

PROOF OF EVIDENCE SUMMARY – MARIE LAIDLER

1. Witness Detail

- 1.1 My name is Marie Laidler and I am a Senior Planning Officer within the Planning Development Management Service at Broxbourne Borough Council. I have 17 years' experience of working in the Local Planning Authority sector at both County and District level. I have been employed by Broxbourne Borough Council since 2014, firstly as a Planning Officer and then promoted to Senior Planning Officer in 2018. Prior to that, I was employed as an interim for 10 months at Welwyn Hatfield Borough Council. This followed a relocation from Norfolk where I worked in planning roles at Broadland District Council and Norfolk County Council for seven years.
- 1.2 I have a 2:1 BSc (Hons) in Environmental Science from the University of Brighton and an MSc in Town Planning from Anglia Ruskin University in Chelmsford. I have been a chartered member of the Royal Town Planning Institute since 2012.

2. Scope of Evidence

- 2.1 My evidence is given on behalf of Broxbourne Borough Council and concerns the following issues:
- i) the impact upon the character and appearance of the wider area due to a layout that fails to integrate with the town centre and would not improve connectivity to the northern High Street (reason for refusal 2).
 - ii) the shortfall in car parking spaces (reason for refusal 4).
 - iii) overall planning balance.
- 2.2 My evidence does not extend to the considerations relating to the allocation of the appeal site and the Council's ability to pursue a comprehensive mixed-use development that would differ substantially to the proposed development (reason for refusal 1). Mr Martin Paine, the Council's Planning Policy Manager, addresses this aspect.

3. Planning Balance

- 3.1 The proposal is not in accordance with the Development Plan being the adopted Broxbourne Local Plan 2018 – 2033 (Core Document 6.1). As a result, the proposal should be refused unless material considerations indicate otherwise. The material considerations include the application of the presumption in para. 11 of the NPPF, this means for decision-taking in 11 (c) *approving development proposals that accord with an up-to-date development plan without delay*'. The proposal fails in this regard and there are no material considerations in this particular case to indicate that the up-to-date Development Plan should not be followed.
- 3.2 A number of benefits have been advanced by the Appellant and these are set out within Section 7 of my full proof of evidence. Taking into account the cumulative harm arising from the proposed development, it is concluded that the benefits are not a compelling reason to outweigh the adverse impacts arising from the development when assessed against the policies of the Development Plan.

- 3.3 The Council has relied upon policies DS1, PM1, WC2, RTC2, DSC1, DSC3, DSC7, DSC8 and TM5 in determining this application and I comment on these below.
- 3.4 The Development Strategy (Policy DS1) and Sustainable Place Making policy PM1 set the scene for the Council's objectives and these refer to the strategic development site of Waltham Cross Northern High Street and the requirement for new developments to complement existing towns and villages and the countryside around them respectively. Policy WC2 alongside the Town Centre Strategy and draft Town Centre Framework seeks to regenerate the town centre with the priority of improving the attractiveness and accessibility of its northern end, including the appeal site, as a mixed-use quarter. The considerations in this matter take into account Policy RTC2 that requires the development to enhance the public realm and to focus on the vitality and viability of the centre. Further to this matter, policy DSC7 is cited which states that the Council will pursue the comprehensive development of the strategic development allocations.
- 3.5 I have relied upon the evidence of Mr Martin Paine in this regard to detail the background to the site allocation. Mr Paine's conclusions support the overall objectives of the Council and I agree with that assessment. The first reason for refusal therefore cites these policies collectively as being relevant to the conclusions that the proposed development would undermine the Council's ability to pursue a comprehensive mix-use development within the appeal site as part of a wider integrated site allocation to improve this corner of the town centre.
- 3.6 Further to the argument of lack of integration is the physical layout of the site. The second reason for refusal addresses this matter and is set out in two associated parts, as detailed in Section 5 of my evidence. The proposal to subdivide the building to allow Aldi to occupy the eastern half and Homebase to retain the western half of the building, has resulted in a layout that is not compatible with the town centre and does not relate to the future aspirations for regeneration of the wider site allocation within which the appeal site sits. The layout and orientation of a building form a part of the overall design of the scheme and not just, how a building would appear. It is appreciated that the proposal would modernise the building, however this alone is not sufficient to balance in favour of the development.
- 3.7 Policies DSC1 and DSC3 are cited in this regard as these provide a basis for consideration of design principles including those that impact the public realm. These policies require, amongst other considerations, that development enhance local character and distinctiveness; that the permeability with the surrounding spaces, streets, paths and neighbouring development is increased and maximised for the public realm; and to promote pedestrian friendly environments providing coherent and logical layouts with active frontages.
- 3.8 I refer also to the stronger emphasis on design and creating beautiful places now sought through the NPPF and supporting guidance – the National Design Guide (NDG) that sets out the characteristics of well-designed places and what good design should mean in practice. The appeal proposal fails to meet four of the ten characteristics (Context, Identity, Built Form and Movement) and as per para. 15 of the NDG it can be concluded that the development is not well-designed. The NPPF devotes Section 12 to the

