

**4/02214/17/ROC - VARIATION OF CONDITIONS 12 (FLOOD RISK ASSESSMENT), 19 (CONSTRUCTION PHASE MITIGATION MEASURES), 20 (NOISE MITIGATION) AND 26 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/00064/17/MFA (COMPREHENSIVE REDEVELOPMENT OF THE SITE TO PROVIDE 54,714 SQM OF FLEXIBLE COMMERCIAL FLOORSPACE WITHIN USE CLASSES B1C / B2 / B8 AND ANCILLARY OFFICES, TOGETHER WITH CAR AND CYCLE PARKING, ACCESS AND LANDSCAPING).**

**MAYLANDS GATEWAY, MAYLANDS AVENUE, HEMEL HEMPSTEAD.**

**APPLICANT: PROLOGIS UK LTD.**

---

[Case Officer - Alison Young]

## **Summary**

The application is recommended for approval.

The application seeks permission for a variation of the planning permission granted earlier this year for the comprehensive redevelopment of this site to provide new commercial floorspace comprising Class B1(c), B2 and B8 uses (application ref: 4/00064/17/MFA). A copy of that earlier report to the committee is attached to this report as Appendix A.

This report therefore concentrates solely on the proposed amendments to the approved plans and does not revisit the principle of the development, already accepted under that earlier permission.

The permitted scheme comprised 7 commercial units, including three large units fronting Breakspear Way. The developer has now secured an occupier for unit 5 (the central unit of the three fronting Breakspear Way) and that company, a national parcel distributor, requires a smaller building footprint with a larger service yard. The new unit would remain set behind a comprehensive (and enlarged) landscaped belt along Breakspear Way and Officers have sought a high quality, mature landscape scheme in this particular area to ensure that, from the outset, the development is adequately screened from Breakspear Way, and that the development has an acceptable visual impact at this important entrance to the town.

The proposals are not considered to have any adverse impact on other material considerations relating to the development, such as transport and highway safety matters; sustainability and energy efficiency; employment creation, air quality; and sustainable drainage and flooding matters. The development would be subject to the same mitigation requirements as the previous scheme – to be secured by the imposition of conditions similar to those imposed previously (with some minor consequential amendments) and a Deed of Variation of the earlier s.106 agreement. These mitigation measures would include, for example, those relating to ecology; works to the immediate road network; and improvements to the Green Lane/Breakspear Way junction as approved previously.

## **Site Description**

The application site is located at the southern end of Maylands and forms the central part of the Maylands Gateway area as defined in the Maylands Masterplan. The site itself covers an area of approximately 14.9 ha, approximately half of the Maylands Gateway area, and is bounded by Breakspear Way to the south; the former Lucas Aerospace site to the west; the residential area of Hales Park in the northwest corner and Wood Lane End to the north. Buncefield Lane aligns the site to the east with Woodwells Cemetery and greenfield land beyond. A petrol filling station adjoins the site at its southeast corner at the junction of Breakspear Way and Buncefield Lane.

The site extends in the northeast corner to include the access link from Buncefield Lane to Boundary Way which is currently closed to vehicles together with an area of open land. A daycare nursery is located to the east of the application site.

The site comprises generally of open land that now appears to be used for the grazing of horses. It was divided into three former uses: the former Kodak sports ground located at the junction of Buncefield Lane and Boundary Way; the former caravan park and associated reception building; and the former Lucas sports ground in the southwestern part of the site. Evidence of this division remains today with hedgerows and mature vegetation delineating the former uses. Mature hedges and vegetation also align the boundary of the site; a block of mature woodland is located in the southeast corner to the south of the former caravan park.

The site generally slopes down from the north east to the south western corner dropping in level by approximately 12m; this drop occurs mainly where the western half forms a level area reflecting its former use as a sports ground (football and cricket pitches) for Lucas.

Two public footpaths currently run through the site. PRow 51 connects Breakspear Way to Maylands Avenue travelling north along the boundary of the former caravan park and turning to the west along the boundary with Hales Park. PRow 50 connects Buncefield Lane to PRow 51.

The site is located within an Area of Archaeological Importance with a Scheduled Ancient Monument (a Roman-Celtic temple complex) located to the north in Hales Park.

