



LEE VALLEY REGIONAL PARK AUTHORITY

**REGENERATION AND PLANNING
COMMITTEE**

23 03 2023 AT 10:30

Agenda Item No:

6

Report No:

RP/70/23

PLANNING CONSULTATION BY EAST HERTS DISTRICT COUNCIL

HYBRID PLANNING APPLICATION, COMPRISING:

A) OUTLINE APPROVAL FOR A RESIDENTIAL-LED MIXED-USE DEVELOPMENT FOR UP TO 1,800 NEW MARKET & AFFORDABLE HOMES, INCLUDING SELF-BUILD/CUSTOM BUILD HOMES & AROUND 3HA OF NEW EMPLOYMENT PROVISION, MIXED-USE LOCAL NEIGHBOURHOOD CENTRES, NEW RETAIL, BUSINESS, COMMERCIAL & COMMUNITY USES, NEW & EXPANDED PRIMARY SCHOOLS, NEW PUBLIC OPEN SPACE & OUTDOOR SPORTS FACILITIES, INCLUDING AN ALL WEATHER 3G SPORTS PITCH, THE PROVISION OF PLOTS FOR TRAVELLING SHOW PEOPLE, NEW ECOLOGICAL AREAS, ALLOTMENTS, WOODLANDS & OTHER PUBLIC AREAS, NEW PEDESTRIAN, CYCLE & VEHICULAR ACCESSSES AND MOVEMENT NETWORKS WITHIN THE SITE, ASSOCIATED DRAINAGE AND SUD'S INFRASTRUCTURE, UTILITIES, ENERGY AND WASTE FACILITIES ALL MATTERS RESERVED FOR LATER APPROVAL, APART FROM WORKS IN CONNECTION WITH THE ASSOCIATED PRIMARY AND SECONDARY ACCESS JUNCTIONS AT THE A10/A117/MOLES FARM INTERCHANGE AND THE ACCESS JUNCTION AT THE B1004 AT WIDBURY HILL AND AT FANHAMS HALL ROAD.

B) FULL PLANNING APPROVAL FOR INTERNAL HIGHWAYS WORKS RELATING TO THE CONSTRUCTION OF STAGES 1A AND 1B OF THE SUSTAINABLE TRANSPORT CORRIDOR, LINKING THE A10/A1170 TO THE B1004, VIA THE NEW ACCESS JUNCTIONS, AS DEFINED ON THE MOVEMENT AND ACCESS PARAMETER PLAN AND THE DETAILED ACCESS PLANS. REF: 3/22/2406/FUL.

LAND NORTH AND EAST OF WARE (WARE2) WARE HERTFORDSHIRE.

Presented by Head of Planning

SUMMARY

This is a hybrid application for a residential-led mixed use development of up to 1,800 new market and affordable homes and around 3ha of new employment provision, new retail, business, commercial and community uses, new and expanded primary schools, a new secondary school and new public open space on land North and East of Ware. The application site does however falls within the parameters of the mixed-use site allocation identified within the East Herts District Plan (October

2018) under Policy Ware2 for Land North and East of Ware.

The application site is located outside the Regional Park but close to existing Public Right of Way (PRoW) that connect into the Regional Park at Amwell, and along the Navigation towpath at Ware. There are concerns that the proposed development will result in significant impacts on the Lee Valley SPA/Ramsar site and Amwell Nature Reserve and Site of Special Scientific Interest (SSSI) in terms of additional recreational pressure and air quality degradation and that construction traffic will impact public access into the Park along the PRoW due to the location of a proposed new junction off B1004/Widbury Hill into the development site.

A holding objection is proposed to enable further information to be provided by the applicant in order to determine the significance of these impacts and the scope for mitigation.

RECOMMENDATIONS

Members Approve:

- (1) that East Herts Council be informed that whilst the Authority recognises the principle of a residential led development in accordance with Policy WARE2 on the application site, it places a holding objection on the application on the grounds that:
 - (a) the proposed development could have significant impacts on the Lee Valley SPA/Ramsar site and Amwell Nature Reserve and SSSI in terms of additional recreational pressure and air quality degradation and that further information is required in order to determine the significance of these impacts, the scope for mitigation and the mechanisms for delivery and maintenance of the mitigation;
 - (b) consideration should be given to routing all construction and enabling traffic via the A10/Mole Farm access in the north to safeguard access into the Regional Park from Widbury Hill;
 - (c) improvements to the pedestrian and cycle safety should be incorporated into the design of the new signalised junction from Widbury Hill so that people can use the PRoW safely including crossing between the application site and the Regional Park;
- (2) should the Council be minded to grant permission the Authority would wish to see the following conditions attached requiring:
 - (a) the allocation of Section 106 monies to the Lee Valley SPA/Ramsar site at Amwell Nature Reserve and SSSI, in order fund habitat enhancements and visitor infrastructure improvements to mitigate for the increased

recreational and air quality impacts. The Authority would wish to liaise with the Council, Natural England and the HMWT on the package of mitigations measure required, the overall cost of implementation and the timing of delivery so that mitigation is delivered early in the development process;

- (b) all construction traffic to be routed via the A10/Mole Farm site access in the north to ensure the safety of visitors to and regular users of the Regional Park accessing the Park from the B1004/Widbury Hill;
 - (c) further detail to be provided for pedestrian and cycle access as part of the new signalised junction from Widbury Hill to enable safe use of the existing PRow including the crossing between the application site and the Regional Park; and
- (3) that East Herts Council be informed that the Authority would wish to be consulted on the above matters in due course.