objective of achieving well-designed places. Specifically, the NPPF states that *'development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance on design'* (para. 134). The layout and orientation of the appeal proposal is unacceptable as it faces its main entrances to the north away from the active frontage of Sturlas Way and fails to meet any of these policy requirements. The appeal proposal takes an opposing approach by providing a service area for Aldi to the eastern elevation and does not present an attractive elevation suited to its active frontage.

- 3.9 There is no explanation of how the concept of the appeal scheme influences the layout and appearance of the building whilst taking into account its surroundings or wider context. The WC2 policy site allocation seeks to achieve this through pursuing a comprehensive development of the site as per Policy DSC7 (Comprehensive Urban Regeneration). The scheme represents itself as an isolated entity that does not relate to the wider area as existing and would, furthermore, fail to integrate with the wider site allocation if the eastern area were to come forward for redevelopment independently of the appeal site. Even without a site allocation the scheme would fail with its frontage towards a street scene that is not significant.
- 3.10 The proposal shows a lack of pedestrian access within the site, this presents conflict between users and a pattern of pedestrian movement that evolved as a secondary element within the design of the development and is not a suitable direct, safe or convenient arrangement. The entrances to the north of the store will deter pedestrian travel to and from the town centre and residential neighbourhoods. The connection to the wider town centre, which would otherwise be sought through a comprehensive regeneration scheme through its allocation, is not considered to encourage healthier travel choices.
- 3.11 Considered collectively, the Council concluded that the orientation and layout of the scheme presented a design that would have an unacceptable impact upon the character and appearance of the wider area, as it fails to integrate with the town centre. Furthermore, it fails to address the purposes of allocating the site under Policy WC2 for a mixed-use scheme that is in a highly sustainable location.
- 3.12 There is no question that the proposal therefore should be refused and is justified on this matter alone.
- 3.13 Without suitable pedestrian links there is potential for increased vehicular travel to the site resulting in greater demand for parking. Therefore, the shortfall in car parking spaces was not sufficiently justified and the appeal proposal was considered contrary to Local Plan Policy TM5 (Parking Guidelines) as set out in Section 6 of my full proof of evidence. This is maintained as such within the substituted plan. In fact, the substituted plan presents an arrangement that is considerably worse as it removes a pedestrian opening into the site from Sturlas Way, the active frontage.
- 3.14 The nature of the proposed supermarket is aimed at discount bulk shopping rather than daily use for a small number of items. Combined with ease of access directly from the main roundabout at the northern end of the town centre, makes it overwhelmingly likely

that the vast majority of shoppers will arrive and depart by car without considering a healthier travel option. A reliance on a car to visit the site is most likely and therefore the shortfall is not fully justified.

4. Conclusion

- 4.1 The Borough of Broxbourne has constrained development options for its growing population. Development is focussed on a number of strategic sites to accommodate growth with new homes focussed on suitable urban and edge of urban sites to make the best use of land and regenerate neighbourhoods. The appeal site is within the only strategic land allocation within Waltham Cross town centre and would be for a mixed-use development of residential, retail, commercial and community uses. If allowed the appeal proposal would hinder the redevelopment aspirations of the Council to bring forward additional housing within the town centre. Housing, that is much needed, would be required to be sought elsewhere and possibly outside the urban area.
- 4.2 The proposed development would further hinder the Council's aspirations to improve the northern area of the High Street, which forms part of the town centre but lacks any integration. In its attempts to upgrade the appearance of the existing building, the appeal proposal would not enhance the site and would not relate well to its town centre surroundings to the east and south as the proposed building would be orientated away from these surroundings to which it should relate. Coupled with this is the layout that would not present an active frontage with an inviting entrance, a service area would instead be presented. A failure in any attempt to integrate the site more effectively through its connections to the town centre limits the Council's ability to achieve a gateway development at the site as part of the regeneration of the northern High Street. A recognition of the Councils overall aims and objectives for the town centre have ultimately been overlooked throughout the promotion of this appeal proposal.
- 4.3 As per Section 38 (6) of the Planning and Compulsory Purchase Act 2004 the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. In this instance, the material considerations have been balanced and determined not sufficient to justify a departure of the Development Plan therefore this appeal should not succeed.