

4/01116/19/ROC	VARIATION OF CONDITIONS 12 (FLOOD RISK ASSESSMENT), 19 (CONSTRUCTION PHASE MITIGATION MEASURES), 20 (NOISE MITIGATION) AND 26 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/00064/17/MFA (COMPREHENSIVE REDEVELOPMENT OF THE SITE TO PROVIDE 54,714 SQM OF FLEXIBLE COMMERCIAL FLOORSPACE WITHIN USE CLASSES B1C / B2 / B8 AND ANCILLARY OFFICES, TOGETHER WITH CAR AND CYCLE PARKING, ACCESS AND LANDSCAPING)
Site Address	MAYLANDS GATEWAY, MAYLANDS AVENUE, HEMEL HEMPSTEAD
Applicant	Prologis UK Ltd, C/o Agent
Case Officer	Simon Dunn Lwin
Referral to Committee	Large Scale Major Development which is linked to proposed planning obligation under S.106.

1. Recommendation

1.1 That planning permission be **GRANTED**.

2. Summary

2.1 The application seeks permission for a variation of the planning permission granted in 2017 for the comprehensive redevelopment of this site to provide new commercial floor space comprising Class B1(c), B2 and B8 uses (application ref: 4/00064/17/MFA) which has been implemented by Prologis, except for Unit 4. The developer has secured an occupier for the last remaining unit to be built at Unit 4. Gyron, an internet service provider, requires a bespoke building for a data centre and therefore alterations to the external appearance of the building, together with landscaping, security measures, installation of back-up generators/cooling plant, drainage amendments, and a reduction in parking and servicing requirements are proposed.

2.2 The assessment is based solely on the proposed amendments to Unit 4 as originally approved in 2017 as varied by permission 4/02214/17/ROC. Affectively a second iteration to the main permission. The site is currently cleared and located behind the Shell Petrol Filling Station on Breakspear Way and borders Buncefield Lane to the east.

2.3 The proposal is considered to maintain the quality of design consistent with the original design concept for the Prologis estate as largely completed, including landscaping, boundary treatment, transport and highway safety matters; sustainability and energy efficiency; employment creation, air quality; and sustainable drainage and flooding matters.

2.4 The development would be subject to the same mitigation requirements as the previous scheme and secured by the imposition of similar conditions to those previously imposed. with relevant updates. It will maintain the same obligations secured in the original S06 agreement with the proposed Deed of Variation with regard to the provision of landscaping and public realm improvements. The application is acceptable in planning terms and should be supported.

3. Site Description

3.1 The application site is located at the southern end of Maylands and forms the central part of the Maylands Gateway area as defined in the Maylands Masterplan. The larger Prologis Park covers an area of approximately 14.9 ha, approximately half of the Maylands Gateway area, and bounded by Breakspear Way to the south; the former Lucas Aerospace site to the west; the residential area of Hales Park in the northwest corner and Wood Lane End to the north. Buncefield Lane aligns the site to the east with Woodwells Cemetery and open fields beyond to the M1. The site area of Unit 4 is approximately 2.63 hectares.

3.2 The Shell petrol filling station adjoins the site at its southeast corner at the junction of Breakspear Way and Buncefield Lane. The site comprises open land located with a frontage on Blossom Way to the north. It has been cleared and levelled in readiness for the last phase of the Prologis Park development to accommodate Unit 4. It has extensive tree cover to the south facing Breakspear Way and along the southern section of the eastern boundary on Buncefield Lane up to the entrance of Woodwells Cemetery to the east.

4. Proposal

4.1 The proposed amendments to Unit 4 comprise changes to the external appearance of the building and siting of external plant to facilitate the use of the building as a data centre. The envelope of the building remains largely in line with the approved scheme in terms of scale and mass. The footprint would remain the same at 12,867 sq.m. There would be the provision of an additional floor within the building to increase the internal floor area to 26,382sq.m on two floors of servers with ancillary B1 a) office space for the facility.

