

Mark Youngman
Development Management Group Manager
Hertfordshire County Council
Postal Point CHO242
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: 21/0573/FUL
HCC ref: TR/6075/2021
HCC received: 10 March 2021
Area manager: Alan Story
Case officer: Adam Whinnett

Location

Development Site, Maple Lodge, Maple Lodge Close, Maple Close WD3 9SN

Application type

Full Application

Proposal

Comprehensive redevelopment to provide 2 no. warehouse Class E(giii)/B2/B8 units comprising a total of 16,115 sqm including 1,882 sqm ancillary E(gi) office space, access, landscaping and associated works

Decision

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1. No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

a. Details and further information as to how vehicle access to the development site would be restricted from using Maple Lodge Close.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Note: Maple Lodge Close is a private road and not highway maintainable at public expense. Therefore HCC as Highway Authority would not be able to enforce any restrictions over the private access road. Nevertheless the Highway Authority would encourage and support restrictions for vehicles to the development site via this route through the whole construction period and use as the route is not considered to be acceptable to support the level and type of vehicles associated with the proposed use.

2. A. Highway Improvements – Offsite (Design Approval)

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 MLC-BWB-GEN-XX-DR-TR-0001 S2 rev. P3 have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway 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).

B. Highway Improvements – Offsite (Implementation / Construction)

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).

3. Provision of Parking & Access

Prior to the first use of the development hereby permitted the proposed access road, on-site car parking, electric vehicle charging provision, cycle parking and turning areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plans 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).

4. 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 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);
- 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;

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).

Planning Obligations

A Full Travel Plan would be required to be in place from first occupation until 5 years post full occupation. A £1,200 per annum (index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of a full travel plan including any engagement that may be needed. For further information please see the following link

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

Highway Informatives

Hertfordshire County Council (HCC) recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Construction standards for works within the highway (s278 works):

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 highway 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> or by telephoning 0300 1234047

Comments / Analysis

The application comprises of the construction of two warehouse units with office space, access and associated works at a development site at the north eastern side of Maple Cross village. The site is currently unoccupied and the land is zoned as an allocated employment site as part of Three Rivers District Council (TRDC)'s Local Plan.

A previous application for the site (planning ref. 19/1179/FUL) was refused, the decision of which was upheld at appeal in relation to piling and ground water. HCC as Highway Authority did not object to the application subject to recommended conditions, off-site highway works and a Section 106 planning obligation towards a full travel plan.

A Transport Assessment (TA), Framework Travel Plan (FTP) and Construction Logistics Management Plan (CLMP) have been submitted as part of the application documents. The TA has been updated from the previous application taking into consideration both the original TA and TA Addendum.

Existing Access

The site is approximately 1.5km from junction 17 of the M25. The site is approximately 220m from its north-eastern corner to the highway on Denham Way and accessed via a priority T-junction with Denham Way (with a right turn lane provided for vehicles turning into the private road when travelling north along Denham Way) and then a private access road. Denham Way is a single-carriageway road and designated as a classified A (A412) main distributor road, subject to a speed limit of 40mph within the vicinity of the junction and is highway maintainable at public expense. There is a shared cycleway/footway on the eastern side of Denham Way; a pedestrian only footway on the western side and a signal controlled pedestrian crossing approximately 40m south of the T-junction.

There is a pedestrian footway on the south side of the private access road leading to the site, which is not part of the highway. On previous site visits it has been observed that vehicles are regularly parked on much of the length of the private footway.

The site can also be accessed via Maple Lodge Close, which is a private road and not highway maintainable at public expense. However this route is not suitable to provide vehicle access to the development site and HCC as Highway Authority would therefore request details as to how vehicles accessing the proposed use would be restricted from using Maple Lodge Close, although this would not be something that the Highway Authority would be able to enforce due to the private nature of the road.

Existing Trip Generation

As the site is currently unoccupied, the applicant has not provided any existing trip generation for the proposed development site, which is considered to be acceptable.

Proposed Trip Generation

The TRICS database has been used to calculate the expected trip generation in Section 6 of the TA. This has included a calculation for both weekday AM and PM peak hours, which is acceptable.

Scoping Note – B8 Trip Generation

The applicant developed a Scoping Note (copy in Appendix 2 of the TA) subject to and agreed as part of pre-application discussions with HCC as Highway Authority in November /December 2018, which outlines the anticipated trip generation of the proposed development site based on a GFA of 15,500 sqm and a B8 land use. The applicant has stated that to be robust in their approach, they applied the 85th percentile trip rate from the survey sites selected in TRICs to the GFA of the proposed development.

