

4/00473/18/MFA	DEVELOPMENT OF AN EDUCATIONAL BUILDING, WITH ASSOCIATED LANDSCAPING, BOUNDARY TREATMENTS, PARKING AND ACCESS ARRANGEMENTS INCLUDING WIDENED ACCESS TO DACORUM WAY AND INFRASTRUCTURE
Site Address	WEST HERTS COLLEGE, DACORUM CAMPUS, MARLOWES, HEMEL HEMPSTEAD, HP1 1HD
Applicant	West Herts College - Mrs G O'Connell, West Herts College
Case Officer	Intan Keen
Referral to Committee	Major proposal affecting land which the Borough Council has an interest

1. Recommendation

1.1 That the application is delegated with a view to approval subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 and the expiry of the final notification of the application, and subject to the conditions set out below.

2. Summary

2.1 This application seeks full planning permission for an education building at West Herts College (Dacorum Campus) which comprises the second phase of its redevelopment. This application is to be considered alongside a separate concurrent application for residential development on an adjacent parcel of land to the west, both of which are in the ownership and grounds of West Herts College. The proposed residential development would enable funding for the delivery of this education building.

2.2 The proposal for an education building is acceptable in principle as part of strategic site Proposal MU/1 under the Site Allocations 2006-2031 (Written Statement adopted July 2017) and specifically the replacement building at West Herts College has strong policy support under the Hemel Hempstead Town Centre Masterplan and the Gade Zone Planning Statement. Off-site benefits have also been identified as a result of providing a replacement education building at West Herts College, noting its location between and forming part of the link between the Old and New Towns of Hemel Hempstead, as well as supporting the retail function the of Old Town to the north, and visual improvements along Marlowes.

2.3 The development is considered to be acceptable with respect to the impact on the appearance of the street scene and the impact upon nearby heritage assets and protected trees. Parking and cycle provision on-site would be appropriate on a demand-based approach also noting the site's town centre location proximate to public transport facilities. The proposed education building would have a satisfactory relationship with the residential development proposed on the adjacent site.

2.4 The proposal is therefore in accordance with the aims of Policies CS1, CS2, CS4, CS8, CS10, CS11, CS12, CS13, CS23, CS27, CS29, CS31, CS32 and CS33 of the Dacorum Core Strategy 2013, saved Policies 10, 51, 54, 58, 69, 99, 119 and 120 of the Dacorum Borough Local Plan 1991-2011, Site Allocations Written Statement (2017), Hemel Hempstead Town Centre Masterplan 2011-2021, and Gade Zone Planning Statement (2012).

3. Site Description

3.1 The application site forms the south-eastern corner within the Dacorum Campus of West Herts College. It is located at the north-western corner of the junction of Marlowes and the unadopted road of Dacorum Way. The site has a town centre designation and importantly has a long prominent frontage to Marlowes, open views rising up from Leighton Buzzard Road and the River Gade and located along a key link between the Old and New Town Centres of Hemel Hempstead.

3.2 The campus at West Herts College including the application site is characterised by older, low profile buildings in a parkland setting and noting its frontage to the built-up section of Marlowes and proximity to Hemel Hempstead Old Town it therefore represents a key strategic regeneration opportunity.

4. Proposal

4.1 Full planning permission is sought for the second phase of the replacement building at West Herts College. It would have a total floor area of 3,600m² over two floors, with a height of 10.25m to Marlowes (recessed pop-up section to a height of 10.85m measured from the principal elevation). The development would effectively consolidate the College making the building footprint more compact with a linear arrangement along the College's Marlowes street frontage.

5. Relevant Planning History

5.1 As noted above, the application shall be determined within the same timeframe as the separate concurrent application 4/00472/18/MOA on the adjacent site which seeks outline planning permission for residential development. The sale of this adjacent site with planning permission would assist in funding the education building proposed under the current application.

5.2 Both current applications have been subject to screening opinions dated December 2017 where it was determined that an Environmental Impact Assessment was not required for either of the two proposals.

5.3 The applications follow the recently completed and now occupied (as of May 2017) first phase of the new replacement education building at West Herts College, where planning permission was granted under 4/02013/15/MFA on 6 August 2015 (for construction of two educational buildings with associated landscaping, disabled parking and servicing area); subject to non-material amendment 4/02173/16/NMA granted on 13 September 2016.

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

6.2 Dacorum Core Strategy 2013

Policies NP1, CS1, CS4, CS8, CS10, CS11, CS12, CS13, CS23, CS27, CS29, CS31, CS32, CS33, CS35

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13, 18, 21, 51, 54, 58, 69, 99, 111, 119, 120.

6.4 Supplementary Planning Guidance / Documents

- Site Allocations Written Statement 2006-2031 (2017)
- Environmental Guidelines (May 2004)
- Hemel Hempstead Town Centre Masterplan 2011-2021
- Gade Zone Planning Statement (2012)
- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Planning Obligations (April 2011)

7. Constraints

- Town Centre
- Flood Zones 2 and 3
- Source Protection Zone 1 (Affinity Water boreholes)
- Tree Preservation Order
- Former land use
- CIL Zone 3
- 45.7m air direction limit

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

8.2 None received at the time of writing this report.

9. Considerations

Main issues

9.1 The main issues of relevance to the consideration of this application include:

- Policy and principle
- Layout and impact on street scene
- Impact on heritage assets
- Impact on protected trees
- Traffic, access and car parking
- Flood risk and drainage
- Contaminated land
- Ecology

- Impact on neighbouring properties
- Section 106 and planning obligations

Policy and principle

Policy context

9.2 The site forms part of the town centre and the Gade Zone character area under Policy CS33 of the Core Strategy and the proposed education building would contribute to furthering the objectives for the town centre which includes to deliver new leisure, education and cultural facilities. The background text to Policy CS33 sets out that within the Gade Zone there are significant regeneration opportunities, primarily for educational, civic, residential, community leisure and cultural, business and retail uses.

9.3 References and policy support for a replacement college building are set out under the Site Allocations noting the site forms part of strategic Proposal MU/1 which seeks to deliver a replacement further education building (amongst other things), the Hemel Hempstead Town Centre Masterplan with an end date of 2021, as well as local provisions including Policy CS23 of the Core Strategy and saved Policy 69 of the Local Plan together with the National Planning Policy Framework.

Need

9.4 It is acknowledged that the existing classrooms for construction students are currently accommodated within Block A (located on the site for the proposed residential scheme under 4/00472/18/MOA), which suffers from poor design when compared with current standards. It is submitted that the space within Block A does not best reflect modern requirements and is therefore identified for improvement, hence the proposals for the new facility sought under the current application.

9.5 An addendum to the Planning Statement has been submitted on behalf of the applicant which sets out local statistics and demographic where there is an identified need for delivery of a replacement further education building. The Statement notes that in Dacorum that the new campus will provide a state of the art provision which will enable more local residents to develop the skills that local employers require and therefore increase employment opportunities of the population within the Borough.

9.6 The Statement continues in that it is anticipated that the investment in the new facilities will result in an 1,050 additional qualifications per annum of which 60% will be at Level 3 or above; of these 285 will be additional apprenticeships, of which approximately 50% will likely be new jobs. This would drive around 145 new jobs per annum.

9.7 The ability to provide funds to build the second phase of the replacement College will allow new specialist courses to be introduced. An increased requirement for engineers will come about as a result of the proposed large infrastructure projects including within the M1 growth where the site is suitably-located to meet this demand. Specialist carpentry provision will be developed and aligned with the requirement for skills to support housing growth, local and regional infrastructure projects as well as the film making industry.

9.8 West Herts College in their supporting statement have also noted their intention

that Higher Level Apprenticeships will be developed in collaboration with other providers to develop appropriate progression routes within the engineering and construction sectors to support housing growth, local and regional infrastructure projects and town centre regeneration in collaboration with BRE, University of Hertfordshire and the Enterprise Zone.

9.9 It has been established that the further education building and consolidation of the College is acceptable in principle, however there are additional planning benefits to the redevelopment of the College with a high-quality building as follows:

- High-class further education facility;
- Visually enhancing the main link (Marlowes) between the Old and New town centres;
- Contributing to overall modernisation of Hemel Hempstead Town Centre;
- Increase in students and staff numbers bringing more people to the town centre which would strengthen the retail function of the Old Town.

9.10 All of the above would support the vitality of the town centre which is supported under Section 2 of the NPPF as well as the vision set out under Policy CS33 of the Core Strategy.

