



WHITE PEAK Planning

# **Matter 16 Hearing Statement: Transport and Infrastructure (Policies SP6, SP7, T1 and T2)**

North Hertfordshire Local Plan Examination

On behalf of Bloor Homes and The Crown Estate

November 2017

Ref: 2012.002

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**Authorised for and on behalf of White Peak Planning Ltd.**

A handwritten signature in black ink, appearing to read 'Rob White', written over a horizontal line.

**Rob White  
Director**

This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party. Any such party relies on this report at their own risk.



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## 1.0 Introduction

### 1.1 Background

- 1.1.1 Bloor Homes and The Crown Estate control a substantial tract of land within the area identified in the Local Plan submission version as the Land East of Luton allocation (refs: EL1, EL2 and EL3).
- 1.1.2 Bloor Homes has submitted a planning application (ref: 17/00830/1) covering the majority of allocation sites EL1 and EL2 for up to 1,400 new homes, as well as a local centre, primary school and all-through school.
- 1.1.3 The Crown Estate has submitted an outline planning application to NHDC (ref: 16/02014/1) for 660 new homes covering Site EL3.
- 1.1.4 The application documents include an Environmental Statement (ES) and a Transport Assessment (TA) and these can be viewed on the Council's website via the following link: <http://pa.north-herts.gov.uk/online-applications/>.
- 1.1.5 As set out in previous representations to the Local Plan process, we **object** to Policies SP7 and T1 as currently worded and our responses to the questions posed by the Inspector are thus set within this context.

## 2.0 Responses to Inspector's Questions

### 2.1 Issue 16.3

#### 16.3(a)

2.1.1 We do not consider Policy SP7 to be justified as currently worded. Criterion a(i) bullet four requires developers to '*mitigate any adverse impacts*' [emphasis added]. We **object** to this wording as taken in its literal meaning, this could place an unachievable burden on developments whereby it proves prohibitively expensive to mitigate all potential adverse impacts.

2.1.2 We therefore, suggest that the wording is amended to:

*'mitigate adverse impacts where feasible and viable'*.

2.1.3 We **object** to the current wording of criterion (c) as it is not positively prepared, justified or effective. The wording should be amended to:

*'Not grant planning permission where appropriate agreements or processes ensuring criteria (a) and (b) can be met are not in place;'*

2.1.4 The reason for this is that the current wording could result in the Council's Planning Control Committee being minded to refuse planning applications where a signed S106 and/or other legal agreement is not in place, rather than being minded to approve subject to the relevant legal agreements.

2.1.5 Criterion (d) refers to the need to '*have regard to any guidance or requirements*' [emphasis added]. We **object** to this wording as it is not justified and suggest that it is amended to the following:

*'Have regard to new national or North Hertfordshire level guidance or requirements in relation to planning obligations and Community Infrastructure Levy;'*

#### 16.3(b)

2.1.6 We **object** to the wording of criterion (f) as it is unclear as to what is meant by a '*stringent approach*' and therefore, do not consider this to be justified or effective. We suggest that criterion (f) is deleted as issues regarding delivery and viability would be covered by criterion (e).

### 2.2 Issue 16.4

2.2.1 We **object** to the wording of Policy T1 on the basis that criterion (a) is not justified or effective.

2.2.2 Policy T1 states that '*Planning permission will be granted where: a) Development would not adversely impact upon highway safety*'. Conversely this suggests that

planning permission will be refused where development does impact upon highway safety.

2.2.3 This is an unrealistic and unjustified requirement as arguably development that increases vehicle movements, or potential conflicts between highway users, could adversely impact upon highway safety.

2.2.4 Consequently, the wording should be amended to the following in order to reflect this:

*'Planning permission will be granted where: a) The applicant has demonstrated that the proposals will not be detrimental to highway safety'.*

## **2.3 Issue 16.5**

2.3.1 We do not consider Appendix 4 to be effective as the parking standards set out in the second table are confusing, in particular the row on visitor/unallocated spaces.

2.3.2 We suggest that for clarity, the requirements for retirement developments and visitor/unallocated spaces are put into separate tables each with their own headings. Alternatively, the requirements should be explained in the text, rather than in a table.