review have been shown on the plan in **Appendix A** with reference to their applicable paragraph numbers from within this highway review document.

### 2.3. Levels

- 2.3.1. As shown on the topographical survey base mapping, there is a clear level difference between the A41 and the site, reducing the feasibility of certain junction options. This is shown below in Figure 1.



**Figure 1 – Level Difference at Site Access Location**



## **2.4. Site Access Arrangement Review (187011-001 Rev I)**

### Junction

- 2.4.1. The proposed access width is 7.3m, which meets the requirements of “*Roads in Hertfordshire: Highway Design Guide 3rd Edition Section 4 – Design Standards and Advice.*”
- 2.4.2. Kerb radii of 10m and 12m have been proposed. This meets the minimum radius requirements provided in CD 123 5.6.1.
- 2.4.3. An illuminated traffic island is proposed on the access road at the junction. With reference to CD 123 5.8, the proposed minor arm approach lane width should be 4.0 metres for this junction arrangement either side of the island. The proposed design provides widths in excess of the minimum requirements. This is acceptable for this design and location.

### Horizontal Alignment

- 2.4.4. The existing ghost island right turn lanes are proposed to be modified to accommodate the junction access location and development requirements.
- 2.4.5. The existing central reserves and central hatching omit the requirement for any hatched taper on approach to the right turn lanes and the design meets the minimum requirements as set out in CD 123 Table 6.1.1.

- 2.4.6. The A41 adjacent to the site access location is subject to a 40mph speed limit, however we note that the speeds recorded in the Automatic Traffic Count (ATC) survey of the northbound traffic (approaching from Hunton Bridge Roundabout) identified an 85th percentile speed of 29.7mph.
- 2.4.7. In accordance with CD 123 for a 30mph design speed, the following criteria should be met:
- Turning Length = minimum of 10m (CD 123 6.4)
  - Deceleration Length = minimum of 25m (CD 123 Table 5.22)
  - Direct Taper Length = minimum of 5m (CD 123 Table 5.22)
- 2.4.8. In accordance with CD 123 for a 40mph design speed, the following criteria should be met:
- Turning Length = minimum of 10m (CD 123 6.4)
  - Deceleration Length = minimum of 40m (CD 123 Table 5.22)
  - Direct Taper Length = minimum of 15m (CD 123 Table 5.22)

***Northbound Right Turn Lane (from site onto A41)***

- 2.4.9. As above, the specific concern as to the acceptability of the right hand turn onto the A41 from the proposed development has been considered in detail.
- 2.4.10. No design issues with this aspect of the access design have been identified.
- 2.4.11. The access proposals have been modelled in the priority junction assessment tool (PICADY) and it is noted that the full model output report is included as Appendix I of the Transport Assessment.
- 2.4.12. With reference to the egress movement from the site onto the A41 within the 2036 + development scenario (see further comments below on this), the site egress stream during the weekday peak shows a maximum ratio to flow capacity (RFC) of 0.28 (PM period) with a queue of 0.4 passenger car units (PCU's), and during the weekend peak there is an RFC 0.41 and a queue of 0.8 PCU's. An RFC of 0.85 would normally be taken as the junction/movement operating above the theoretical capacity and the queuing prediction in the model is less than 1 vehicle.
- 2.4.13. This point is further exemplified by turning movements detailed in the Transport Assessment which show a low level of additional trips making the right turn movement out of the site onto the A41, especially when compared to the existing flows. Approximately 13 vehicles in the weekday morning peak and approximately 39 vehicles in the weekday evening peak make this movement.
- 2.4.14. The modelling therefore indicates that there will be sufficient gaps in the main, straight ahead movements for traffic to turn right.

***Northbound Right Turn Lane (Old Mill Lane)***

- 2.4.15. The existing northbound right turn lane into Old Mill Road is proposed to be reduced in length. A 10m turning length is still provided with approximately 50m deceleration length, which meets the minimum requirements for a 40mph design speed as set out above.
- 2.4.16. The direct taper length for this right turn lane is proposed at 5m. While this meets the minimum requirements for a 30mph design speed (in accordance with the recorded vehicle speeds), it is less than the minimum requirements for a 40mph design speed.

***Southbound Right Turn Lane***

- 2.4.17. The existing southbound right turn lane into the site is proposed to be lengthened. A 10m turning length is still provided with approximately 40m deceleration length, which meets the minimum requirements for a 40mph design speed.

- 2.4.18. The direct taper length for this right turn lane is proposed at 5m. While this meets the minimum requirements for a 30mph design speed (in accordance with the recorded vehicle speeds), it is less than the minimum requirements for a 40mph design speed.

#### ***Through Lane Widths***

- 2.4.19. In accordance with CD 123 6.8, all through lane widths should be between 3m and 3.65m.
- 2.4.20. As part of the proposals, all existing through lane widths are to be retained. Whilst the southbound lanes are c.3.4m, the northbound through lane is between c.4.3 and 4.65m.
- 2.4.21. These are all existing widths and allow for a suitable alignment through the junction and provide a familiarity to road users. The existing site conditions would suggest retention of these through lane widths appears suitable in this location. The accident data within the Transport Assessment identifies no accidents occurring at this location.

#### ***Turning Lane Widths***

- 2.4.22. In accordance with CD 123 6.10, all turning lane widths shall meet the minimum requirement of 3.5m but shall not exceed 5m.
- 2.4.23. The existing northbound right turn lane into Old Mill Road has a retained turning width of c.3.2m which is below the minimum requirement (albeit operates as existing).
- 2.4.24. The existing southbound right turn lane into the site, has a turning width starting at c.5.6m and narrowing down to c.3.57m by the site access turn in. This is below the minimum requirement but is recognised as an existing situation. The PIA data within the Transport Assessment shows no accidents in this location.
- 2.4.25. Whilst this exceeds the maximum 5m turning lane width, this arrangement accommodates the existing highway alignment and northbound right turn lane. Any attempt to reduce this to below 5m could negatively impact the overall alignment along the A41 and on balance the design is considered to be acceptable.
- 2.4.26. No safety issues were raised within the Road Safety Audit on this design matter.

#### **Vertical Alignment**

- 2.4.27. Full details of the vertical alignment and levels have not been provided. However, this would be provided at the detailed design stages (which is a standard approach). We would suggest that the omission of any level details at this stage should not be considered fundamental to the design principles. The level differences will need to be considered at the next stage, together with any supporting structures or earthworks required.

#### **Visibility**

- 2.4.28. Visibility at the proposed site access location is shown below in Figure 2 (taken during the site visit) and reflects the development proposals with regards to achievable visibility in both directions.

**Figure 2 – Visibility at site access (to north and south respectively)**



- 2.4.29. It is noted that removal of the vegetation in the primary direction would still be required, as has been proposed within the design. This can be controlled by a Condition imposed on any planning permission.
- 2.4.30. Visibility from the proposed access has been shown as achievable in all directions in accordance with the recorded speeds.
- 2.4.31. Given the speed surveys undertaken and correspondence with the local highway authority the visibility at the proposed junction is considered suitable and demonstrate visibility for the existing and proposed site conditions can be achieved.
- 2.4.32. Given the proposed access road speeds, the pedestrian/cyclist visibility splays demonstrated from the crossing point across the access road are suitable.
- 2.4.33. Given the proposed access road speeds, the eastbound forward visibility demonstrated on approach to the junction is suitable.

#### Road Signs, Markings and Lighting

- 2.4.34. Full details of signing have not been provided. However, this would be provided at the detailed design stages. The omission of any signing details at this stage should not be considered fundamental to the design principles and is in line with standard practice.
- 2.4.35. Further, the proposed road markings as shown in the development proposals are suitable and in accordance with TSM Chapter 5.
- 2.4.36. Full details of lighting have not been provided. However, this would be provided at the detailed design stages. The omission of any lighting details at this stage should not be considered fundamental to the design principles and the existing columns would be relocated accordingly if required.

#### Swept Path Analysis

- 2.4.37. The designer has undertaken swept path analysis for articulated vehicles around the site access. The proposals demonstrate that all relevant vehicles movements can be accommodated within the proposed design at the relevant and requested forward gear speeds of 10kph. It should be noted that the 'right out' movement from the access has not been included.

#### Drainage

- 2.4.38. Full details of the drainage have not been provided. However, this would be provided at the detailed design stages. The omission of any drainage details at this stage should not be considered fundamental to the design principles and highway alignment.

## **2.5. Road Safety Audit and Designers Response**

2.5.1. A Road Safety Audit Designers Response (187011-09 January 2023) has been produced following a Stage 1 Road Safety Audit (RSA1).

2.5.2. The Designers Response provides comment on the issues raised as part of the RSA1. As part of this design review, the RSA1 'Audit Items' have been reviewed with comment below:

### Audit Item No. 3.1.1

2.5.3. The response with regards to the posted speed limit and accident history are suitable. As noted within the designers response, this is an existing layout arrangement with a priority junction and right turn lane and therefore no major highway changes are proposed.