4.2 The material alterations proposed are summarised as follows:-

- Generator plant equipment located in service yard to west and associated screening.
- Installation of air cooling plant/condensers on the east elevation along Buncefield Lane, which replaces the approved eastern car park with a separate access. The existing access point as built remains to service the proposed cooling plant area.
- Visual/green acoustic screen to cooling plant area on Buncefield Lane.
- Reduction in car parking numbers from 148 to 60 spaces including 7 disabled spaces
- Omission of 13 dock levellers in servicing yard to west with one retained with roller shutter dock for deliveries
- Additional louvres to external walls, predominantly west elevation and minor façade
- changes
- Omission of roof lights, installation of solar panels and glazed elements to the main halls
- Enhanced security features, including perimeter security fence and anti-tailgate gate with green wall on Buncefield Lane wrapping around the front (north) elevation.
- Substation located within the service yard

4.3 The building height remains broadly similar to the approved scheme, at 13.7m from ground to the roof apex. Slightly lower than the 14m originally approved. Its form and design would be consistent with the approved scheme, incorporating the same prologist signature colours and external cladding finishes, matching the existing built development on the estate. Access to the unit is the same as the permitted scheme, with the main access on Blossom Way to the western servicing yard and the car park area to the front of the building secured by entry gates. The previous access to the car park would be security fenced. The remainder of the wider development as built is unaffected, including the diverted public right of way along the southern and eastern boundaries, which will be implemented as originally approved.

5. Relevant Planning History

- 4/02113/18/NMA NON MATERIAL AMENDMENT TO PLANNING PERMISSION 4/02214/17/ROC (VARIATION OF CONDITIONS 12 (FLOOD RISK ASSESSMENT), 19 (CONSTRUCTION PHASE MITIGATION MEASURES), 20 (NOISE MITIGATION) AND 26 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/00064/17/MFA (COMPREHENSIVE REDEVELOPMENT OF THE SITE TO PROVIDE 54,714 SQM OF FLEXIBLE COMMERCIAL FLOORSPACE WITHIN USE CLASSES B1C / B2 / B8 AND ANCILLARY OFFICES, TOGETHER WITH CAR AND CYCLE PARKING, ACCESS AND LANDSCAPING)
Granted
20/09/2018
- 4/00133/18/NMA NON MATERIAL AMENDMENT TO PLANNING PERMISSION 4/02214/17/ROC - VARIATION OF CONDITIONS 12 (FLOOD RISK ASSESSMENT), 19 (CONSTRUCTION PHASE MITIGATION MEASURES), 20 (NOISE MITIGATION) AND 26 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/00064/17/MFA (COMPREHENSIVE REDEVELOPMENT OF THE SITE TO PROVIDE 54,714 SQM OF FLEXIBLE COMMERCIAL FLOORSPACE WITHIN USE CLASSES B1C / B2 / B8 AND ANCILLARY OFFICES, TOGETHER WITH CAR AND CYCLE PARKING, ACCESS AND LANDSCAPING)
Granted
02/02/2018
- 4/02524/17/DRA DETAILS REQUIRED BY CLAUSE 5.4.1 (POCKET PARK) OF THE LEGAL AGREEMENT ATTACHED TO PLANNING PERMISSION 4/00064/17/MFA (COMPREHENSIVE REDEVELOPMENT OF THE SITE TO PROVIDE 54,714 SQM OF FLEXIBLE COMMERCIAL FLOORSPACE WITHIN USE CLASSES B1C / B2 / B8 AND ANCILLARY OFFICES, TOGETHER WITH CAR AND CYCLE PARKING, ACCESS AND LANDSCAPING)
Granted
04/01/2018
- 4/02214/17/ROC VARIATION OF CONDITIONS 12 (FLOOD RISK ASSESSMENT), 19 (CONSTRUCTION PHASE MITIGATION MEASURES), 20 (NOISE MITIGATION) AND 26 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/00064/17/MFA (COMPREHENSIVE REDEVELOPMENT OF THE SITE TO PROVIDE 54,714 SQM OF FLEXIBLE COMMERCIAL FLOORSPACE WITHIN USE CLASSES B1C / B2 / B8 AND ANCILLARY OFFICES, TOGETHER WITH CAR AND CYCLE PARKING, ACCESS AND LANDSCAPING)
Granted
29/12/2017
- 4/00064/17/MFA COMPREHENSIVE REDEVELOPMENT OF THE SITE TO PROVIDE 54,714 SQM OF FLEXIBLE COMMERCIAL FLOORSPACE WITHIN USE CLASSES B1C / B2 / B8 AND ANCILLARY OFFICES, TOGETHER WITH CAR AND CYCLE PARKING, ACCESS AND LANDSCAPING.
Granted
22/08/2017