It is also noted that the TRICs reports are dated 2017 and are therefore 4 years old. An interrogation of TRICs shows that there are new surveys and on this basis the TRICs reports would normally need to be updated as there are new sites in TRICs to be considered and the search should exclude Greater London (the current submitted TA states that “all sites in Greater London....have been deselected” although this is not the case according to the submitted data). However HCC have undertaken their own TRICs interrogation to corroborate the results and the 85th percentile AM and PM peak hour trip rates are the same in HCC’s interrogation as those presented in the TA and are as follows:

AM Peak

- Vehicle driver (per 100sqm): 0.634 arrivals, 0.083 departures resulting in 0.717 two-way trips
- Vehicle driver (15,500 sqm): 98 arrivals, 13 departures resulting in 111 two-way trips

PM Peak

- Vehicle driver (per 100sqm): 0.055 arrivals, 0.607 departures resulting in 0.662 two-way trips
- Vehicle driver (15,500 sqm): 9 arrivals, 94 departures resulting in 103 two-way trips.

Proposed Trip Generation

The applicant has used the same trip rates used by the original scoping note to calculate trip generation for the actual gross floor area of the current proposals of 16,570sqm. As previously noted, the applicant has used sites within Greater London and surveys conducted prior to September 2017 to derive the original trip rates. This is considered to be acceptable due to the use of 85th percentile AM and PM peak hour trip rates, as opposed to the average trip rate. For reference, the TRICs parameters, peak hour trip rates and anticipated trip generation for a 16,570 sqm floor area are as follows:

AM Peak

- Vehicle trips (per 100sqm): 0.634 arrivals, 0.083 departures resulting in 0.717 two-way trips
- Vehicle trips (16,570 sqm): 105 arrivals, 14 departures resulting in 119 two-way trips

PM Peak

- Vehicle driver (per 100sqm): 0.055 arrivals, 0.607 departures resulting in 0.662 two-way trips
- Vehicle trips (16,570 sqm): 9 arrivals, 101 departures resulting in 110 two-way trips

Following a review of the traffic generation, it is considered that the information provided is acceptable and HCC as Highway Authority would not have an objection to the methods used as per the previous application also (planning ref. 19/1179/FUL).

Junction Modelling

An assumed opening year (2022) and 2031 assessment of the local highway network have been completed. PICADY and ARCADY model assessments using baseline traffic data, TEMPRO growth factors and the above TRICs vehicle trip rates, have been prepared for the A412 / private site access road t-junction; M25 J17 and Maple Cross roundabouts and included as part of the TA.

Following a review of the TA, it is considered that each model is acceptable and they have considered the impact of surrounding committed developments including HS2 construction traffic movements. The model results for the Maple Cross roundabout and M25 J17 illustrate that the junctions would continue to operate within capacity in 2031 (including committed development) and are therefore considered acceptable by HCC as Highway Authority. Highways England would also need to be satisfied with the approach and results, specifically for the M25 junction.

The results do identify capacity issues at the A412 and private access road t-junction and therefore necessitating off-site highway works at this junction. These works are considered in further detail below and would be necessary to make overall proposals acceptable.

Proposed Access

The proposals include extending the existing private access road to run along the full front of the site in addition to a new footway on the western/development side of carriageway. There are three proposed vehicle entrances / exits from the private road providing access to three separate car parks fronting the two warehouses. The general layout is shown on submitted drawing no. 17019-C4P-AV-00-DR-A-0500 P16.

The proposed access arrangements including details of kerb radii, visibility splays and widths are shown on submitted plan numbers MLC-BWB-GEN-XX-DR-TR-100 S2 rev. P5 and MLC-BWB-GEN-XX-DR-TR-101 rev. P5 and described in section 5.4 of the Transport Assessment. Following assessment and review of the proposals, the access arrangements on the proposed access road and within the site are considered to be acceptable and in accordance with Roads in Hertfordshire: Highway Design Guide and MfS.

Vehicle tracking / swept path analysis has been included as part of the submitted TA (drawing number MLC-BWB-GEN-XX-DR-TR-110 rev. P5). The details are considered to be sufficient to illustrate that an HGV could safely manoeuvre into and out of the site accesses in addition to a car moving in and out of the car park only access.

It is unlikely that HCC as Highway Authority would agree to adopt the new and existing industrial access roads if they were ever offered for dedication as the proposals would not demonstrate a utility to the wider public as outlined in Roads in Hertfordshire (Sec. 3, 12.3). The developer would need to put in place a permanent arrangement for long term maintenance and the road name plate would need to indicate that it is a private road.

Highway Mitigation Works

The proposed off-site highway mitigation works are shown on drawing number MLC-BWB-GEN-XX-DR-TR-0001 S2 P3 and summarised in section 8.4 of the TA. The proposed works, which include the signalization of the junction of Denham Way (A412) with the private access road, would be necessary to mitigate the impacts from the proposal and enable traffic generated by the proposals to egress safely from and onto the highway work (as indicated by the capacity issues identified in sections 7.11 to 7.14 of the TA) .