2.5.4. The recorded speeds would also suggest that speeds are not excessive on approach to the junction.

### Audit Item No. 3.1.2

2.5.5. Response suitable with item to be assessed at detailed design stages.

### Audit Item No. 3.1.3

2.5.6. Response suitable with item to be assessed at detailed design stages.

### Audit Item No. 3.3.1

2.5.7. Consultant has responded to item raised and provided junction modelling to demonstrate capacity concerns. Consultant has also demonstrated vertical visibility is achievable.

### Audit Item No. 3.3.2

2.5.8. Consultant has not accepted RSA1 problem or recommendation. However, the rationale to not relocate the access or provide other junction options appears justified, and in particular, the site levels and the proximity to the existing roundabout appear to have guided the design to provide a feasible option. Given this is an existing junction arrangement and the consultant has provided evidence that the junction operation in terms of capacity is adequate, the response is suitable.

### Audit Item No. 3.3.3

2.5.9. Consultant has made amendment to the design to accommodate this item with vegetation noted as to be removed.

### Audit Item No. 3.4.1

2.5.10. Consultant has made amendment to the design to accommodate this item and the responses are as appropriate for this stage of the process.

### Audit Item No. 3.4.2

2.5.11. Consultant has made amendment to the design to accommodate this item and demonstrated that visibility is achievable.

### Audit Item No. 3.4.3

2.5.12. Consultant has made amendment to the design to accommodate this item to provide the recommended non-motorised user requirements.

### **3. Speed and Volume of on-coming traffic from the A41**

#### **3.1. Vehicle Speeds**

- 3.1.1. An ATC survey was commissioned by Ardent Consulting Engineers to alleviate the concerns previously raised by Hertfordshire Highways in relation to visibility along the A41 to the south (in the direction of the Hunton Bridge Roundabout).
- 3.1.2. The survey was located on the A41 Watford Road circa 75m to the south of the proposed access junction, recording approach vehicle types and speeds in the northbound direction as vehicles egress from the circulatory carriageway. It was undertaken between Wednesday 15<sup>th</sup> February and Tuesday 21<sup>st</sup> February 2023.
- 3.1.3. It should be noted that WebTAG Unit M1.2 – Data Sources and Surveys states that surveys should typically be carried out during a ‘neutral’ or representative month, avoiding main and local holiday periods, local school holidays and half terms, and other abnormal traffic periods. It is understood that Hertfordshire half term holidays fell between 13<sup>th</sup> February and 17<sup>th</sup> February 2023 and therefore the ATC data could be seen as not representing a neutral period and may not reflect normal traffic conditions. Justification should be provided as to the validity of this data.
- 3.1.4. The Transport Assessment states that the recorded 85<sup>th</sup> percentile vehicle speeds on the exit of the Hunton Bridge Roundabout on to the A41 Watford Road was 29.7mph (48kph). The southbound traffic was not surveyed. It should be noted that this is an average 85<sup>th</sup> percentile speed across the surveyed seven-day period. The ATC has been reviewed and the stated 85<sup>th</sup> percentile speed is accurate. For reference, the average seven-day speed was 26.4mph, the 5-day average speed was 26mph and the 5-day average 85<sup>th</sup> percentile speed was 29mph.

#### **3.2. Existing Volume of Traffic**

- 3.2.1. The volume of traffic during the morning peak period was considered within the site audit undertaken on 9 January 2024. We would note that the traffic volume did not appear excessive.
- 3.2.2. The right turn lane into Old Mill Road appeared to be operating below capacity and no queuing was observed outside the existing right turn lane length, as shown in Figure 3 below.

Figure 3 – Right Turn into Old Mill Lane



- 3.2.3. The existing volume of (weekday) on-coming traffic from the A41 roundabout is further evidenced in the MCC survey results undertaken at the Watford Road / A41 Watford Road junction (site access) on Monday 11th October 2022.
- 3.2.4. Further details on peak hour periods are included below.
- Weekday morning peak 08:00 – 09:00 = 957
  - Weekday evening peak 16:00 – 17:00 = 952
- 3.2.5. It should be noted that the evening peak hour utilised in the Transport Assessment (17:00 – 18:00) is not presented in the MCC outputs.
- 3.2.6. The existing volume of on-coming traffic from the A41 roundabout is also evidenced in the ATC survey results undertaken at the A41 exit arm of the Hunton Bridge Roundabout (A41 / M25 /A411 Hempstead Road) (undertaken 15 – 21 February 2023). The data is summarised below:
- Weekday average morning peak 07:00 – 08:00 = 873 / 08:00 – 09:00 = 764
  - Weekday average evening peak 16:00 – 17:00 = 1133 / 17:00 – 18:00 = 1109
- 3.2.7. As identified above, there is a difference between the existing traffic volumes surveyed in the MCC and ATC surveys, with examples below:
- Weekday morning peak 08:00 – 09:00 = 193 higher in MCC than ATC
  - Weekday evening peak 16:00 – 17:00 = 181 lower in MCC than ATC

3.2.8. Justification should be provided regarding the variation between the MCC and ATC surveyed traffic flows.

### **3.3. Future additional volume of traffic**

3.3.1. When considering the volume of traffic, it is important to consider the proposed future levels of traffic as a result of the proposed development.

#### Trip Generation

3.3.2. It is acknowledged that pre-application feedback from HCC was provided to the Applicant in August 2020. Within this feedback, trip generation was accepted and HCC raised no objections or issues with the approach taken in respect of trip type.

3.3.3. We have reviewed the TRICS data, including the acceptability of the selected criteria, and the approach is generally acceptable. New surveys have been added since 2020. Utilising these surveys could result in approximately 10 additional vehicle trips in the both the morning and evening peak, however this is not envisaged to have a material impact on the local highway network.

3.3.4. It is noted that the Transport Assessment and subsequent documents and assessments utilised the following peak hours:

- Weekday morning peak: 08:00 – 09:00
- Weekday evening peak: 17:00 – 18:00
- Weekend peak: 11:00 – 12:00

3.3.5. With regards to the weekday morning and evening peak hours, these are the network peak hours used (although we note that they differ to the actual peak hour of the land use).

3.3.6. With regards to the selected weekend peak, this matches the Discount Retail Store peak identified in the TRICS surveys, compared to the Garden Centre peak identified in the TRICS surveys which was 14:00 – 15:00. This variation is not considered to result in a material impact.

3.3.7. It should however be noted that the TRICS peak hours refer to those which are identified within the selected surveys and are not necessarily location specific. In comparison, the ATC survey identifies a more accurate local network peak (MCC not referred to as the full outputs are not included). The surveys identify the following network peaks:

- Weekday morning peak: 07:00 – 08:00
- Weekday evening peak: 16:00 – 17:00
- Weekend peak: 13:00 – 14:00

3.3.8. The TRICS data for Garden Centres does not cover the 07:00 – 08:00 hour period, and therefore it would not be possible to alter the weekday morning peak trip generation. Trip generation for a garden centre during 0700 to 0800 are likely to be limited reflecting trading hours. The TRICS trip rates for the above alternative peak hours have been applied to the existing and proposed quantum of development. There is a small decrease against what is currently presented; however it does not result in a material change to the overall trips. The trip generation is therefore acceptable.

#### Trip Type

3.3.9. It is acknowledged that the trip generation exercise sets out all potential trips resulting from the proposed development, however this does not account for the typical characteristics of a food store which can generate different trip types. This includes pass by trips, diverted trips and transferred trips, along with new trips.



- 3.3.10. The Transport Assessment makes reference to the 95/2 and 14/1 TRICS Research Reports which provide guidance on the nature of pass by, diverted and transferred trips and concludes that the proportion of trips generally accepted to be non-primary is between 30 – 40%. The Transport Assessment suggests that up to 60% of the trips generated by the food store will be new or transferred trips, with the remaining 40% comprising an even split between pass-by and diverted trips.
- 3.3.11. While this is likely a robust estimate, it should be noted that no evidence is presented to justify these percentages. We would highlight that a Retail Impact Assessment should generally be produced and considered alongside the Transport Assessment in the assessment of potential trip types.

#### Trip Distribution

- 3.3.12. To distribute trips, and in the absence of observed traffic counts, 2011 Census 'Usual Resident Population' data for the existing residential population of the surrounding area available on the Official Labour Market Statistics has been used to estimate the proportion of vehicle trips that could travel along each key route to/from the site. The more detailed methodology explained in Section 6.1.14 of the Transport Assessment is noted and acceptable, although we would reiterate the above point on trip types.