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy –

NP1 - Supporting Development

CS1 - Distribution of Development

CS2 - Selection of Development Sites

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS9 - Management of Roads

CS12 - Quality of Site Design

CS13 - Quality of Public Realm

CS14 - Economic Development

CS15 - Office, Research, Industry, Storage and Distribution

CS23 - Social Infrastructure

CS25 - Landscape Character

CS26 - Green Infrastructure

CS27 - Quality of the Historic Environment

CS28 - Renewable Energy

CS29 - Sustainable Design and Construction

CS30 - Sustainability Offset Fund

CS31 - Water Management

CS32 - Air, Water and Soil Quality

CS34 - Maylands Business Park

CS35 - Infrastructure and Developer Contributions

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 31, 37, 51, 54, 55, 58, 62, 75, 79, 99, 111, 113 and 118.

Appendices 4, 5, 8.

6.4 Supplementary Planning Guidance / Documents

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

6.5 Advice Notes and Appraisals

- Sustainable Development Advice Note (March 2011)
- Maylands Master Plan: The Gateway to a Greener Future (September 2007)
- Maylands Gateway Development Brief (July 2013)

7. Constraints

- 15.2M AIR DIR LIMIT
- CIL3
- HAZARDOUS SUBSTANCES (BUFFERED)
- GENERAL EMPLOYMENT AREA
- OPEN LAND
- AREA OF ARCHAEOLOGICAL IMPORTANCE
- Former Land Use
- Right of Way
- AREA OF SPECIAL CONTROL FOR ADVERTS

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Layout, Scale and Design of Development
- Impact on Highway Safety
- Employment
- Air Quality and Noise
- Sustainability and Energy
- Other Matters

Policy and Principle

9.2 The principle of the proposed redevelopment is established by the original planning permission granted under ref: 4/00064/17/MFA in August 2017, as varied by the subsequent approval under ref; 4/02214/17/ROC relating to Unit 5, on the adjoining site to the west. Policy considerations remain as set out in in the originally report for the development under ref: 4/0064/17/MFA. There is no material change to planning policy or site circumstances that would lead to a different conclusion being reached on the principle of the development.

9.3 The key determining issues in respect of this amended application therefore relate to the layout, scale and design of Unit 4. Namely, the visual impact on the surrounding area and the public realm; landscaping and highway matters.

Layout, Scale and Design of Development

9.4 The proposed alterations to Unit 4 would retain the existing footprint in the same location. The massing, scale and height of the main building remains constant as approved except for the addition of an enclosed backup generator area to the front that adds profile and texture to the industrial building. It will therefore remain consistent with other industrial units on the Prologis estate and read as a group of industrial buildings on the estate and from Breakspear Way.