BACKGROUND

1 Location

The application site covers an area of 141 hectares and is located outside the Regional Park to the north and east of the town of Ware. It comprises primarily agricultural land with areas of woodland and hedgerows, Public Rights of Way (PRow), and bridleways. The site also includes the Bourne watercourse and the Fanhams Tributaries in the north east. The existing primary access to the site is via the junction of the A10/A1170/Moles Farm interchange to the west. In the south east access is also proposed from the B1004 Widbury Hill. Please refer to the Plan at Appendix A to this report.

- 2 The northern section of the Regional Park is located adjacent and to the south of Ware and the Lee Navigation towpath provides direct access into the town itself. The Park boundary is defined in the north by the B1004 Widbury Hill. This intersects with Hollycross Road, a few meters away from the eastern extent of the application site and proposed access. Hollycross Rd then continues south to Stanstead Abbots and defines the north east boundary of the Park.

- 3 The area of the Regional Park which lies closest to the application site, i.e. land to the north east of the Lee Navigation is characterised by open farmland, woodland, extensive waterbodies (such as Tumbling Bay and the River Lea) and the Amwell Nature Reserve and SSSI. The Herts and Middlesex Wildlife Trust (HMWT) own and manage the Amwell Nature Reserve, although the Authority owns and is responsible for the Amwell Walkway which offers an attractive route into the site off from Hollycross Rd via a joining access track. Amwell Nature Reserve and SSSI forms part of the Lee Valley SPA/Ramsar site.

- 4 Public Rights of Way connect through into the Park and the Amwell Nature Reserve from the farmland within the application site (a distance of approximately 1km) and the Navigation towpath is a popular public access route linking the Park with Ware and the station. Please refer to the Plan at Plan B Using existing PRoW it take approximately 10 to 15 minutes or so to walk from the south eastern part of the proposed development into the Regional Park.
- 5 It should be noted that the application site boundary falls wholly within the parameters of the mixed-use site allocation identified within the East Herts District Plan (October 2018) under Policy Ware2 Land North and East of Ware.

DESCRIPTION OF THE APPLICATION PROPOSALS

- 6 The hybrid application proposes the construction of a new urban extension which wraps around the northern and eastern sides of Ware. The proposals comprises primarily residential uses (up to 1,800 units), specialist housing for older and vulnerable people, retail, business and commercial land uses, new community uses, new primary and secondary school provision, land allocated for Travelling Showpeople, new public open space and sports pitch provision. New ecological areas, allotments and public realm are also proposed together with the construction of a Sustainable Transport Corridor (STC). The development is to be delivered as four distinct neighbourhoods, Moles Farm Neighbourhood in the north west, Lower Fanhams and Priors Wood Neighbourhoods in the north and north east, and in the south east and situated closest to the Park, the Widbury Neighbourhood. Please refer to the Illustrative Masterplan attached at Appendix C.
- 7 Maximum areas for the proposed land uses are set out as follows; approx. 60ha for residential, 4.62ha mixed use, 13ha for education, 1.79ha for Travelling Showpeople and 48ha of new public open space plus approx. 12ha of existing open space. Infrastructure including the Sustainable Transport Corridor (STC) requires 7.47ha. The residential component will contain a mixture of one to five bed properties and a mix of market and affordable units. The proposals provide for 40% affordable housing, 20% as first homes, 60% affordable rent and 20% shared ownership. Building heights proposed for the development range from two storeys to up to four storeys.
- 8 The proposal for up to 1,800 new homes represents a 20% uplift in the number of new homes relative to the position set out in the WARE2 policy. This specifies a minimum of 1,000 new homes plus a further 500, subject to suitable highway mitigation measures. The applicant has made a case that Policy WARE2 does not impose any ceiling on housing numbers and so does not preclude higher numbers of new homes in principle. The applicant considers that the updated transport modelling and the implementation of a new STC enable the increased number of new homes to be delivered on the Site. A Transport Assessment (TA), a Sustainable Transport Strategy and a Framework Travel Plan have been produced in support of this approach.
- 9 The aim is to promote sustainable methods of travel and as such public transport, cycling and walking are prioritised over car use. A new bus service will be implemented to serve the site and will operate a circular route running along the Main Street/STC through the centre of the site and include stops at Ware station, Ware Town Centre and other key destinations. Other proposals include implementation of a Ware wide cycle hire scheme providing pedal and e-bikes at key locations across the development and town centre, and a car club

scheme, for use by existing and future residents.