Layout and impact on street scene

9.11 In terms of building design and bulk the proposal would generally reflect the approved and recently completed College building however would also differentiate from it and assist in breaking up a resultant long building elevation through the use of projecting and cantilevered elements and contrasting external materials. The Council's Conservation and Design officer has not raised any principle concerns with respect to design, form and massing although has suggested alternative surface materials are explored. As such if planning permission is granted it would be reasonable to attach conditions requiring samples of external materials given the extensive frontage to Marlowes and the site's prominence along this key route between the Old and New Towns. Details of landscaping shall also be reserved by condition.

9.12 The proposal would not raise any concerns with respect to layout, noting an active frontage would be continued along the principal road frontage of Marlowes extending from the first phase of development.

9.13 Parking is discussed in greater detail below with respect to provision however it is important to note that any parking shortfall should be balanced by the need for the site to minimise areas of hardstanding both in visual and environmental terms, in order to maintain the open verdant setting particularly along the River Gade, and importantly specifically to the application site, to enhance the frontage to Marlowes which would be preferably through a high-quality building with an active frontage instead of an expansive car park.

9.14 The consolidation of the College buildings and the subsequent loss of the southern part of the site adjoining the River Gade would not significantly reduce the available open space for students on campus. It is noted that further education students are not confined to the grounds of the facility and the site is well-located with respect to Gadebridge Park in providing open space for the needs of staff and students.

9.15 The proposal would therefore accord with the aims of Policies CS10, CS11, CS12 and CS33 of the Core Strategy.

Impact on heritage assets

9.16 The assessment of the proposal in this regard requires development to positively conserve and enhance heritage assets as set out under Policy CS27 of the Core Strategy and the NPPF.

9.17 To the east of the application site is the Grade II listed Marlowes Methodist Church. The proposal has been considered by the Council's Conservation and Design team and would not have a significant adverse impact on its setting noting that the listed building is surrounded by development, including buildings on the rising slope further eastward.

9.18 Additionally, the development would not compromise any significant views looking north along Marlowes towards the Hemel Hempstead Old Town Conservation Area or the Grade II* listed building at The Bury.

9.19 As such, the development would appropriately conserve nearby heritage assets and in considering the proposal it is important to note the planning benefits of the scheme which have been outlined above, as well as the site's allocated status under Proposal MU/1.

9.20 The proposal would not compromise archaeological heritage assets noting comments from the County Archaeologist below.

9.21 It follows the development would satisfy the aims of Policy CS27 of the Core Strategy and saved Policies 118, 119 and 120 of the Local Plan.

Impact on protected trees

9.22 The submitted layout would ensure the retention and protection of trees covered by a Tree Preservation Order. Importantly, no Category A trees are identified for removal as part of the proposals. An Arboricultural Report has been submitted in support of the proposals and sets out how retained trees shall be protected for the duration of site works and construction in accordance with Policies CS12 and CS29 of the Core Strategy and saved Policy 99 of the Local Plan.

Traffic, access and parking

9.23 With respect to traffic and access, no objections have been raised from the highway authority.

9.24 In assessing the acceptability of the scheme in terms of parking provision it is important to note existing conditions at the wider College site. The submitted Transport Statement sets out that the Dacorum Campus currently has capacity to accommodate a maximum of approximately 450 staff and students on-site.

9.25 The main car park at West Herts College is barrier controlled with an access point from Dacorum Way as well as from Marlowes, and provides car parking for 73 vehicles. A small secondary car park lies to the south of the recently constructed education building which includes four disabled spaces and was for use by construction traffic.

Lastly, the campus features a car park to the west of the river accessed via Queensway which shall not be affected by the proposals.

9.26 Student parking is entirely to the College's discretion and students are only permitted to park on site due to sufficient spaces being available. The submitted Transport Statement outlines that following the redevelopment of the southern part of the site (both the second phase of the replacement College and the residential scheme), students will no longer be permitted to park on-site unless there are mitigating circumstances such as mobility issues.

9.27 Travel surveys were carried out as a result of the assessment on behalf of the applicant which demonstrated that travel to the College by car was extremely high by staff (86% as a car driver alone, and a further 7% as a car driver with others or a car passenger). Students also preferred to travel by car (representing 22% of students surveyed) however a significant proportion of students either walk (36%) or take the bus (37%) to the College which is encouraging from a sustainable transport perspective.

9.28 Therefore whilst the Transport Statement anticipates that a total of around 900 students could be on-site at any one time following the redevelopment, students shall not be permitted to park on campus and the Travel Plan secured under the previous College development (under 4/02013/15/MFA) would also be implemented to encourage sustainable modes of transport to and from the site.

9.29 In considering the proposal with respect to parking provision it should be noted that local guidance set out under saved Appendix 5 are maximum standards and should be considered in conjunction with the Written Ministerial Statement (25 March 2015) highlights that any local parking standard should only be imposed where there is clear and compelling justification.

9.30 Based on the above-identified demand for parking and actual usage of the on-site College car parks it is considered that the provision of 49 spaces would be sufficient (the majority of on-site parking would be accommodated within the north-western portion of the site accessed via Queensway).

9.31 In terms of cycle parking, a covered secure cycle store providing stands for up to 40 bicycles has been provided to the south of the new building, which will need to be relocated once the current application is implemented, if planning permission is granted. It is understood that this cycle stand is highly underused, as is also the case for existing cycle parking opportunities on the site (currently in front of Block A building). This is confirmed by the findings of the recent travel surveys carried out from both students and staff, with cycling overall as the least chosen mode of travel to the College.

9.32 It follows that the proposal for this particular use would be acceptable with respect to traffic, access and parking provision, noting the above assessment; together with the Written Ministerial Statement referred to above, and the locational factors of the site in a sustainable location where alternative means of transport should be encouraged, the availability of sustainable modes of transport serving the area particularly bus services, on-street restrictions and the site's proximity to public car parks.

9.33 Therefore the development would not conflict with the aims of Policies CS8, CS9 or CS12 of the Core Strategy and saved Policies 51, 54 or 58 of the Local Plan.

Flood risk and drainage

9.34 Flood risk and drainage matters have been adequately addressed in the submission noting the site's constraints and as such no objections have been received from Hertfordshire Lead Local Flood Authority, the Environment Agency, Thames Water or Affinity Water. Conditions have been requested from the above requiring further details of drainage

Contaminated land

9.35 Contamination can be adequately dealt with by conditions as suggested by the Environment Agency and the Council's Environmental and Community Protection team to meet the requirements of Policies CS31 and CS32 of the Core Strategy.

Ecology

9.36 The County Ecologist (Hertfordshire Environmental Records Centre) has commented on the proposals stating that following consideration of the submitted Preliminary Ecological Appraisal there was no significant ecological constraints to the proposals.

9.37 In accordance with the recommendations set out under the submitted ecological appraisal, a condition shall be included requiring provision of bat and bird boxes to satisfy Policy CS29 of the Core Strategy.

Impact on neighbouring properties

9.38 The impact on the proposed residential development to the west of the site has been detailed under the report for 4/00472/18/MOA however it is noted that any overlooking would be mitigated as the proposed education building would feature high-level windows without compromising natural light into the classrooms.

9.39 Immediately north of the building is the first phase of the replacement College, and to the south lies Dacorum Way, beyond which is the vacant Civic Centre building which do not represent sensitive interfaces for this particular development given existing conditions.

9.40 The scale of the development proposed would not give rise to concerns relating to visual intrusion, loss of light or overlooking relative to properties to the east noting the wide road reserve of Marlowes and the mixed use character along the eastern side of the road.

9.41 The proposal would therefore accord with Policy CS12 of the Core Strategy.

Section 106 and planning obligations

9.42 It is important to note that this application for a new education building has been submitted alongside a separate application for residential development (this plot lies immediately west of the application site). The proposed residential scheme would assist in funding the education building subject to the current application through the sale of this plot.

9.43 It is important to note that the proposed education building is subject to a greater level of environmental constraints (Flood Zones, Source Protection Zone and boreholes buffer as well as level differences across the site and TPO trees) when compared with the recently constructed education building (under 4/02013/15/MFA) which has resulted in a significantly increased build cost.

9.44 In accepting an enabling development argument for delivery of the proposed further education building it would be essential to ensure that there would be no possibility of the residential development (under 4/00472/18/MOA) coming forward as an all-private development without delivery of the proposed education building sought under this application.

9.45 The Section 106 shall secure a review mechanism triggered at a point at which the costs of the education building development have been agreed. In the event that a surplus is identified, specifically where the sum of the College's funding sources is greater than the actual development costs, a portion of the surplus shall go towards a commuted sum for affordable housing.

