

## RESPONSE TO EAST HERTS COUNCIL BY HERTFORD CIVIC SOCIETY REGARDING APPLICATION 3/17/0392/FUL

"Mixed-use redevelopment, including partial demolition of existing buildings, to provide up to 4,694 sq.m retail floorspace (Use Classes A1 to A5), an 86-bed hotel (Use Class C1), 70 residential flats (Use Class C3), Refurbishment of existing car park to provide 113 pay and display, 70 residential, 5 car club (total of 188) parking spaces, enhancement of bus station facilities, new public realm and landscaping to riverside, and associated works and improvements."

**SUMMARY OF RESPONSE** We believe that, whilst the present Bircherley Green Centre is in sore need of improvement, the application now before the Council falls short in several respects of what Hertford needs and deserves. **We urge you to reject the application in its current form.**

### COMMENTS

1 Hertford Civic Society has long held the view that the Bircherley Green shopping centre, as it currently exists, fails to make the most of its location beside the River Lee Navigation. We also recognise that, with the departure of Waitrose, something has to be done to attract other retailer(s) and avoid a long-term vacancy. Since the ground floor of the riverside frontage building is at present occupied by Waitrose for back-of house purposes, their departure presents the opportunity for that space to be re-configured for customer use. We therefore support the proposition that the centre should be altered or redeveloped to improve the attractiveness of the riverside as a public space, and welcome those objectives of this application.

2 Bircherley Green is the town's main shopping area, and its success is key to the vitality of the town centre as a whole. To date the footfall generated by a supermarket, in the shape of Waitrose, has ensured that it has been busy and successful, and we are concerned about the viability of a redevelopment which does not include a substantial food-store. However, we appreciate that the site is too constrained to offer the amount of level sales space and parking which the operator of a substantial food-store would require. We understand that the submitted scheme is designed to be capable of accommodating a smaller convenience food-store if one could be attracted to the site. We remain concerned about the lack of certainty that there will be some form of foodstore in the redevelopment. In our view one is needed to satisfy the aims of the Hertford Urban Design Strategy and to ensure the viability of the future core of the town'

3 We are not, of course, privy to the developer's assessments of future rental incomes and the viability of the retail element of the development. However, we suspect that it is marginal and that, as a result, whenever compromises have had to be struck in the design of the scheme, they have been resolved in favour of the prospective retailers rather than of the public. We also suspect that, owing to the weakness of the commercial element, the hotel and residential elements are the drivers of the profitability of the scheme, leading to the potential for over-development and to proposals for buildings which are too tall. We elaborate on these points below, in considering the architectural design of the scheme.

### **Proposed Uses**

4 Hertford needs more hotel accommodation, so we support the inclusion of a hotel. The demand for housing in the town, and the District, is undoubtedly very strong and the more that can be provided in the town the less the pressure on the precious areas of Green Belt which surround it. We, therefore, support the introduction of more residential apartments into the town centre. We applaud the developer for abandoning the earlier proposal to relocate the bus station and welcome the proposal for it to remain *in situ*. We support the introduction of active commercial uses to the riverside frontage. It is understood that proposals may come forward for a large health services area, incorporating GP practices, in place of some of the space currently proposed for residential

use; if so that too would be welcome, given the ready accessibility of the site in the centre of the town and adjacent to the bus station.

### **Parking**

5 We accept that it will be necessary to re-designate part of what is now a public car park as a private parking area reserved for residents of the proposed apartments at all times. We do not advocate the reservation of more than the top two floors for this purpose. The remaining spaces in the existing car park will have to cater for hotel guests and staff, and visitors to the apartments, as well as shoppers and other users of the town centre. We accept that, in the absence of a substantial food-store, there would be less imperative for shoppers to park immediately adjacent to the shops rather than in car parks elsewhere in the town centre; however, should the suggested health centre be introduced, that would again create a demand for client parking immediately adjacent to it.

