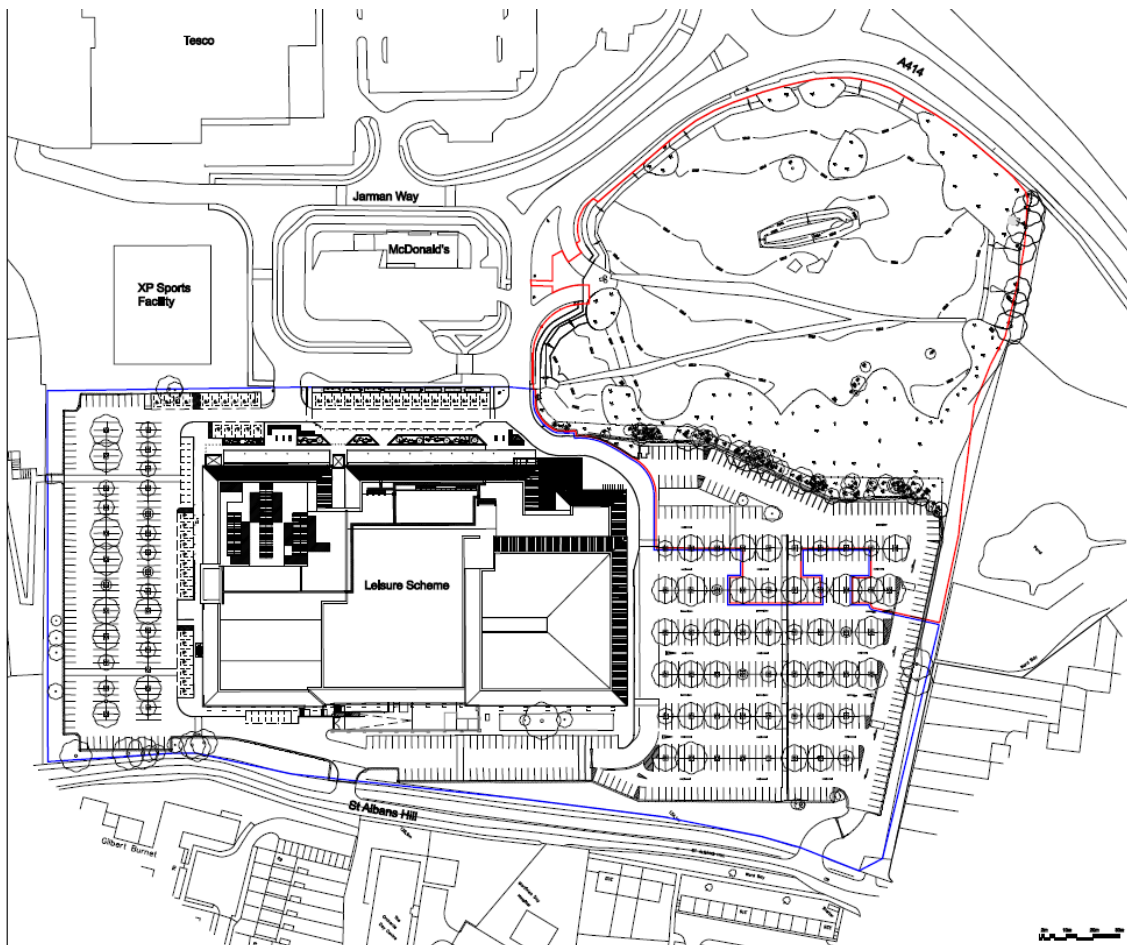


5. PLANNING APPLICATIONS

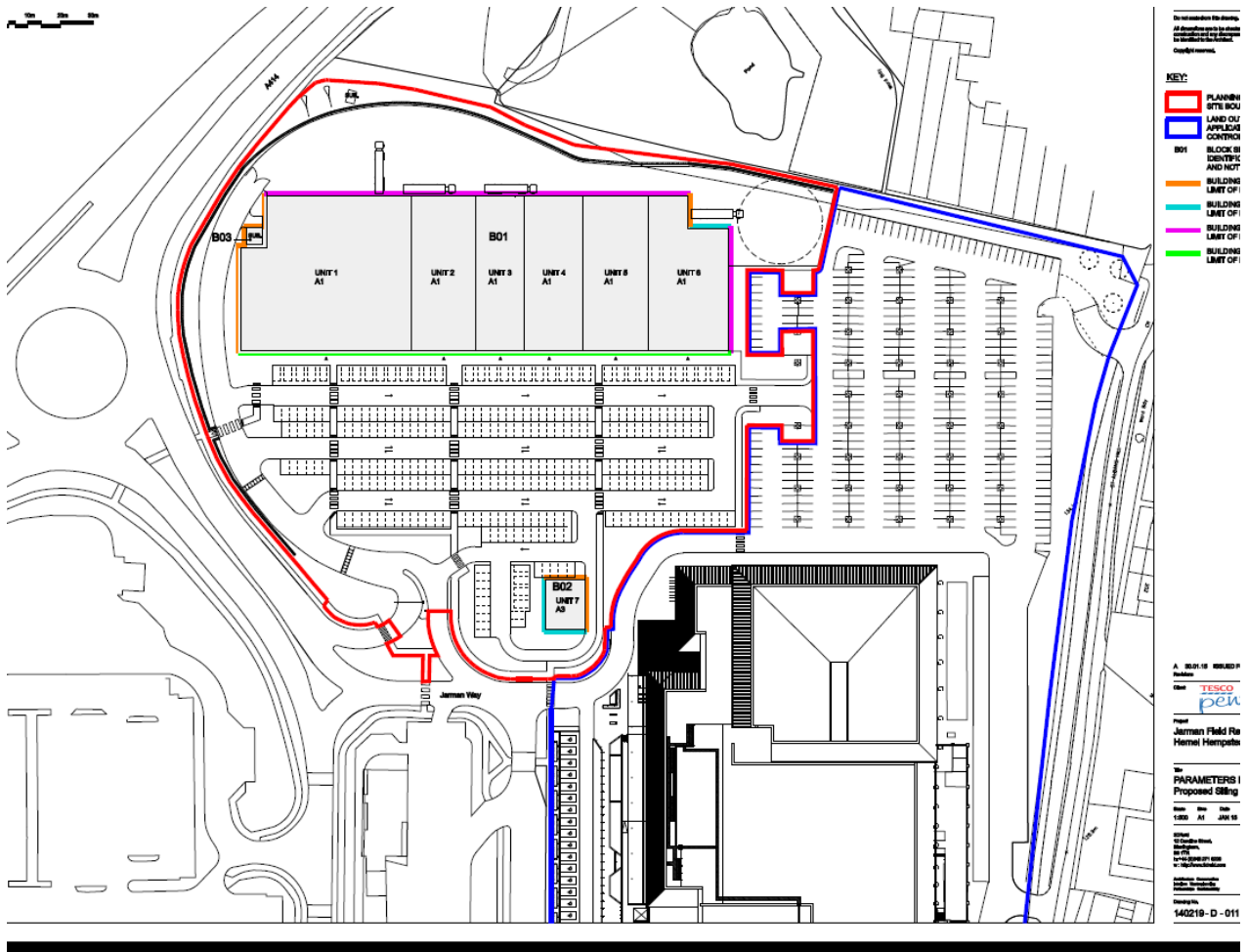
ITEM 5.01

**4/00424/15/MOA - CONSTRUCTION OF CLASS A1 RETAIL DEVELOPMENT (TO INCLUDE CONVENIENCE AND COMPARISON RETAIL FLOORPLACE AND ANCILLARY CAFE) AND CLASS A3 DRIVE-THRU CAFE/RESTAURANT UNIT (WITH ANCILLARY TAKEAWAY) TOGETHER WITH ACCESS, CAR PARKING, SERVICE YARD AND ASSOCIATED WORKS
JARMAN PARK, JARMAN WAY, HEMEL HEMPSTEAD**



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JARMAN PARK, JARMAN WAY, HEMEL HEMPSTEAD

APPLICANT: Ediston Properties Ltd on behalf of Tesco Pensions Trustees Ltd

[Case Officer - Fiona Bogle]

Summary

The application is recommended for approval subject to conditions and a S106 Agreement to secure contributions towards highway works and a Travel Plan. If the committee accept the recommendation the application must be referred to the Secretary of State for Communities and Local Government (SoS) as a Departure from the Development Plan for consideration to "call-in" the application.

Summary of reasons to grant

The application submitted seeks outline planning permission for a retail park building of 10,305 sqm comprising 6 Class A1 retail units and a small drive thru cafe/takeaway on vacant land at Jarman Park, Jarman Way. There is an extant planning permission for 6700sqm of retailing on this land (4/00377/10VOT). The permission restricts the sale and display of clothing, footwear, books, toys or food. Since the grant of that permission, Jarman Park has been redefined in the adopted Dacorum Local Planning Framework Core Strategy from a local centre to an out of town centre. The application seeks an open Class A1 permission primarily comprising comparison goods stores but also some convenience shopping goods. Such an "open" permission would, it is concluded, have a significant impact on the viability and vitality of Hemel Hempstead Town Centre. It is considered, however, that a permission that restricts clothing and footwear could be tolerated. Planning permission is therefore recommended on this basis and subject to other conditions and S106 Agreement.

Description

The application site is approximately 2.02ha in area and is located within Jarman Park (JP), an out of centre leisure and retail facility off the St Albans Road (A414). The site occupies the eastern side of Jarman Park (JP) bounded by St Albans Road and Jarman Way (JW). Tesco superstore, McDonald's Drive thru, The XC centre and the cinema and leisure building occupy the remaining land with the sports pitches and ski centre beyond. The site originally was a sewage farm dating back to the 1900s and later was occupied as a landfill site for domestic refuse in the 1950-70s.

Access to JP along Jarman Way (JW) is off a three arm roundabout on St Albans Road (A414) which is a dual carriageway linking the town centre to Junction 8 on the M1. JW is the established internal circulatory distribution road serving the whole Park and providing access to each site. The application site has an established,

unused and approved access/exit linking it to the distribution road. Concrete bollards act as barriers preventing vehicular traffic from using this link. Along the A414, vehicular access to the site is cordoned off by unattractive and dilapidated wooden sleepers. A pedestrian footpath runs along the A414, immediately abutting the north boundary of the site, and this links into the pedestrian routes in the Park.

The application site is generally open, falling slightly away from the highway and is somewhat unkempt and overgrown. There are artificial embankments along the northern, western and eastern boundaries of the site (except the rear) which provide some automatic screening, particularly from the A414. On the rear southern boundary there is a dense line of planting which screens the cinema and leisure complex car park immediately to the south. To the west, the site is generally open and despite a low level embankment along this boundary there is little natural screening.

Proposal

The application seeks outline planning permission with all matters reserved, for the erection of a building for A1 retail use including both comparison and convenience floorspace and for a separate small A3 cafe/restaurant drive-thru (with ancillary takeaway) unit together with access, car parking, service yard and associated works.

The total A1 floorspace would be 10305 sqm split between convenience and comparison floorspace as follows:

Convenience - food Gross floorspace = 1505sqm, net 822 sq.m

Comparison -non-food Gross = 8800sqm, net 8000sq.m

The A3 cafe unit would have a floorspace of 185sqm.

The application has been accompanied by a range of plans and documents some of which have been updated during the course of the application including:

- Design and Access Statement
- Planning and Retail Statement
- Transport Assessment
- Travel Plan
- Land Contamination Report (Outline Remediation Strategy)
- Flood Risk Assessment
- Sustainability Statement

Planning History

Background

An outline application at Jarmans Fields was made by Ladbroke Group Properties Ltd for a mixed recreation, leisure and commercial development incorporating a leisure and recreation centre, hotel, superstore, restaurant, petrol filling station, field events arena, children's play area and associated highway works under planning

application 4/0625/89.