10. Conclusions

10.1 For reasons above the proposed education building would be acceptable and in accordance with policy, and would represent a key regeneration proposal contributing to the delivery of the vision for modernising the town centre, linking the Old and New town centres and strengthening the retail function of the Old Town.

10.2 It follows the proposal would accord with the aims of Policies CS1, CS2, CS4, CS8, CS10, CS11, CS12, CS13, CS23, CS27, CS29, CS31, CS32 and CS33 of the Dacorum Core Strategy 2013, saved Policies 10, 51, 54, 58, 69, 99, 119 and 120 of the Dacorum Borough Local Plan 1991-2011, Site Allocations Written Statement (2017), Hemel Hempstead Town Centre Masterplan 2011-2021, and Gade Zone Planning Statement (2012).

11. RECOMMENDATIONS

1. That the application be DELEGATED to the Group Manager, Development Management and Planning with a view to approval subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 and the expiry of the final notification.

2. That the following Heads of Terms for the planning obligation, or such other terms as the Committee may determine, be agreed:

Review to provide a comparison between the costs incurred by the College in delivering the proposed education building to an agreed specification and the funding sources identified in West Herts College's business plan, with the aim of identifying whether a surplus has been obtained.

In the event of a surplus being declared this shall be split between the College and the Council subject to a payment cap based on policy compliant affordable housing provision.

And subject to 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. Installation of the external surfaces of the development hereby permitted shall not take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. 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 in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

3. The development hereby permitted shall not be occupied until full 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;**
- **boundary treatments including 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;**
- **proposed finished levels or contours;**
- **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;**
- **a Landscape Management Plan to incorporate details of maintenance regimes, including any tree management objectives, details of any new habitat created on site and habitat improvement proposals and management responsibilities.**

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 in accordance with Policy CS12 of the Dacorum Core Strategy 2013 and to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with Policy CS29 of the Dacorum Core Strategy 2013.

4. 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 Policy CS12 of the Dacorum Core Strategy 2013.

5. No development (including demolition) shall take place until a Site Waste Management Plan has been submitted to and approved in writing by the local planning authority. This shall include information on the types of waste removed from the site and the location of its disposal. The development shall be carried out in accordance with the approved details.

Reason: To reduce the amount of waste produced on the site in accordance with Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan.

6. The development hereby permitted shall not commence (with the exception of enabling works required to provide full access to the site to allow for further site investigation including demolition where required), a Remediation Strategy to deal with the risks associated with contamination of the site shall be submitted for approval in writing by the local planning authority. This Strategy shall include the following components:

1. A preliminary risk assessment which has identified:

- **All previous uses;**
- **Potential contaminants associated with those uses;**
- **A conceptual model of the site indicating sources, pathways and receptors;**
and
- **Potentially unacceptable risks arising from contamination at the site.**

2. A site investigation scheme, based on the preliminary risk assessment above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

3. The results of the site investigation and the detailed risk assessment referred to in the site investigation scheme above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented in accordance with the approved details.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 109

of the National Planning Policy Framework and Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

7. The development hereby permitted shall not commence (with the exception of enabling works required to provide full access to the site to allow for further site investigation including demolition where required), a Verification Report demonstrating the completion of works set out in the approved Remediation Strategy under Condition 6 above and the effectiveness of remediation shall be submitted for approval in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment in accordance with paragraph 109 of the National Planning Policy Framework and Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

8. In the event that contamination not previously identified is found to be present at the site during development, no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination shall be dealt with has been submitted for approval in writing by the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the site does not pose any further risk to human health or the water environment in accordance with paragraph 109 of the National Planning Policy Framework and Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

9. Piling and other deep foundations or intrusive groundworks using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed use of CFA piles does not harm groundwater resources in accordance with paragraph 109 of the National Planning Policy Framework.

10. Construction of the development hereby permitted shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. Thereafter, the construction of the development, including all demolition works and piling shall only be carried out in accordance with the approved Plan. The Plan shall include details of:

- a. Construction vehicle numbers, type and 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 the interests of highway safety and rights of way in accordance with Policy CS8 of the Dacorum Core Strategy 2013 and saved Policies 51 and 54 of the Dacorum Borough Local Plan 1991-2011.

11. The development hereby permitted shall not be occupied before further details in the form of scaled plans and written specifications are submitted for approval by the local planning authority, which shall illustrate the following:

- **Roads and footways;**
- **Existing and proposed access arrangements including visibility splays;**
- **Parking layout and provision of cycle parking;**
- **Servicing areas, loading areas and turning areas for all vehicles;**
- **Provision of fire hydrants.**

Reason: In the interests of maintaining highway efficiency and safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013 and saved Policies 51, 54 and 58 of the Dacorum Borough Local Plan 1991-2011.

12. In the event any boreholes are installed for the investigation of soils, groundwater or geotechnical purposes, a scheme for their management shall be submitted for approval in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained post-development, for monitoring purposes shall be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the development hereby approved.

Reason: To avoid groundwater pollution or loss of water supplies in accordance with paragraph 109 of the National Planning Policy Framework and Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

13. Prior to the construction of the building hereby permitted, an Air Quality Report assessing the impacts of the proposed redevelopment shall be submitted for approval in writing by the local planning authority. The Report shall have regard to the Environment Act 1995, Air Quality Regulations and subsequent guidance. The Report shall also indicate areas where there are, or likely to be, breaches of an air quality objective noting the site's location within close proximity of an area designated as an Air Quality Management Area. If there are predicted exceedances in exposure to levels above the Air Quality objectives then a proposal for possible mitigation measures shall be included.

Reason: To satisfactorily address air quality matters arising from the development in accordance with Policies CS8 and CS32 of the Dacorum Core Strategy 2013.

14. The development hereby permitted shall be carried out in accordance with the recommendations set out in the submitted Preliminary Ecological Appraisal. Demolition of buildings shall not commence before details of the location, number and type of bird and bat boxes shall be submitted and approved by the local planning authority together with timeframes of their installation to ensure adequate compensation is available prior to commencement of works affecting

roost sites. The bird and bat boxes shall be installed in accordance with the approved details and agreed timeframes.

Reason: In the interests of biodiversity and in accordance with Policy CS29 of the Dacorum Core Strategy 2013.

15. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

Location Plan - 50188-IBI-WS-XX-PL-A-100-0007 Rev 3

Proposed site plan/ External works - SL-IBI-WS-XX-PL-L-700-0001 Rev D

Proposed floor plans:

Ground Floor - 50188-IBI-XX-00-PL-A-200-0100 Rev 7

First Floor - 50188-IBI-XX-00-PL-A-200-0101 Rev 6

Proposed elevations:

50188-IBI-XX-ZZ-EL-A-200-1100 Rev 4

50188-IBI-XX-ZZ-EL-A-200-1101 Rev 4

Proposed sections:

50188-IBI-XX-ZZ-SE-A-200-1200

50188-IBI-XX-ZZ-SE-A-200-1201

50188-IBI-XX-ZZ-SE-A-200-1202

50188-IBI-XX-ZZ-SE-A-200-1203

Proposed roof plans 50188-IBI-XX-RF-PL-A-241-0900 Rev 3

Illustrative material (Streetscene) 50188-IBI-WS-XX-PL-A-100-0009

Proposed cycle store location SL-IBI-WS-XX-SK-L-700-0001Rev B

Western Boundary Details – SL-IBI-WS-XX-DT-L-721-0002 Rev B

CCTV Plan 100358-E-EXT-270 Rev A

Car Park Lighting Layout 100-E-EXT-230 Rev B

Planning, Heritage, Design and Access Statement 50188 P,H,DAS, February 2018;

Sustainable Development Checklist, 15 February 2018;

**Flood Risk and Drainage Strategy Statement 12500267-GHD-RP-C-2005 Rev P02
February 2018;**

Preliminary Drainage Layout 12500267-GHD-DR-C-5601 Rev P03;

Proposed Levels 12500267-GHD-DR-C-5603 Rev P03;

Groundwater Protection Details 12500267-GHD-SK-9010 Rev P01;

**Groundwater Protection Preliminary Mitigation Statement GHD-RP-C-2003 Rev
2.0;**

**Assessment of Risks to Public Water Supply Boreholes AG2710-17-AD95 Issue 1
dated February 2018;**

Environmental Noise Survey Report 20511-ENS1 dated 4 January 2018;

**Arboricultural Impact Assessment 180220-1.1-WHC2-AIA-MS dated 26 February
2018;**

Transport Statement X/WHCDacorum.1 Rev V2 February 2018;

Dacorum Campus Phase 1 Travel Plan Version 2 dated 15 February 2015;

Travel Plan Monitoring Report 2017/2018;

Construction Management Plan February 2018 Issue 2;

Archaeology Desk Based Assessment Appendix J.2 Report 4176 October 2012

**and Appendices Appendix J.1 Figures 15.1-15.10;
Archaeological Trial Trench Evaluation Report Appendix J3 Report 3673 October 2010;
Phase 1 Risk Assessment and Phase 2 Ground Investigation AG2710-17-AD27 December 2017;
Preliminary Ecological Appraisal Version 2 dated 6 November 2017;
External Lighting Calculations Summary 100358-E-R001 Rev 0 dated 19 February 2018.**

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

Article 35

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the pre-application stage and progressing the scheme throughout the determination stage which led to improvements to the scheme and working towards the delivery of a strategically important development. The Council has therefore acted proactively 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) Order 2015.