#### Impact of Development

- 3.3.13. Comment on the impact of the development cannot be completed due to the following reasons:
- Baseline not modelled in PICADY
  - No evidence of TEMPro growth factors utilised for future year traffic flows
  - Note that the committed toucan crossing linked to the 22/0491/FUL permitted application for the Warner Bros studio has been included in the design (see further commentary below) however there is no evidence as to whether any further committed developments have been included in the modelling and if so, no evidence on what developments has been included
  - 2036 future year stated and 2036 future year modelled in PICADY – would expect an opening year assessment and post five years to be provided.
- 3.3.14. It is noted that HCC also queried the use of the 2036 future year in the initial pre-application advice given in February 2021, where it was requested that, in order for a full assessment of the impact of the proposals to be made, an opening year and post five-year assessment should be provided.
- 3.3.15. The use of a 2036 future year is however considered a robust position as this would include a higher level of background growth, when compared with the opening and post five-year assessment scenarios.

## **4. Cycle (and pedestrian) Safety**

- 4.1.1. The following comments on the consideration of cycle safety in the development proposals are provided. Pedestrian safety has also been considered.

#### Cycle Facilities - Widths

- 4.1.2. The existing shared use footway/cycleway and staggered crossing has been accommodated within the proposed design.
- 4.1.3. In accordance with LTN 1/20 Table 6-3, the minimum width requirements for a shared use facility is 3m.
- 4.1.4. This allows cycle flows of up to 300 cyclists per hour however cycle flows will be much lower than this figure and therefore a 3m width is acceptable.

- 4.1.5. The existing and retained sections of shared use footway/cycleway meet the 3m minimum width requirement. Where new sections of footway are proposed, these appear to meet the 3m width requirement.

#### Cycles Facilities – Horizontal Alignment

- 4.1.6. On the southbound approach to the access road, there is an alignment change. The horizontal curvature of the footway/cycleway here meets the minimum radii requirements as shown in LTN 1/20 Table and allows for a robust 20kph design speed.

#### Hazard Paving

- 4.1.7. Corduroy and tactile paving has been proposed throughout and appears suitable in defining the proposed and existing route through the proposed junction works.

#### Crossing Islands

- 4.1.8. It is proposed to relocate the existing staggered crossing to the north, to accommodate an increased deceleration length for the southbound right turn lane into the site.
- 4.1.9. The proposed staggered crossing is c.4m width, meeting the requirements of “*Roads in Hertfordshire: Highway Design Guide 3rd Edition Section 4 – Design Standards and Advice*” Table 4.11.3.6
- 4.1.10. The tactile crossing widths are suitably proposed at 3.2m to accommodate the 3m width footway/cycleways.
- 4.1.11. The crossing segregation between the two sets of tactile paving on the staggered island is c.1.35m. “*Roads in Hertfordshire: Highway Design Guide 3rd Edition Section 4 – Design Standards and Advice*” Section 4 Table 4.11.3.6 suggests this distance should be a minimum of 1.8m.
- 4.1.12. A preferable width of 3m between crossing limits is often recommended, allowing for cyclists to manoeuvre between the crossings on the island.
- 4.1.13. It is recommended that the distance is increased to align with HCC requirements. This can be addressed at detailed design stage.

## **5. Acceptability of Crossing Points**

- 5.1.1. The proposed toucan crossing upgrades, which are illustrated in 187011-SK07 Rev A have been reviewed; the proposed toucan crossing upgrades suitably demonstrate that the proposed staggered island could be upgraded to accommodate a signalised toucan crossing arrangement, with additional road markings and extension of the proposed tactile paving required.
- 5.1.2. Whilst no forward visibility has been shown to the signal heads on drawing 187011-SK07 Rev A, the supporting report ‘Transport Statement Addendum 187011-R-11 July 2023’ makes reference to an additional drawing (187011-SK08) which was produced to demonstrate forward visibility to the signal heads.
- 5.1.3. This report suggests visibility in the southbound direction is achievable for a 40mph design speed, and whilst northbound forward visibility of only 100m can be achieved, that this should be acceptable and that it was deemed acceptable to the HCC signals team.
- 5.1.4. Based on the above correspondence and recorded speeds, adequate visibility can be achieved and that the principles of the upgrade appear feasible.

- 5.1.5. It is however not clear whether consideration has been given to the possibility of the 22/0491/FUL application not progressing and therefore the possibility of the proposed toucan crossing upgrades not progressing. It may be worth exploring the impact on this development should the application/scheme not come forward, and specifically whether an alternative improvement option should be explored, and in what form this would be.