This planning application was 'called in' by the Secretary of State in August 1990 "because of the scale of the proposal, the associated highway issues and implications in relation to policies contained within the approved County Structure Plan and adopted Local Plan."

Following a Public Inquiry (12th-28th February 1991), the Secretary of State, as recommended by the Inspector, granted outline planning permission on the 9th October 1991.

Reserved matters details were submitted for all parts of the site bar the hotel element. The hotel has never been constructed and its permission has long expired. Its location now forms the application site for this current proposal for retail warehousing.

Recent relevant history

Planning permission was first granted for retail warehousing and associated car parking, access, service yard and landscaping in May 2007 (ref: 4/00455/07/MFA). This permission was subject to a planning obligation to secure a financial highway contribution. In December 2007 permission was granted for a variation to condition 18 relating CCTV provision (4/02362/07/ROC). This permission was subject to a deed of variation to the original Section 106 Agreement to reflect the new application. On 19 August 2010 planning permission was granted (4/00377/10/VOT) for variation of condition 1 of planning permission 4/02632/07/ROC under temporary powers put in place to extend the time period for developments to allow a further 5 years for commencement of development to reflect the economic downturn at that time. This permission will expire on 18 August 2015.

4/00455/07/MFA Retail Warehousing and associated car parking, access, service yard and landscaping
Granted 24/05/07

4/02362/07/ROC Variation of condition 18 of planning permission 4/0455/07MFA
Granted 24/12/07

4/00377/10/VOT Variation of Condition 1 of planning permission 4/2632/07ROC
Granted 19/08/10

Referral to Committee

The application is referred to the Development Control Committee to comply with the Council's constitution on the Scheme of Delegation.

Policies

NPPF paras. 24, 26, 27

Core Strategy

Policies NP1, CS1, CS2, CS4, CS8, CS9, CS10, CS12, CS13, CS16, CS25, CS29, CS31, CS32, CS33 and CS35,

Saved DBLP Policies

Policies 10, 12, 13, 51, 100 and 113

Hemel Hempstead Place Strategy

Hemel Hempstead Town Centre MasterPlan

Site Allocations Pre-Submission DPD (sept 2014)

Summary of Representations

Strategic Planning and Regeneration

Relevant Policies:

The NPPF promotes a town-centre approach to retail development, for decision making paragraphs 24, 26 and 27 are most relevant.

Paragraph 24 requires the application of a sequential test to planning applications which expects main town centre uses to be located in town centres, then in edge of centre locations. It states that out of centre sites should only be considered if suitable town centre or edge of centre sites are not available, and then in considering out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

Paragraph 26 of the NPPF requires applications for retail development in excess of 2,500 sq m that are *outside of town centres which are not in accordance with an up to date Local Plan* to include an assessment of:

- *The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and,*
- *The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.*

Paragraph 27 of the NPPF states that where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

Core Strategy Policy CS16 states that *the main retail hierarchy will be strengthened by encouraging appropriate new retail development.* It states that *new retail development will be assessed in terms of its location, scale and impact and that it will be permitted if it accords with the retail hierarchy and conforms to the sequential approach.* With regard to out-of-centre development, the policy states that *new retail floorspace will only be permitted...if the proposal complies with the sequential*

approach and demonstrates a positive overall outcome in terms of the impact assessment.

In their Planning and Retail statement the applicant asserts that Jarman Fields is identified as a Local Centre in the Local Plan (2004). However, the Council would disagree with this statement because, the Core Strategy (2013), supersedes some of the Local Plan policies, including that which identified Jarman Fields as a Local Centre (Policy 39 of the Local Plan is superseded by Policy CS16 of the Core Strategy). The Core Strategy (page 81) designates Jarman Fields as an out-of-centre retail and leisure location where food retailing, bulky non-food goods and leisure uses are acceptable. The supporting text (para 13.7) states that within out-of-centre retail locations *significant new retail development or changes to the types of goods that are currently sold will not be allowed...in order to protect the retail hierarchy*. With reference to Jarman Fields, paragraph 13.8 of the Core Strategy states that *significant new retail development above that already permitted will be resisted*. Furthermore, it states that *the future use of this area will be closely linked to the planned regeneration of Hemel Hempstead town centre* and that whilst the precise mix and quantum of uses may change over time, the role of the site *should remain complementary to the role of the town centre and continue to support the retail hierarchy*.

Within chapter 4 of the Core Strategy, 'regenerating Hemel Hempstead town centre' is given as challenge 3 facing the future of the borough and therefore, consideration should also be given to the Hemel Hempstead Place Strategy in the Core Strategy and the associated Hemel Hempstead Town Centre Masterplan, which details the Council's regeneration aspirations and plans.

The Hemel Hempstead Place Strategy prioritises the regeneration of Hemel Hempstead town centre, Maylands business park, the neighbourhood centres and green spaces. The town centre vision, which is set out on page 142 of the Core Strategy, aspires to a vibrant town centre where people will want to shop, work, learn and visit, and where the Marlowes Shopping Zone is busy.

The Hemel Hempstead Town Centre Masterplan seeks to realise the aforementioned town centre vision by guiding the delivery of the planned regeneration according to the seven identified character zones.

The Site Allocations Pre-Submission DPD was published in September 2014 and is a material consideration in the determination of the application. Jarman Fields designation as an out-of-centre retail and leisure location is reiterated in table 1 and the application site is designated as Shopping Proposal site S/1, where the planning requirements are for 6,700 sqm (gross) of non-food retail warehousing floorspace.

Key Issues

Conformity with national and local policies

In order to demonstrate compliance with national planning policies, the applicant must demonstrate compliance with the sequential approach and that no significant adverse impacts on either investment in Hemel Hempstead town centre or on its

vitality and viability. Both of these factors are addressed in the applicants' Planning and Retail Statement (PRS), the outcome of which has been assessed by consultants, Peter Brett and Associates (PBA), and is discussed below.

In terms of local policy, the proposal is not in accordance with the local plan. As outlined above, the application site is clearly an out-of-centre location, and therefore, under policy CS16 the applicant must demonstrate compliance with the sequential approach and a positive overall impact in terms of the impact assessment. These are discussed below.

With regards to the background text of the Core Strategy, further conflicts arise, specifically:

- The application proposes significantly more retail floorspace than that already permitted at Jarman Fields; and
- The proposal may lead to a situation where Jarman Fields competes with, rather than complements, the role of the town centre.

The application proposes 10,305sqm (gross) of retail floorspace, which is an increase of more than 50% of what is already permitted.

The applicant has not offered any strong assurances within their PRS that the retail offer at the proposal will complement the role of the town centre as required by the Core Strategy. The proposal is for unrestricted, warehouse-style, comparison-led retail floorspace which is likely to be attractive to the type of fashion retailers typically found in town centres. This, together with the restaurant and leisure offer at Jarman Park gives rise to serious concerns that the location as a whole would become a major shopping destination that would compete with the town centre.

Furthermore, there is strong concern over the possibility that the type of retailers attracted to the proposed development would include a number of the fashion anchor stores already present in Hemel Hempstead town centre. Key fashion anchor stores in Hemel Hempstead town centre include brands which are known to operate in out-of-centre locations. It is possible that one or more of these may relocate from Hemel Hempstead town centre to the proposed development.

Compliance with the sequential approach

Section 6 of the applicant's PRS includes a sequential analysis which considers the availability of sequentially favourable sites. Within this section, the applicant asserts that a sequential assessment is not required as it is in a Local Centre where planning permission already exists for retail development. However, as already discussed, Officers disagree with this assertion, and consider that the application must demonstrate compliance with the sequential approach.

Notwithstanding this disagreement, the applicant has submitted a sequential assessment, which has been critiqued by PBA. In accordance with PBA's conclusions it is considered that in order to demonstrate compliance with the sequential approach, further evidence about the availability of sites in the Gade zone is required.

Impact assessment

Section 5 of the applicant's PRS provides an assessment of the likely impacts on Hemel Hempstead town centre in accordance with the criteria listed under Paragraph 26 of the NPPF, which has been evaluated by PBA. The conclusion of the applicant's impact assessment states that:

'it is clear that the application scheme will not result in a significant adverse impact on the vitality and viability of Hemel Hempstead town centre.'

And, with regards to the investment planned by the Council through the Hemel Evolution programme:

'We do not consider the proposal will result in a significant adverse impact on this planned investment programme.'

There are serious concerns about the validity of the above statements, and it is considered that there may be significant adverse impacts on Hemel Hempstead town centre if the proposal were to go ahead. The report by PBA also concludes that there the proposal may have a significant harmful impact on Hemel Hempstead town centre.

The main concerns relate to the impact of the comparison retail element of the proposal, which is the focus of these comments. The applicant's PRS assesses 3 potential scenarios with regards to the impact on Hemel Hempstead town centre:

- the main forecast assumes that 45% of the proposal's turnover will be drawn from Hemel Hempstead town centre and predicts a negative impact of 6.5% on spending within the town centre;
- the second forecast assumes that 55% of the proposal's turnover will be drawn from the town centre and predicts a negative impact of 8% on spending within the town centre;
- the third scenario assumes that 65% of the proposal's turnover will be drawn from the town centre and predicts a negative impact of 9.4% on spending within the town centre.

Without knowledge of the likely operators of the units in the proposed development, it is difficult to assess which of the scenarios is most likely, however, PBA advise that the impact of the proposed development will be at the top end of sensitivities modelled by the applicant, that is, towards a loss of 9.4% of spending within the Town centre. Their report further advises that allowing unrestricted comparison retail provides the opportunity for retailers that would otherwise locate in the town centre to gain out-of-centre representation. This could result in the loss of good quality fashion and department store anchors from the town centre, which in turn could adversely affect the overall health of the centre more fundamentally than the through the predicted trade diversion.

PBA's report highlights some very serious concerns about the likely impact of the proposal on the vitality and viability of Hemel Hempstead town centre; these concerns are shared by Officers. The main concern stems from the potential for

established fashion operators to leave the town centre and relocate to the proposed development. As these stores tend to be footfall generators for town centres like Hemel Hempstead, their loss would cause more harm than just the loss of turnover from the diversion of trade from those shops, it could mean a more profound loss of turnover for the whole town centre.

One of the reasons the PRS judges the likely impact on the town centre to be acceptable is that their assessment of the overall health of the town centre is fairly positive, and therefore it can withstand the forecast impact of the development. However, there are some concerns about some of the statements within the PRS regarding the overall health of the town centre, that may affect the conclusions drawn therein. For instance, the PRS states that the vitality and viability of the town centre is average, and yet within the assessment in appendix 8 it scores 2.68 on the vitality and viability index where 2 is 'poor' and 3 is 'fair'. The PRS describes the retail offer as good with reasonably diverse retail mix taking in a high number of quality national multiples and specialist independent shops. However, it fails to pick up on the statement in its Appendix 8 that 'there are a notable number of low-end shops such as pawnbrokers and pound shops. A recent survey (01 May) by the Council found a total of 19 charity shops, discount stores and pawnbrokers/exchanges. Furthermore, there are not considered to be a *'high number of specialist independent shops'*.