Appendix A

Representations received for 4/00473/18/MFA at West Herts College, Dacorum Campus, Marlowes

Dacorum Strategic Planning and Regeneration

These applications follow on from the implemented 'Phase 1' development at the site (planning application number 4/02013/15/MFA).

The extent of the areas referred to throughout this response are shown in the image below: (image showing red outlines for both applications has not been copied)

One planning application relates to 'Phase 2' of the college redevelopment (4/0473/18) while the other is for an associated residential proposal (on the remaining part of the college site labelled 'Plot B' (4/0472/18)).

These two schemes require a comprehensive approach to be taken (as they are intrinsically linked proposals). This is because they are located adjacent to one another and the applicant states that *'the viability of Phase 2 college building is dependent on the sale of this surplus land (Plot B) as residential development for the funding for College'*. The applicant also documents that *'the need for Phase 2 was driven by the requirement to consolidate curriculum delivery at Kings Langley and Dacorum onto a single campus and to respond to the growth of the Construction and Engineering curriculum'*.

Summary of proposals (Phase 2 and Plot B)

Phase 2 will provide 3,600m² of educational building use over 2 floors, primarily for Engineering and Construction teaching. The applicants confirm that *'the built form will*

consist of a two storey educational block which will adjoin the Phase 1 building to the north.’ The submission ‘estimates that construction could begin in February 2019, taking approx. 12 months to reach completion’.

For Plot B, the applicants suggest that *‘up to 110 apartments can be accommodated within the illustrative residential development zone’*. This would be made up of a *‘mix of one and two bedroom properties ... subject to market demands’*. A maximum height for the development is shown to be 7 storeys.

(i) Principle of Development for the site

Within the Core Strategy, Hemel Hempstead is identified as the focus for development with emphasis placed on regeneration, as many buildings and public areas in the town centre are dated (it goes on to say that this must be underpinned by growth and investment in business, homes and infrastructure).

The site is located within Hemel Hempstead Town Centre (saved Policy CS4/Policy CS33) and forms part of a River Gade character zone (in the Hemel Hempstead Town Centre Master Plan/ Hemel Hempstead Place Strategy). The vision for Hemel Hempstead Town Centre also includes reference to a new college facility.

The proposal does contribute to the regeneration of a key town centre and underutilised brownfield site and will bring forward part of the associated mixed use allocation MU/1. These points are welcomed. Policy 10 (Optimising the use of urban land) of the saved Dacorum Borough Local Plan (DBLP) is relevant in this regard, especially as it makes references to implementing individual phases across a site. Points (a) to (d), (i) and (iv) are relevant.

Phase 2:

The principle of further education use on this site has been long established. As such, this proposal is acceptable in broad planning terms (Policy CS4). It is also worth recognising that numerous teaching blocks have already been demolished to *‘smooth the delivery’* of a new teaching block for the college and that proposal MU/1 of the Site Allocations DPD (which covers this broad area) includes a planning requirement for a replacement college campus on the site. Policy 69 (Education) of the DBLP is relevant in this regard, especially Points (i) to (iv).

We would generally support a move towards purpose built facilities as these are more likely to provide satisfactory accommodation for end users and local impacts can be better accommodated. Policy CS23 of the Core Strategy is supportive of new social and community provision, although this does not override normal development management considerations. This policy does go on to say *‘All new development will be expected to contribute towards the provision of social infrastructure. For larger developments this may include land and/or buildings’*.

Plot B:

Proposal MU/1 envisages 500-600 homes on the West Herts College and wider Civic Zone land. We note this area covers a much larger parcel of land than this site alone (as shown in the image below). The policy does state that high density housing is acceptable within the wider site area and this position is reinforced by the aims of the applicant.

The proposal seeks to accord with the settlement hierarchy by focusing new residential development at Hemel Hempstead (see Policy CS1 (Distribution of Development)) and by seeking to regenerate an accessible, brownfield site (see Policy CS2 (Selection of Development Sites) points A (1) and A (2)).

In addition to this, relevant planning guidance for this site is held in Policy CS33 (Hemel Hempstead Town Centre) of the Core Strategy, as well as in the Hemel Hempstead Town Centre Masterplan ([http://www.dacorum.gov.uk/docs/default-source/strategic-planning/final-masterplan---adopted-jan-13-\(low-res\).pdf?sfvrsn=4](http://www.dacorum.gov.uk/docs/default-source/strategic-planning/final-masterplan---adopted-jan-13-(low-res).pdf?sfvrsn=4)) and Gade Zone Planning Statement (<http://www.dacorum.gov.uk/docs/default-source/strategic-planning/mp6-gade-zone-planning-statement-2012.pdf>).

Specifically, Policy CS18 (Mix of Housing) of the Core Strategy, DBLP Policy 18 (The size of new dwellings) and DBLP Policy 21 (Density of residential development) is relevant in this regard given the scale and location of the land.

(ii) Affordable housing provision on Plot B

Policy CS19 (Affordable Housing) makes clear that a scheme of this scale should normally be providing 35% affordable housing. The Affordable Housing SPD (September 2013) is also relevant in this regard. However, criterion (c) of Policy CS19 does allow for the overall viability of the scheme and any abnormal costs to be taken into account as part of the assessment process.

While this advice would be most relevant when the reserve matters application(s) (or full application) is received for Plot B, we note the concerns of the applicant over the delivery of affordable homes (the affordable housing section of the Design and Access Statement):

‘The Viability Assessment clearly indicates the inability of the scheme to deliver affordable housing, ‘whilst providing the other benefits and allowing for a competitive return to a developer to enable the development to be delivered.’

The applicant elaborates on this by saying that *‘the sale of the residential site will fund the delivery of a new educational building for West Herts College. Again, the delivery of this building, meets the aspirations of the local policy, which seeks the delivery of a new College building as part of the Vision for the town’*. This is a disappointing position in terms of delivering much needed affordable housing. The delivery of a new college campus should not necessarily be at the expense of other Plan policy objectives, although we recognise that ultimately a balanced judgement will need to be made taking into account other benefits of the scheme.

Given the preceding points, advice on affordable housing contributions and viability should be sought from the Strategic Housing team. We consider that the applicant’s viability argument should be tested further.

(iii) Design, use and height of buildings for Phase 2 and Plot B

The applicant states that the *‘the old town centre and the primary commercial and retail area is linked by [the] Marlowes, a key connection between old and new. The application site will have a role to play in connecting the two’*. We agree with this statement which

thus places an emphasis on all parties to work together to achieve a high standard of design in this important area of transition.

Consideration should be given to the important views to/from St Mary's Church as the spire is a prominent and well recognised historic feature on the town's skyline, especially from along the Marlowes (but this is not the only important viewline). The bulk, massing and design of this scheme should avoid creating a permanent built feature which obliterates those shorter (and longer) distance views which can currently be glimpsed, especially if the building line is being brought closer to the Marlowes road edge. Consideration should be given to whether the scheme will negatively impact upon these short and longer distant views (especially from along the length of the Marlowes looking back towards St Mary's Church).

The 'Design and Access Statement' recognises that the best views of the spire are provided when you look down the Marlowes, but that from the application site views are very limited (due to the built form and trees). Views to St Mary's Church spire can also be limited in places along the Marlowes generally speaking by the extent of well established trees. However, this is dependent on the season (i.e. winter will affect the extent of leaf coverage to that experienced in the summer) and how established the tree coverage is (over expansive periods of time this will vary i.e. as new trees are planted, existing trees grow or older/dangerous trees are removed).