## 6. Conclusions and Summary

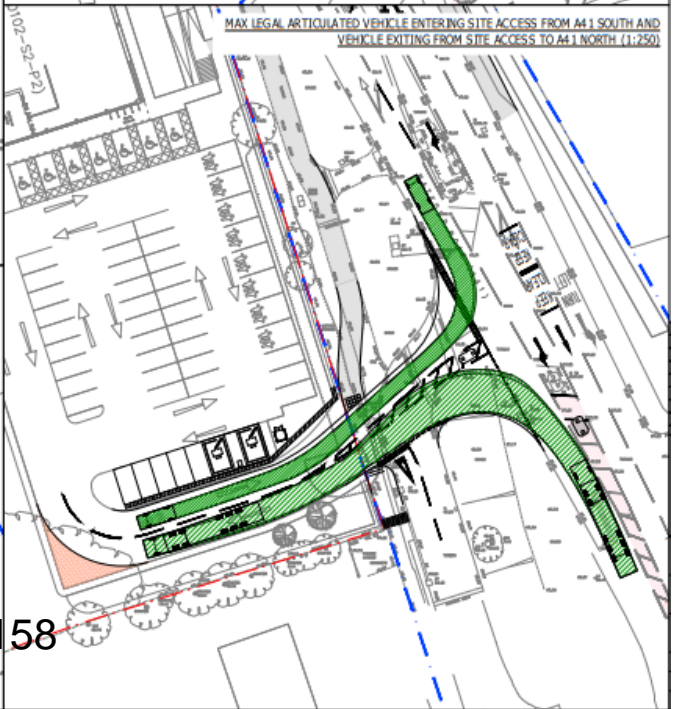
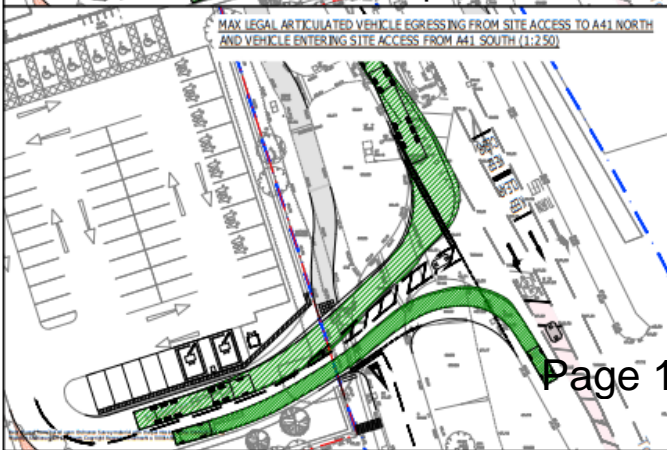
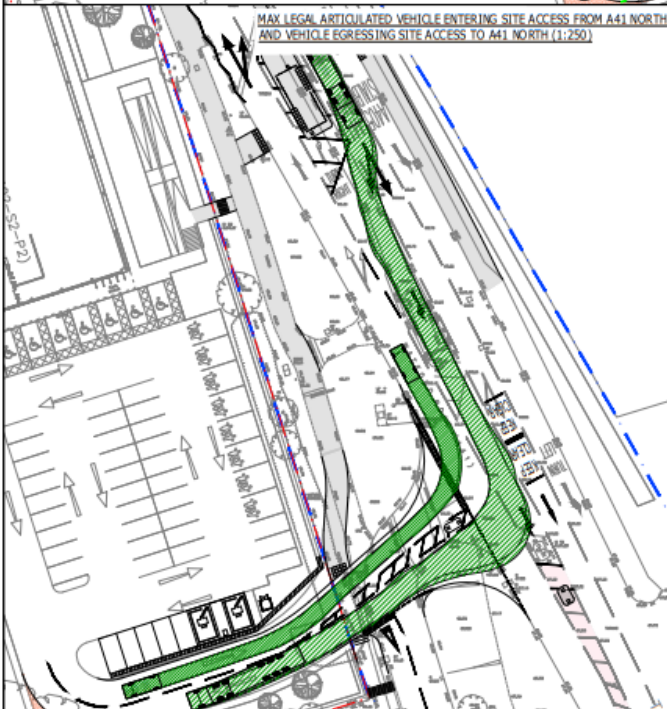
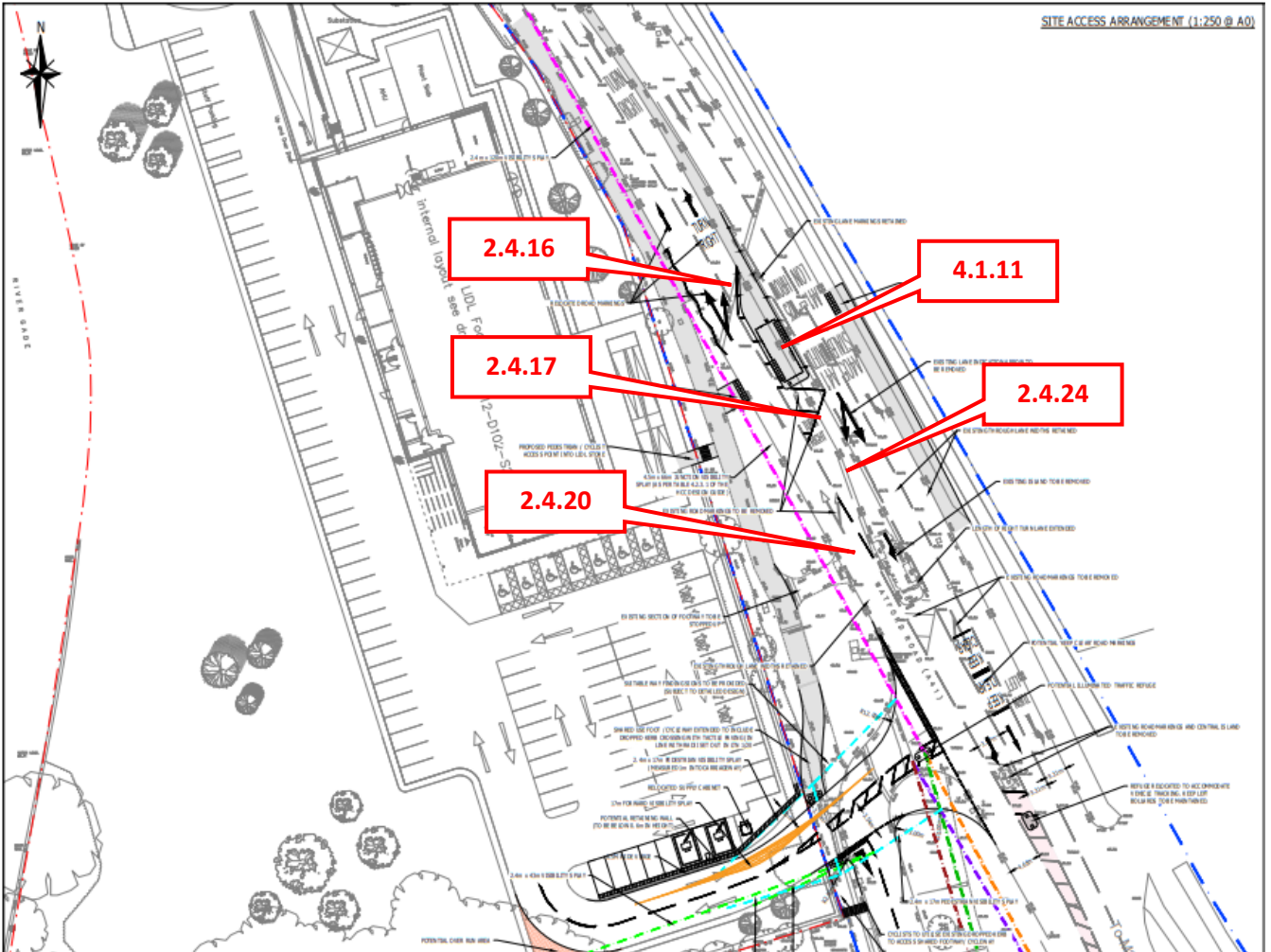
- 6.1.1. Evoke has undertaken an independent highway review of an active planning application (ref: 22/1764/FUL) which proposes the “demolition of existing building and erection of retail food store, (Use Class E(a)), with associated access, parking and amenities” at the existing World of Water Aquatic Centres Ltd, Hempstead Road, Watford, WD4 8QG).
- 6.1.2. The request for an independent review comes as a result of a TRDC Planning Committee on 16 November 2023 where the Committee agreed to defer the application to allow a review of the following items to be undertaken:
- Proposed access arrangements, having specific regard to the right turn from the proposed development onto the A41
  - Speed and volume of on-coming traffic from the A41
  - Cycle safety
  - Acceptability of crossing points
- 6.1.3. The key supporting application documents and consultation responses have been considered together with a site audit. The key conclusions of the above highway review are summarised below:
- **Proposed Access Arrangements – Design Review:** Design generally compliant, with vehicle movements being accommodated however it is noted that:
    - In regard to the northbound right turn lane and the southbound right turn lane proposals meets the minimum requirements for a 30mph design speed (in accordance with the recorded vehicle speeds), but do not meet the minimum requirements for a 40mph design speed
    - The through lane and turning lane widths are proposed to be retained as existing. These do not wholly meet minimum requirements however no safety concerns have been raised and retention of the existing provision appears suitable
    - Level differences to be considered at next stage
    - Removal of the vegetation in the primary direction would still be required, as has been proposed within the design. This can be controlled by a Condition imposed on any planning permission.
    - Road signing, lighting and drainage details to be provided at detailed design stage
  - **Speed and Volume of on-coming traffic from the A41:** the existing situation has been generally accurately described and assessed. However, it should be noted that:
    - The ATC survey was undertaken during Hertfordshire school half term holidays and therefore the data may not represent normal traffic conditions
    - It has not been possible to review the impact of the proposed development on the local highway network due to omissions of information around the baseline model, TEMPro growth, committed developments and due to 2036 being utilised for future year modelling
    - 2036 is however considered to present a robust position, with a lower level of background growth likely occurring should opening year and post five-year scenarios be alternatively assessed.

- **Cycle and Pedestrian Safety:** generally appears to have been accurately considered however it is recommended that the width between the two sets of tactile paving is increased to align with HCC standards
- **Acceptability of Crossing Points:** based on the above correspondence and recorded speeds, adequate visibility can be achieved and the principles of the upgrade appear feasible. The impact of the 22/0491/FUL application not progressing and therefore the proposed toucan crossing upgrades not progressing should be considered

<b>APPROVAL</b>					
<b>Number:</b>	<b>Name:</b>		<b>Position:</b>	<b>Date:</b>	<b>Modifications:</b>
01A	Author:	Pia Tiley	Principal Consultant	12/01/2024	
	Checked:	Richard Stacey	Managing Director	15/01/2024	
	Approved:	Richard Stacey	Managing Director	15/01/2024	
01B	Author:	Pia Tiley	Principal Consultant	25/01/2024	Updated following client comments
	Checked:	Richard Stacey	Managing Director	25/01/2024	
	Approved:	Richard Stacey	Managing Director	25/01/2024	

# APPENDIX A – DESIGN REVIEW WITH REPORT REFERENCES





Appendix B  
MCC Outputs

Manual Classified Turning Counts, World of Water, Watford

DATE: TUESDAY 11th OCTOBER 2022

LOCATION: A41 / WATFORD ROAD

ARM: A41 (SOUTH)

TIME / CLASS	LEFT TO WATFORD ROAD					STRAIGHT TO A41 (NORTH)					TOTAL MOVEMENT FROM ARM
	PEDAL CYCLE	MOTOR CYCLE	LIGHT	HEAVY	TOTAL	PEDAL CYCLE	MOTOR CYCLE	LIGHT	HEAVY	TOTAL	
7:30 - 7:45	0	0	0	0	0	0	1	205	10	216	216
7:45 - 8:00	0	0	0	0	0	0	4	211	11	226	226
8:00 - 8:15	0	0	0	0	0	0	0	227	6	233	233
8:15 - 8:30	0	0	0	0	0	0	2	249	7	258	258
HOURLY TOTAL	0	0	0	0	0	0	7	892	34	933	933
8:30 - 8:45	0	0	0	0	0	0	1	250	8	259	259
8:45 - 9:00	0	0	1	0	1	0	4	189	5	199	199
9:00 - 9:15	0	0	2	0	2	0	2	202	10	214	214
9:15 - 9:30	0	0	2	0	2	0	2	195	8	205	207
HOURLY TOTAL	0	0	5	0	5	0	9	836	31	876	881
PERIOD TOTAL	0	0	5	0	5	0	16	1728	65	1809	1814
16:30 - 16:45	0	0	2	0	2	0	4	255	3	262	264
16:45 - 17:00	0	0	3	0	3	0	7	265	3	275	278
17:00 - 17:15	0	0	1	0	1	0	6	286	3	295	298
17:15 - 17:30	0	0	2	0	2	0	8	273	2	283	285
HOURLY TOTAL	0	0	8	0	8	0	25	1079	11	1115	1123
17:30 - 17:45	0	0	2	0	2	1	4	282	5	294	294
17:45 - 18:00	0	0	0	0	0	2	3	269	3	277	277
18:00 - 18:15	0	0	0	0	0	0	3	265	4	272	272
18:15 - 18:30	0	0	0	0	0	1	3	279	0	283	283
HOURLY TOTAL	0	0	2	0	2	4	13	1095	12	1124	1126
PERIOD TOTAL	0	0	10	0	10	4	38	2174	23	2239	2249

survey and presentation by [trafficsense Ltd.](https://www.trafficsense.com)