## **Proposal**

The proposed amendments to unit 5 comprise the reduction in floorspace from approximately 12,000sqm to 7,737sqm which includes offices at first floor level. The unit would be sited centrally within the plot, between the remaining larger units 4 and 6, and parking and service bays would be provided on the eastern, southern and western sides. As a result in the reduction of its size, the building would be sited significantly further away from Breakspear Way and an additional 10m landscaped buffer zone is proposed along the southern boundary of the site.

The building height would remain broadly similar to that approved previously, at 15.7m above finished floor level, and its form and design would remain consistent with the approved scheme, incorporating the same colours and external cladding finish.

Access to the unit is the same as within the permitted scheme but with a second HGV access to allow vehicles in and out without manoeuvring within the site.

The remainder of the wider development is not proposed to change as a result of this application and remains as approved previously.

As with the previous scheme, the existing Public Right of Ways (PRowS) 50 and 51 are required to be diverted to enable the implementation of the development and Members may be aware that the formal application process under S257 of the Town and Country Planning Act 1990 has commenced in that respect.

## **Referral to Committee**

The application is referred to the Development Control Committee as it is a Large Scale Major Development which is linked to proposed planning obligation under S.106.

## **Planning History**

Full planning permission was granted in August 2017 under ref: 4/00064/17/MFA for the redevelopment of the site to provide 54,714sqm of flexible commercial floorspace within Use Classes B1c/B2/B8 and ancillary offices, together with car parking, access and landscaping.

That permission was granted subject to conditions and a legal agreement.

## **Policies**

### National Policy Guidance

National Planning Policy Framework (NPPF)  
Circular 11/95

### Adopted Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS2 - Selection of Development Sites  
CS4 - The Towns and Large Villages  
CS8 - Sustainable Transport  
CS9 - Management of Roads  
CS12 - Quality of Site Design  
CS13 - Quality of Public Realm  
CS14 - Economic Development  
CS15 - Office, Research, Industry, Storage and Distribution  
CS23 - Social Infrastructure  
CS25 - Landscape Character  
CS26 - Green Infrastructure  
CS27 - Quality of the Historic Environment  
CS28 - Renewable Energy  
CS29 - Sustainable Design and Construction  
CS30 - Sustainability Offset Fund  
CS31 - Water Management  
CS32 - Air, Water and Soil Quality  
CS34 - Maylands Business Park  
CS35 - Infrastructure and Developer Contributions

### Saved Policies of the Dacorum Borough Local Plan

Policies 13, 31, 37, 51, 54, 55, 58, 61, 62, 63, 75, 79, 99, 111, 113, 116, 118.  
Appendices 4, 5, 8.

### Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)  
Water Conservation & Sustainable Drainage (June 2005)  
Energy Efficiency & Conservation (June 2006)  
Accessibility Zones for the Application of car Parking Standards (July 2002)  
Landscape Character Assessment (May 2004)  
Planning Obligations (April 2011)

### Advice Notes and Appraisals

Sustainable Development Advice Note (December 2016)

Planning Policy Statement

Maylands Master Plan: The Gateway to a Greener Future (September 2007)

Maylands Gateway Development Brief (July 2013)

## **Summary of Representations**

### Hertfordshire Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Hertfordshire County Council (HCC) as highway authority has reviewed the application for a variation to the planning consent for the Maylands Gateway development (ref: 4/00064/17/MFA). The revised proposals seek to provide a change in use of one of the units (Unit 5).

A Transport Statement (TS) was provided to quantify the effect of a B8 land use (a parcel distribution centre) in place of the previously assessed B2 use. Additionally, the changes include a reduction in floorspace from a previously assessed 12,000sqm GFA to 7,433sqm.

#### Traffic Impact

The TS provides a comparison of the consented B2 trip rates applied to 12,000sqm and the agreed B8 trip rates applied to 7,433sqm.

The B8 trip rates are lower in the AM peak period, and higher in the PM peak period. Combined with the reduction in floor space, this results in a reduction in AM peak trips from 51 vehicles to 25 vehicles and an increase in the PM peak from 32 vehicles to 33 vehicles.