The overall health of the town centre is considered to be quite fragile. There are a relatively high number of vacancies within the Marlowes Centre and the Riverside development, which, as managed shopping centres/developments in single ownerships, would be expected to have low levels of vacancy relative to the rest of the town centre. This combined with the relatively high number of low-end shops and the lack of specialist/ independent shops, leads to concerns about what would generate footfall in to the town centre if a few of the popular fashion stores relocated from the town centre.

The impact on the regeneration of Hemel Hempstead town centre is addressed in the applicant's PRS (para's 5.58-5.63) in terms of the impact on public and private investment. It is dismissed without much explanation: *'We do not consider the proposal will result in a significant adverse impact on this planned investment programme'*.

PBA's report agrees that the proposed development is unlikely to immediately prejudice any planned investment in the Gade/Original Marlowes zone. As the funding for the physical improvements planned (and underway) in the rest of the town centre has been committed this will not be affected by the proposed development. PBA do consider that the proposed development may pose a risk to potential future investment in the town centre as the potential loss of key town centre anchors would reduce the centre's attractiveness to investors.

Conclusion:

These comments have mainly focussed on the potential impact of the proposed scheme in terms of the vitality and viability of Hemel Hempstead town centre. It is considered likely that the application, in its current form, could lead to significant adverse impacts on the town centre.

It is important to recognise that Hemel Hempstead lacks a destination out-of-centre retail location, and that as this is popular way for people to shop, a significant amount of trade 'leaks' out of the borough to nearby out-of-centre destinations. It is difficult to predict whether the town could accommodate a large out-of-centre retail development without having a harmful impact on the town centre with out knowledge of the likely operators or types of goods to be sold.

One potential solution highlighted in PBA's report is the use of planning conditions which could be imposed to make the proposal acceptable. The conditions they suggest are:

- Restriction on total net sales area and gross floor area;
- Control over the proportions of net sales area devoted to the sale of convenience and comparison goods;
- Minimum unit size: imposing a lower threshold of 696 sqm gross on units;
- Range of goods: prevention of the sale of clothing and footwear;
- Revoking permitted development rights.

These conditions are considered necessary in order to protect the town centre from the potential harmful impacts of the proposed development.PBA's concluding remarks about the likely impact on Hemel Hempstead town centre include the following:

In its current form, PBA consider that the proposed development would result in significantly adverse impacts on the vitality and viability of Hemel Hempstead town centre. Thus, it is considered that planning permission could only be granted if conditions were imposed to mitigate these impacts.

This view is echoed by the Strategic Planning and Regeneration team, and it is considered that if Members recommend approval of the application, the conditions based on the points set out above are imposed.

HCC Highways

The point of access to Jarman Park is by way of a 3-arm roundabout of the A414. The development site is then accessed off the park's internal road. The A414 is a 2-lane dual carriageway road with a 40mph speed limit in the immediate vicinity of the site. The A414 is a primary route into the town centre with small distributor roads leading off it.

Analysis

A Transport Assessment (TA) was submitted in support of the application. This is consistent with the guidance provided in HCC design guide Roads in Hertfordshire and the National Planning Policy Framework (NPPF).

Policy

The TA should provide evidence that the proposed development is consistent with key planning policies including (but not limited to): - National Planning Policy Framework (NPPF); - HCC Local Transport Plan (LTP3); - Roads in Hertfordshire: Design Guide (3rd Edition); - Hemel Hempstead Urban Transport Plan; and - HCC Passenger Transport in New Developments

Trip Generation and Distribution

Extant Use

A trip generation assessment was included in the previous TA submitted alongside application 4/00455/07/MFA. The trip rates included within the TA were based on one site contained within the TRICS database and another provided by Hertfordshire County Council. Based on a development of 6,500sqm of retail unit the extant use is anticipated to generate 376 two-way vehicular trips in the weekday network peak hour and 579 car trips during the weekend network peak hour (12:00-13:00).

Proposed Use Non-food retail element

The TA for the non-food retail element has reviewed the validity of the trip rates that were agreed as part of the extant scheme. The latest TRICS database has been reviewed and the category of 'Retail Park excluding food category' has been used.

As part of this assessment the TA reviews sites on varying scales for a Saturday peak hour. The TA argues that the previous agreed two-way trip rate (8.64) for the Saturday peak is too high and suggests that the trip rate applied for the Saturday peak should be the average/default value of 5.331. However, the TRICS information contained at Appendix 3 of the TA only contains the table outputs. There is no information on what sites have been used and how they are considered to be comparable. Given that the previous application only had one comparable site further details are required.

In order to obtain a weekday peak trip rate it was previously agreed as part of the extant application that a discount factor of 35% can be applied. The TA for the proposed development seeks to do the same but it should be applied to the average rate of 5.331 and this would therefore equate to a weekday trip rate of 3.539.

This weekday trip rate cannot be agreed until further information is provided. The lower TRICS data has been already been considered. Therefore, further justification for not using the same methodology should also be provided.

Food retail element

The food retail element of the development comprises 1,505sqm. The TRICS database has been reviewed for the 'Retail – discount food store category' as this is considered to be the worst case scenario. Sites with a floor area between 1,000-2000sqm have been considered for both a weekday and Saturday. On a weekday within the peak hour (17:00-18:00) the site is anticipated to generate 99 two-way vehicular trips and on a Saturday (12:00-13:00) 179 two-way vehicular trips are likely to be generated. Again the data provided in Appendices 4 and 5 are the tables only and no information with regards to the location of the sites and how they are comparable have been provided. Therefore, these trip rates cannot be agreed.

The TA sets out that the sites used are standalone sites and the proposed development would be on a retail park. Therefore, there is likely to be trip linkages. A discount factor of 30% has been applied and this is based upon information the

consultants have undertaken on a retail site in Great Yarmouth. Further information as to how the proposals are comparable to the Great Yarmouth site is required before this discount factor can be agreed.

Drive Thru A3 unit

It is anticipated that a small drive-thru unit at 185sqm of A3 would also be provided. The TA argues that this facility would be ancillary to the retail park and would not generate traffic in its own right. Further information as to what this facility is likely to be as if a fast-food restaurant it may ultimately attract independent trips especially as Jarman Park is considered to be “residential in nature”. Therefore, further information is required before HCC can agree to the provision of no trips.

Comparison

The TA currently shows that the site would generate one less vehicle in the weekday peak and 15 more at the weekend peak. Until the information requested above is provided this is not agreed.

Impact on Highway Network

The proposed development may have an impact on the local highway network including the Jarman Park access roundabout and the Bennetts End roundabout. Traffic Data as per the previous consented development traffic surveys were undertaken at the site access roundabout. These surveys were undertaken on Friday 23rd January and Saturday 24th January 2015. The surveys were undertaken at 17:00-18:00 and 12:00-13:00, respectively.

As part of the TA assessment it compares the traffic flows recorded within the 2007 scheme with 2015. This demonstrates that the roundabout sees 325 fewer movements on a weekday and a net increase on a Saturday.

It is noted that the 2007 surveys were undertaken in June and the 2015 surveys were undertaken towards the end of January. This could ultimately account for the lower number of trips on the network. The DfT Guidance on Transport Assessment (which is now superseded but is relevant for a guide on best practice) states that “the traffic data should reflect the normal traffic flow conditions on the transport network.” June is considered to be a neutral month with normal traffic flow, whereas January is non-neutral month for many reasons. Whilst HCC would not expect surveys to be undertaken in June, a neutral month should ultimately be used for comparison.

Junction Impact Assessment

As part of the 2007 permission an ARCADY assessment was undertaken at Jarman Park Access Roundabout and also the Bennetts End Roundabout. It is noted that an assessment of these junctions have not been undertaken as part of the 2015 development proposals.

HCC acknowledge that as part of the 2007 proposals the Jarman Park access roundabout worked within capacity. However, the Bennetts End roundabout on the Bennetts End Road arm and particularly on the A414 eastbound arm operated significantly over capacity. The A414 eastbound arm incurred a queue of 204 vehicles.

Before HCC can agree that an impact assessment is not required, further information regarding the trip generation is necessary.

Road Safety

The TA does not provide any assessment of collision data within the vicinity of the site or at key junctions in the vicinity.

Personal Injury Collision data should be requested for the last five years in order to ascertain if there are any safety issues that may be exacerbated by the trips generated by the development.

Highway Layout Vehicle Access

The TA sets out that access is not to be determined as an access 'stub' has already been built to serve the site. Whilst, this access may have been built the development proposals and the TA should demonstrate that the access arrangements are suitable for the level of development and are in accordance with Roads in Hertfordshire (RiH).

Internal Layout

It is noted that the internal layout is for reserved matters. However, the layout of the internal access roads should be consistent with guidance provided in Roads in Hertfordshire.

Refuse Collection and Storage

Any subsequent application will need to provide information relating to the location and collection of refuse within the site. The proposed refuse storage and collection arrangements should be consistent with guidance provided in Manual for Streets (MfS).

Swept-Path Analysis

The layout of the site should be designed so that all vehicles should have sufficient space to manoeuvre within the site and exit the site in forward gear without creating conflict with other users. This includes space for standard delivery, servicing and refuse vehicles. Information on how the A3 unit will be serviced will also need to be included. It is noted that this application is an outline application and this information will be required to be conditioned as well as a servicing and delivery management plan.

Car parking

Parking is proposed to be a consideration for reserved matters. However, the number and layout of car parking spaces should be consistent with the DBC parking standards. It is noted that the parking principles are set out in the TA and that 315 spaces can be provided. Although, 168 spaces would be lost from the existing leisure park, this equates to 147 "new" spaces being provided as part of the application.

The TA sets out that once all development is complete there will be 1106 spaces available. As a result the TA contains a parking accumulation to demonstrate that there is sufficient space to accommodate all activities at the leisure park. The parking accumulation has been based on trip rate information contained in TRICS for Leisure Parks. The principle of establishing a parking accumulation is accepted but the TRICS sites used to derive it are not considered to be appropriate. Sites up to 30,000sqm and in locations such as Edinburgh and London have been used, which are not considered comparable.

Disabled parking

The number and layout of disabled parking spaces should be consistent with the

DBC parking standards. Disabled should be provided as close as practicable to the main entrance.

Cycle parking

The number of cycle spaces provided should be consistent with the minimum requirements contained in the DBC Parking Standards. The layout of cycle parking spaces should be consistent with the design guidance in the DBC Parking Standards. Long-term cycle parking or storage areas for staff should be covered, safe, secure and convenient.

Accessibility

It is agreed that as the site is part of an established leisure park, with a modern and implementable planning permission, the ability to access the site by non-car modes has been established. It is acknowledged that the TA sets out that the site can be access via bus services within a 600m walk of the site.

Cyclists can access the site from the footway/ cycleway on the A414. As part of the 2007 application a contribution of £250,000 was secured and this will be used towards sustainable travel measures.

The site is surrounded by a well-established footway network but connections to it from and through the site are weak. This is not shown on the application drawing 'Vehicular and Pedestrian Access' number 140219-D-013 A. Additional thought should be given in this application to strengthening the opportunities for access on foot. Lack of good pedestrian movement around Jarman Park is a major problem and improvements should be designed in as part of any reserved matters application to be submitted.

Travel Plan

An application for this type and scale of development will require a Travel Plan, which should be prepared in accordance with the HCC Travel Plan Guidance for Business and Residential Development (2014). A Framework Travel Plan has been provided alongside the application but modal targets, an action plan and a monitoring strategy for visitors must be provided at the outset. Therefore, an appropriate Framework Travel Plan (including an outline of proposed targets, action plan and monitoring procedures) will need to be provided at the application stage, and (prior to the development of the site) a Full Travel Plan will need to be developed in accordance with HCC Guidance, and secured via a s106 Agreement.