DATE: TUESDAY 11th OCTOBER 2022

LOCATION: A41 / WATFORD ROAD

ARM: WATFORD ROAD

TIME / CLASS	LEFT TO A41 (NORTH)					RIGHT TO A41 (SOUTH)					TOTAL MOVEMENT FROM ARM
	PEDAL CYCLE	MOTOR CYCLE	LIGHT	HEAVY	TOTAL	PEDAL CYCLE	MOTOR CYCLE	LIGHT	HEAVY	TOTAL	
7:30 - 7:45	1	0	0	0	1	0	0	0	0	0	1
7:45 - 8:00	2	0	1	0	3	0	0	0	0	0	3
8:00 - 8:15	0	0	0	0	0	0	0	0	0	0	0
8:15 - 8:30	0	0	0	0	0	0	0	0	0	0	0
HOURLY TOTAL	3	0	1	0	4	0	0	0	0	0	4
8:30 - 8:45	0	0	1	0	1	0	0	0	0	0	1
8:45 - 9:00	0	0	0	0	0	0	0	0	0	0	0
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	1	0	1	0	1	0	0	1	2
HOURLY TOTAL	0	0	2	0	2	0	1	0	0	1	3
PERIOD TOTAL	3	0	3	0	6	0	1	0	0	1	7
15:00 - 15:15	0	0	2	0	2	0	0	1	0	1	3
15:15 - 15:30	0	0	1	0	1	0	0	0	0	0	1
15:30 - 15:45	0	0	2	0	2	0	0	1	0	1	3
15:45 - 16:00	1	0	1	0	2	0	0	2	0	2	4
HOURLY TOTAL	1	0	6	0	7	0	0	4	0	4	11
16:00 - 16:15	0	0	1	0	1	0	0	5	0	5	6
16:15 - 16:30	2	0	0	0	2	0	0	1	0	1	3
16:30 - 16:45	0	0	1	0	1	1	0	1	0	2	3
16:45 - 17:00	0	0	0	0	0	0	0	1	0	1	1
HOURLY TOTAL	2	0	2	0	4	1	0	8	0	9	13
PERIOD TOTAL	3	0	8	0	11	1	0	12	0	13	24

survey and presentation by [trafficsense Ltd.](https://www.trafficsense.com)

DATE: TUESDAY 11th OCTOBER 2022

LOCATION: A41 / WATFORD ROAD

ARM: A41 (NORTH)

TIME / CLASS	STRAIGHT TO A41 (SOUTH)					RIGHT TO WATFORD ROAD					TOTAL MOVEMENT FROM ARM
	PEDAL CYCLE	MOTOR CYCLE	LIGHT	HEAVY	TOTAL	PEDAL CYCLE	MOTOR CYCLE	LIGHT	HEAVY	TOTAL	
7:30 - 7:45	0	6	262	6	274	0	0	0	0	0	274
7:45 - 8:00	1	4	237	11	253	1	0	1	0	2	255
8:00 - 8:15	1	1	220	7	229	1	0	0	0	1	230
8:15 - 8:30	1	6	223	4	234	1	0	0	0	1	235
HOURLY TOTAL	3	17	582	28	690	3	0	1	0	4	694
8:30 - 8:45	0	4	229	11	244	1	0	0	0	1	245
8:45 - 9:00	1	3	231	12	247	0	0	0	0	0	247
9:00 - 9:15	0	2	243	9	254	0	0	1	0	1	255
9:15 - 9:30	1	4	218	9	232	0	0	0	0	0	232
HOURLY TOTAL	2	13	921	41	977	1	0	1	0	2	979
PERIOD TOTAL	5	30	1863	69	1967	4	0	2	0	6	1973
15:00 - 15:15	0	4	232	3	239	0	0	1	0	1	240
15:15 - 15:30	0	4	234	5	243	0	0	0	0	0	243
15:30 - 15:45	0	3	246	4	253	0	0	2	0	2	255
15:45 - 16:00	0	1	291	2	294	1	0	0	0	1	295
HOURLY TOTAL	0	12	1003	14	1029	1	0	3	0	4	1033
16:00 - 16:15	0	6	228	3	237	0	0	1	0	1	238
16:15 - 16:30	0	1	236	2	239	0	0	0	0	0	239
16:30 - 16:45	1	2	244	2	249	1	0	1	0	2	251
16:45 - 17:00	0	0	222	2	224	0	0	0	0	0	224
HOURLY TOTAL	1	9	930	9	949	1	0	2	0	3	952
PERIOD TOTAL	1	21	1933	23	1978	2	0	5	0	7	1985

survey and presentation by [trafficsense Ltd.](https://www.trafficsense.com)



# Queue Lengths, World of Water Watford

DATE: TUESDAY 11th OCTOBER 2022

LOCATION: A41 / WATFORD ROAD

ARM A41 (SOUTH)

Max Queue in 5 minute	LANE 1
07:35	0
07:40	0
07:45	0
07:50	0
07:55	0
08:00	0
08:05	0
08:10	0
08:15	0
08:20	0
08:25	0
08:30	0
08:35	0
08:40	0
08:45	0
08:50	0
08:55	0
09:00	0
09:05	0
09:10	0
09:15	0
09:20	0
09:25	0
09:30	0
16:35	0
16:40	0
16:45	0
16:50	0
16:55	0
17:00	0
17:05	0
17:10	0
17:15	0
17:20	0
17:25	0
17:30	0
17:35	0
17:40	0
17:45	0
17:50	0
17:55	0
18:00	0
18:05	0
18:10	0
18:15	0
18:20	0
18:25	0
18:30	0

ARM WATFOR ROAD

Max Queue in 5 minute	LANE 1
07:00	0
07:05	0
07:10	0
07:15	0
07:20	0
07:25	0
07:30	0
07:35	0
07:40	0
07:45	0
07:50	0
07:55	0
08:00	0
08:05	0
08:10	1
08:15	0
08:20	0
08:25	0
08:30	0
08:35	0
08:40	0
08:45	0
08:50	1
08:55	0
16:00	0
16:05	0
16:10	1
16:15	1
16:20	0
16:25	0
16:30	1
16:35	0
16:40	0
16:45	0
16:50	1
16:55	1
17:00	0
17:05	1
17:10	1
17:15	0
17:20	0
17:25	0
17:30	0
17:35	1
17:40	0
17:45	0
17:50	1
17:55	0

ARM A41 (NORTH)

Max Queue in 5 minute	LANE 1	LANE 2	LANE 2
07:00	0	3	0
07:05	0	17	0
07:10	0	0	0
07:15	0	0	0
07:20	0	2	0
07:25	0	3	0
07:30	0	5	0
07:35	0	2	0
07:40	0	10	0
07:45	0	0	0
07:50	0	0	0
07:55	0	0	0
08:00	0	0	1
08:05	0	0	0
08:10	0	8	1
08:15	0	6	0
08:20	0	15	0
08:25	0	11	0
08:30	0	31+	0
08:35	0	31+	0
08:40	0	12	0
08:45	0	0	0
08:50	0	0	1
08:55	0	0	0
16:00	0	0	0
16:05	0	0	0
16:10	0	2	0
16:15	0	0	0
16:20	0	0	1
16:25	0	0	0
16:30	0	0	0
16:35	0	0	0
16:40	0	0	0
16:45	0	0	0
16:50	0	3	1
16:55	0	3	0
17:00	0	0	0
17:05	0	0	1
17:10	0	0	0
17:15	0	0	0
17:20	0	0	0
17:25	0	0	1
17:30	0	0	0
17:35	0	2	0
17:40	0	3	0
17:45	0	2	0
17:50	0	0	0
17:55	0	0	0

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## Appendix F: Planning Committee Members Questions

*Concern is around the speed and volume of traffic on the main road, in particular northbound coming off the roundabout. During the rush hour, especially in the evenings, there are not that many gaps in the traffic (having the site visit during the school holiday will give an artificially low impression of the typical traffic volumes), and the traffic coming off the roundabout onto the main road northbound has no visibility of the junction until it is on top of it. You would not normally expect to be faced with a junction immediately on exiting a roundabout on an A-road.*

The February Half Term ATC was not used in any modelling or capacity assessments. An Manual Classified Count, (MCC) survey which is based on an industry standard approach was undertaken to determine the existing two-way traffic levels on the network on the 11th October 2022. The data was used to model the proposed site access arrangement during the busiest recorded peak periods on the public highway. The traffic count data used for junction modelling was undertaken outside of the school holiday periods and assessed the scheme during the worst-case scenarios. The results demonstrate that the proposed access arrangement would operate within capacity without significant queuing or detrimental impact on the existing highway network with the proposed scheme in place.