It is imperative that the layout, design, massing and height of buildings across the site do not result in the loss of key views to St Mary's Church from across Hemel Hempstead Town Centre as a key landmark. Policy CS27 (Quality of the Historic Environment) of the Core Strategy is relevant in this regard, as it states that *'the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced'*.

Plot B: While this is an outline planning application (and everything but access is reserved) we note the applicant's suggested appearance for the residential development. These are examples alongside very urbanised, highly engineered and hard landscaped riverside settings. We would thus query how relevant they are to this site wherein the River Gade is much more rural / natural and meandering in its layout. These suggestions may not necessarily be that appropriate and responsive to the site and its setting.

We would also raise potential concern over the proximity/separation of the two new buildings and whether they will adversely affect the amenity of the new residents in any way.

Phase 2:

The applicants confirm that Phase 2 of the college will be *'constructed of a mix of brick and render, with glazing to its frontage'* and that *'the elevations of dark brick and white cladding provide a striking contrast to the brown brick elevations of Phase 1'*. The applicant states that *'the design addresses the need to respect the Phase 1 building as well as to be sympathetic to the existing surrounding buildings and conservation area'* and *'has been designed to achieve BREEAM Very Good accreditation'*.

The applicant states that the new building height is aligned to a similar height of the ridge and eaves of the adjacent buildings, although it is complex to gauge what is the most

appropriate approach with the potential for such significant regeneration across the extent of proposal MU/1. As the area is likely to undergo quite significant regeneration, we need to give thought to what sort of area we wish it to be and ensure it is master planned comprehensively. It should not be automatically the case that the bulk, massing and height should be replicated from Phase 1 to Phase 2. The design will also set a context for future development of the remaining land.

We note that the application documents refer back to the '*civic buildings bounding the south of the application site*', although it is worth noting that the buildings immediately adjacent to the site have all been vacated and will in due course be demolished. So referencing this building rather than the potential changing aspects of the existing streetscape does not appear to provide a particularly useful link to what will be in this area in the future. For example, will the old Civic Centre site retain a 'large open plaza' as currently seen? Will the use change and so the bulk, density and massing of the buildings reflect this across the wider MU/1 site? How will the change across the wider site cumulatively affect the area and its character?

The applicant states in the Design and Access Statement (para 3.49) that '*the location of the recently constructed new college building increases enclosure across the street, reinforcing the significance of Marlowes and the High Street as important urban streets. This reinforcement should be extended to the second phase*'. We have concerns over the height/enclosure experienced by Phase 1 and whether this is an approach that should be continued into Phase 2. It is certain that the College's Phase 1 development creates a very dominant form which encloses the streets (especially on the junction of the Marlowes and Queensway). Phase 1 provides a very 'hard frontage' (having lost the softer tree planting/vegetation) and it has not been designed to soften its impact. How will Phase 1 + 2 buildings affect the street enclosure? Should Phase 2 necessarily follow the same street line as Phase 1?

We would also direct you to saved Policy 111 (Height of Buildings) as this remains relevant to proposal. In particular, it states that higher buildings will be permitted provided there is no harm:

- to the character of the area, its surrounding or open land,
- views of open land, countryside and skylines and
- appearance and setting of conservation areas and listed buildings.

It goes on to say that the higher buildings must make a positive contribution to the townscape of the area.

Policies CS11 (Quality of Neighbourhood Design), CS12 (Quality of Site design) and CS13 (Quality of the Public Realm) of the Core Strategy are of critical importance in this regard.

The applicant should also give consideration to any amenity issues this raises in terms of hours of operation and noise impacts (Policy CS12c)).

The views of the Design and Conservation team should be sought on the above matters, particularly the relationship between the two phases and their wider cumulative impact.

(iv) Easement and Groundwater Source Protection Zone

We recognise that there are 'hard' site constraints which affect this site and inevitably influence the site's layout. This includes the River Gade Easement (where the Environment Agency requires an 8m buffer zone to be provided from river bank to minimise the impact to biodiversity along the river).

Although the applicant states that the main site constraint is the 50m borehole radius (which affects the south of the site). The site is located within an Environment Agency Groundwater Source Protection Zone 1. This is imposed as ground works in this area can pose a risk to drinking water abstraction undertaken by Affinity Water. The 50m zone (shown on the plan below) is considered to be the most vulnerable zone (where new development could have a negative impact on the groundwater, for example, through contamination or foundation works).

Policy CS31 (Water Management) and CS32 (Air, Soil and Water Quality) of the Core Strategy is relevant in this regard. Both the views of the Environment Agency and Affinity Water should be sought where relevant.

(v) Historic Environment, Biodiversity and Green Infrastructure

Due to the proposal's proximity to the heritage assets (including Hemel Hempstead Old Town Conservation Area and St Mary's Church, The Bury and Carey (not Marlowes) Baptist Church) and the inclusion of a Heritage Statement, the views of the Design and Conservation Team should be sought. Policy CS27 (Quality of the Historic Environment) of the Core Strategy is relevant in this regard.

The applicant acknowledges there are TPO trees along Dacorum Way and that there are anticipated impacts on ecology (through the potential for the site to be used by bats for foraging and commuting) and the loss of trees, the views of the County Councils ecologist and Trees and Woodlands team should be sought. Saved Policies 99 (Preservation of trees, hedgerow and woodlands) and 104 (Nature conservation in River valleys) and Policy CS12d) and e) are relevant in this respect.

For Phase 2, the applicant states that 50% of site is open space (i.e. used for cycle stores, car parking, amenity, communal spaces and landscape). While for Plot B the applicant states that 10% of the site will be provided as public open space with a further 10% of the space making use of possible roof terraces. Appendix 6 of the DBLP provides guidance on adequate levels of open space and play provision for new developments (alongside Appendix 3(ii)). However, we would accept some flexibility over the levels of amenity space given the proximity to Gadebridge Park and The Water Gardens.

Policy CS33 (Hemel Hempstead Town Centre) Point 2(c) states the principles guiding development include: continuation of the riverside walk from the Plough Zone to Gadebridge Park (as part of improving general north-south accessibility and connectivity). This point is also reflected in the Hemel Hempstead Town Centre Masterplan and the Gade Zone Planning Statement. Thus policy seeks to ensure this is delivered as a key movement objective for this immediate location and the wider town centre.

We acknowledge that the applicant puts forward a variety of points to counter this principle within paragraphs 5.19-20 and on hardcopy page 49 of the Design and Access Statement for Plot B. Until now, this principle has not been challenged on the basis of

viability or inability to deliver this proposal.

The Infrastructure and Project Delivery Team reiterates the importance of the riverside walk and cycleway as a key piece of infrastructure improving north south accessibility and connectivity. This would need to be delivered as per plans in the Hemel Hempstead Town Centre Masterplan and relevant land/area reserved for it. The riverside walk and cycleway should be identified in the Transport Assessment for the site. Surrounding development would be expected to contribute through S106 contributions towards its delivery including a pedestrian and cycle bridge.

(vi) Highways and on-site car parking

Saved Policy 51 (Development and Transport Impacts) specifically point (d) and Policy 57 (Provision and management of parking) of the DBLP should be complied with. Policy 58 (Private Parking Provision) states that for residential development:

“parking needs will normally be met on site. Car free residential development may be considered in high accessibility locations. Parking provision may also be omitted or reduced on the basis of the type and location of the development (e.g. special needs/affordable housing, conversion or reuse in close proximity to facilities, services and passenger transport).”

Policy 62 (Cyclists) of the DBLP encourages *“adequate provision of cycle parking should be made.”*

Phase 2:

The applicant states that it is expected that approximately 20 full time members of staff will be employed in the Phase 2 building. As a result, the following parking provision is proposed:

- 47 staff parking spaces plus 3 disabled spaces.
- 50 cycle parking spaces (provided to the north west of the wider West Herts College campus). This is to meet the needs for both Phases 1+2.

The applicant confirms that *‘students will no longer be able to park on site, except for in mitigating circumstances’*. They go on to say that *‘all other car parking, including motorcycle parking, students and visitors will be in the existing car parks to the west of the river’*.

For further education development Appendix 5 of the DBLP states that:

- Car parking: 1 space per full-time member of staff plus 1 space per 5 full-time students
- Cycle parking: 1 l/t space per 5 students

The Case Officer will need to determine whether the levels of student car parking and cycle parking spaces are adequate to meet the needs of Phases 1 and 2 and taking into account the generally high accessibility of this town centre location. Given its location within Accessibility Zone 2, 25-50% of the demand based parking standards would be acceptable for the non-residential elements of the overall scheme.