Planning Obligations / Community Infrastructure Levy (CIL) HCC's

Planning Obligation Guidance (2008) implements a two-strand approach to planning obligations in order to address the immediate impacts of the new development (first strand), and the cumulative impacts of all development on non-car networks (second strand). It is noted that a contribution of £250,000 (index-linked from 2007) was secured via the implementable planning permission (DBC application number 4/00455/07/MFA). However, it should be noted the development may generate impacts on the local highway network that may require additional mitigation. This will need to be reassessed based on the revised trip generation assessment.

Construction

Any subsequent application is required to assess the impacts on traffic flow, safety and parking during the construction of the proposed development.

Summary

Hertfordshire County Council (HCC) has no objection to the principle of development on the site, but there are a number of concerns related to the following aspects of the assessment of the proposed development: -

Further justification/assessment is required for the trip rate information for non-food retail, food retail and the A3 use;

Justification for the traffic surveys is required;

A policy assessment is required;

Depending on the revised trip generation assessment, a traffic impact assessment may ultimately be required;

An accident data assessment is required;

The TA needs to demonstrate that the 'access stub' is suitable for the level of development and provided in accordance with HCC standards as set out in Roads in Hertfordshire;

The parking accumulation needs to be revised based on appropriate TRICS sites;

Enhancements to pedestrian links through the site should be investigated; and

The Framework Travel Plan needs to be revised to include targets, action plan and monitoring procedures).

Further comments based on additional transport information and updated Framework Plan

HCC as highway authority does not wish to restrict the grant of permission subject to the following conditions:

1) All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by with the highway authority prior to commencement of the development. Reason: In the interests of highway safety and free and safe flow of traffic.

2) Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular(but without prejudice to the foregoing) efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all lorries leaving the site. Reason: To minimise the impact of construction vehicles and to protect the amenity of the local area.

3) All areas for parking and storage and delivery of materials associated with the construction of this development shall be provided within the site on land which is not public highway and the use of such areas must not interfere with the use of the public highway. Reason: In the interest of highway safety and free and safe flow of traffic.

Informatives:

1. Where works are required within the public highway to facilitate the new

vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.

2. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence..
3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. .

Travel Plan

In response sent to DBC on 6/3/15 it was pointed out that an appropriate Framework Travel Plan (including an outline of proposed targets, action plan and monitoring procedures) will need to be provided at the application stage, and (prior to the development of the site) a Full Travel Plan will need to be developed in accordance with HCC Guidance, and secured via a s106 Agreement. An updated Travel Plan (TP) was submitted for HCC Highways comment.

The assessment of our business travel planning team is that while some issues have been addressed, a number of areas require further clarification and information. Although this is a Framework TP and the application is in outline, more clarity on the approach to management of the TP and monitoring in particular is needed. The interim targets should be based on 2011 census data, not 2001. Some form of customer target should be included (even if only 'action type' targets), and customer trips and mode share should nevertheless be monitored. The Travel Plan/s should be secured through a Section 106 agreement, which will include provision for a Travel Plan Monitoring contribution in line with HCC's guidance. The guidance has come in since the previous 2007 planning permission for the site was granted, which is why the travel plan requirements are now slightly different.

[Comments on Revised Framework Travel Plan May 2015](#)

As an interim/framework travel plan, the revised document is considered acceptable.

The Travel Plan should be secured through a section 106 agreement. This would cover key requirements including appointment of a Travel Plan coordinator/s (either site-wide or individual units), submission of Full Travel Plan/s (for whole site or individual units) for approval to HCC and annual review procedure including provision of report to HCC. The standard Travel Plan Evaluation and Support

Contribution would also be required. It is noted that the Framework TP identifies this need already in section 11.

Comments on Revised Transport Note

The note is pretty self-explanatory as to why there were issues with modelling the Bennetts End Road roundabout. However, there is one point of clarification we intend to ask and that is with regards to the OS geometry. It is unclear from the Technical Note whether:

- The modelling for the Approved and Proposed scheme have used the current geometry of the junction and not the incorrect geometry from OS; or
- The modelling for the Approved scheme used the incorrect geometry from OS and the Proposed scheme has used the current geometry of the junction.

With regards to the outputs in the Technical Note the modelling confirms that in the weekday peak on the Bennetts End Road arm would have an RFC of 1.56 and a queue of 197 vehicles and on the Saturday peak this arm would have an RFC 1.60 and a queue of 207 vehicles. It is noted that this increase is not significantly different to the approved development. However, when compared to the baseline provided in the 2007 application for a weekday this arm would have an RFC of 1.360 and queue of 132 and on a Saturday peak an RFC of 0.923 and queue of 9 the proposals are considered significant. We can only compare to the 2007 application as we have no other base modelling.

We note that you set out that £250,000 was provided last time and is again considered to be sufficient. However, as previously set out the planning obligations SPD sets out that mitigation measures should be provided for the direct impact on the junction. It should again be noted that the SPD was adopted after the original planning permission and is therefore a consideration for this application given the significant increase when compared to the base modelling.

It should also be noted that, based on our SPD if we applied the £1,000 per one peak hour two-way trips, based on the 626 two-way trips the proposals would generate we would be seeking £626,000 in sustainable transport contributions. Even if you applied the original trip generation this would be £579,000. Therefore, the request of providing mitigation to the junction to bring it back to the base modelling and the provision of £250,000 plus VAT is not considered to be unreasonable.

Response from transport consultant

On first point, all modelling has been based on the amended OS geometry (i.e. plan B of the note). This is the only way to fairly compare impact between schemes.

The remainder of email seems to indicate that we need to provide mitigation measures at the roundabout such that it is no worse than a 'baseline' position

(i.e. without any form of development on the site). It is fair to assume the baseline position should be that of 2015.

What I have done is run the ARCADY model already submitted to you with the 2015 survey flows; this is the baseline position. Output attached (2015 as-is). You can see that the over-capacity arms are easternmost A414 arm and Bennetts End Rd arm. (RFC's of 0.96 & 1.49 respectively)

The model already sent to you (and included within the 2015 as-is pdf) shows that these arms reach a peak RFC, in one of the 'with some development' scenarios of 1.00 & 1.60.

To bring these arms back down to the position where they are no worse than the 2015 baseline, the highways works shown on Plan 6 Rev A would be necessary. With these works in place, arm RFC's drop to 0.89 and 1.13 in any 'with development scenario', which is better than the 2015 baseline. This is shown in the PDF '2015 with improvement'.

Hence, the works mitigate all highway impact.

With regards securing these works (which are subject to your approval of course), given there is a £250,000 s106 contribution, it would be eminently sensible to simply have the cost of the highways works added to the £250k s106 offering, and the council can then use the monies as they see fit. If you can agree the appropriateness of the works I can then submit a cost breakdown of the works for approval.

Final comments on S106 Agreement

The following contributions have been agreed with the applicants:

- £75,000 towards the cost of improvements to the roundabout of the St Albans Road/ Bennetts End/Longlands roundabout.
- £250,000 towards schemes and measures to public highway around the Jarman Park retail park to improve bus, pedestrian and cycle access and safety. Specifically:
 1. £200,000 towards the cost of designing and installing a signal-controlled pedestrian crossing on St Albans Road in the vicinity of Lower Yott and Old Crabtree Lane
 2. £50,000 towards the cost of designing and installing a signal-controlled pedestrian crossing on St Albans Hill in the vicinity of Lime Walk
- A Travel Plan contribution of £6,000 in accordance with 'Hertfordshire's Travel Plan Guidance for Business and Residential Development' which is available at <http://www.hertsdirect.org/docs/pdf/g/greentravelplans.pdf>

Trees and Woodlands

No objection to the proposed development of Jarman Park, Jarman Way, Hemel Hempstead but would require that further information is submitted to allow full determination of the proposal.

The development would comprise of a large retail unit, separate restaurant building towards the site frontage, associated parking and service yard.

A large scale development such as this warrants a fully compliant BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations' planning submission. This would include the survey and categorisation of all existing vegetation, constraints and protection plans.

Site vegetation has not been actively managed in recent years and is comprised mainly of scrub growth with sporadic trees spread around the boundary edges.

Landscaping is proposed, as shown on 'Parameters Plan 5; Strategic Landscaping' Drawing No. 140219 – D – 014 Rev A, as a swathe around the site frontage. Further detail of this landscaping should be provided.

A good planting scheme with an interesting mix of species will visually enhance the front of the development and yet screen other views as required.

However, the central part of the car park is planned to be devoid of landscaping, being purely lines of parking spaces. This is at odds with other car parks around Jarman Way that incorporate planting within them, rather than just around them.

It is recognised that the over-populating of car parks with trees does occur, and that the existing car park adjacent to this site does possibly contain too many trees. However, a small collection of carefully selected and located trees would soften views of the development without detracting from the visual impact its operators would wish it to have.

Parks and Open Spaces

No objection

Hertfordshire County Council Ecology

We do not have any known biological (habitats or species) records for the application site.

1. Great Crested Newts

The site plans submitted with the application show a single pond adjacent to the application site. From a review of aerial photography there does not appear to be any barriers between the pond and the application site and suitable terrestrial habitat for amphibians (and possibly reptiles) occurs on-site. The nearest Great Crested Newt record is 500 m from this pond therefore it is not unfeasible for Great Crested Newts to be present despite the urban surroundings of the site. The presence of a

protected species is a material consideration when a planning authority is considering a development proposal. Therefore further information on the likely presence of Great Crested Newts and an assessment of potential impacts that may occur to individual newts or newt habitat as a result of the proposals will be required. The Great Crested Newt survey season runs from mid-March to June only.

2. Further considerations

Considering the scale of the development and the proximity of protected species records, we recommend that a Preliminary Ecological Assessment (PEA) is undertaken of the site to determine if there are any other ecological issues that may need to be considered as part of the proposals. This assessment should be undertaken by an appropriately qualified ecologist.

Finally we note the suggestion in the sustainability statement submitted with the application that a landscape scheme will be designed *‘that can assist and encourage biodiversity enhancements for wildlife’*. The National Planning Policy Framework (NPPF) requires all new developments to provide a net gain for biodiversity therefore we welcome this commitment, and it would be helpful to see full details of the proposed long-term management of such created habitats/features submitted with the full application.

Hertfordshire Minerals and Waste

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council’s adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage Districts and Boroughs to have regard to the potential for minimising waste generated by development.

Most recently, the Department for Communities and Local Government published its *National Planning Policy for Waste (October 2014)* which sets out the following: *‘When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:*

- *the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;*
- *new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;*
- *the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.’*

This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:

Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;

Policy 2: Waste Prevention and Reduction: &

Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application the Borough Council is urged to pay due regard to these policies and ensure their objectives are met. Many of the policy requirements can be met through the imposition of planning conditions.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to.

SWMPs should be passed onto the Waste Planning Authority to collate the data. The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted as part of this development either at this stage or as a requirement by condition, and provide comment to the borough council.

Scientific Officer

An Outline Remediation Strategy by Waterman Environmental dated November 2006 was previously submitted and the following comments provided:

“The proposed remedial measures would appear to satisfactorily address the risk to human health from the contamination identified on site. I would agree with the recommendation in Section 9 of the report that additional gas monitoring be performed on the site in order to finalised gas protection design measures. I note that the Environment Agency have provided written confirmation of their approval of the Outline Remediation Strategy in relation to contamination risks to controlled waters.

In conclusion, I recommend that a condition be attached to any permission granted for this development requiring the developer to implement the recommendations in the Outline Remediation Strategy, including the additional gas monitoring, and then to provide a post development completion and verification report.”