With regards to visibility at the current site access, it is noted that visibility towards the south is restricted based on the existing access arrangement. However, as a speed survey was undertaken to determine approaching vehicle speeds and measures put in place to enable the required visibility from the proposed access arrangement to be achieved, it is not considered reasonable to assess the suitability of the scheme based on the current arrangement when visibility towards and from the proposed access arrangement would be improved to accommodate the required extent of visibility.

*Assuming (as seems certain during rush hour) there is a queue of vehicles southbound waiting to turn right into the site (across the northbound main road); and also a queue of traffic waiting to exit right out of the site southbound (again across the northbound main road) it seems to me likely that both waiting vehicles will take advantage of the small gaps in the northbound traffic and meet in the middle. This does not seem to have been addressed by either HCC or our consultant – or am I missing something?*

As part of the submitted Transport Assessment, Junctions 9 was subsequently used to prepare a PICADY model of the A41 / Proposed Site Access T-junction, which included the assessment of the right-turn ghost island. Existing vehicle movements were recorded outside of the school holidays and growthed to the year 2036 for a robust assessment. The results suggest that during the year 2036 all streams operate within capacity and does not highlight that queuing would exceed the length of the right turn lane on the A41 towards the site access. Overall, it has been demonstrated the proposed development will not result in a detrimental impact on the surrounding highway network. Similarly, the level of uplift in trips expected is not expected to alter the transport characteristics of the surrounding highway network and should therefore not worsen highway safety associated with the existing junctions.

A TTN prepared by Evoke Transport, who were commissioned by TRDC to undertake an independent highway related review of the documentation and drawings prepared by Ardent Consulting Engineers following deferral at Committee. The modelling data was provided to Evoke Transport for their detailed review which confirmed that the

modelling was undertaken correctly and the proposed arrangement would operate within capacity without queuing beyond the right turn lane.

*How do they propose to avoid multiple collisions as a result?*

There is no evidence of collisions occurring at or within close proximity of the existing access arrangement (which includes limited visibility to the south). The proposals include improving the site access, crossing facilities, right turn lane facilities and the cutback of foliage / trees to maximise visibility. Therefore, the improvements to the junction and surrounding infrastructure are a clear betterment that should assist with highway safety at an existing junction where no recorded incidents have occurred.

*So how many vehicles are there on the main road in rush hour? / how many gaps in the traffic long enough to enable vehicles to cross the road and enter & exit the site? (how many gaps per minute in rush hour?)*

The estimated number of trips associated with the proposed development and modelling of the proposed access arrangement, based on recorded vehicle trips growthed up to the year 2036, are provided within the submitted Transport Assessment. The recorded vehicular movements along the A41 during the peak periods are presented below for ease.

Time Period	A41 South						Watford Road						A41 North						Total
	Left to Watford Road			Straight to A41 (North)			Left to A41 (North)			Right to A41 (South)			Straight to A41 (South)			Right to Watford Road			
	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	
0730-0745	0	0	0	205	10	225	0	0	0	0	0	0	262	6	274	0	0	0	
0745-0800	0	0	0	211	11	233	1	0	1	0	0	0	237	11	259	1	0	1	
0800-0815	0	0	0	227	6	239	0	0	0	0	0	0	220	7	234	0	0	0	
0815-0830	0	0	0	249	7	263	0	0	0	0	0	0	223	4	231	0	0	0	1960
0830-0845	0	0	0	250	8	266	1	0	1	0	0	0	229	11	251	0	0	0	1979
0845-0900	1	0	1	189	5	199	0	0	0	0	0	0	231	12	255	0	0	0	1940
0900-0915	2	0	2	202	10	222	0	0	0	0	0	0	243	9	261	1	0	1	1953
0915-0930	2	0	2	195	8	211	1	0	1	0	0	0	218	9	236	0	0	0	1909
<b>Hourly Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>937</b>	<b>32</b>	<b>1001</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>909</b>	<b>33</b>	<b>975</b>	<b>1</b>	<b>0</b>	<b>1</b>	

Time Period	A41 South						Watford Road						A41 North						Total
	Left to Watford Road			Straight to A41 (North)			Left to A41 (North)			Right to A41 (South)			Straight to A41 (South)			Right to Watford Road			
	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	Lights	HGV	PCU	
1630-1645	2	0	2	255	3	261	2	0	2	1	0	1	232	3	238	1	0	1	
1645-1700	3	0	3	265	3	271	1	0	1	0	0	0	234	5	244	0	0	0	
1700-1715	1	0	1	286	3	292	2	0	2	1	0	1	246	4	254	2	0	2	
1715-1730	2	0	2	273	2	277	1	0	1	2	0	2	291	2	295	0	0	0	2153
1730-1745	2	0	2	282	5	292	1	0	1	5	0	5	228	3	234	1	0	1	2183
1745-1800	0	0	0	269	3	275	0	0	0	1	0	1	236	2	240	0	0	0	2180
1800-1815	0	0	0	265	4	273	1	0	1	1	0	1	244	2	248	1	0	1	2152
1815-1830	0	0	0	279	0	279	0	0	0	1	0	1	222	2	226	0	0	0	2081
<b>Hourly Total</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>1106</b>	<b>13</b>	<b>1132</b>	<b>5</b>	<b>0</b>	<b>5</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>999</b>	<b>14</b>	<b>1027</b>	<b>3</b>	<b>0</b>	<b>3</b>	

**SUMMARY RESULTS OF A41 / WATFORD ROAD - 11/10/22**

This demonstrates that during the busiest AM peak there are 1,001 vehicles travelling north along the A41 and 975 travelling south. During the busiest PM peak, this recorded 1,132 vehicles travelling north along the A41 and 1,027 travelling south. As previously highlighted, these flows were growthed up to the year 2036 and the

proposed arrangement assessed using the industry standard Junctions 9 software. This assessed all movements to and from the proposed access arrangement with the proposed vehicular movements included and demonstrated that the junction overall would operate within capacity with sufficient opportunity to accommodate turning manoeuvres to and from the proposed site access.

*I think they are predicting 2 movements in and out of the site per minute? (so one every 30 secs or so). What happens if there is a short gap in the traffic on the main road and vehicles try simultaneously to use the same gap in the traffic to cross entering and leaving the site, thereby meeting in the middle of the road with oncoming fast-moving traffic coming off the roundabout?*

It should be noted that the existing junction that has no turning restrictions includes a right-turn lane (albeit with a reduced length than the proposed) with no recorded incidents over the past 5-year period. The overall proposed access arrangement has been designed in accordance with CD 123, published by National Highways (DMRB). This guidance states the following:

“This document is applicable to both new and improved junctions.”

“This document shall be implemented forthwith on all schemes involving the geometric design of at-grade priority and/or signal controlled junctions on the Overseeing Organisations’ all-purpose trunk roads”.

As highlighted above, a ‘ghost island’ junction based on the above guidance is suitable to be implemented on the Trunk Road network and the assessment within this guidance should take into account the potential of conflict. Therefore, it is reasonable to conclude that the proposed improved ‘ghost island’ junction for this site which has been suitability modelled should be sufficient to serve the proposed development via the A41 which does not form part of the Trunk Road network.

*What happens if (similar to the Aldi at Two Waters in Hemel) there is a backlog of vehicles trying to enter the site and queuing back onto the main road? Especially if there are delays exiting the site due to difficulty in turning right on exit.*

Right turning vehicles from the site to the A41 south would wait for gaps in traffic before existing, as per the existing arrangement (which accident data does not highlight any recorded incidents). The proposals include the increase length of the right-turn lane on the A41 to assist with queuing vehicles. The proposed scheme was modelled and demonstrated that there should be not queuing that would exceed the length of the right turn lane and conflict with vehicles turning right would be minimal. It is not considered that the proposed scheme and improved junction would result in significant conflict or detrimental impact on the operation of the junction. This is supported by HCC highways, capacity assessment and guidance within National Highways CD 123 document. Furthermore, as previously highlighted Evoke Transport, who were commissioned by TRDC to undertake an independent highway related review of the documentation and drawings prepared by Ardent Consulting Engineers confirmed that the “Design generally compliant, with vehicle movements being accommodated” and “the existing situation has been generally accurately described and assessed”.

It should also be noted that the proposed arrangement has been reviewed by the Local Highway Authority and two Independent Road Safety Audits, where it was concluded that the design would not give rise to any significant road safety concerns.