Plot B:

The applicant states that *'as the site will be sold as residential development, a new and separate access off Dacorum Way will be proposed'* with plans showing *'an area of landscaped parking, which could accommodate around 100 cars'*. They confirm that *'it is expected that one parking spaces per apartment could be accommodated on the site'*. The applicant states: *'Dacorum BC parking Standards set out that an average of 1.5 spaces per dwelling should be provided, but that this could be reduced by 25-50% for sites of a central location. This equates to between 0.75 and 1.13 spaces per unit'*.

This approach is incorrect because, as explained above, the zonal proportions which car parking provision can be reduced by (listed within table on page 427 of DBLP) does not apply to residential development. However the applicant does go on to say that *'considered in light of the site's highly accessible location and the provision of cycle storage areas and existing links to the town centre'* should be considered.

The proposal is for residential development (located within Accessibility Zone 2), for residential development in zones 1 and 2 Appendix 5 of the DBLP and it states that:

Car parking	
1 bedroom dwellings/bedsits	1 space
2 bedroom dwellings	1 space
3 bedroom dwellings	1.5 spaces
4 or more bedroom dwellings	2 spaces
Cycle parking	
1 l/t space per unit if no garage or shed provided	

Assuming a mix of 1 and 2-bed units, the proposed level of parking would only be marginally below Plan standards (100 planned versus 110 theoretical spaces).

If a more flexible approach to car parking standards is deemed appropriate for this proposal (as the Government has abandoned the concept of maximum parking standards in the NPPF), we believe that matters such as existing parking problems, accessibility to the Town Centre and demand generated by the development should be given consideration.

Views of HCC Highways and Travel Planning team should be sought on the new highway access/design, Transport Statement and the proposed approach to incorporate Phase 2 into the Phase 1 Travel Plan (as the applicant suggests they will seek to utilise the agreed principles applied to the existing college site). Policy 54 (Highway Design) of the DBLP is relevant in this regard.

(vii) Conclusion

We do not have any objections to the broad principles of the proposed development and indeed the scheme is much welcomed in terms of (part) delivering Proposal MU/1 and associated requirements. The scheme will continue the process begun with the completion of The Forum of transforming this key brownfield site in the town centre.

However, we consider that the applicants could provide more detailed explanation for

the design, massing, height, bulk and density of the proposals to allow the case officer to judge the cumulative impacts of the proposal on the wider area. Specialist comments should also be sought from the consultees identified in the text above.

Dacorum Conservation and Design

A substantial amount of officer time has been spent discussing the application at a pre application stage. Therefore we believe that the proposal in relation to the height, mass, bulk and pattern of fenestration is acceptable. The proposal would sit comfortably with the previously approved and constructed adjacent college building. It would reflect its height and bulk and use the verticality of the fenestration to reflect the rhythm of the colonnade of the adjacent structure. It follows the building line and uses the double storey element on the corner to provide a visual interest and add to the general character of the new development zone. Therefore overall we believe that the proposals would sit comfortably with the adjacent college buildings and help to complete the group without detracting from or appearing overly dominant in relation to the adjacent building.

There are however two areas of concern. Substantial areas of blue engineering brick are not common in Hemel Hempstead in either the new or old towns. Therefore we would be concerned that this element could appear out of keeping and clash with the lighter reds, buffs and stock bricks seen within the wider area. It would therefore be strongly recommended that this element of the scheme be reconsidered and that a more appropriate local brick which better reflects the character of the area (whilst not clashing with the adjacent college building) be brought forward. We believe that this element could be covered by condition as could the brick bonds to be used, mortar mix, set back of the windows and colour of their frames, eaves details and the render colour.

It would also be recommended that the proposed landscaping to the street frontage of the Marlowes be reconsidered. The new college building has introduced a more substantial footway in keeping with the scale and mass of the building. Given the proposed scale of the construction and that the green space will be in shade for much of the day and adjacent to a busy road it would continue to be recommended that the footpath be widened to the front or much closer to the front of the building. This would feel more comfortable given the height and mass of the new building and in addition better reflect the emerging character of the area as seen both at the adjacent college building and in relation to the Forum.

Recommendation -

Overall we believe that the proposal is acceptable however it would be recommended that the elements noted in particular in relation to the brickwork and the landscaping of the Marlowes be reconsidered either at this stage or as a condition.

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 subject to the following conditions:

1: Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved

in writing by the Local Planning Authority to illustrate the following:

- i) Roads, footways, and on-site water drainage;
- ii) Access arrangements in accordance with the submitted plan;
- iii) Parking provision in accordance with adopted standard; and
- iv) Turning areas.

2: Prior to commencement of the development, the applicant shall submit a Construction Management Plan to the Local Planning Authority for approval in writing. The Construction Management Plan shall include details of:

- Construction vehicle numbers, type, routing;
- Traffic management requirements;
- Construction and storage compounds (including areas designated for car parking);
- Siting and details of wheel washing facilities;
- Cleaning of site entrances, site tracks and the adjacent public highway;
- Timing of construction activities to avoid school pick up/drop off times;
- The management of crossings of the public highway and other public rights of way; and
- Post construction restoration / reinstatement of the working areas and temporary access to the public highway.

Reason: In the interests of maintaining highway efficiency and safety. HCC as the local highway authority recommends the inclusion of the following Advisory Notes (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular 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. If any of the works associated with the constructed of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 03001234047

AN2) 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, Hertfordshire, SG13 8DN. Their telephone number is 03001234047.

AN3) 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. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN4) It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

The highway authority have been asked to comment by Dacorum Borough Council on the above planning application for permission to construct a new Engineering and Construction Centre (phase two) of the redevelopment master plan of the whole site. ie Development of an educational building, with associated landscaping, boundary treatments, parking and access arrangements including widened access to Dacorum Way and infrastructure.

Location

The Dacorum campus site is bounded by three primary roads; Marlowes to the east, Queensway to the north and the A4146 Leighton Buzzard Road to the west, with Dacorum Way forming the southern boundary. The application site forms the south east quarter of the site.

Local road network

In terms of the wider strategic road network, Breakspear Way (A414), accessed from the Plough roundabout at the southern end of Leighton Buzzard Road / the town centre, provides an east-west link to junction 8 of the M1 which is approximately 5.5km to the east of the site. The M1 provides a major strategic north-south route which links to Luton and Milton Keynes to the north as well as to the M25 and London to the south. Just to the south of Hemel Hempstead the A41 is a strategic route running between London and the M40 at Bicester.

Access

The existing access and egress points to the campus are established. One is off the Marlowes and the other one is off Dacorum Way which in turn is a private road and therefore not maintained by the highway authority. The applicant wills widened the Dacorum Way to accommodate refuse and delivery vehicles. The access off the Marlowes will be closed off to vehicular movements leaving just the access of Dacorum way as the only vehicular access to the site.

Accessibility

The whole campus is highly accessible by foot. The roads in the vicinity of the site all benefit from footways on both sides of the carriageway which are generally well maintained. The site is conveniently located at the northern end of the town centre within

walking distance of local residential areas, services and facilities. There are two pelican crossings and a zebra crossing located near the site. The first pelican crossing is on the east side of the site across Marlowes, between the West Herts College bus stops, while the second is located at the north-west side of the campus on A4146 Leighton Buzzard Road, adjacent to the campus car park. The zebra crossing is across Queensway, immediately north-east of the Marlowes roundabout.

There are no marked cycle lanes immediately around the site. However, National Cycle Route 57 is near the site to the east. The section between Hemel Hempstead and Welwyn Garden City is mainly traffic-free as it follows a cycle path along the former railway line connecting to Midland Road. There are also local cycling routes through Gadebridge Park which is accessed via Queensway to the north of the development. The routes can also be accessed via the A4146 Leighton Buzzard Road. There are five Sheffield bicycle stands that can accommodate ten bicycles located on Marlowes adjacent to the junction of Marlowes and Hillfield Road.

Hemel Hempstead railway station is located approximately a ten minute cycle to the south of the site, with 72 cycle spaces located in the car park.

The West Herts College campus is currently a 5 minute walk from the bus station, which is serviced by buses to and from Watford, Kings Langley, Rickmansworth, Aylesbury, Tring, Chesham, Amersham and more. There are numerous bus routes that serve the area around the site. The closest bus stops are located on Marlowes adjacent to the site to the east, and on Queensway, adjacent to the site on the north and northeast. However, there are numerous other stops within a 10 minute walk.