6 We do not entirely accept the argument that parking demand generated by the hotel would not coincide with demand from shoppers and other town centre users. Check-out time from Premier Inns is noon, and while business clients would move their cars before then, leisure customers – probably in the majority and certainly so at week-ends – are very likely to stay longer, especially if offered a discounted 24-hour rate for parking as hotels often do. The submitted survey information confirms what Hertford people know already – that Bircherley Green car park is already full on Saturday mornings and at other peak times. It may be that there is capacity at Gascoyne Way, but that is a much less popular car park, because it is further from most places people want to get to and manoeuvring is difficult because the parking spaces are cramped. There would therefore be parking stress. No doubt people would adjust, and if they found it impossible to park at Bircherley Green on several occasions they would go to Gascoyne Way or elsewhere, but the convenience and attractiveness of Hertford as a place to shop would be reduced, with possible long-term effects on its level of trade. One partial solution would be to build a new pedestrian bridge across the Navigation leading directly to Thornton Street, which would provide a shorter and more direct route than currently exists between Bircherley Green and the car parks at Hartham, including Sainsbury's.

7 The proposals fail to include a good cycle rack, in a reasonably visible and public place, with shelter from the rain.

### **Servicing**

8 With the redevelopment of the area occupied by Waitrose their dedicated loading bay would go, and the developer proposes not to reinstate the existing service area behind Bull Plain, leaving only one service area to serve the whole development. To make this work, we understand that service vehicles would in addition be allowed at certain times to traverse the land between the Navigation and the car park, and the mall between buildings A and B. Goods would also be trolleyed from the service area via the mall. We have concerns about several details of this arrangement: Would the surfaces – in reality, as well as in theory – be able to withstand the weight of heavy vehicles without damage? Are the turning circles sufficient? Would the proposed trees be unharmed? Would retailers be able and willing to arrange for deliveries only at the stated times? These, however, are technical questions for others to answer and we accept that, with amendments if necessary, the proposed arrangements could physically be made to work.

9 But the fact remains that this servicing solution is a compromise which devalues the quality of the whole development, for example by constraining the design of planting and landscaping in the "pedestrian" areas affected, and by making it impossible for cafés and restaurants to have tables outside before a certain time in the morning (and after a certain time in the evening?). At present Serendipity and Starbucks do a busy breakfast trade outside in the summer from 9.00 am or earlier. We also understand that the need to allow for service vehicles is one reason why the mall has to be completely open with no shelter for shoppers. In addition, Hertford's practical experience of streets

where vehicular access is supposedly allowed only at certain times is not encouraging, and while the initial scheme owners here may well be able to control access effectively at first, it cannot be guaranteed that this will always be the case. A design which did not need tight management control would be far preferable. It is a serious concern that even the applicant's Transport Assessment contemplates (paras 5.12 – 5.13) that large vehicles could on occasion be unloaded in Railway Street or Bull Plain. Such unloading would conflict with the taxi rank and the flow of buses unless severe time restrictions were imposed.

10 It is not clear from the plans whether any part of the scheme is to be gated to prevent unauthorised vehicular access (or indeed pedestrian access) at night. The present centre is gated, and it is notable that the "pedestrian" area outside the gates and outside the applicant's ownership (where WH Smith and Specsavers are, for example) is often used at night for unauthorised parking. Any gating would of course have to allow for pedestrian access between the entrances to the apartments and the car park lifts, so that residents could reach their cars in the car park at all times.

### **Mix of Shops**

11 The proposals do not appear to include any small shop units. Clearly the success of the centre will depend on its ability to attract larger retailers, but one aspect of the existing centre which is widely appreciated is the presence of the small 'kiosk' units near the lifts. These units add greatly to the variety and liveliness of the centre and can provide outlets for traders who do not need or could not afford larger shops. The absence of small units will make the new shopping centre less interesting, lively and attractive.

### **Design**

12 Some urban design principles for Bircherley Green are set out in the Hertford Town Centre Urban Design Strategy, beginning at para 4.1.14. The Council's own conservation officers have compared the present scheme with those principles, and we endorse their findings. In particular, the scheme does not restrict vehicles to Bircherley Street, the north-eastern corner of Building A is five storeys rather than the maximum of four recommended by the Strategy, and the new public space at Bircherley Square is too small to accommodate market stalls or an entertainment space. Since the existing car park is retained on its present footprint the main part of the waterfront building cannot be set back: however the north-west corner of Building B could have been set back, but it is not. As much of Bircherley Square and the land alongside the water would be occupied by restaurants/café's and their outside seating, the space would not be truly public.

13 We have other criticisms of the architectural design and appearance of the buildings. We request that they are circulated to the Design Review Panel.