I would re-iterate these comments in respect of the current planning application. Furthermore, owing to the time elapsed since the report was written, I would ask that the existing reports be reviewed and updated in accordance with current legislation, guidance etc. and tailored specifically towards the proposed development.

As further works are required, I recommend that the contamination condition be applied to this development should permission be granted.

Environment Agency

We are currently operating with a significantly reduced resource in our Groundwater and Contaminated Land Team in Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals. We realise that this is a serious issue and we are working on implementing a solution.

The proposed development lies beneath the Jarmans Fields, a former landfill site. There may be potential for landfill gas to be generated. The site is also located on a principal aquifer. Therefore these proposals need to be dealt with in a way which protects the underlying groundwater.

Developers may be required to carry out a comprehensive risk assessment due to the risks the former landfill site poses. Your Environmental Health and Building Control departments may wish to ensure that any threats from landfill gas have been adequately addressed in the proposed development. This may include building construction techniques that minimise the possibility of landfill gas entering any enclosed structures on the site to be incorporated into the development.

In order to protect groundwater quality from further deterioration:

- No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution.
- Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

- Groundwater Protection: Principles and Practice (August 2013):

<https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3>

Lead Local Flood Authority

Comments awaited

Thames Water

Waste Comments

With the information provided Thames Water, has been unable to determine the

waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied -

“Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed”.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent.

Further comments

We have concerns about the potential impact of this development. As such, we request that the developer submits a drainage strategy.

A drainage strategy should detail the site's existing and proposed foul and surface water discharge rates, along with points of connection to the public network. The developer may also wish to detail any attenuation measures that they are planning to utilise.

We request that the developer produces their drainage strategy in consultation with Thames Water, to show that capacity exists in both the on and off site infrastructure or that it can be provided ahead of occupation. Where additional infrastructure is required, the strategy should go on to identify what is required, where and who is to fund it.

Once an initial assessment of the proposals has been completed, if Thames Water have any concerns about the potential impact of the development, we may request that the developer funds an impact study. This involves us using a model of the network to see what the impact of the development could be. If it is found that there would be detriment, the study would provide high level solution options. The developer would be able to work with Thames Water to decide on the most appropriate way forward and could use the study to form part of the drainage strategy.

Requirements

- *Drainage Strategy* to be prepared in consultation with Thames Water. To include the site's existing and proposed foul and surface water discharge rates, along with points of connection to the public network. Details of any attenuation measures.
- *Impact study* may be required following an initial assessment should Thames Water have any concerns about the impact of the development. To be undertaken by Thames Water and funded by the developer
- *Piling method statement* is required as the proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

Petrol / oil interceptors to be fitted in all car parking/washing/repair facilities

National Grid

An assessment has been carried out with respect to National Grid Electricity Transmission plc's and National Grid Gas plc's apparatus..

National Grid has identified that it has apparatus in the vicinity of your enquiry which may be affected by the activities specified. Can you please inform National Grid, as soon as possible, the decision your authority is likely to make regarding this application.

Due to the presence of National Grid apparatus in proximity to the specified area, the contractor should contact National Grid before any works are carried out to ensure our apparatus is not affected by any of the proposed works.

ASSESSMENT

Affected Apparatus

The National Grid apparatus that has been identified as being in the vicinity of your proposed works is:

- High or Intermediate pressure (above 2 bar) Gas Pipelines and associated equipment
- Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity)
- Above ground gas sites and equipment
- As your proposal is in proximity to National Grid's apparatus, we have referred your enquiry / consultation to the following department(s) for further assessment:
- Gas Distribution Pipelines Team

We request that you take no further action with regards to your proposal until you hear from the above. We will contact you within 28 working days from the date of this response. Please contact us if you have not had a response within this timeframe.

Requirements

BEFORE carrying out any work you must:

- Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.
- Note the presence of an Above Ground Installation (AGI) in proximity to your site. You must ensure that you have been contacted by National Grid prior to undertaking any works within 10m of this site.

Hertfordshire Fire and Rescue Service

Unfortunately the plans were not sufficient to enable this Fire Authority to adequately assess the provision for water supplies for the fire service.

This Authority would expect to view drawings with the following provisions for access and water supply:

ACCESS AND FACILITIES

- Access for fire fighting vehicles should be in accordance with The Building Regulations 2010 Approved Document B (ADB), section B5, sub-section 16.
1. Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 15 tonnes.
 2. Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle designed on the basis of Table 20 in section B5.

WATER SUPPLIES

Water supplies should be provided in accordance with BS 9999.

This authority would consider the following hydrant provision adequate:

1. Not more than 60m from an entry to any building on the site.
 - Not more than 120m apart for residential developments or 90m apart for commercial developments.
 - Preferably immediately adjacent to roadways or hard-standing facilities provided for fire service appliances.
 - Not less than 6m from the building or risk so that they remain usable during a fire.
 - Hydrants should be provided in accordance with BS 750 and be capable of providing an appropriate flow in accordance with National Guidance documents.
 - Where no piped water is available, or there is insufficient pressure and flow in the water main, or an alternative arrangement is proposed, the alternative source of supply should be provided in accordance with ADB Vol 2, Section B5, sub section 15.8.

In addition, buildings fitted with fire mains must have a suitable hydrant sited within 18m of the hard standing facility provided for the fire

service pumping appliance.

The comments made by this Fire Authority do not prejudice any further requirements that may be necessary to comply with the Building Regulations.

Hertfordshire Constabulary

Car Park:

a) Between 1st December 2014 and 16th February 2015, Police received 14 calls from members of the public and businesses at Jarman Park complaining about youths in vehicles driving dangerously, doing donuts (vehicle skidding in a circle), racing and wheel spinning in the existing car park at the side of the cinema. The local Police neighbourhood team have to attend the site most evenings to try and deter youths driving so dangerously and issue Anti-Social Behaviour notices. However in practice this does not diminish the dangerous driving on what is private property and the police cannot spend their whole time at the location. Youths driving so dangerously are a danger to pedestrians using the car park as well as to other vehicles.

The dangerous driving is occurring between 20:30hrs of an evening and the early hours of the next morning, in spite of site security and existing CCTV (which does not give full coverage, has its vision restricted by trees and is for monitoring purposes as opposed to identifying offenders).

b) It is not the role of the police to patrol private land to deter crime and anti-social behaviour, but because of the obvious danger to members of the public as well as the youths themselves, the Police have to attend to try and deter and stop such dangerous driving. The car park is a large drain on police resources, and stops the local police dealing with other priorities. This has got to stop, and the owners / managers of the land to make sure that existing and future use of the site is designed to stop such dangerous and anti-social driving, which is a danger to users of the site.

c) The proposed new development's layout of the car park is the same layout as the existing car park that causes so many problems to police, and is likely to be a further drain on police resources. Therefore I must strongly object to the proposed further development at the present time. I would hope the applicants can review the car park layout so as to stop such anti-social and dangerous driving taking place, as well as incorporating measures that if it does occur then evidence identifying offenders can be placed before a court. If that is done I would be happy to review my comments. It may also be that the council would also wish to impose a condition that the new car park must achieve the Safer Parking award, so that any CCTV, etc, incorporated in a new design is maintained for the safety of users for the future.

Condition: No development shall commence until details to demonstrate how the car parks on site will achieve and maintain 'Park Mark,' Safer Parking Award status, have been submitted to and approved in writing by the Local Planning Authority in agreement with Hertfordshire Police. The car park shall not be brought into use until the approved measures have been implemented in full and shall thereafter be retained.

Reason: To prevent crime and protect those people using the car park in accordance with paragraph 69 of the NPPF

Rear service yard area

It is not clear if this service yard area will be secure from the existing car park area. It will need to be for security of the rear service yard area. I note that there are gates shown at the HGV vehicle entrance to the rear service yard area, but there are no details as to the type of gates or how they will operate.

A3 Drive –Thru café / restaurant:

There are no details as to proposed hours of operation. However it is to be presumed that it will operate late at night and as such there will need to be suitable CCTV inside and outside the premises for the safety of staff. Also such premises will encourage youths to gather in their vehicles in the car park nearby, which is likely to add to the problem of youths already driving dangerously at Jarman Park.

Crime prevention in planning:

As can be seen by the below, crime prevention can be an essential part of planning for a development to be successful, and not create a fear of crime and anti-social behaviour.

National Planning Policy Framework (NPPF) at paragraph 69 – re safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Paragraph 010 of the NPPG, under Design says: “Designing out crime and designing in community safety should be central to the planning and delivery of new development. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. The prevention of crime and the enhancement of community safety are matters that a local authority should consider when exercising its planning functions under the Town and Country Planning legislation. ... Crime should not be seen as a stand alone issue, to be addressed separately from other design considerations.”

Paragraph 010 of the NPPG, under Design, says: “Planning should promote appropriate security measures. Taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits....”

Paragraph 041 of the NPPG, under Design, says: “The quality of parking in town centres is important; it should be convenient, safe and secure.” Whilst the location is not a Town Centre location, it should be treated the same as it is a retail park, and users should expect the same convenient, safe and secure parking. At the present time I contend that is not so.

Dacorum Core Strategy says at:

- CS12 at a) provide a safe and satisfactory means of access for all users;

- i. CS13 at c) promoting pedestrian friendly, shared spaces in appropriate places

Note: applicant has provided an initial response. Most details subject to reserved matters.

- ii. Review car park layout in the interests of anti-social behaviour and dangerous driving
 - Provide measures for identifying offenders ie CCTV
 - Safer Parking award achievement (condition)
 - Rear service yard – details required as to how this will be secured from the existing car park area (ie types of gates and how they will operate)
 - Late operation of the A3 Drive –Thru café will require suitable CCTC inside and outside the premises for safety of staff. Late operation exacerbates problems of anti-social behaviour and dangerous driving
 - Does not currently meet paragraph 041 of NPPG “The quality of parking in town centres is important, it should be convenient, safe and secure.”

Intu Watford

Intu is the owner of the intu Watford Shopping Centre, previously known as the Harlequin Centre, in Watford town centre. The planning application proposes a major out-of-town centre retail development at Jarman Park, which, if planning permission is granted, would provide 10,305 sq.m of additional Class A1 floorspace for the sale of unrestricted comparison and convenience goods. This floorspace is split into 1,505 sq m of convenience goods floorspace, 8,800 sq m of comparison goods floorspace plus a Class A3 café (185 sq m). The reasons for our objections are set out in this letter. Our concerns relate primarily to the comparison goods element of the proposed development.

Assessment

The Local Plan (2004) identifies the application site as being within a local centre and the current adopted Proposals Map still identifies the site as within a Local Centre. However the more up to date Core Strategy (CS) (adopted 2013) removes this Local Centre designation and instead designates the site as an out-of-centre retail and leisure location. The main uses identified in the CS as being acceptable in this out-of-centre location are food retailing and bulky non-food goods. The CS states in the supporting text that “*significant new retail development or changes to the type of goods that are currently sold will not be allowed at these [out of centre] locations in order to support the retail hierarchy*”. It goes on to clarify “significant” as being any development that is likely to have a negative impact on town and local centres. Paragraph 13.8 of the CS states that “*Jarman Fields is designated as an out-of-*

centre retail and leisure location where significant new development above what is already permitted [6,700 sq.m] will be resisted."

The proposed development is contrary to the CS because the increase in floorspace is more than 50% over and above the existing permission and is intended to be unrestricted comparison goods floorspace. Both of these factors will have a significant impact on nearby town and local centres. Notwithstanding this, it is also our view the applicant's retail impact assessment is flawed. While the assessment focusses on Hemel Hempstead town centre as the closest centre to the application site and other facilities within Dacorum, it excludes all other town centres within the wider catchment area such as Watford.