As such, the proposed variation is not considered to have an impact on the local highway network, and the conclusions reached in determining the existing consent remain valid.

#### Conclusion

HCC as highway authority has reviewed the application submission and does not wish to raise objection to the proposed development.

### Highways England

No objection

### Environmental Health

No objection. The revised acoustic report is thorough and credible. The figures it contains would support the conclusion that there will not be significant adverse effects on nearby residents, if the controls imposed are as described in the report.

### Trees and Woodlands

The Council's Trees and Woodland Officer has no objection to the revised proposals.

### Lead local Flood Authority

No objection.

### BPA pipelines

No objection

## County Archaeology

No comments

## Ecology

No objection. This proposal will create a little extra space within the development which will be filled with additional landscaping elements of trees and shrubs. Given that the permitted application will largely destroy all of the existing landscape and ecological features within the site, this change will have the effect of enhancing the development site's ecology and Green Infrastructure which is to be welcomed.

## Response to Neighbour Notification / Site Notice

Four letters of objection have been received from third parties. The key objections can be summarised as follows:-

- The development results in the destruction of an ancient hedgerow along the public footpath
- Loss of the existing public footpath route, and
- Loss of trees on the site
- Other objections raised in the respect of the original scheme remain valid within this application

## **Considerations**

### Policy Context

The principle of the redevelopment of this site has already been established by the granted planning permission ref: 4/00064/17/MFA. Policy considerations remain as set out in in the August report, attached as Appendix A, and there are no changes in planning policy or site circumstances that would lead to a different conclusion being reached on the principle of the development at this stage.

The key determining issues in respect of this amended application therefore relate to the layout, scale and design of the new unit; its visual impact in the surrounding area; landscaping and highways matters.

### Layout, Scale and Design of Development

The proposed new unit 5 would be set significantly further away from the southern boundary of the site with Breakspear Way than previously approved. It will therefore be less prominent than the originally proposed unit and will, to some extent, be partially hidden by the larger, more prominent buildings either side of it (units 4 and 6). Its form, design and detailing all remain in keeping with the approved scheme, however, and no objections are raised to the building's design or visual impact on the surrounding area.

A key aspect of the proposed changes is the provision of a larger service yard to the south of the new unit and, therefore, close to the boundary with Breakspear Way. In that respect, there is the potential for the new development to have a less positive visual impact on the Gateway area. Officers have, however, very carefully considered this aspect of the proposals and have secured an enhanced landscaping scheme that comprises a wider buffer zone to Breakspear Way and a landscaped bund to run along the southern boundary of the site. The proposed landscaping scheme would consist of extra heavy standard (mature) tree planting and would include a line of 'instant' hedging at the top of the bund. This hedging is provided initially at a height of 1.5-1.8m tall and 800mm wide and they provide a dense mature screen from the outset. That, together with the proposed bunding and mature tree and shrub planting, will

ensure that an effective soft screen is established along this part of Breakspear Way from the outset.

This would effectively screen the less attractive service yard from the road, but allow views of the new building(s) beyond. Units 4 and 6 would remain as prominent buildings in the area as originally approved and, together with the mature landscaping proposed within this application, Officers are satisfied that the overall development would present a high quality, positive and attractive Gateway entrance to the town.

The third party representations that have been received in respect of the loss of ancient trees on the site are acknowledged. However, it is important to note that the loss of these trees has already been accepted within the earlier scheme and Members may recall that the Council's Trees and Woodlands Officer advised previously that, whilst a lot of trees to be removed are of some cultural value to the area, they are of low quality in arboricultural terms and therefore their retention is not sought. The proposed landscaping scheme for the site is considered to be appropriate to the area and, in the case of this amended proposal, additional semi-mature tree planting will further enhance the appearance of the development.

### Highways matters

The application has been submitted with a revised Transport Statement (TS) that compares the traffic generation from the proposed new unit with those that were used to assess the original scheme. The TS concludes that, due to the reduction in the size of Unit 5, the proposals will have no material impact on the surrounding highway network over and above that already accepted within the previous approved scheme. The Highway Authority has reviewed the revised TS and raises no objection to the application as a result.