*An area of concern relates to potential for conflict between vehicles turning right into the site (from the southbound right-turn lane) and vehicles simultaneously turning right out of the site (heading south) as both of these movements must cross the northbound main road, using the same crossover. The figures suggests that in the evening peak there are 19 vehicles per minute on the northbound main road (on average one vehicle every 3 seconds) with almost as many in the morning peak. This suggests that there will be few gaps in the northbound traffic sufficient for stationary vehicles to set off and turn across the traffic safely. Assuming there are vehicles queueing waiting to turn right into the site and also waiting to exit the site turning right, if both vehicles set off as soon as a gap appears, how will conflict between the two turning vehicles be avoided? And if one or both vehicles slow or stop, they will then be in the main carriageway as further vehicles come off the roundabout at 40 mph.*

Based on the traffic count data for the existing movements at the A41 / Watford Road junction, during the busiest AM peak period there is an average of 17 vehicles per minute travelling northbound and 19 vehicles per minute travelling southbound during the busiest PM peak period. As reiterated previously, Junctions 9 was used to prepare a PICADY model of the A14 / Proposed Site Access T-junction, which included the assessment of the right-turn ghost island. Existing vehicle movements were recorded outside of the school holidays and for a robust assessment growthed to the year 2036. The results suggest that during the year 2036 all streams operate within capacity and does not highlight concerns with regards to right turn entry and exit manoeuvres.

It should be noted that the existing junction that has no turning restrictions includes a right-turn lane (albeit with a reduced length than the proposed) with no recorded incidents over the past 5-year period. The overall proposed access arrangement has been designed in accordance with CD 123, published by National Highways (DMRB). This guidance states the following:

“This document is applicable to both new and improved junctions.”

“This document shall be implemented forthwith on all schemes involving the geometric design of at-grade priority and/or signal controlled junctions on the Overseeing Organisations' all-purpose trunk roads”.

A 'ghost island' junction based on the above guidance is suitable to be implemented on the Trunk Road network and the assessment used to produce this guidance should take into account all movements the potential of conflict. Therefore, it is reasonable to conclude that the proposed improved 'ghost island' junction for this site which has been designed taking into account the above guidance and suitability modelled should be sufficient to serve the proposed development via the A41 which does not form part of the Trunk Road network. There is the potential of conflict at all junction types, including 'ghost island' junctions. However, an exiting vehicle would wait for the right turn entering lane to be free of vehicles that are waiting to enter the site before existing, noting that movements from the major arm have priority. It is not feasible or realistic to design for any potential circumstance associated with inappropriate driving (i.e. attempting to exit the site towards the south whilst the right turn entry lane is occupied). The junction modelling undertaken is industry standard software that determines the suitability of the proposed access arrangement. The results of this assessment demonstrates that the proposed access arrangement would operate satisfactorily with the proposed development in place. Furthermore, as previously highlighted the existing access includes a segregated right turn lane, albeit of a shorter length. However, there have been no recorded incidents as a result of vehicles exiting and entering the existing junction at the same time.

## PLANNING COMMITTEE - (Thursday 22<sup>nd</sup> February 2024)

### 23/2183/FUL – Construction of single storey side extensions and relocation of entrance door at Silver Birch Cottage, East Lane, Abbots Langley, Hertfordshire, WD5 0NY

Parish: Abbots Langley Parish Council  
Expiry of Statutory Period: 27.02.2024

Ward: Leavesden  
Case Officer: Lilly Varnham

**Recommendation: That PLANNING PERMISSION be GRANTED.**

Reason for consideration by the Committee: The agent for this application is a Three Rivers District Council Ward Councillor.

To view all documents forming part of this application please go to the following website:

[23/2183/FUL | Construction of single storey side extensions and relocation of entrance door | Silver Birch Cottage East Lane Abbots Langley Hertfordshire WD5 0NY \(threerivers.gov.uk\)](https://www.threerivers.gov.uk/23/2183/FUL)

#### 1 Relevant Planning History

- 1.1 8/397/79 – Change of Use. Chapel To Residential.

#### 2 Description of Application Site

- 2.1 The application site contains a single storey detached dwelling to the south of East Lane opposite East Lane Cemetery in Abbots Langley. The cottage was previously established for the residents of Abbots Langley Asylum and an earlier cemetery lies to the eastern border of the site. The existing dwelling is formed as a T plan shape with the addition of a conservatory to the southern part of the dwelling where land levels drop towards the rear boundary of the site.
- 2.2 The dwelling has a dark tiled slate roof form, with an exterior finish consisting of a light brown brick mix and a smooth white render. To the front of the dwelling is an existing vehicular access from East Lane onto a gravelled area of hardstanding which extends down the side of the dwelling, there is an existing car port structure within the site frontage which provides an area for parked vehicles. To the rear of the dwelling is large amenity garden predominantly laid as lawn, there are a number of large, detached outbuildings within the rear garden of the application site. It is noted that there is a secondary access to the site frontage from East Lane, whilst the gate remains the area to the rear of the gate (within the application site) is predominantly soft landscaping and does not appear to have been used for vehicular access for some time.
- 2.3 The application site is located within the Metropolitan Green Belt. There are no immediate residential neighbours to the application site.

#### 3 Description of Proposed Development

- 3.1 The application seeks full planning permission for the construction of single storey side extensions and relocation of entrance door.
- 3.2 The proposed extension to the east elevation of the dwelling would extend in line with the existing flank wall serving the existing bed 2 and would infill the current space between this and the current bed 1. This addition would project from the side of the dwelling by approximately 5m and would remain set back from the front elevation by approximately

4.1m. This addition would have a hipped roof form set up to the height of the ridge of the 'central section' of the dwelling and would have a total height of 4.9m with an eaves height that matches the existing. Two windows are proposed within the front elevation of this addition that would match the style and appearance of the existing fenestrations including the brick detailing above the windows.

- 3.3 The proposed extension to the west elevation to serve as the new 'bed 5' would extend in line with the existing flank wall of the dwelling and would project from the side wall by approximately 4.6m, this addition would also remain set back from the front elevation by approximately 6m. This addition would have a hipped roof with a total height of 5m and an eaves height of 3.7m (taken from the lower land level). One window is proposed within the front elevation and one window is proposed within the side elevation, again to match the style and appearance of the existing windows with brick detailing replicated above. This addition would be set down from the main ridge line of the dwelling.
- 3.4 A further addition is proposed to the west elevation to serve as the main entrance to the dwelling, this addition would project from the side of the dwelling by approximately 1.8m and would have a total depth of 3.4m. This addition would also have a hipped roof form with a total height of 4.5m and an eaves height of 3.7m. A new door is proposed within the front elevation to serve as the main entrance to the dwelling.
- 3.5 One rooflight is proposed within the rear roofslope of the main dwelling facing the rear amenity garden.
- 3.6 The proposed extensions would be constructed in brick to match the existing dwelling with clay and feature tiles to match the existing house. The existing ridge detail would be replicated on the ridge line of the proposed extensions.
- 3.7 Amended plans were requested and received throughout the course of the application to reduce the extent of the proposed alterations and to omit the secondary access and increased hardstanding to the site.

## **4 Consultation**

### **4.1 Statutory Consultation**

4.1.1 Abbots Langley Parish Council: Members have no objections and refer the decision to the TRDC Planning Officer.

4.1.2 National Grid: [No Comments Received]

### **4.2 Public/Neighbour Consultation**

4.2.1 Number consulted: 1                      No of responses received: 0

4.2.2 Site Notice Displayed: 09.01.2024, Expires: 30.01.2024.

4.2.3 Press notice published: 12.01.2024, Expires: 02.02.2024

4.2.4 Summary of Responses: [No responses received]

## **5 Reason for Delay**

5.1 No Delay.

## **6 Relevant Planning Policy, Guidance and Legislation**

### **6.1 Legislation**



Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

## **6.2 Planning Policy and Guidance**

### National Planning Policy Framework and National Planning Practice Guidance

In December 2023 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area).

### The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM2, DM6, DM13 and Appendices 2 and 5.

### Other

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015). Supplementary Planning Guidance No 3 – Extensions to Dwellings in the Green Belt (August 2003).

## **7 Planning Analysis**

### 7.1 Impact on Metropolitan Green Belt

7.2 The application site is located within the Metropolitan Green Belt.

7.3 The fundamental aim of the Green Belt Policy is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belts are their openness and their permanence.

- 7.4 Paragraph 142 of the NPPF states that the Government attaches great importance to Green Belts. The essential characteristics of Green Belts are their openness and permanence. With regard to extensions to buildings in the Green Belt the NPPF stipulates that provided extensions or alterations of a building do not result in a disproportionate addition over and above the size of the original building it would not be inappropriate. In appropriate development by definition is harmful to the Green Belt.
- 7.5 The requirements of the NPPF are considered to reflect adopted policies of the Three Rivers District Council Local Plan. Core Strategy Policy CP11 sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. Policy DM2 of the Development Management Policies document relates to development within the Green Belt and sets out that extensions to buildings in the Green Belt that are disproportionate in size (individually or cumulatively) to the original building will not be permitted. The buildings proximity and relationship to other buildings and whether it is already, or would become, prominent in the setting and whether it preserves the openness of the Green Belt will be taken into account.
- 7.6 The 'Extensions to Dwellings in the Green Belt Supplementary Planning Guidance' provides further explanation of the interpretation of Green Belt policies of the Three Rivers Local Plan 1996-2011. These policies have now been superseded by Policy DM2 of the Development Management Policies LDD. Nevertheless, the SPG provides useful guidance and paragraph 4.5 of the Development Management Policies LDD advises that the guidance will be taken into account in the consideration of householder developments in the Green Belt until it is incorporated into the forthcoming Design Supplementary Planning Document. As a guide, the SPG advises that extensions resulting in a cumulative increase in floor space of more than 40% compared with the original dwelling may be disproportionate.
- 7.7 Paragraph 154 of the NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. However, it states that exceptions to this area:
- a) Buildings for agriculture and forestry;
  - b) Provision of appropriate facilities (in connection with the existing use of land or change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it
  - c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original buildings**
  - d) The replacement of a building, provided that the new building is in the same use and not materially larger than the one it replaces
  - e) Limited infilling in villages
  - f) Limited affordable housing for local community needs under policies set out in the Development Plan (including policies for rural exception sites) and;
  - g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:
    - Not have a greater impact on the openness of the Green Belt than the existing development; or
    - Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the Local Planning Authority.