The scale of development proposed, along with existing retail uses in this location, will create a major shopping destination that will have a significant impact on the existing hierarchy of shopping centres within the catchment area and will change shopping patterns.

We have concerns regarding the estimated patterns of trade diversion that have been assessed. Both the Hemel Hempstead and Watford evidence base retail studies show that a significant proportion of people living in and around the Hemel Hempstead area visit Watford to undertake comparison goods shopping, as a higher order centre in the sub region.

Given that the proposed comparison floorspace will be unrestricted, the applicant's assessment of comparison trade diversion has overestimated the likely trade diversion from out-of-town centre retail warehouses and foodstores (30%) and underestimated the impact on town centre shops. If the floorspace is not restricted in terms of the goods that can be sold, then the development is far more likely to compete with town centres, including Hemel Hempstead and Watford. The applicant has therefore underestimated the likely impact on town centres in the catchment area.

Our client is concerned that the proposed development will have an adverse impact on Watford town centre. This has not been tested by the applicant. The impact assessment suggests that there will be a 20% trade diversion from outside the borough, but it does not assess where this will come from and what the implications for town centres will be. The Watford Retail Study (2011) shows that 25% of spending within Zone 10 (which includes Hemel Hempstead) currently goes to Watford for comparison shopping. The proposals, if implemented could therefore result in at least 25% of the turnover (over £8 million) being diverted from Watford town centre.

Retail development proposed in out-of-centre locations should complement, rather than compete with the existing retail offer and planned investment within town centres. Out of centre developments should not divert planned investment away from any defined centre within the catchment. As the application is applying for open Class A1, the proposed Jarman Park development is likely to attract retail operators who might otherwise be located within town centres, which will have a significant adverse impact on planned investment. This diversion of tenants is also contrary to the sequential approach. Intu are delivering 10,000 sq m of open A1 use in Watford

town centre which is sequentially preferential.

As a regional shopping destination, Watford is expected to continue to strengthen its retail offer irrespective of neighbouring proposals. In order to do this, it needs to attract retailers to ensure town centre investment is deliverable. Intu recently obtained planning permission for the redevelopment of Charter Place, adjacent to intu Watford Shopping Centre. The applicants have not considered the impact of the proposed development on investment within Watford town centre. If planning permission is granted for the Jarman Park proposals the delivery of this planned investment within Watford will be threatened and potential retail tenants could be diverted away from Watford town centre to the Jarman Park scheme. This could reduce the prospects for letting space within the development and reduce the ability to attract new retailers to Watford town centre. This would impact more widely on the vitality and viability of the centre. The potential loss of customers in the centre could jeopardise or delay planned investment in Watford. No mention or consideration of this is included in the applicant's submission material.

We therefore request that before the Council determines this application additional impact assessment work is prepared by the applicant to consider more realistic patterns of trade diversion and in particular assess the likely impact on planned investment to and trade diversion from Watford town centre. In addition to this, we request that a full sequential test is carried out to take into account the full catchment area.

Suggested Condition

Should the Council be minded to recommend this application for approval, it is paramount that restrictions are imposed by way of Planning Conditions to ensure investment and regeneration in Watford Town Centre is not diverted to an unsustainable out of town location. Conditions will also ensure that the nature of the retail offer is properly controlled, appropriate to the role of the area in the retail hierarchy and does not adversely impact on Watford town centre or other centres in the catchment area.

Intu therefore requests as a minimum that the Council impose the following Condition to the comparison goods floorspace.

"The use of the approved retail units shall be limited to the sale of DIY, home improvement and garden products, furniture and for no other purposes including any other purpose within Use Class A1 of the Town and Country Planning (Use Classes) Order 1987 as amended".

Reason: To control the range of goods sold within the approved development in the interest of safeguarding the vitality and viability of existing town centres. To ensure that the development complies with the terms of the planning application and that the retail impacts of the development are not greater than is anticipated in the retail impact assessment accompanying the application. To comply with Policy CS16 of the Core Strategy (2013). To comply with the National Planning Policy Framework.

In accordance with the NPPF, this condition is necessary to ensure that in future the units cannot be occupied by a retailer selling a wide range of comparison goods

which should be offered in a town centre location. This is important to protect the vitality and viability of town centres. This also complies with the requirements of the Core Strategy that the location is suitable for the sale of bulky goods. The maximum amount of comparison goods floorspace should also be restricted. With current legislation, guidance etc. and tailored specifically towards the proposed development.

CONSIDERATIONS

Policy and Principle

The use of the site for retail warehousing has been accepted in principle through the grant of the 2007 and 2010 planning permissions. There has however, been a significant change in terms of Policy since the grant of those permissions through the adoption of the Core Strategy whereby Jarman Park has been re-designated as an out of centre location as opposed to a Local Centre as was defined in the Dacorum Borough Local Plan. The Core Strategy (para. 13.8) states that at Jarman Park significant new retail development above that already permitted will be resisted and specifically refers to the extant planning permission for 6,700sqm. The proposal at 10,306sqm is considered a significant increase over that permitted. In addition, it is important to note that the extant permission is restricted to non-food bulky goods by virtue of a condition which states:

"Unless otherwise agreed in writing by the local planning authority, the retail warehouse unit hereby permitted shall not be used for the sale and display of clothing, footwear, books, toys or food (except ancillary clothing or footwear for DIY, motoring or cycling activities).

Reason: For the avoidance of doubt and to safeguard the viability and vitality of Hemel Hempstead Town Centre."

The current proposal seeks permission for an "open" A1 use within a building 3,606sqm larger. Para 13.8 of the Core Strategy also recognises that the future of JP is closely linked to the planned regeneration of Hemel Hempstead town centre and the role of the site should remain complementary to the role of the town centre and continue to support the retail hierarchy. In accordance with the NPPF, the core strategy promotes a town-centre approach to retail development requiring a Sequential Approach, whereby retail development is delivered on sites in the following order of preference:

1. shopping areas in appropriate existing centres
2. other locations within these centres
3. edge of centre locations
4. out of centre sites.

Such conforms with the requirements of para 24 of the NPPF and Core Strategy Policy CS16 requires that new retail development will be assessed in terms of its location, scale and impact. New Retail floorspace will only be permitted outside defined centres if the proposal complies with the sequential approach and

demonstrates a positive overall outcome in terms of the impact assessment. Para. 13.12 of the Core Strategy, in accordance with para. 26 of the NPPF requires an Impact Assessment for applications for retail developments that are not in an existing centre.

The application is supported by both a Sequential Assessment and a Retail Impact Assessment within a Planning and Retail Statement (PRS). The LPA has employed retail consultants PBA to review the applicants' submission in both these aspects. The full report is appended to this report. The consultants' conclusions on these aspects are set out below.

The Sequential Approach

In consideration of the sequential approach sites should be assessed for their availability, suitability and viability. Table 4.1 within the PBA report sets out the sites considered and their analysis along with the Consultants' review.

The consultants concluded:

"The review of sites undertaken by the applicant is broad brush in approach and lacks transparency, particularly in terms of the assumptions that have underpinned the sequential analysis."

"In dismissing the majority of the sites, the applicant places significant weight on the Masterplan which does not form part of the development plan. In doing this, no consideration is given as to whether this degree of weight is appropriate, particularly given the material change in circumstances brought about by the withdrawal of the comprehensive planning application on one of the key zones in the Masterplan. The draft Site Allocations document represents a more recent articulation of DBC's aspirations for the Gade [Zone] which the applicant has not considered in undertaking the sequential site assessment."

"Whilst, with regard to the majority of sites, sufficient evidence has been provided to enable PBA to agree with the assertions in relation to lack of suitability and availability. With regard to the Gade zone, PBA have noted that the evidence provided by the applicant is not compelling; however, supplementary advice from DBC indicates that whilst there may be some scope for accommodating retail development within the zone, a suitable site is unlikely to become available before 2017 at the earliest. PBA therefore consider the application is compliant with the sequential approach."

Whilst it is concluded that the approach has not been particularly robust, Officers are satisfied with the conclusion that there are no alternative available, suitable and viable sites and therefore the applicant's Sequential Assessment is accepted.

The key issue in Policy terms therefore rests on the impact of the proposed development on the vitality and viability of Hemel Hempstead Town Centre.

The Impact Assessment

The Core Strategy requires that retail developments not in an existing centre will be assessed on inter alia:

- the impact on existing, committed and planned public and private investment in a centre
- the impact on town centre vitality and viability, including consumer choice and the range of quality of the comparison and convenience retail offer
- the impact on in-centre trade/turnover and on trade in the wider area

The applicant's Planning and Retail Statement (PRS) provides an assessment of the likely impacts on Hemel Hempstead town centre and the impact on the investment planned by the Council through the Hemel Evolution programme. The retail consultants PBA have considered and evaluated the evidence submitted. PBA agree that, particularly given the change in aspirations for the Gade Zone following the withdrawal of the planning application for a foodstore, the proposed development would not immediately prejudice any planned investment in that part of Hemel Hempstead town centre. However, PBA raise concerns when account is taken of recent investment and potential future investment in the cinema offer at Jarman Park. They say the approval of retail floorspace of the nature proposed at Jarman Park would result in the creation of a cluster of town centre uses in an out-of-centre location that may reduce investor confidence in Hemel Hempstead.

PBA considers that the analysis does not fully consider the potential the proposed development has in terms of compounding the relative attraction of Jarman Park versus that of the town centre. Combined with the existing convenience offer, the proposed development would be attractive to a wide range of retailers that would otherwise locate in the town centre, could potentially establish Jarman Park as a competing 'destination' to the town centre.

The majority of trade is anticipated to be drawn from residents living closest to Hemel Hempstead and diverted from existing retail facilities in Hemel Hempstead. PBA concludes that the proposal is likely to have a significant harmful impact on Hemel Hempstead town centre.

The main concerns relate to the impact of the comparison retail element of the proposal. The PRS assesses 3 scenarios with regards to the impact on Hemel Hempstead town centre:

- the main forecast assumes that 45% of the proposal's turnover will be drawn from Hemel Hempstead town centre and predicts a negative impact of 6.5% on spending within the town centre;
- the second forecast assumes that 55% of the proposal's turnover will be drawn from the town centre and predicts a negative impact of 8% on spending within the town centre;
- the third scenario assumes that 65% of the proposal's turnover will be drawn from the town centre and predicts a negative impact of 9.4% on spending within the town centre.

PBA raise concerns in respect of the fact that there are no named occupiers within the application proposal and so limits the ability to provide a clear picture as to what

the impact would be. Without such knowledge, it is difficult to assess which of the scenarios is most likely, however, PBA advise that the impact of the proposed development will be at the top end of sensitivities modelled by the applicant. Their report further advises that allowing unrestricted comparison retail provides the opportunity for retailers that would otherwise locate in the town centre to gain out-of-centre representation. This could result in the loss of good quality fashion and department store anchors from the town centre, which in turn could adversely affect the overall health of the centre more fundamentally than through the predicted trade diversion.

The applicants' assessment of the health of Hemel Hempstead Town Centre asserts that *'the vitality and viability of Hemel Hempstead [being] average indicates that the town centre could be susceptible to high or medium levels of impact'*. It would seem that the applicant has overestimated the health of the town as the Health Check Appraisal Sheet that they submit gives Hemel Hempstead a score of 2.68 i.e. between poor (2) and fair (3).