As per the previously approved application the existing pedestrian PRowS 50 and 51 will be repositioned and surfaced to provide a shared use foot/cycle path. The shared use foot/cycleway will also be extended along Buncefield Lane past the amended PRow 50 to Boundary Way. It will be constructed alongside the new access road and will be lit. The diversion of the footway has been opposed by a number of residents and therefore separate formal confirmation of the diversion under Section 257 of the Town and Country Planning Act 1990 (as amended) will be required from the Secretary of State.

There are a number of agreed mitigation measures, secured through s.106 obligations and conditions which will address any highways issues resulting from the wider redevelopment of the site and these measures will be applied to this amended scheme in the same way.

### Employment

The proposed use of the site remains in accordance with adopted Core Strategy Policies CS14 (Economic Development), CS15 (Offices, Research, Industry, Storage and Distribution), CS34 (Maylands Business Park) and the Maylands Gateway Development Brief.

The proposal would secure a future tenant for Unit 5 and the early provision of employment on the site. This should be given positive weight in the overall planning balance.

### Air Quality and Noise

The revised Air Quality and Noise Assessments conclude that the revisions to Unit 5 would not have a material impact on the findings of the previous assessments which were approved by the local planning authority. The Council's Environmental Health team has considered the revised assessments and raise no objection to the proposals. Officers are satisfied therefore that, subject to the same mitigation measures as previously, the amended proposals would not result in any unacceptable air pollution or noise in the surrounding area. Whilst one consultation

response has expressed a preference for the restriction of night time operations at the site, Officers do not consider such a restriction to be necessary or reasonable. The Noise Assessment shows that the site can operate a night without adversely affecting neighbouring residential occupiers and it is also important to note that no such condition was imposed on the original approved scheme. A restriction on night-time operations would be unjustified therefore and would be likely to result in fundamental operational difficulties for the future occupier of the site. Such a condition is not therefore recommended.

#### Other matters

In respect of the following matters, Officers are satisfied that the revised proposal would have no additional impacts over and above those that have already been assessed within the grant of planning permission for the previous scheme. The proposed mitigation measures, secured by condition and legal agreement, are considered sufficiently robust to ensure that the development would remain acceptable in respect of:-

- Contamination
- Archaeology
- Flood Risk and Drainage
- Impact on Neighbours
- Sustainability
- Fire and Rescue Services

#### CIL and Planning Obligations

There are no proposed changes to the Planning obligations previously agreed, and Officers will ensure that the existing legal agreement also relates to this revised proposal through a deed of variation or similar legal mechanism.

#### RECOMMENDATIONS

1. That the application be DELEGATED to the Head of Development Management and Planning with a view to approval subject to the completion of a Deed of Variation (or other legal mechanism) to the planning obligation under s.106 of the Town and Country Planning Act 1990 to ensure that its provisions (listed below) relate equally to this revised proposal:-

#### **Highways**

- Provision of highway improvement works to Breakspear Way / Green Lane roundabout details of which are to be agreed by the LPA and applicant, in consultation with HCC and Highways England, by [insert date] and construction commenced by [insert date]. The works shall be completed prior to occupation of the development hereby permitted.
- Traffic Regulation Orders to address signage and speed limit changes in the vicinity of Wood End Lane
- S278 works to upgrade the Boundary Way / Buncefield Lane link to accommodate vehicular traffic as shown on RPS drawing ref: NK018226-RPS-XX-XX-DR-C-0100-A

#### **Maylands Urban Realm Improvements**

- Contribution of £13,267.40 towards delivery of urban realm improvements identified on Sheet 22 of the Maylands Business Park Improvements Specification.
- Contribution of £47,250 towards delivery of urban realm improvements identified on Sheet

23 and 24 of the Maylands Business Park Improvements Specification.

### **Public Open Space**

- Provision of Public Open Space as identified on Barry Chinn Associates drawing ref: 1644/16-08 Rev D
- Commitment to ongoing management and maintenance of the public open space by Prologis in perpetuity

### **Ecology**

- Contribution towards delivery of ecological enhancements on land owned by Dacorum Borough Council
- Provision of management plan

and on completion of the completion of the variation to the legal agreement be subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 Notwithstanding the details hereby approved, no development above ground shall take place until samples of the materials proposed to be used on the external walls and roofs of the development shall have been submitted to and approved in writing by the local planning authority. The samples shall comprise of panels no less than 1.0 sqm. The approved materials shall be used in the implementation of the development. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

Reason: To ensure a satisfactory appearance to the development and to accord with adopted Core Strategy Policy CS12.