10 Access and Transport

The application seeks outline approval of the parameters of the development described above with the exception of the means of access which is sought in detail. The detailed element of the application comprises:

- the primary access routes into and out of the site. In the north-west this will be via an upgraded access route at the existing roundabout from the A10/A1170 Wadesmill Road/Moles Farm Interchange and in the south via an upgraded primary access from the B1004 Widbury Hill including a new signalised junction;
- the new sustainable transport corridor will run through the site. The sections between the A1170 Wadesmill Road, (close to A10 in the north west) to just east of Fanhams Hall Road, Stage 1A, and in the south Stage 1B from the B1004 Widbury Hill to the existing PRoW (Ware Town Footpath 12) are submitted in detail; and
- secondary access to serve the Travelling Showpeople plots located to the north of the A1170 Wadesmill Road, close to the A10.

11 An Access and Movement Parameter Plan is included as part of the application. It shows how the development will incorporate and enhance the existing Public Rights of Ways (PRoW), pedestrian and cycle connections which cross the site, with indicative routes shown for new footpaths and cycleways through the site. The TA confirms the intention to retain the current alignment of the PRoW routes within and surrounding the site and to improve them where appropriate. Proposals for each PRoW will come forward at the reserved matters stages and the allocation of funding for wayfinding initiatives and improvements has been agreed in principle.

12 The Planning Statement considers the TA to have demonstrated that the anticipated trip generation from the proposed development will not result in a material impact in journey times on the highway network from 2029, following completion of the new Main Street/STC, when reasonable assumptions for mode shift are applied. Reference is also made to the supporting package of design mitigation measures included in the planning submission, with an emphasis on improving the existing situation for general traffic, by providing an alternative route to the A10 and improving access and provision of bus, cycle, and pedestrian networks.

13 The applicant confirms via the TA that the impact of the development will be monitored over time, through traffic and passenger surveys as well as via feedback from the Travel Plan Coordinators. Additional funding will also be made available to deliver an enhanced package of mitigation measures throughout the life of the development should the anticipated modal shift or assumed distribution patterns not be achieved.

14 Landscape

The application is accompanied by a Green Infrastructure Parameter Plan which maps a variety of landscape features. These include but are not limited to:

- Open Space/Infrastructure (including public amenity space, informal open space, wildlife habitats, wetland areas, meadow land, woodlands, planted areas, retained trees, water bodies, drainage features, footpaths and cycleways and wildflower meadows;

- Pasture Areas (existing amenity to be retained and managed as wildflower meadows);
 - Formal Sports and Play Areas;
 - Allotments and community growing areas; and
 - Structural Planting.
- 15 The Proposed Development is interconnected through a network of green spaces which extend across the various phases of the site, providing public and private open space for residents and visitors to the site and connecting the different land uses to the areas of open space provided. The proposals also provide play space for children, which include 11 Local Equipped Area of Play, two Neighbourhood Equipped Area of Play and two Multi Use Games Areas. A Landscape and Ecological Management Plan will support the detailed design proposals for public open space as they come forward for consideration under the reserved matters process.
- 16 **Ecology**
The application is accompanied by an ecology and biodiversity assessment as part of the Environmental Statement (ES) which has considered the potential effects of the proposed development on statutory designated sites; in this case only the Amwell SSSI and Nature Reserve which forms part of the Lee Valley SPA and Ramsar site. In addition the potential effects on habitats and species present on-site were also considered and informed by a range of ecological surveys, including bat, bird, reptile and newts, badger, water vole, dormouse, invertebrates and hedgerow surveys.
- 17 This assessment found that during the construction phase there is potential for habitat loss within the extent of the construction activities on the site and disturbance to protected species as a result of increased noise, dust generation, lighting and increased human activity which may result in temporary disturbances to areas of deciduous woodland along the site boundary, the retained ponds and the traditional orchard. The applicant proposes to include a range of mitigation measures set out within the Construction Environmental Management Plan to minimise impacts as far as possible; for example vegetation clearance will be timed to avoid the main bird nesting season, all site operatives will be made aware of current legislation protecting bats and their roosts and site hoarding will be erected to protect areas where habitats are to be retained. The ES concludes that following the implementation of the above measures, potential impacts of the proposed development on ecological receptors during the enabling and construction phase are anticipated to be adverse but the effects are not considered significant.
- 18 In terms of the completed development the Ecology and Biodiversity Assessment considered impacts upon the Amwell Nature Reserve and SSSI/ Lee Valley SPA and Ramsar site, noting that these areas are "*vulnerable to recreational pressure as a result of increases in population nearby*". However the assessment finds that the distance between the site and the SSSI/SPA and Ramsar site, combined with presence of roads, areas of woodland and residential dwellings, act as a barrier to movement. It also states that "*Furthermore, the Wildlife Trust and RSPB manage the site and control visitor numbers, to minimise potential recreational impacts.*" Taking this into consideration in combination with the large areas of open space to be delivered as part of the development, the assessment concludes that significant effects are unlikely to occur.