PBA's view is that the health check analysis "is very broad brush and does not represent a robust basis upon which to understand the impact of the forecast diversion." Furthermore, a number of the lettings within Hemel Hempstead town centre are low-grade or temporary retail uses. There is no reference to the fact that Dorothy Perkins/Burton recently left the town centre and, it would seem that the Arcadia Group have shown no interest in acquiring new premises in the centre in spite of sizeable vacant units in prime locations. PBA note that this would appear to suggest that, in line with the wider strategy within the Arcadia Group to streamline the store portfolio as leases on existing store expire, Hemel Hempstead is no longer viewed as a town centre in which they require representation.

In assessing vitality and viability, PBA note that significant weight appears to be placed on the High Street fashion offer in the town centre: Marks & Spencer, Topshop/Topman, Debenhams, TK Maxx, Next. .

Other notable retailers include River Island, New Look, Primark and H&M. Experian GOAD identify a number of these as 'key attractors'. It follows that the loss of such 'key attractors' would reduce the draw to shoppers of the town centre relative to competing centres, out-of-centre locations or the internet.

PBA warn that as evidenced by the loss of Dorothy Perkins and Burton from the centre, there is a risk to the centre in terms of other retailers choosing not to renew leases or retain a town centre presence.

Consultant's Conclusions on Impact

In accordance with the test outlined at paragraph 27 of the NPPF as to whether the application is likely to have a significant adverse impact on existing town centres, PBA notes the key concern relates to the effects of the forecast diversion on the vitality and viability of Hemel Hempstead.

"In its current form, PBA consider that there is a likelihood that the proposed development would result in significantly adverse impacts on the vitality and

viability of Hemel Hempstead town centre. Thus, it is considered that planning permission could only be granted if conditions were imposed to mitigate these impacts.

“..there is a real concern that approval of unrestricted floorspace at Jarman Fields would result in retailers currently in the centre withdrawing to an out-of-centre location...”

“Having regard to the fragile health of Hemel Hempstead town centre, PBA consider that this impact could be best mitigated through a restriction on the range of comparison goods sold from the development and other conditions that control the manner in which the development functions.”

Suggested conditions

In order to protect the vitality and viability of the town centre, in the event that DBC is minded to grant planning permission, PBA recommend conditions to cover the following:

- Restriction on total net sales area (8,812 sqm net) and gross floor area (10,102 sqm GIA);
- Control over the proportions of net sales area devoted to the sale of convenience (812 sqm net) and comparison goods (8,000 sqm net);
- Minimum unit size: imposing a lower threshold of 696 sqm gross on units;
- Range of goods: prevention of the sale of clothing and footwear;
- Revoking permitted development rights.

The applicants are prepared to accept these conditions provided there is not an absolute ban on clothing and footwear. A condition is to be drafted to enable the LPA to retain control over the sale of such goods were a particular operator to come forward.

The suggested wording would read:

“The A1 retail use hereby permitted shall not be used for the sale and display of clothing and footwear (except ancillary clothing or footwear for DIY, motoring or cycling activities) unless formal written approval has been granted by the local planning authority.”

Reason: To limit the impact of the development on the vitality and viability of Hemel Hempstead Town Centre in accordance with Core Strategy Policy CS16 and to allow the local planning authority to retain control over the type of goods sold.

The condition would be less onerous than that imposed on the extant permission.

It is considered therefore that in Policy terms the proposal can be supported but only if restricted by conditions as suggested by PBA.

Highways and Traffic Impact

Jarman Park is accessed by way of a 3-arm roundabout off the A414, St Albans Road. The site is accessed off the internal road known as Jarman Way which serves all the developments within JP.

A Transport Assessment (TA) was submitted in support of the application.

Hertfordshire County Council highways has no objection in principle to the proposed development. A number of issues for further clarification/ justification were raised in their initial comments including:

- the trip rate information for non-food retail, food retail and the A3 use;
- traffic surveys;
- policy assessment;
- accident data assessment;
- the suitability of the 'access stub' for the level of development;
- parking accumulation based on appropriate TRICS sites;
- enhancements to pedestrian links through the site to be investigated; and
- the Framework Travel Plan to be revised to include targets, action plan and monitoring procedures).

As a result of comments received the transport information and framework plan were duly updated and discussions ensued between the highway authority and the applicant's transport consultants. The resulting area of concern relates to impact of the development on the local highway network including the Jarman Park access roundabout and the Bennetts End roundabout. These highway matters are to be resolved through agreed financial contributions secured by a S106 Agreement to the effect that:

£75,000 would go towards the cost of improvements to the roundabout of St Albans Road/ Bennetts End/Longlands.

£250,000 towards schemes and measures to public highway around the Jarman Park retail park to improve bus, pedestrian and cycle access and safety as per the extant permission, specifically:

- £200,000 towards the cost of designing and installing a signal-controlled pedestrian crossing on St Albans Road in the vicinity of Lower Yot and Old Crabtree Lane.

- £50,000 towards the cost of designing and installing a signal-controlled pedestrian crossing on St Albans Hill in the vicinity of Lime Walk

£6,000 Travel Plan contribution

Accordingly the proposal meets the CIL regulations in that the works are justified. Specific projects have been identified and there are no existing s106 Agreement collecting money towards the same highway schemes, other than the extant permission.

Access and Accessibility

The site access is to be considered under this outline permission. Subject to the requirements set out above and in greater detail in the Highway authority comments the proposed access for the site is agreed.

The site is part of an established leisure park, with an implementable planning permission. The ability to access the site by non-car modes has been established. It is acknowledged that the TA sets out that the site can be accessed via bus services within a 600m walk of the site.

Cyclists can access the site from the footway/ cycleway on the A414. As part of the 2007 application a contribution of £250,000 was secured. The same amount again has been agreed to be used towards sustainable travel measures – see above.

Lack of good pedestrian movement around Jarman Park is a major problem. The application presents an opportunity to improve this situation and improvements should be designed in as part of any reserved matters application to be submitted. A condition is recommended to this effect.

Site Layout

The layout of the site is not under consideration at this stage as the application is in outline form. The plan, however shows the building located towards the eastern edge of the site facing into the Park with a new car park to the front of the building. The stand alone A3 unit is shown close to the site entrance to the front of the cinema building.

Car parking

Whilst parking is also proposed for consideration at reserved matters stage, 315 spaces are shown to be provided. This does include 168 existing spaces. The TA states that once all development is complete there will be 1106 spaces available. The reserved matters details will need to show the number and layout of disabled parking spaces and these should be provided as close as practicable to the main entrance. Provision for cycle parking will also need to be made.

Landscaping

A Strategic Landscaping plan has been submitted. Landscaping is indicated around the site frontage. A tree survey and full landscaping details will need to be provided under the reserved matters application. No planting is indicated for the car park area. Consideration should be given at reserved matters stage to provision of landscaping within the car park consistent with the other car parks within Jarman Park.

Contamination

The propose development is on the site of a former landfill site. The site is also

located on a principal aquifer. The Outline Remediation Strategy submitted with the 2007 application has been resubmitted. The reports need to be reviewed and updated in accordance with current legislation, guidance etc. and tailored specifically towards the current proposal. The recommendations of the report must be followed and it is essential that the underlying groundwater is protected and suitable conditions as recommended by the Environment Agency, Thames Water and Scientific Officer are imposed.

Drainage

A drainage strategy for the site is also required as recommended by the Environment Agency and Thames Water. Conditions in accordance with the EA and Thames Water requirements will be imposed.

Flood Risk

A Flood Risk Assessment was initially referred to the Environment Agency who raised an objection. The EA are no longer responsible for dealing with planning applications in respect of flooding. The revised FRA has been passed to the Lead Local Flood Authority (LLFA) and comments are awaited at time of writing.

Crime Prevention

The crime prevention officer has met with the applicant and current operator of the site to resolve the matters set out in the CPO's comments. The outstanding details will be dealt with at Reserved Matters stage.

Sustainability

A sustainability statement/checklist to comply with the requirements of Core Strategy Policy CS29 has been submitted. This, inter alia, ensures that the development will be constructed and managed so as to minimise CO2 emissions, maximise energy efficiency, use SUDs for water and foul drainage, use sustainable localised materials, recycle and manage construction waste to BRE guidelines.

EIA Screening Opinion

The proposal is a Schedule 2 project within the EIA Regulations falling under the category, Urban Development Projects (10b) on a site exceeding 0.5 ha. EIA is only likely to be required if the proposal is likely to give rise to significant effects on the environment due to its size, nature or location as outlined in the selection criteria of Schedule 3 to the Regulations.

The site does not fall within a sensitive environmental location, nor would the development comprise unusually complex or potentially hazardous environmental effects. In addition, it is not considered that the impact of the development would be more than of local interest. Therefore, the proposal is not considered to constitute EIA development in accordance with Schedule 3.

The Government Planning Practice Guidance 2014 sets out screening thresholds for

10b (urban development) projects. Although over 0.5 ha in area, the site it is very slightly above half the indicated 5 ha area and the proposed retail floorspace is just above the 10,000sqm threshold for commercial floorspace. Whilst there are some concerns over possible contamination of the land due to former landuse, safeguards are in place to deal with this through the planning application. Whilst, the land as existing is vacant, the site has been earmarked for development for a long time and forms part of the wider Jarman park as a whole, the proposal is thus not considered to result in a significant urbanising effect.

Cumulatively, the proposal is not considered to be of such a scale that would lead to concerns over the cumulative impact of the development.

Based on the above, the proposal is considered not to be EIA development and hence an Environmental Statement is not required.

Other Details

The application is in outline form to establish the principle of the development and its means of access. There are a number of detailed matters, some of which have been referred to above, which would need to be controlled either at reserved matters stage or separate submission under conditions to be discharged.

Conclusion

The principle of the development for retail warehousing comprising 8800sqm gross floorspace comparison retailing and 1505sqm gross floorspace convenience retailing, and drive-thru café/restaurant is considered acceptable, subject to the conditions recommended above and provided controls are in place to restrict the sale of clothing and footwear so as to limit the impact of the development on Hemel Hempstead Town Centre. A Section 106 Legal Agreement is also necessary to secure financial contributions towards highway improvements and implementation of a Travel Plan. Fire Hydrants as recommended by Herts Fire and Rescue Service would also be covered by the Legal Agreement.

Referral to Secretary of State

Under the Town and Country Planning (Consultation) (England) Direction 2009 paragraph 5.(1) local planning authorities are required to refer applications to the Secretary of State for development outside town centres consisting of or includes retail, leisure or office use, and which

(a) is to be carried out on land which is edge-of-centre, out-of-centre or out-of-town; and

(b) is not in accordance with one or more provisions of the development plan in force in relation to the area in which the development is to be carried out; and

(c) consists of or includes the provision of a building or buildings where the floor space to be created by the development is:

(i) 5,000 square metres or more; or

(ii) extensions or new development of 2,500 square metres or more which, when aggregated with existing floor space, would exceed 5,000 square metres.

Given that the application is for open A1 use at Jarmans Park it is considered that the should committee accept the recommendation to grant planning permission that the application be referred to the Secretary of State as it is considered that the proposal does not comply with the provisions of para. 5(1) above. Whilst the applicant accepts that the proposal does not meet criteria (a) and (c) there is some disagreement over criterion (b). It is our view that the proposal is not in accordance with the development plan for the following reasons:

The site is an out of centre location, as it is designated through table 6 of the Core Strategy as an out-of-centre retail and leisure location where the main uses are given as food retailing and bulky non-food goods. The Core Strategy states, in the background text, that significant new retail development at Jarman Fields above that already permitted will be resisted. The proposal is for significantly more retail development than that already permitted, and seeks open A1 use, which is contrary to the main uses given in table 6 of the Core Strategy.