Hemel Hempstead railway station is just over a mile from the campus to the south. It is served by London Midlands and Southern Railways services to destinations including Milton Keynes, Northampton, Birmingham and London Euston.

Transport Statement and Trip Generation

The application is supported by a Transport Statement dated February 2018 and written by Mayer Brown. This follows on from a pre app meeting and dialogue with the above to agree the scope of the assessment and what should be surveyed. The findings of the TS are as follows. The existing construction skills building will be replaced with a purpose built teaching and learning space to modern standards and DDA compliant, located in the southeast of the site adjacent to the recently constructed Phase 1 building. Access will be taken from Dacorum Way as occurs at present. The access will be widened to enable large vehicles to serve the new Phase 2 building, as well as the existing Phase 1 building, from the new car park. The site is located in a highly sustainable position, close to the town centre and a range of bus routes; The overall car parking on the site on this section of the site will be reduced to 47 spaces. Disabled parking will be retained at current levels. New cycle parking will be provided. Students will no longer be permitted to park on-site, with the exception of those with mitigating circumstances, and will need to find alternative modes of travel to the site. There will be an increase in students studying within the department, many of whom will be transferred from the Kings Langley campus, but due to the reduction in parking provision onsite and restrictions on student parking, the vehicular trip impact of the development is predicted to result in a reduction in car travel.

Section 6 of the TS discusses the Traffic generation and the modal split which is based on surveys undertaken on behalf the college. The conclusions seem reasonable and

follow on from a similar assessment undertaken for phase 1. The TS and its findings have generally been discussed prior to this submission from pre app and continued discussion with the applicant's agent/ traffic consultant. The development proposals are not expected to result in a significant change to the numbers of service vehicles visiting the College each week. Furthermore, deliveries would generally be timed to avoid the morning peak arrival hour and so servicing activity would not be expected to be coincidental with the morning or afternoon network peak hours.

Parking

West Herts College prior to phase 1 provided a total of 147 off-street parking spaces divided across three car parks, which are located northwest, south and southeast of the Dacorum campus, respectively. Access to these car parks was controlled by barriers and there is a permit system in operation. The proposed parking provision associated with this second phase will be as follows Cars 47 which is a net gain of 27 and cycle spaces will increase by 10 to 50. Disabled parking spaces will be just three. The HA notes that there will also be motor cycle parking spaces although a value is not stated. All of this will need to accord with the LPA parking policy. The provision of cycle parking would be monitored and managed through the Travel Plan.

Travel Plan

There is a Travel Plan for Phase 1 and therefore the second phase will bolt onto this. The objectives of the whole site Travel Plan are to:

- Improve awareness of the transport options available to staff, students and visitors;
- Promote the health and financial benefits of walking and cycling;
- Encourage the use of more sustainable modes of travel;
- Reduce the impact of the development on the local road network, particularly at peak time;
- Minimise unnecessary journeys, especially single occupancy vehicle use; and
- Create a positive, environmentally friendly image.

Construction

During the construction phase it is proposed that the parking and cycle stores will be provided in the existing car parks to the west of the river. The HA notes that there is a CMP by CP associates which also includes a Programme & Construction Methodology. There are also sections covering deliveries, routing of vehicles, parking on and off site, wheel washing etc. which are acceptable in principle to the HA.

Conclusion

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

Environment Agency

The proposed development will be acceptable subject to the following planning conditions. We ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations.

Without these conditions we would object to the proposal in line with paragraph 109 of the National Planning Policy Framework (NPPF) because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition 1 – Site Investigation and Remediation Strategy

Prior to any part of the permitted development, with the exception of enabling works required to provide full access to the site to allow for further site investigation, a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the NPPF and your Local Plan Policy CS31 (Water Management).

The location of the development within an area of historic industrial use, with the noted presence of made ground and an infilled channel of unknown provenance presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site:

- is within Source Protection Zone 1 for the Marlowes potable water supply
- is within 50 metres of a known borehole used for the supply of water for human consumption

- is located upon Principal aquifer within the Hollywell Nodular Chalk Formation and the New Pit Chalk Formation (undifferentiated), overlain by a Secondary Aquifer within the Alluvial deposits.

In addition, the basin river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact of contamination present could result in the deterioration of groundwater quality within the Mid Chilterns Chalk WFD groundwater body or impact the River Gade which is likely to be in hydraulic continuity with groundwater. #

Condition 2 – Verification report

Prior to any part of the permitted development (with the exception of enabling works required to provide full access to the site to allow for further site investigation) a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 109 of the NPPF and your Local Plan Policy CS31 (Water Management).

This condition is also to prevent deterioration of a water quality within the Mid Chilterns Chalk WFD groundwater body and other controlled waters receptors.

Condition 3 - Maintenance and Monitoring Plan

The development hereby permitted may not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 109 of the NPPF and your Local Plan Policy CS31 (Water Management).

This condition is also to prevent deterioration of a water quality within the Mid Chilterns Chalk WFD groundwater body and other controlled waters receptors.

Condition 4 – Unsuspected Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the NPPF and your Local Plan Policy CS31 (Water Management). No investigation can completely characterise a site. The condition may be appropriate where some parts of the site are less well characterised than others, or in areas where contamination was not expected and therefore not included in the original remediation proposals.

Condition 5 – Use of Infiltration Surface Water Sustainable Drainage Systems (SuDS)

No infiltration of surface water drainage into the ground West Herts College, Hemel Hempstead is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants in line with paragraph 109 of the NPPF. Infiltration of surface water has the potential to mobilise contamination present within the soil. Where the proposal involves the discharge of anything other than clean roof water via sealed drainage, within sensitive groundwater locations, a risk assessment and suitable level of treatment may be required. In certain circumstances the discharge may be classified as a groundwater activity and require an environmental permit.

The drainage strategy as per the submitted “West Herts College, 12500267 Plot B” Proposed Residential Development Groundwater Protection Preliminary Mitigation Statement (Civil 12500267 GHD-RP-C-2004, Rev 2.0)” is preliminary subject to approval be Affinity water. The finalised version should be submitted for review.

Condition 6 – Use of Piling, Boreholes, tunnel Shafts, Ground Source Heating and Cooling Systems

Piling and other deep foundations or intrusive groundworks using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the proposed use of CFA piles does not harm groundwater resources in line with paragraph 109 of the NPPF. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment and appropriate mitigation measures should be submitted with

consideration of the EA guidance. During piling works (especially if the piles extend to the Chalk within SPZ1 saturated zone) due to the proximity of nearby potable abstractions the weekly groundwater monitoring for insitu parameters and turbidity should be considered. EA Guidance can be found here: <http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0202bisw-e-e.pdf>

Section 3.2 of the submitted “West Herts College, 12500267 Plot B” Proposed Residential Development Groundwater Protection Preliminary Mitigation Statement (Civil 12500267 GHD-RP-C-2004, Rev 2.0)” states that a foundation works risk assessment will be prepared and submitted for review by the appointed piling contractor. Several monitoring rounds will be required to establish the base line groundwater conditions. This will need to take account of any seasonal changes in groundwater quality.

Condition 7 – Borehole Management Scheme

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason

To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the NPPF and Position Statement A8 of the Environment Agency’s Groundwater Protection: Principles and Practice.

Condition 8 – Sewage Pipe Work Specifications Scheme

The development hereby permitted may not commence until such time as a scheme to agree sewage pipe work specifications (within SPZ1) has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure that the proposed sewage pipe works are designed and installed in such a way to prevent harm groundwater resources in line with paragraph 109 of the NPPF and your Local Plan Policy CS31 (Water Management).

Advice for Applicant

Further Advice in relation to Condition 1

It is unclear if the nature of the fill material present within the infilled channel has been accurately characterised. Results of all groundwater samples show elevated concentrations of mercury above the Level of Detection (LOD), yet the risk posed to

controlled waters has been discounted with limited discussion. Sample marked as deviating- would expect some sort of mention/discussion around this particularly as only 4 samples were analysed in total.

Perched groundwater has been identified within the Alluvial Secondary A aquifer, with flow characterised as being towards the River Gade. Based on the risk assessment as submitted, insufficient information has been provided to demonstrate that the risks to controlled waters have been characterised:

The generic assessment criteria used for groundwater risk assessment are based on Drinking Water Standards (DWS) or the limit of detection. The use of DWS is not applicable for surface water. Only one perched groundwater sample has been referred to in the report. This was analysed as part of a 2012 investigation. As the full laboratory certificates have not been submitted from this investigation it is not possible to agree with any conclusion reached based on this data.