- 19 A Biodiversity Net Gain Assessment (BNG) has been completed for the proposed development and this states that the development will deliver the minimum 10% net-gain in biodiversity required taking into account the proposed ecological and landscape measures set out in the Green Infrastructure Parameter Plan.
- 20 **Construction Phase and Enabling Activity**
The application proposes a phased delivery for the development over a period of 11 years. First occupation is assumed to be in 2025 and completion in 2035. Four main phases are envisaged each with sub phases and development proposed within each identified phase will take place simultaneously across a number of locations within the site. The STC will be delivered in Stages which will overlap with the development phases.
- 21 The ES Non-Technical Summary states that the enabling and construction activities associated with the proposed development, will result in an increase in the number of vehicles on surrounding roads. The peak construction traffic is anticipated to be in Year 5 (2029) when the construction of the sustainable transport corridor and proposed development are all occurring at the same time. It is anticipated there will be a maximum of 216 Heavy Goods Vehicles (HGV) movements a day during this period. It states that the majority of the construction HGV traffic movements will occur outside the highway network peak periods and will be required to follow a specific construction traffic vehicle routing to minimise any impact.
- 22 It is proposed that a Construction Logistics Plan/Construction Traffic Management Plan will be prepared and implemented during the enabling and construction phase of the development, in agreement with East Herts District Council and/or Hertfordshire County Council. This will include measures to minimise the effects from enabling and construction traffic. The ES concludes that with these Plans in place the potential effect related to severance as a result of construction traffic is likely to remain negligible to adverse, but is not considered significant.
- 23 **Air Quality**
The ES notes that the development proposal will lead to changes in traffic flows on roads which pass within 200m of a designated nature conservation site – the Lee Valley SPA/Ramsar site and Amwell SSSI. Road traffic can emit nitrogen oxides (NOx) and ammonia, the deposition of which can alter the nutrient and acidity balance of some ecosystems, causing changes to their composition and health. It states that the proposed development will lead to increases in concentrations of NOx and ammonia, and nutrient nitrogen and acid deposition by more than 1% of the critical levels and loads in part of the SPA. The ES notes that the area affected represents 0.3% of the SPA unit and comprises the wooded verge at the edge of the road which is of limited importance to the overall integrity of the SPA. It therefore concludes that the effects of the proposed development on biodiversity can be screened out.

POLICY CONTECT

- 24 **Local Plan**
East Herts District Plan includes Policy WARE2 which allocates land to the North and East of Ware as a mixed-use development site, to accommodate at least 1,000 new homes by 2033. It also allows for an additional 500 dwellings to be delivered in this location in the event “*that suitable mitigation measures to*

identified constraints on both the local and wider strategic road networks can be identified and agreed by Hertfordshire County Council as Transport Authority". The development is also expected to address a number of other issues including "sustainable transport measures, both through improvements to the existing walking, cycling and bridleway networks in the locality and through new provision, which should also provide links with the adjoining area and the town centre" (Policy WARE2 V.(I)).

- 25 Policy NE1 International, National and Locally Designated Nature Conservation Sites states that development proposals, which are likely to have a detrimental impact which adversely affects the integrity of a designated site, will not be permitted unless it can be demonstrated that there are material considerations which clearly outweigh the need to safeguard the nature conservation value of the site. Policy NE1 bullet IV seeks to ensure proposals avoid impacts on sites of nature conservation value and *"where adverse impacts are unavoidable, measures to mitigate the impact will be sought, commensurate to the importance of the site in terms of its status in the hierarchy and the contribution it makes to the wider ecological networks."* Green Infrastructure Policy NE4 bullet IV identifies that proposals which affect the district's river environments, *"should take into account and contribute towards achieving, the aims of any statutory or non-statutory plans, such as the Lee Valley Regional Park Authority Park Development Framework".*
- 26 Policy CFLR5 The Lee Valley Regional Park sets out the District Council's policy in support of the Lee Valley Regional Park Development Framework, which will be treated as a material consideration in the determination of planning applications in this area.
- 27 PDF Area Proposals 'Amwell and into Ware' under 8.A.2 Biodiversity state that the Authority will work in partnership with HMWT to protect Amwell SSSI (part of the Lee Valley Special Protection Area 2000) as an internationally important wetland with priority given to the key habitats, of standing open water, reedbed and wetland scrape. Future management of the site to be focused on maintaining the 'favourable' status of the site as required by Natural England with reference to the Lee Valley SPA Site Improvement Plan and to supporting the nationally important numbers of wintering wildfowl, along with outstanding assemblages of breeding birds, and of dragonflies and damselflies. Access to Nature proposals aim to support the *"enhancement and ongoing maintenance of visitor facilities at Amwell Nature Reserve, including the path network, bird hides and interpretation".*
- 28 Visitor Proposals identify the potential to establish a primary gateway for the Park at Ware, including through the provision of new signage and public realm enhancements to celebrate the start and end of the Park adjacent to the Lee Navigation and Amwell End and to promote Ware Station as the northern gateway to the Park. Sport and Recreation Proposals seek to maintain and improve pedestrian and cycle routes for informal recreation and promote circular routes, linking to public rights of way outside the Park boundary.