1. The wide, straight mall between Buildings A and B is an uninviting space out of character with other parts of the town centre. It does provide a direct visual link between Railway Street and the river but we see no need for it to be exactly straight rather than gently curved, and no reason for the frontage to be uniform, unrelieved by any projections or setbacks. No shelter is provided to pedestrians by either colonnades or canopies, and we fear the mall could be a wind tunnel. It contrasts very unfavourably with the existing irregular space with the clock between Boots and Starbucks, which provides a comfortable setting for people to meet, linger and chat. We suspect that the design of the mall reflects the requirement of multiple retailers for square, regular units rather than the preference of the public for informal, friendly and more intimate spaces.

2. The visualisations on pages 33, 37 and 38 of the Design & Access Statement show three views of Bircherley Square. In each the architectural detailing is dominated by chunky square forms, mostly with a strong horizontal emphasis. We submit that these bold, square blocks, whilst appropriate to a town centre in a new town or major urban extension, do not sit happily beside the

historic buildings of an ancient town which has grown and changed organically over the years. There is a need for shapes and forms which are much softer, more informal and less assertive.

3. The proposed recladding of the elevation of the car park facing the bus station succeeds in lightening up a dour and heavy frontage, but the result is a monolithic, unrelieved façade. We recall that, prior to its renovation about five years ago, Bircherley Court on the other side of the bus waiting area had a dour frontage of dark brick, not dissimilar from that of the car park. On renovation its bulk was split up (in that case incorporating the use of coloured panels in whimsical shapes), so that it now appears as a series of smaller buildings. Another example in the town centre from the last twenty years or so is the block of flats on Mill Bridge, opposite The Woolpack, where the frontage is broken up to have the appearance of a number of separate, unrelated buildings. We do not say that the renovated bus station should follow either of these examples, but wish to emphasise the desirability of buildings which have a human scale and reflect the fine grain of other parts of the town centre.

## The Waterside

14 Improving the waterside and making it more attractive and useable is for many people the key *raison d'être* of this scheme. The design of the waterfront therefore deserves the most detailed consideration. It is not a matter of ancillary landscaping to a retail proposal. The waterway concerned is often referred to as the River Lea. But it is, in reality, an artificial cut, an urban canal and part of the Lee Navigation; the river diverges on the upstream side of Bull Plain Bridge, and follows a course on the far side of Folly Island. The level of the water in the Navigation varies little, being controlled by the fixed side-weir opposite the marina, and impounded by Hertford Lock. The cut is the responsibility of the Canal and River Trust, and the details of the scheme should be worked out in collaboration with them.

15 Bull Plain Bridge marks the limit of navigation (although the terminal winding hole is just beyond) and it is therefore appropriate for this part of the waterside to have the appearance of a wharf, reflecting its urban location and its position at the head of navigation. A wharf typically has a hard surface (not bushes or grass) and unprotected access to the water. But to succeed as a public space the 'wharf' needs to be well-used and attract large numbers of people, including children. The question of safety is therefore important. At present the freeboard (the distance between the adjacent land and the water level) is quite high, and there is no grab chain and only one access ladder, at the mooring place reserved for the trip boat. Therefore, anyone who had the misfortune to fall in would find it difficult to get out. To improve the situation the river wall should be lowered (something which the CRT have themselves suggested) and a chain and additional ladder installed. Behind the wall, there could be a change in level after some distance, or perhaps the whole width, back to the car park wall, could be lowered. It might also be possible to reduce the water depth alongside the wall to the absolute minimum required for mooring, and to ensure that the bottom is free from weed and mud; no doubt the CRT could advise. These points may seem to be matters of detail but it is essential that safety is planned in from the start; otherwise there are bound to be calls to fence off the water's edge or put in some kind of vegetation barrier, which would be a completely inappropriate design solution in this town centre location.

16 The facility for mooring by the trip boat, which plies between Hertford and Ware on summer weekends, should be retained, and we believe that mooring by visiting craft should be encouraged (lowering the wall would have the added advantage of making mooring more convenient). The possibility of installing a water point and other facilities for boaters should be seriously considered. As the towpath is on the far side, any moorings on the shopping centre side would be private and under the control of the centre management, so that there would be no risk of unauthorised mooring for long or indefinite periods. **[END OF COMMENTS]**