The measures would also be necessary to provide a safe crossing point for pedestrians and cyclists across Denham Way and across the mouth of the entrance to the private access road to ensure that the proposals are in accordance with Hertfordshire's Local Transport Plan (LTP4) and the National Planning Policy Framework (NPPF). A LinSig model for the proposed signalised junction has been

included in the TA and illustrates that the proposed highway scheme operates within capacity, the details of which are considered acceptable by HCC as Highway Authority.

Nevertheless the applicant would need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to the design and implementation of the necessary off-site highway works. The highway design would be subject to a detailed review and road safety audits as part of the Section 278 agreement process and would include the following works:

- The signalization of the junction of Denham Way (A412) and the private access road and any associated carriageway widening or alterations at the junction and the Maple Cross roundabout;
- The provision of two toucan crossings (one across Denham Way and one across the mouth / entrance of the private access road) to replace the two existing pedestrian signalized crossings on Denham Way;
- The relocation of the two bus stops with easy access kerbing, shelters and real-time bus information display screens.

It would be recommended that a Stage One Road Safety Audit for the proposed highway works is submitted and included as part of the initial 278 application.

Please also refer to the recommended conditions 1 and 2 and the suggested highway informative.

There have been some concerns from local residents that the number of vehicles associated with the development would detrimentally impact on the safety of the surrounding highway network in Maple Cross specifically for pedestrians. Following consideration that the majority of vehicles associated with the development would travel via the M25 and Maple Cross roundabout to the site in accordance with the road hierarchy, it is not anticipated that a significant number of vehicles would travel through Maple Cross and therefore the impact in this respect would not be severe.

Nevertheless in response to those occasions where vehicles would need to travel through Maple Cross, a LinSig model has been used to assess the performance of the existing signalised Chalfont Road / Denham Way / Maple Lodge Close junction and the results in the submitted TA (sections 7.22 to 7.27) show that the junction works within capacity and the proposals would not have demonstrable impact on the functioning of this junction.

Furthermore, the proposed signalised junction and associated improvements to pedestrian and cycling accessibility / safety has previously been requested by HCC and agreed as part of the pre-application discussions to take into consideration any adverse impacts from the proposals and to ensure that the proposals are acceptable from a highways and transport perspective. The proposed highway improvements would also have the additional benefit of improving the accessibility and safety for those pedestrians and cyclists travelling between Maple Cross and Rickmansworth (including to and from the Reach Free School).

Car Parking Level and Design

The proposals include the provision of 142 car parking spaces and 38 HGV parking spaces – split over the two proposed units, the layout of which is shown on submitted plan no.

17019-C4P-AV-00-DR-A-0500. The area directly to the north and east of the site is located in accessibility zone 3 as documented in Three Rivers District Council's (TRDC) Development Management Policies: Local Development Document, although the site itself is not within the zone 3 area and on the edge of an urban area. The levels of car parking have been based on guidance for zone type 3, which states that the car parking levels may be adjusted to 50-75% of the indicative demand-based standard.

Following consideration of the use class, location and details submitted in Section 5.5 to 5.9 of the Transport Assessment, HCC as Highway Authority would not have an objection to the overall level of parking and the layout is acceptable and in accordance with MfS. All vehicles would be able to access the site, turn around and egress to the network in forward gear. Nevertheless TRDC as the planning and parking authority would ultimately need to be satisfied with the overall level of car parking.

The TA (sec. 5.14) states that 20% of all car parking spaces would have provision for active electric vehicle charging (EVC) whilst a further 20 to 30% of spaces would have passive EVC provision. HCC as Highway Authority would be supportive of this to ensure that the development is in accordance with LTP4 and HCC'S Sustainability Strategy.

Accessibility & Sustainability

The site is located on the north-east side of Maple Cross within approximately 1.2km of the whole of the settlement. The settlement edge of Rickmansworth is approximately 800m north of the site and the town centre (and train station) approximately 3.5km north-east of the site.

The site is therefore within an acceptable cycling and walking distance from the rest of Maple Cross and parts of Rickmansworth. There is footway and cycleway provision along Denham Way south into Maple Cross and north in Rickmansworth although parts of the shared foot/cycle way could be widened and improved to maximise pedestrian and cycling accessibility. HCC as Highway Authority would however recommend that measures are explored to ensure that the existing (and new extended) footway on the private access road is kept free of car parking – this would require discussion with the land owners of the existing private access road.

The nearest bus stops are located on Denham Way between approximately 350m and 550m from the development site. This is greater than the normally recommended 400m walking distance from some parts of the site. The bus stops are also proposed to be relocated slightly further north along Denham Way as part of the signalisation of the access junction. This is acceptable when taking into consideration the proposed improvements to pedestrian and cycling accessibility at the junction and walking distances still within an acceptable level.