PLANNING APPRAISAL OF PROPOSED APPLICATION/DEVELOPMENT

- 29 The principle of a mixed use residential led development on land to the north and east of Ware has been established by the District Plan policy WARE2 and the accompanying allocation on the Policies Map. Although the policy position is clear and the application site located outside the Regional Park, the following

issues are relevant in terms of the Park:

- impacts on the Lee Valley SPA/Ramsar at Amwell Nature Reserve and SSSI (and associated habitats at Tumbling Bay), resulting from increased recreational pressure and whether suitable mitigation is included as part of the application.
- Transport associated impacts particularly during the construction phases and from additional traffic using the new proposed junction and access into the site from B1004/Widbury Hill which lies in close proximity to public access points into the Park.
- Improvements to connectivity with and access into the Park for pedestrians and cyclists,
- Air quality concerns in relation to the SPA/Ramsar arising from increased traffic.

Visual impacts on the Regional Park will be minimal given that the proposed development is located to the north and east of Ware and is generally of a scale that matches the existing residential areas.

30 Ecology

The ES (and Shadow HRA) in assessing the impacts of the completed development, recognises the Amwell Nature Reserve and SSSI / Lea Valley SPA and Ramsar site, as *“vulnerable to recreational pressure as a result of increases in population nearby”*. The ES has however ruled out any significant effects on the Park, the designated habitats and species citing the distance between the application site and the SSSI/SPA/Ramsar site combined with the presence of roads, areas of woodland and residential dwellings as a barrier to movement. It also states that as the SSSI is managed by the HMWT and RSPB visitor numbers can be controlled to minimise potential recreational impacts. No mitigation is proposed to address potential impacts within the Regional Park.

31 These findings are based on incorrect information. The Amwell Nature Reserve and SSSI which forms part of the Lee Valley SPA and Ramsar site, lie within a short 10 to 15 mins walking distance from the eastern portion of the application site. Natural England in their response to the application note that the footpath between the application site and the SSSI is about 1km *“and therefore within walking distance”* and that at its furthest point Amwell *“lies approximately 3.5 km away from the site of development”*. These are well established and well used PRoW and include circular walking route options. It is unlikely that the presence of roads will deter use. The Lee Navigation towpath also provides direct access for both pedestrians and cyclists into the Park at Amwell from Ware town and again is a short walking distance from the proposed development.

32 The Amwell Nature Reserve and associated areas of the Park are therefore likely to be popular and regular destinations for new residents and a focus for recreational activity including walking, dog exercising, cycling and enjoying nature. The increase in footfall and activity within the Regional Park is likely to be significant given the proposal for 1,800 new dwellings (a conservative estimate of numbers based on unit size indicates between 4000 and 5000 new residents) and together with the regularity of use will have an impact upon the existing habitats and visitor infrastructure. Officers are particularly concerned about the increased use of the Nature Reserve for dog walking as this matter is difficult to manage and unleashed dogs can cause considerable disturbance to wildlife using the lakes at the nature reserve as well as the site's infrastructure. There is also the potential for increased anti-social behaviour – dog fouling,

vandalism, littering which would require additional management.

33 Officers have liaised with Natural England (NE), the Environment Agency (EA) and HMWT on this matter. The HMWT do manage the Nature Reserve but have confirmed that they are not able to 'control' visitor numbers as the site is open to the public and free to enter. Likewise the Authority does not restrict access along Amwell Walkway and whilst there are some 'control structures' in place such as fences, signage, and viewing areas, given the likely increase in visitors/users mitigation would need to be put in place to maintain and enhance managed access to Amwell.

34 Natural England in their response to the current consultation have stated that the application as submitted could have significant effects on Lee Valley SPA/Ramsar and Amwell Quarry Site of Special Scientific Interest (SSSI) and that further information is required in order to determine the significance of these impacts and the scope for mitigation. Specifically they have stated that:

"The notified features of the SSSI are sensitive to recreational pressure hence the effects of increased pressure associated with the proposed development should be considered further."

Officers endorse these comments. The applicant needs to give further consideration to the recreational impacts of the completed development on the SPA/Ramsar and Amwell Nature Reserve/SSSI and propose appropriate mitigation measures. Officers would be willing to liaise with the Council, NE, HMWT and the applicant to determine appropriate measures to adequately address additional visitor pressure.

35 Robust visitor infrastructure within and adjacent to the SPA will be needed to mitigate the potential impacts of disturbance. Amwell Nature Reserve is a key site for protection but the importance of the buffering effect of adjacent waterbodies and land such as Tumbling Bay and Amwell Meadows should not be overlooked. Enhanced infrastructure such as fencing to restrict access to sensitive features, upgraded footpaths, boardwalks and hides to facilitate managed access to the area should all be considered. Awareness raising is also a key issue as potential impacts could also be successfully mitigated through behavioral modifications of visitors, this could be achieved by provision of homeowner information or increased direct engagement through events or activities in the area. Undertaking habitat enhancement work will also contribute towards the robustness of the site and provide enhanced refuge areas in the event of disturbance to one part of the site.

36 In anticipation of future discussions regarding visitor pressures and impacts the HMWT have produced a schedule of projects for the nature reserve that would help to mitigate for recreational pressure and improve the robustness of habitats and enhance visitor infrastructure at a cost of circa £145,000. However until the applicant supplies further information as requested by NE the scope of the impacts and mitigation is unclear. Similarly the extent of mitigation required within the Authority's landholding has yet to be decided or costed but would need to cover improvements to visitor infrastructure, including enhanced signage along Amwell Walkway, replacement fencing and improvements to the Amwell picnic area (to draw people away from the SPA).