- 3 Prior to the commencement of above ground development, details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. 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. Measures shall include hand-carried equipment only for all tree work within protected areas. The use of excavators for stump removal within Root Protection Areas is not permitted;
- 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);

**The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to accord with adopted Core Strategy Policy CS12.

- 4 **Prior to the commencement of above ground development, details of the surface design of the footpaths hereby permitted shall have been submitted to and approved in writing by the local planning authority. These details shall include a construction methodology and areas identified on a plan as 'No-dig' areas close to significant site trees.**

**The footpath works shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to accord with adopted Core Strategy Policy CS12.

- 5 **All work shall be carried out in accordance with B.S.3998:2010 "Tree Work Recommendations".**

Reason: To ensure a satisfactory standard of tree work in accordance with the aims of Policy 99 of the Dacorum Borough Local Plan 1991 - 2011.

- 6 **Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.**

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

- 7 **A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to accord with adopted Core Strategy Policy CS12.

- 8 **Prior to the commencement of any works a Construction Traffic Management Plan which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing with**

**the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic. The Construction Traffic Management Plan shall include details of:**

- a. Construction vehicle numbers, type, routing;**
- b. Traffic management requirements;**
- c. Construction and storage compounds (including areas designated for car parking);**
- d. Siting and details of wheel washing facilities;**
- e. Cleaning of site entrances, site tracks and the adjacent public highway;**
- f. Provision of sufficient on-site parking prior to commencement of construction activities;**
- g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

- 9 **During the first year of occupation a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.**

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

- 10 **Prior to the commencement of the use hereby permitted, a Framework Servicing and Delivery Plan shall be submitted to and approved in writing with the Local Planning Authority. The Framework Servicing and Delivery plan shall incorporate the servicing arrangements for the use and adequate provision for the storage of delivery vehicles within the site.**

Reason: In the interests of maintaining highway efficiency and safety

- 11 **A detailed plan illustrating the junction geometries of the proposed access junctions shall have been submitted to and approved in writing by the local planning authority. The required details include, but are not limited to, site access dimensions (kerb radii, grade, width, etc.) and visibility/sight lines.**

Reason: In the interests of maintaining highway efficiency and safety

- 12 **The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by RPS reference RCEF39546-002R dated January 2017, Flood Risk Assessment Addendum reference RCEF55348-001R dated August 2017 and Drainage Philosophy Statement carried out by RPS reference NK018226-RPS-SI-XX-CA-**

D-0031 A dated 16<sup>th</sup> August 2017, and the following mitigation measures:

- Implementing appropriate SuDS measures to include attenuation tank, porous surfacing and attenuation pond.
- Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
- Discharge into Thames Water Sewer restricted to greenfield run-off rate

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 13 **No development shall take place until a detailed surface water drainage scheme for the site based on the approved FRA and sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

The scheme shall also include:

- Details of how the scheme shall be maintained and managed after completion.
  - Details of the proposed drainage scheme providing a drainage plan showing the location of any proposed SuDS, pipe runs and all areas of proposed informal flooding (including depth and extent).
1. Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future users.

Informative:

For further guidance on HCC's policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance please refer

to our surface water drainage webpage

<http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/>

- 14 **Demolition/development shall take place in accordance with the Written Scheme of Investigation for Archaeological Mitigation by CgMs dated March 2017.**

**Each phase of the development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation. The final phase of development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.**

Reason: For the avoidance of doubt.

- 15 **Construction of the development hereby approved shall not commence until a Site Waste Management Plan has been submitted to and approved in writing by the local planning authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.**

Reason: To ensure the sustainable construction in the development of the site in accordance with Policies CS29 of the Dacorum Core Strategy.