The proposals include the provision of 57 cycle parking spaces, which is considered acceptable at this stage. The recommended levels for cycle parking are normally based on the number of full time staff members, the details of which are not yet known for the application site at this stage of the application. HCC as Highway Authority would recommend that the level of cycle parking is increased accordingly dependent on the number of potential staff members. This is to ensure that cycling is encouraged and maximised as a form of sustainable travel for staff members and visitors to and from the site and to ensure that the development is in accordance with NPPF and LTP4.

National Cycle Route 6 is located approximately 1km from the site by bike (accessed via Denham Way, Uxbridge Road and Springwell Lane), which therefore demonstrates that the wider cycle network could be utilised as a form of travel to and from the site, particularly for any future employees.

Planning Obligations – Travel Plan

TRDC has adopted the Community Infrastructure Levy (CIL) and therefore contributions towards local transport schemes as outlined in the South West Herts Growth & Transport Plan would be sought via CIL in appropriate.

A Framework TP has been submitted as part of the application and is considered to be generally acceptable at this stage of the application/ development. Nevertheless the following amendments would be required to be submitted in an amended FTP prior to occupation:

- Local Policy Context should include LTP4 strategy.

- A statement of senior commitment is required within the FTP stating that developers/ businesses are committed to implementing the travel plan.
- Freight and delivery measures should be included with the TP if appropriate.
- If the employment figures are low, it is recommended to consider car park management as an oversupply of parking spaces may encourage car use.
- Staff surveys should be collected annually.
- Multi modal surveys should be carried out every other year (in years 1, 3 and 5 of travel plan monitoring).
- It should be noted in the FTP that annual monitoring reports should/ will be shared with HCC at least 3 months after completion.

Following consideration of the size and nature of the development, developer contributions of £6000 (£1,200 per annum for a five year period and index linked RPI from March 2014) are sought via a Section 106 Agreement towards supporting the implementation, processing and monitoring of the FTP including any engagement that may be needed. For further information please see the following link

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

The request for a financial contribution via a planning obligation under section 106 (Town and Country Planning Act 1990) for a travel plan meets the 3 tests as outlined in regulation 122(2) of The Community Infrastructure Levy Regulations 2010 as follows:

a) it is necessary to make the development acceptable in planning terms because travel plans are a necessary tool in ensuring that sustainable travel modes are encouraged, promoted and regulated to be in accordance with the NPPF and LTP4. NPPF states that “all developments that will generate significant amounts of movement should be required to provide a Travel Plan”. The securing of a travel plan via a planning obligation allows for a greater level of detail to be agreed than could reasonably be achieved by a planning condition particularly in relation to the implementation and monitoring of the plan.

b) it is directly related to the development because the travel plan would provide a long-term management strategy for the site and its proposed use as an employment site. The travel plan would support the need to secure specific objectives, targets and commitments (including details of survey methods, funding and any required third party engagement) and be required to address the transport impacts generated by: employees commuting to and from the site; visitor movements and freight/delivery movements.

c) it is fairly and reasonably related in scale and kind to the development because the development proposals meet the thresholds for requiring a full travel plan and its associated level of financial contribution as laid out in Hertfordshire County Council's Travel Plan Guidance (TPG, 2020), which is a supporting document to LTP4. A planning obligation is “the only mechanism to secure Travel Plan Evaluation and Support Contributions, that allow for the Travel Plan to be supported by the County Council for a minimum period of 5 years” TPG, 2020.

The monitoring and enforcement of travel plans is not a statutory function of HCC and therefore it is justified to request a reasonable level of contribution to support this. Section 93 of the Local Government Act 2003 gives the power to local authorities to charge for discretionary services. These are services that an authority has the power for, but not the duty to, provide.

Construction Logistics Management Plan

The general details submitted in the CLMP are considered to be acceptable by HCC as Highway Authority. Nevertheless the applicant would be required to submit a full Construction Management Plan with more specific information (as detailed in the enclosed recommended condition). The details would need to be approved in writing by the planning and highway authority prior to the commencement of any works on site.

Conclusion

HCC as Highway Authority can only recommend the refusal of planning permission or object to the proposals in the context of paragraph 109, National Planning Policy Framework (NPPF) (update 2019), which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". In this context, following consideration of the above points, there would not be an unacceptable highway safety reason nor a severe road network reason to justify the recommendation of refusal of the proposals from a highways or transport perspective, particularly as the site is a previously approved allocated employment site. Nevertheless the acceptability of the proposals would be subject to the approval and completion of the necessary off-site highway work and inclusion of the above recommended highway conditions, 106 obligations and highway informative

Signed

Adam Whinnett

31 March 2021