37 The Authority should seek financial contributions to enable a package of mitigation measures to adequately address additional visitor pressure, to be delivered through a Section 106 agreement, should the Council be minded to

grant consent. As suggested above these measures would need to be based on further discussions with the Council, NE and HMWT and other stakeholders. Vital to the success of the mitigation is having measures in place early in the development timeframe and therefore the release of funds should be required at construction stages rather than occupation triggers.

38 Pedestrian/Cycle Access and Transport Associated Impacts

The ES includes traffic flow calculations based on the completed or operational stage of the proposed development. These show that Widbury Hill and Hollycross Rd experience a 10% and 14% increase in traffic flow respectively once the development is completed, (ES Main Report page 113) a change of <30%, which is considered to be a negligible change and not significant. The development also proposes a signalised junction on B1004/ Widbury Hill to provide access into the application site as part of the Widbury Gateway. This is located in close proximity to existing PRow which provide access through to the Regional Park. It is difficult to assess how these two changes to the highway network will impact the Park and the entrance points into the Amwell area, but there is an opportunity here for development to deliver improvements to pedestrian and cycle movement between the application site and the Regional Park and ensure safe access and pedestrian/cycle movement.

39 At the 'Widbury Gateway' in the south east of the site existing PRow alignment is shown in the TA assessment as clashing with the proposed new road junction into the site. The new signalised junction should take into account the needs of people using the PRow at this point and put in place the required infrastructure to ensure safe crossing points. Ideally this should be included as part of the detailed element of the application. If however the Council consider this is a matter to be resolved at the reserved matters stage, then a condition should be attached on any grant of consent to ensure the provision of a safe route from the development and across the main road (B1004/Widbury Hill) through into the Regional Park, utilising the existing PRow network. Improvements to local wayfinding should include signage for the Regional Park at this point and in relation to the other two access points; further south along Widbury Hill (PRow 021) and from Ware town onto the Navigation towpath.

40 The enabling and construction phase of the development does give rise to serious concerns, as the impacts are likely to be spread across a number of years. Peak construction traffic is anticipated in Year 5 (2029) when both the STC and proposed development are underway simultaneously. The ES anticipates a maximum of 216 Heavy Goods Vehicle movements per day during this period. The ES Non-Technical Summary also states that:
"prior to the implementation of a Construction Logistics Plan and/or Construction Traffic Management Plan, the impact of construction vehicle movements in terms of severance would be significant and adverse".

41 The TA states that the full details of the construction methodology is unknown at this stage but also includes a proposed construction schedule with proposed construction access routes aligned to the various phases of the development. The majority of the development phases show that construction traffic will be routed through from the A10 in the north. Only Phases 1C and 3A part of the Widbury Neighbourhood will be accessed via Widbury Hill and the High Street. Further calculations are included to provide an example of HGV trips, plus employee trips each day for each phase according to the number of units under construction. In 2025 it is anticipated that 25 units will be constructed as part of Phase 1C and that this will equate to a total of 44 (2-way) trips per day from the

Widbury Hill entrance.

- 42 Given the proximity of the Regional Park to the proposed Widbury Hill site entrance and the existence of PRoW and access points into the Park at this point, all construction and enabling traffic should be routed via the A10/Mole Farm entrance in the north to ensure the safety of visitors to and regular users of the Regional Park. The removal of additional construction and employee traffic would also assist with issues relating to air quality which are discussed below.
- 43 **Air Quality**
The Authority is not an expert in air quality matters and impacts. However a Site Improvement Plan (SIP) has been drawn up for the Lee Valley SPA (as is the case for all Natura 2000 sites). The SIP provides a high level overview of both current and predicted issues affecting the condition of the SPA. Air pollution, notably the risk of atmospheric nitrogen deposition had been identified as a threat to Bittern. Public access/disturbance is also noted as a threat to all the key species (bittern, Gadwall and Shoveler).
- 44 The ES has concluded that the air quality effects of the proposed development on biodiversity can be screened out. NE take a different view in their response to the application. They advise that the wooded verge at the edge of the road (B1004 Widbury Hill) is still part of the SSSI and that this impact should be fully assessed. NE have also requested further detail on traffic-related increases in ammonia levels associated with the proposed development in order to fully consider the effects on Lee Valley Ramsar/SPA and Amwell Quarry. This is due to the sensitivity of the wetland habitats to ammonia levels. The request for further detail on air quality impacts and traffic related increases in ammonia levels is supported. The Authority should be consulted on this additional information in due course and will liaise with NE as to any adverse effects and mitigation required, particularly in relation to the SIP.
- 45 **Conclusion**
The principle of residential led development in accordance with policy designation is accepted for land to the north and east of Ware. However the development proposals as currently presented propose a significant uplift in the number of units compared to the current District Plan allocation and raise a number of issues in terms of how the development of 1,800 new dwellings might impact upon the Park. Of particular concern are the recreational and air quality impacts on the Regional Park's designated sites the Lee Valley SPA/Ramsar site and the Amwell Nature Reserve and SSSI. Achieving safe public access from the development and into the Park is also a matter requiring further consideration by the applicant. For these reasons a holding objection should be made to the current application until further information is supplied on the above points for consideration by the Authority, NE and HMWT.