9.5 The office element to the front remains in a similar position and the projecting fenestration adds interest to the building frontage on Blossom Way. The northern car park remains in the same position by the front entrance, providing 60 spaces. Its form, design and detailing will all remain consistent with the approved scheme, except for the external cooling plant area to the east, approximately 16.5m in width, on Buncefield Lane. The cooling plant replaces the approved eastern car park along Buncefield Lane. A 12m high green louvre screen will conceal the external plant from the new public footpath proposed along Buncefield Lane to connect the rerouted local rights of way approved in the original application for the estate. The screening wraps around the cooling plant area to the south and to the north but remain open to the sky to allow natural ventilation. The cooling plant area on the east side will appear inconspicuous within the public realm on Buncefield Lane and from the redirected footpath along the southern boundary along Breakspear Way, as the screening will have the building as its backdrop along the eastern facade.

9.6 The servicing yard to the west of the building will be reduced in size by the provision of backup generators for emergency use and a new electricity substation, to accommodate the power demand for the data centre. The backup generators are necessary to ensure the uninterrupted power supply for the internet servers within the building, as are the cooling plant to the east side. The cooling plant will ensure the internal environment of the building operates at optimum temperatures all year round. The backup generators will remain inconspicuous from public vantage points in the area.

9.7 The servicing yard would also operate with one dock-leveller on the west side of the building, which is reduced from 14 to accommodate the provision of backup generators. This would reduce overall servicing requirements for the building but adequate to serve the data centre. There will not be a constant flow of HGVs associated with a typical warehouse use because once the servers are in place they will process data electronically.

9.8 Overall, the proposed external alterations and installation of generators and cooling plant with the appropriate screening is considered acceptable. No objection is raised to the building's design or its visual impact on the surrounding area.

Impact on Highway Safety

9.9 The application is supported by a brief Transport Statement (TS) that compares the proposed new unit with the assessment used on the original scheme. The TS concludes that, due to the nature of the use as a Data Centre the proposals will have less material impact on the surrounding highway network than that already accepted within the previous approved scheme. The Highway Authority has reviewed the brief TS and raises no objection to the application as a result.

9.10 As per the previously approved applications the existing pedestrian PRowS 50 and 51 are repositioned and surfaced to provide a shared use foot/cycle path. The shared use foot/cycleway will also be extended along Buncefield Lane past the amended PRow 50 to Boundary Way. The new footway is already constructed in Blossom Way with street lighting. To the east side of Unit 4, the new footpath (partially built) would connect with PRow 131 to the east across Woodwells Cemetery. It would also continue south along Buncefield Lane and turn west on Breakspear Way to a new landscaped area, which is secured by condition 4 of the original permission and reaffirmed by recommended condition 4 .

9.11 The parking provision has been reduced from 167 spaces to 60 in total, including 7no. disabled spaces. The reduction in parking is considered acceptable because the data centres typically provide a much lower level of jobs than a standard B8 warehouse use. This facility is estimated to provide about 45 jobs. Therefore, the reduced parking level is considered adequate. The servicing requirement will also be reduced given a data centre would see far less HGV movements associated with a standard B8 warehouse use. However, given the circumstances it is considered reasonable and necessary to impose a condition to address any future change of use of Unit 4 to B1/B2 or B8 use. This would ensure that the appropriate level of car parking and servicing requirement by HGVs is reinstated.

Employment

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

9.13 The proposal would secure Gyron as the future tenant for Unit 4 and the provision of employment, estimated at 45 jobs. It would accord with development plan policy.

Air Quality and Noise

9.14 The revised Air Quality and Noise Assessments conclude that the revisions to Unit 4 would have an acceptable impact on the findings of the previous assessments approved by the local planning authority. While the Council's Environmental Health Officer raise no objection to the revised assessments details of the noise mitigation/control scheme is required for further approval as a safeguard, and recommended in Condition 15. Officers are satisfied that, subject to the implementation of mitigation measures, the amended proposals should not result in unacceptable air pollution or adverse noise impacts in the surrounding area.