Policy CS16 states that most new retail development will be directed to town and local centres, and that, new retail floorspace will only be permitted outside of defined centres if the proposal complies with sequential approach and demonstrates a positive overall outcome in terms of the impact assessment. The scale of the proposal, means that it is contrary to the first part of the policy stated above, and the advice from our retail consultants implies that the impact assessment does not show a positive outcome. The application is only recommended for approval on the basis of tight controls including a restriction on certain goods to be sold. It is considered therefore that the in accordance with the direction the application should be referred to the Secretary of State for consideration as to whether the application should be called-in.

Recommendations

That in accordance with paragraph 5. (1) of the Town and Country Planning (Consultation) (England) Direction 2009 the application be **REFERRED** to the Secretary of State (DCLG).

1. In the event that the Secretary of State does not call in the application hat the application is **DELEGATED** to the Group Manager - Development Management & Planning with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990 and the draft list of conditions below.
2. That the following Heads of Terms for the planning obligation be agreed:
 - £75,000 financial contribution towards the cost of improvements to the St Albans Road/ Bennetts End/Longlands roundabout’.
 - £250,000 financial contribution towards schemes and measures to

public highway around the Jarman Park retail park to improve bus, pedestrian and cycle access and safety. Specifically:

£200,000 towards the cost of designing and installing a signal-controlled pedestrian crossing on St Albans Road in the vicinity of Lower Yot and Old Crabtree Lane

£50,000 towards the cost of designing and installing a signal-controlled pedestrian crossing on St Albans Hill in the vicinity of Lime Walk

- £6000 Travel Plan contribution in accordance with 'Hertfordshire's Travel Plan Guidance for Business and Residential Development'
- Provision of a Travel Plan
- Provision of Fire Hydrants

3. That the following conditions be imposed:

- 1 **Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 2 **Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 3 **The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved.**

Reason: To prevent the accumulation of planning permission; to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 4 **The Class A1 retail development hereby permitted shall have a maximum gross floor area of 10,305sqm comprising of;**

**1505sqm convenience food gross floorspace (822sqm net sales area)
8000sqm comparison non-food gross floorspace (8000sqm net sales area).**

Reason: To limit the impact of the development on the vitality and viability of Hemel Hempstead Town Centre in accordance with Core Strategy Policy CS16.

- 5 The Class A1 retail units hereby permitted shall have a minimum gross floorspace of 696sqm.**

Reason: To limit the impact of the development on the vitality and viability of Hemel Hempstead Town Centre in accordance with Core Strategy Policy CS16.

- 6 The A1 retail use hereby permitted shall not be used for the sale and display of clothing and footwear (except ancillary clothing or footwear for DIY, motoring or cycling activities) unless formal written approval has been granted by the local planning authority.**

Reason: To limit the impact of the development on the vitality and viability of Hemel Hempstead Town Centre in accordance with Core Strategy Policy CS16 and to allow the local planning authority to retain control over the type of goods sold.

- 7 The Class A1 retail units shall only be used for Class A1 uses in accordance with other conditions of this planning permission and the Class A3 unit shall only be used for Class A3 uses and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and for no other purpose permitted under Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 unless otherwise agreed in writing with the local planning authority.**

Reason: In the interests of safeguarding the vitality and viability of Hemel Hempstead Town Centre.

- 8 No development shall take place until samples of the materials to be used for the external surfaces of the development shall have been submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.

- 9 Details to be submitted in accordance with condition 1 above shall**

include full details of both hard and soft landscape works. These details shall include:

- hard surfacing materials;
- means of enclosure;
- soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- trees to be retained and measures for their protection during construction works;
- proposed finished levels or contours;
- car parking layouts and other vehicle and pedestrian access and circulation areas;
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);
- retained historic landscape features and proposals for restoration, where relevant.

The approved landscape works shall be carried out prior to the development being brought into use.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Core Strategy policy CS12.

- 10 **No development shall take place until a landscape management plan for a period of 10 years from the date of the implementation of the landscaping scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include long term design objectives, management responsibilities and maintenance schedules for the landscaped areas. The landscaping shall be managed in accordance with the approved plan.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

- 11 **No development shall take place until a scheme for the protection of existing trees within and adjoining the site (as agreed to be retained on any Reserved Matters application), shall have been submitted to and approved in writing by the local planning authority. The approved scheme of protection shall be installed in accordance with the details approved and shall be maintained in place during the whole period of site demolition, excavation and construction (including any excavation for the purposes of archaeological assessment).**

Reason: In order to ensure that damage does not occur to the trees / hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan 1991-2011 and Policy CS12 of the Dacorum Core Strategy September 2013.

- 12 **No development shall take place until a Preliminary Ecological Assessment (PEA) of the site is undertaken to determine whether there are any ecological issues that may need to be considered and further information is required in relation to the likely presence of Great Crested Newts and an assessment of potential impact that may occur to individual newts or newt habitat. The Great Crested Newt season runs from mid - March to June only.**

Reason: In the interest of safeguarding any ecological interest on the site in accordance with the NPPF.

- 13 **The details of scale to be submitted for the approval of the local planning authority in accordance with Condition (1) above shall include details of the proposed slab, finished floor and roof levels of the buildings in relation to the existing and proposed levels of the site and the surrounding land and buildings. The development shall be constructed in accordance with the approved levels.**

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.

- 14 **Details submitted in accordance with Condition 1 of this permission shall include detailed proposals for vehicle parking within the site in accordance with standards adopted by the local planning authority.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.

- 15 **No development shall take place until details of the materials to be used for hard surfaced areas within the site, including roads, driveways and car parking areas, shall have been submitted to and approved in writing by the local planning authority.**

Reason: To ensure that the internal roads and other layouts are built to required / adoptable standards in accordance with saved Policy 54 of the adopted Dacorum Borough Local Plan 1991 - 2011 and Policy CS12 of the Dacorum Core Strategy September 2013.

- 16 **No development shall take place until a Construction Management Plan shall have been submitted to and approved in writing by the local planning authority. The statement shall provide for:**

- the parking of vehicles of site operatives, contractors and visitors;
- loading and unloading of plant and materials;

- storage of plant and materials used in constructing the development;
- timing and routes to be employed by construction vehicles;
- construction access arrangements;
- the erection and maintenance of security hoarding;
- wheel washing facilities;
- measures to control dust and dirt during construction;

The details shall include a plan showing the proposed location of these areas. The approved statement shall be adhered to throughout the construction period.

Reason: To minimise danger, obstruction and inconvenience to users of the highway in accordance with saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

- 17 **All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the local planning authority prior to commencement of the development.**

Reason: In the interests of highway safety and free and safe flow of traffic.

- 18 **All areas for parking and storage and delivery of materials associated with the construction of this development shall be provided within the site on land which is not public highway and the use of such areas must not interfere with the use of the public highway.**

Reason: In the interest of highway safety and free and safe flow of traffic.

- 19 **No development shall take place until details of pedestrian and cycle circulation within the site, and its connection to the rest of Jarman Park are submitted to and approved in writing with the local planning authority.**

Reason: To ensure a satisfactory means of circulation for pedestrians and cyclists within the and to improve access links within Jarman Park as a whole in accordance with Policy CS.

- 20 **Prior to commencement of the development the Outline Remediation Strategy by Waterman Environmental dated November 2006 shall be reviewed and updated in accordance with current legislation and guidance etc. and shall be tailored specifically towards the development now proposed. This shall be submitted for written approval to the local planning authority prior to commencement of the development. The recommendations of the report shall be followed and additional gas monitoring be performed on the site in order to finalise gas protection design measures.**

Reason: To ensure that risks from land contamination to the future users of the land are minimised, together with those to controlled waters (including

Principal Aquifer within Source Protection Zone 1), property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, customers and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013.

21 **Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared and is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance Policy CS32 of the Dacorum Core Strategy September 2013.

INFORMATIVE:

The applicant is advised that a guidance document relating to land contamination is available in the Council's website:

<http://www.dacorum.gov.uk/default.aspx?page=2247>

22 **The development hereby permitted shall not be commenced until a**

drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: The development may lead to sewerage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact on the community.

- 23 No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.**

Reason: To protect the water environment, including groundwater in accordance with Policy CS31 of the Dacorum Core Strategy September 2013. Part of the site is located on a Principal Aquifer, and within a Source Protection Zone 1 which feeds a public water supply.

- 24 No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programming for the works) has been submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method.**

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

- 25 Petrol/oil interceptors shall be fitted in all car parking/washing/repair facilities.**

Reason: to prevent oil-polluted discharges entering local watercourses.

- 26 A properly maintained fat trap shall be installed on the A3 unit hereby permitted.**

Reason: To prevent the blocking of drains, sewage flooding and pollution to local watercourses.

- 27 The A3 use hereby permitted shall not be commenced until there has been submitted to and approved by the local planning authority a**

scheme for ventilation of the premises, including the extraction and filtration of cooking fumes. The approved scheme shall be carried out prior to the commencement of the use hereby permitted.

Reason: In the interests of the amenity of adjoining uses.

- 28 **Notwithstanding the sustainability checklist submitted, no development shall take place until an online Sustainability Statement and an Energy Statement via C-Plan shall have been submitted to and approved in writing by the local planning authority. The statements shall be submitted for approval concurrently with the first of the reserved matters to be submitted. The development shall be carried out in accordance with the details approved.**

Reason: To ensure the sustainable development of the site in accordance with the aims of accompanying Policy CS29 and paragraph 18.22 of the Dacorum Core Strategy September 2013 and the Sustainable Development Advice Note March 2011.

- 29 **No development shall take place until details of a measures to recycle and reduce demolition and construction waste which may otherwise go to landfill, together with a site waste management plan (SWMP), shall have been submitted to and approved in writing by the local planning authority. The measures shall be implemented in accordance with the approved details.**

Reason: To accord with the waste planning policies of the area, Policy CS29 of the Dacorum Core Strategy (September 2013) and saved Policy 129 of the Dacorum Borough Local Plan 1991-2011.

- 30 **No development shall take place until details to demonstrate how the car park will achieve and maintain 'Park Mark, safer Parking Award Status have been submitted to and approved in writing by the local planning authority in consultation with Hertfordshire Police. The car park shall not be brought into use until the approved measures have been implemented in full and shall thereafter be retained.**

Reason: To prevent crime and protect people using the car park in accordance with paragraph 69 of the NPPF.

- 31 **The development hereby permitted shall not commence until a satisfactory Flood Risk Assessment has been submitted and approved in writing by the local planning authority in consultation with the Lead Local Flood Authority.**

Reason: To protect the development and its occupants from the risk of flooding and to prevent the increased risk of flooding.

- 32 **The development hereby permitted shall be carried out in accordance with the following approved plans:**

140219 D - 10 Rev A
140219 D - 11 Rev A
140219 D - 12 Rev A
140219 D - 13 Rev A
140219 D - 14 Rev A

Reason: For the avoidance of doubt and in the interests of proper planning.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

INFORMATIVES:

Highways

1. Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.
2. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence..
3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Thames Water

1. It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that

storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water

Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

2. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

3. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle

National Grid

Due to the presence of National Grid apparatus in proximity to the specified area, the contractor should contact National Grid before any works are carried out to ensure our apparatus is not affected by any of the proposed works.

BEFORE carrying out any work you must:

- Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.
- Note the presence of an Above Ground Installation (AGI) in proximity to your site. You must ensure that you have been contacted by National Grid prior to undertaking any works within 10m of this site.