INFORMATIVE:

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. Good practice templates for producing SWMPs can be found at:

<http://www.smartwaste.co.uk/> or

[http://www.wrap.org.uk/construction/tools\\_and\\_guidance/site\\_waste\\_management\\_planning/index.html](http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html)

- 16 **The development hereby permitted shall be carried out in accordance with the approved sustainability and energy statement submitted by Turley Sustainability dated December 2016.**

Reason: To ensure the sustainable development of the site in accordance with Policies CS28, CS29 and CS31 of the Dacorum Core Strategy.

- 17 **Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to**

and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

- 18 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 17 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website [www.dacorum.gov.uk](http://www.dacorum.gov.uk)

- 19 **The development shall be constructed fully in accordance with the construction phase mitigation measures, as detailed within Section 7, sub-**

**section 7.2 (pages 29 and 30) of the Air Quality Assessment; Project No. JAP9002; Revision: 4; RPS; 18 August 2017.**

Reason: To safeguard the local environment in terms of air quality in accordance with Policy CS32 of Dacorum Core Strategy and to accord with section 7, subsection 7.2 of the following document: Air Quality Assessment; Project No. JAP9002; Revision: 4; RPS; 18 August 2017.

- 20 **The noise mitigation measures outlined in Paragraphs 4.13 and 4.14 (pages 8 and 9) of the Noise and Vibration Assessment Project No. JAE9001; Revision: 3; RPS; 18 August 2017 shall be implemented prior to the occupation of the development.**

Reason: To safeguard the local environment in accordance with Policy CS12 of Dacorum Core Strategy.

- 21 **Noise from industrial processes and plant within the development shall not exceed a rating level of 43 dB LArTr during any 1 hour period of the daytime 07:00 to 23:00 hours (i.e. 5 dB below the representative daytime baseline noise levels of 48 dB LA90); nor exceed a rating level of 38 dB LArTr during any 15 minute period of the night-time 23:00 to 07:00 hours (i.e. 5 dB below the representative night-time baseline noise levels of 43 dB LA90). Rating levels should be determined in accordance with BS 4142:2014 and assessed at a free-field location representative of the nearest residential properties to the site.**

Reason: To safeguard the local environment in accordance with Policy CS12 of Dacorum Core Strategy.

- 22 **Prior to the commencement of development, details of measures to ensure reptiles will not be harmed shall have been submitted to and approved in writing by the local planning authority.**

**The approved measures shall be carried out in accordance with the approved details.**

Reason: To avoid harming reptiles which may potentially be present and to accord with adopted Core Strategy Policy CS26.

- 23 **No above ground development shall take place until a scheme has been submitted to and approved in writing by the local planning authority for the provision of a fire hydrant(s) to serve the development. The development shall not be occupied until the approved scheme of fire hydrant(s) has been installed.**

Reason: To ensure water supplies are provided to adequately serve the site in accordance with BS 9999.

- 24 **No part of the development hereby permitted shall be occupied prior to the implementation of the public footpath / cycleway as shown on Drawing No. 30830-PL-200A.**

Reason: To ensure public right of way access is maintained in accordance with

adopted Core Strategy Policy CS8.

- 25 **Details of any lighting shall be submitted to and approved in writing by the local planning authority before the buildings are occupied. Development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to accord with adopted Core Strategy Policy CS12.

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

**30830-PL-220A;  
30830-PL-201;  
30830-PL-202;  
30830-PL-203A;  
30830-PL-221;  
30830-PL-205;  
30830-PL-206;  
30830-PL-207;  
30830-PL-208;  
30830-PL-209A;  
30830-PL-223A;  
30830-PL-211A;  
30830-PL-212;  
30830-PL-214;  
30830-PL-215;  
30830-PL-216;  
30830-PL-217C;  
30830-PL-219A;  
1644/16-07 07 O;  
1644/16-07 08 E;  
1644/16-07 11 L;  
1644/16-04-05 06 04;  
1644/16-04-05 06 05;  
1644/16-04-05 06 06;  
NK018226-RPS-Y-XX-DR-X-SK0265;  
NK018226-RPS-SI-XX-DR-X-SK0300;  
NK018226-RPS-SI-XX-DR-X-SK0602 Rev C;  
MJA-P105-4447-C;  
MJA-P105-4447-D.**

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

Article 35 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 2015.