7.8 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF states that when considering proposals, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless harm by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.

7.9 Green Belt Calculations:

Original Floor Space	Existing Extensions	Existing Percentage	Proposed Extensions	Percentage Increase
140sqm	29.88sqm	21%	37.8sqm	48%

7.10 The proposed extensions to the dwelling represent a cumulative increase of approximately 48% above the original floorspace of the dwelling when considering the existing rear conservatory. This would exceed the guideline of a 40% increase compared to that of the original floorspace of the dwelling within the Metropolitan Green Belt. Notwithstanding the increase in floorspace, it is also important to consider the overall volume, design and bulk of the proposed development when concluding whether the extensions would cumulatively represent disproportionate additions, this analysis is set out below.

7.11 The SPG sets out that extensions resulting in a cumulative increase in floorspace of over 40% compared with the original dwelling will normally be unacceptable, with the following exceptions:

i) Dormer windows satisfying 10(c) above, (ie. that they are proportionate to the existing building).

ii) Ground floor conservatories of modest size compared to the house and site, though planning conditions will then be imposed on permissions prohibiting their replacement with more substantial construction.

**iii) 'in-fill' extensions (e.g. if the existing building is 'L' or 'U' shaped) which do not increase the apparent bulk of the building.**

7.12 The proposed development as amended would largely infill the existing space to the east and west elevation without projecting beyond the established building line, with only the small addition to the west elevation to serve as the new main entrance to the dwelling projecting beyond the existing building line. When viewed in isolation this extension would represent a 4% increase in floor area, with the majority of the additional floor area comprising elements which are viewed to be in-fill. Therefore, when considering existing site circumstances the existing dwelling is considered to be of a modest size, and whilst not traditional infill the application dwelling presents a 'T' shaped form such that the additions would be read against the backdrop of the existing built form of the dwelling, which would not project beyond the existing flank walls on either side such that 'bed 2' and 'bed 5' are not considered to encroach into the Metropolitan Green Belt beyond that of the established building line as above and would therefore not adversely affect openness. As such, it is considered that these extensions would therefore fall within the exception set out in Paragraph 11 (d) (iii) of the SPG and would therefore be considered acceptable.

7.13 In summary, the proposed extensions would not result in disproportionate additions to the host dwelling and are considered appropriate development within the Green Belt. The proposed development would therefore comply with Policy CP11 of the Core Strategy (October 2011), Policy DM2 of the Development Management Policies Document (October

2013) and the Supplementary Planning Guidance No 3 – Extensions to Dwellings in the Green Belt (August 2003) and the NPPF (December 2023).

- 7.14 Design and Impact on Character and Appearance of the host dwelling and wider streetscene.
- 7.14.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design, the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.
- 7.15 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.
- 7.15.1 As set out Appendix 2, new development should not be excessively prominent in relation to adjacent properties or general street scene and should not result in a loss of light to the windows of neighbouring properties nor allow for overlooking. Appendix 2 of the DMP LDD also sets out that single storey side extensions proximity to the flank boundary will be individually assessed.
- 7.15.2 The application dwelling is set back from the highway on East Lane by approximately 15m and is the last residential dwelling that is accessible from this portion of the highway. The rest of East Lane from this location is passable on foot only, despite this it is considered that views of the proposed development would be had from East Lane, the arable fields to the West and Leavesden Country Park. However, it is not considered that the extensions would appear prominent given the spacing that would be maintained to the boundaries.
- 7.15.3 The proposed extensions are largely infill in their nature and subordinate to the host dwelling and the proposed additions would not project beyond the existing flanks with the exception of the small addition to the west to serve as the new main entrance to the dwelling.
- 7.15.4 The proposed development would be set up to the ridge line of the central section of the dwelling but would remain set down from the existing prominent forward projection that served the former chapel of rest which serves as a focal point upon entry to the site. The proposed extensions would not project beyond the flank wall, with the exception of the new main entrance to the west and would remain set back from the front elevation and set off the flank boundaries. Given the spacing maintained to the boundaries and that the additions are subservient to the host dwelling it is not considered that the proposal would result in an incongruous or overly prominent form of development and would therefore not be considered to result in demonstrable harm to the character of the host dwelling or wider streetscene.
- 7.15.5 The proposed alterations would be constructed in materials to match the existing dwelling including brick and clay/feature tiles. The fenestration and ridge details are proposed to be replicated to match those details of the existing dwelling which would respond to the existing character of the host dwelling and retain its appearance within the wider streetscene.
- 7.15.1 In summary, the proposed development would not result in any adverse harm to the character or appearance of the host dwelling or streetscene. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (2013).
- 7.16 Impact on amenity of neighbours

- 7.16.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space' and Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.
- 7.16.2 The closest residential neighbour to the application site is Farm Cottage, this neighbour does not adjoin the application site boundary and is set over 100 metres from the application site's rear elevation. East of the site is a Cemetery and to the south-east are the former asylum administration structures. The rest of the site is surrounded by arable fields and Leavesden Country Park. In light of the existing site circumstances, it is not considered that the proposed development would result in any harm to the residential amenities of the occupiers of any neighbouring dwelling.
- 7.16.3 In summary, the proposed development would not result in any adverse impact on any neighbouring dwelling and the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (2013).
- 7.17 Rear Garden Amenity Space Provision
- 7.17.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of amenity and garden space. Section 3 (Amenity Space) of Appendix 2 of the Development Management Policies document provides indicative levels of amenity/garden space provision.
- 7.17.2 The application dwelling currently has two bedrooms and a large study, the proposal would increase the number of bedrooms within the dwelling by two to create a four-bedroom dwelling. Following implementation of the development the application site would retain approximately 4482sqm of rear amenity space which would exceed the guidelines set out at Appendix 2 of the DMP LDD. The proposal is therefore considered acceptable in this regard.
- 7.18 Wildlife and Biodiversity
- 7.18.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 7.18.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies LDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.
- 7.18.3 The application is accompanied by a biodiversity checklist which states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of protected species within the immediate area that would necessitate further surveying work being undertaken.
- 7.19 Trees and Landscaping
- 7.19.1 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation

features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

- 7.19.2 The application site is not located within the Conservation Area. There are however a number of large trees within the application site, none of which appear to be protected by a Tree Preservation Order. The existing trees on site are separated from the area of the proposed development which would be sited on an area of existing hardstanding. As such, it is not considered that any trees would be affected as a result of the proposed development. The proposal is therefore considered acceptable in this regard.

## 7.20 Highways, Access and Parking

- 7.20.1 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document (adopted July 2013) states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.
- 7.20.2 The application dwelling currently has two bedrooms and a large study, and the proposal would seek to increase the provision by two, to create a four-bedroom dwelling. Appendix 5 of the DMP LDD sets out that four or more-bedroom dwellings would require 3 assigned spaces within the dwelling's curtilage. The application dwelling has an existing driveway and a car port with off street parking for more than 3 vehicles, no alterations are proposed to the existing hardstanding and as such the proposal is considered to comply with the above guidelines. As such, the proposal is considered acceptable in this regard.

## 8 **Recommendation**

- 8.1 That PLANNING PERMISSION BE GRANTED, subject to the following conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 2337-SK-200B, 2337-SK-201B, 2337-SK-100, TRDC01 (Design & Access Statement)

Reason: For the avoidance of doubt, and in the proper interests of planning and to safeguard the visual amenity and openness of the Green Belt and character and appearance of the area in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM6, DM8 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013).

- C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

## 8.2 **Informatives:**

With regard to implementing this permission, the applicant is advised as follows:

- 11 All relevant planning conditions must be discharged prior to the commencement of work.

Requests to discharge conditions must be made by formal application. Fees are £145 per request (or £43 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this ([cil@threerivers.gov.uk](mailto:cil@threerivers.gov.uk)). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

**{\b (a)}** Making a Non-Material Amendment

**{\b (b)}** Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>

12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of

equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.