ENVIRONMENTAL IMPLICATIONS

- 46 These are addressed in the body of the report.

FINANCIAL IMPLICATIONS

- 47 There are no financial implications arising directly from the recommendations in this report.

LEGAL IMPLICATIONS

- 48 Planning applications referred to this Authority are submitted under the consultative arrangements of Section 14 (4-7) of the Lee Valley Regional Park Act 1966. The Act requires a local planning authority to consult with the Authority on any planning application for development, whether within the designated area of the Park or not, which might affect any part of the Park.
- 49 The Park Act enables the Authority to make representations to the local planning authority which they shall take into account when determining the planning application.

RISK MANAGEMENT IMPLICATIONS

- 50 There are no risk management implications arising directly from the recommendations in this report.

EQUALITY IMPLICATIONS

- 51 There are no equality implications arising directly from the recommendations in this report.

Author: Clare Martin, 01992 709 885, cmartin@leevalleypark.org.uk

BACKGROUND REPORTS

Consultation by East Herts District Council

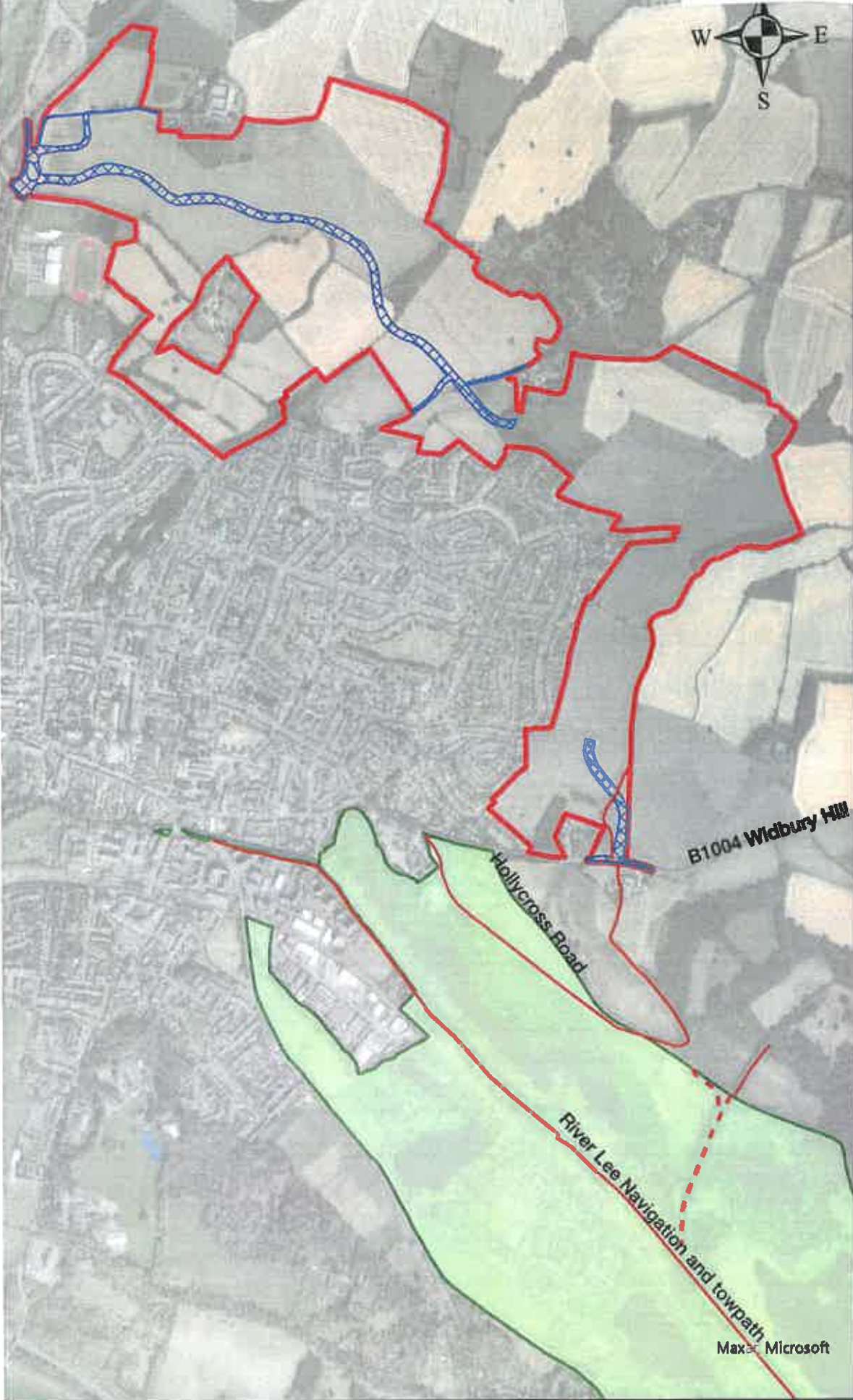
Jan 2023

APPENDICES ATTACHED

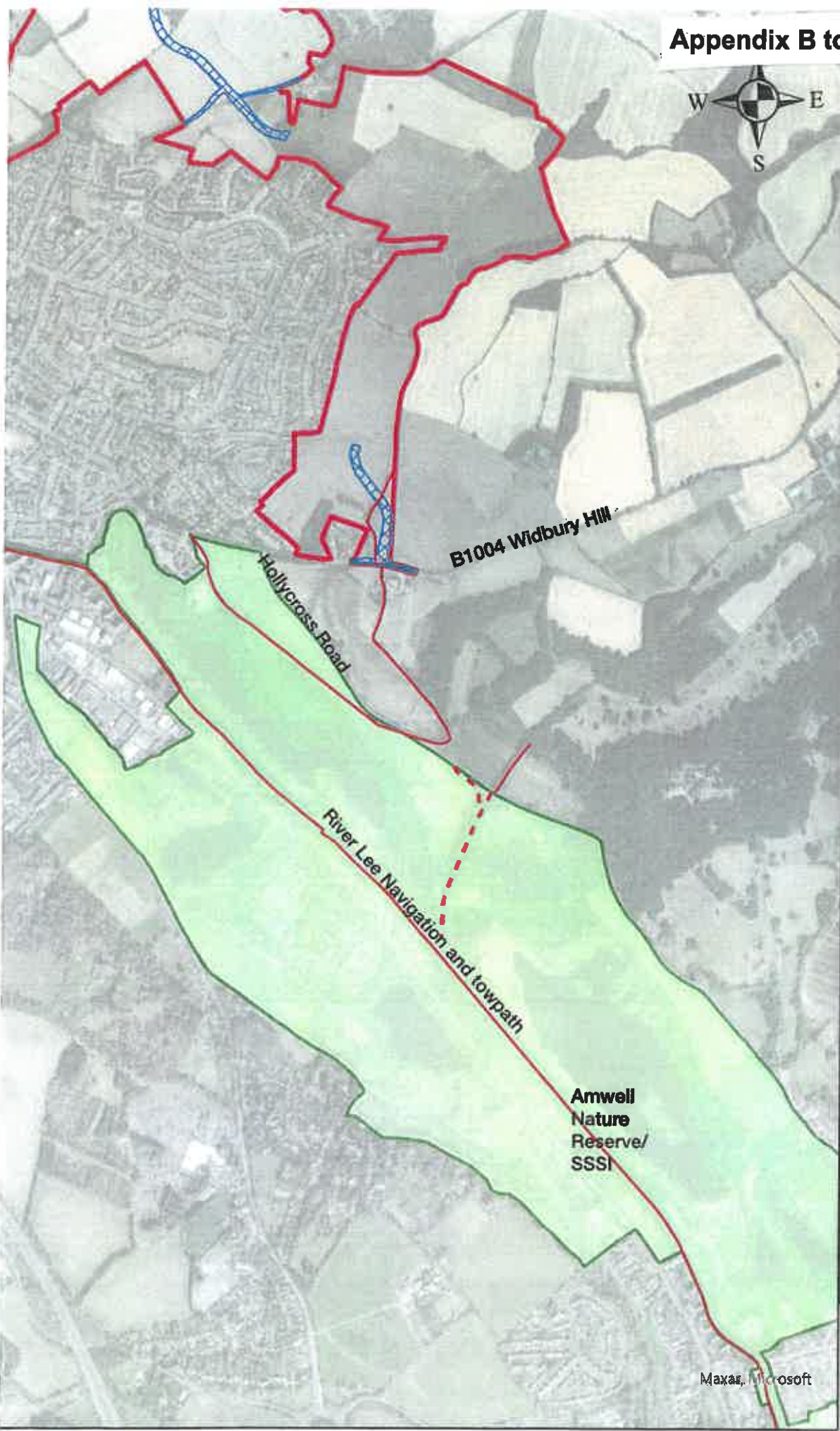
Appendix A	Plan of the application site
Appendix B	Regional Park area close to eastern extent of application site
Appendix C	Illustrative Masterplan

LIST OF ABBREVIATIONS

PRoW	Public Right of Way
SSSI	Site of Special Scientific Interest
HMWT	Herts and Middlesex Wildlife Trust
STC	Sustainable Transport Corridor
TA	Transport Assessment
ES	Environmental Statement
SPA	Special Protection Area
BNG	Biodiversity Net Gain
HGV	Heavy Goods Vehicle
NOX	Nitrogen Oxides
EA	Environment Agency
SIP	Site Improvement Plan
NE	Natural England



-  Amwell Walkway and connecting access track
-  Selected Public Rights of Way
-  Detailed Application Area
-  Site Application Boundary
-  Park Boundary



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**Planning Consultation by East Herts District Council
Land North and East of Ware (South Eastern portion)**

Scale: 1:15,000

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