One sample is not considered sufficient to characterise the quality of the groundwater with the Secondary A aquifer. Elevated concentrations of numerous contaminants have been recorded within the made ground. While these have been screened against human health criteria no assessment has been made to the risks posed to the Rive Gade. Based on the information submitted the hydraulic relationship between the different aquifer units is not known. Consideration will need to be given to mitigating risks to controlled waters during the construction phase.

The "Report on Ground Investigation at Plot B, West Herts College, Hemel Hempstead (Applied Geology, dated Nov 2017, Validated Issue 1, ref AG2710-17-AD25)" submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. It is our opinion that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the Local Planning Authority.

In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy, carried out by a competent person in line with paragraph 121 of the NPPF.

The Planning Practice Guidance defines a "Competent Person (to prepare site investigation information): 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."(<http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/annex-2-glossary/>)"

Groundwater and Contaminated Land

We recommend that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding principles for land contamination for the

type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.

4. Refer to the contaminated land pages on GOV.UK for more information.

We expect the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination.

E.g. British Standards when investigating potentially contaminated sites and groundwater, and references with these documents:

- BS5930:2015 Code of practice for site investigations;
- BS 10175:2011+A1:2013 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;
- BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)
- Use MCERTS accredited methods for testing contaminated soils at the site.

A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out. This increased provision of information by the applicant reflects the potentially greater risk to the water environment. The DQRA report should be prepared by a “Competent person” E.g. a suitably qualified hydrogeologist.

In the absence of any applicable on-site data, a range of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment.

- Further guidance on the setting of compliance points for DQRAs can be found here (<https://www.gov.uk/guidance/land-contamination-groundwater-compliance-points-quantitative-risk-assessments>).
- Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50 metres.

Where leaching tests are used it is strongly recommended that BS ISO 18772:2008 is followed as a logical process to aid the selection and justification of appropriate tests based on a conceptual understanding of soil and contaminant properties, likely and worst-case exposure conditions, leaching mechanisms, and study objectives. During risk assessment one should characterise the leaching behaviour of contaminated soils using an appropriate suite of tests. As a minimum these tests should be:

- upflow percolation column test, run to LS 2 – to derive kappa values;
- pH dependence test if pH shifts are realistically predicted with regard to soil properties and exposure scenario; and
- LS 2 batch test – to benchmark results of a simple compliance test against the final step of the column test.

Following the DQRA, a Remediation Options Appraisal to determine the Remediation Strategy in accordance with CRL11.

The verification plan should include proposals for a groundwater-monitoring programme to encompass regular monitoring for a period before, during and after ground works. E.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period.

Where SUDs are proposed; infiltration SUDs should not be located in unsuitable and unstable ground conditions such as land affected by contamination or solution features. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater. For the immediate drainage catchment areas used for handling and storage of chemicals and fuel, handling and storage of waste and lorry, bus and coach parking or turning areas, infiltration SuDS are not permitted without an environmental permit. Further advice is available in the updated CIRIA SUDs manual http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx

Water Quality

This site lies very close to a water course that falls under the legislation of the WFD. Furthermore, the site is very close to two water company abstractions which are important potable water supplies.

We would also expect that the developer, if not already done so, consults with Thames Water to ensure that they can provide capacity for foul water generated by the site throughout its residential phase.

Water Resources

We would like to outline that this development lies in an area of 'Serious' water stress; defined as a region where the current or future demand for household water is, or is likely to be, a high proportion of the effective rainfall which is available to meet that demand. The Environment Agency's document 'Water Stressed Areas – final classification 2013 can be viewed using the link or by visiting GOV.UK. Therefore, as a recommend that development conforms to the optional requirement of 110 litres per person per day found in Section G2, Subsection 36(2b) of the Building Regulations, which can be found here. A water efficiency calculator (also detailed in Appendix A of Approved Document G of the Building Regulations), could be utilised by the developer to inform the design needs of construction.

We endorse the efficient use of water, especially in new developments. Our Water Demand Management Team can provide information and advice on any aspect of water conservation including water saving technologies. New developments could take economic advantage of these technologies and should be considered. Wide spread use of these and other technologies that ensure efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area.

For residential development we recommend this development meets the following standard to promote water efficiency:

- Dwellings should achieve the water credits required to meet Code Level 3 of the Code for Sustainable Homes.

Further advice can be obtained from our website at Environment Agency - Save Water, and from Code for Sustainable Homes.

Dewatering – License and Environmental Permit

It is recognised that this construction will probably require the site to be dewatered. Dewatering that occurs during any development process may need to be licensed under the new licensing legislation, in place from 1st January 2018. We recommend reviewing the guidance on licensable activities and exemptions provided here.

The water discharge associated with dewatering, dependent on quality, will require an Environmental Permit under the Environmental Permitting Regulations 2010, from the Environment Agency, unless an exemption applies. The guidance found here explains the Environment Agency's position on dewatering discharge consents. We would recommend early engagement with the National Permitting Service who manage the regulatory process. You are able to reach them by calling our Customer Contact Centre on 08708 506506.

Hertfordshire Environmental Records Centre

Thank you for consulting Hertfordshire Ecology on the above application, for which I have the following comments:

1. There is no existing ecological information which relates to the application site and there is nothing to suggest the site – other than a small section of the river corridor – has any significant ecological interest.
2. I note the attenuation basin is immediately adjacent to the river; presumably the quality of water within this will not be harmful if there were ever to be discharge into the river as a result of high water levels.
3. The adjacent proposed planting should also be appropriate given the riverside location of the feature. The proposed general purpose meadow mix is not of a wet grassland type which would normally be associated with floodplain grassland, although the SUDS feature may be largely dry most of the time.
4. I have no reason to consider that the PEA does not represent a fair reflection of the site. However there is little or no mention of habitat enhancements or extensions although the opportunities for this within the site are limited within what is and has been a previously developed urban location for many years.
5. On the basis of the above, I have no reason to consider that there are any significant ecological constraints to the proposals.
6. However, where possible, given the importance of the river valley location, I would wish to see appropriate habitat improvement proposals made as part of a landscaping and ecological management plan which should be a Condition of Approval. Currently I consider such details have not been provided unless I have missed something.

7. The external works drawing does show some landscaping but detail remains missing – such as for the block of ground in the SE corner of the site which only suggests an opportunity to enhance biodiversity. This issue is of relevance only within the site but should still contribute to habitat enhancements in general to meet the NPPF and local policy statements. It has an important role in fronting Marlowes and should enhance the green nature of this part of the road and provide some community benefit.

8. A minor point in the ecology report (4.28) – a gap for a hedgehog would need to be at least 13x13 cm and not 13cm² as this would be only barely sufficient for a small rat. The other recommendations are reasonable where they apply to this application site.

Affinity Water

You should be aware that the site is located within the groundwater Source Protection Zone (SPZ) corresponding to Marlowes Pumping Station. This is a public water supply comprising a number of chalk boreholes operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

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.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Supplementary Comments

Thames Water will require the points of connection to the public sewer system, for both foul and surface water, as well as the anticipated flow (including flow calculation method) into any proposed connection point. This data can then be used to determine the impact of the proposed development on the existing sewer system. In addition please indicate what is the overall reduction in surface water flows. i.e. existing surface water discharges (pre-development) in to the public sewers for storm periods 1 in 10, 30, 100 etc... versus the new proposed volumes to be discharged for the whole development.

Hertfordshire Archaeology

We were previously consulted on an EIA Screening Opinion for the above scheme (4/03052/17/SCE) and commented that archaeological matters could be scoped out of the EIA (19 December 2017). We added that mitigation of the impact of the development on below ground heritage assets could be taken care of post consent, by planning condition.

The applicant has submitted an archaeological desk-based assessment and the results of an archaeological evaluation with their application. While these documents relate to old schemes/former planning applications, they have provided new information relating to the archaeological implications of the current scheme. A borehole survey has also been submitted.

The results of the archaeological evaluation and the borehole survey indicate that substantial modern made ground deposits of between 0.5m and 3.5m are present across the site. The evaluation did not reveal any archaeological deposits pre-dating the 19th century, although it did uncover the remains of several 19th century buildings that are documented on the 1st edition Ordnance Survey map.

There is therefore low potential for surviving remains of archaeological interest on site.

In this instance I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make upon the proposal.

Responses to site and press notices

No formal representations received.