Sustainability and Energy

9.15 The proposed alterations will not affect the approved sustainability and energy strategy for the estate under the original development approved in 2017. A Sustainability Statement providing an overview of Gyron's sustainability measures and energy saving practices supports the application. The facility will comprise of a two-storey data centre providing 24MW IT load across six 1,850m² halls of 4MW each with total useable technical whitespace of 11,100m². The front of the building will provide a two-storey office space, as well as extra plant, office and flexible use space throughout the building. The bulk of the electrical plant will be located internally, with Generators

and transformers situated externally.

9.16 A 132kV to 11kV substation will be installed on the site to the west of the building within the servicing yard to provide the power supply to the facility with the backup generators for emergency use only. The design of the data centre infrastructure will focus on reducing the energy required to support the IT load. The energy usage and efficiency of the facility will be further reduced by the use of energy saving systems such as natural ventilation, heat recovery (on mechanical ventilation), and PV panels on the roof to power lighting.

9.17 Gyron have procured a 60MVA, 132kV power supply from UKPN. The supply is being brought down from north of Hemel Hempstead and will not diminish power available to Hemel Hempstead. Gyron also purchase electricity from E-on under the OFGEM's Renewable Energy Guarantees of Origin (REGO) scheme. E-on guarantee that all the power comes from 100% renewable sources and Gyron has verified by supporting certification. Additionally there would also be a significant reduction in HGV and car movements compared to a B8 warehouse use and further reducing carbon emissions.

9.18 In view of the above, it is considered that the proposal would be cleaner for the environment and accord with Policies CS28 and 29 relating to carbon emission reduction and sustainable design and construction respectively.

Other Matters

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

- Contamination
- Archaeology
- Flood Risk and Drainage
- Impact on Neighbours

CIL and Planning Obligations

9.20 There are no proposed changes to the Planning obligations previously agreed, and Officers will ensure that the existing legal agreement also relates to this revised proposal through the S106 Deed of Variation.

10. Conclusions

10.1 in view of the above considerations the proposal is acceptable. It will maintain the quality of design consistent with the original design concept for the Prologis estate as largely completed, including landscaping, boundary treatment, transport and highway safety matters; sustainability and energy efficiency; employment creation, air quality; and sustainable drainage and flooding matters.

11. RECOMMENDATION

11.1 That the application be DELEGATED to the Group Manager, Development Management, with a view to approval subject to the completion of a Deed of Variation to the planning obligation under S106 of the Town and Country Planning Act 1990 to ensure that its provisions of the original legal agreement dated 18th August 2017 relate equally to this revised proposal:-

11.2 On completion of the S106 Deed of Variation, planning permission be **GRANTED** subject to the following conditions:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p><u>Reason:</u> 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.</p>
2	<p>The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings to match those approved by the local planning authority under reference 4/01313/18/DRC or such other materials as may be agreed in writing by the local planning authority.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development to accord with adopted Core Strategy Policy CS12.</p>
3	<p>All hard and soft landscape works shall be carried out in accordance with the details approved by the local planning authority under reference 4/02568/17/DRC and the approved landscape works shall be carried out prior to the first occupation of any part of the development hereby permitted.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area to accord with adopted Core Strategy Policy CS12.</p>
4	<p>No part of the development hereby permitted shall be occupied prior to the implementation of the public footpath to be constructed in accordance with the details approved by the local planning authority under reference 4/02567/17/DRC and shown on Drawing No. A01-002 Rev P02 and A01-003 Rev P02.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard local footpath connections in the immediate area, to accord with adopted Core Strategy Policies CS8, CS12 and CS13.</p>
5	<p>All work shall be carried out in accordance with B.S.3998:2010 "Tree Work Recommendations".</p>

	<p><u>Reason:</u> To ensure a satisfactory standard of tree work in accordance with the aims of Policy 99 of the Dacorum Borough Local Plan 1991 - 2011.</p>
6	<p>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.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with adopted Core Strategy Policy CS12.</p>
7	<p>A landscape management plan for the long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be applied to the development hereby approved in accordance with the details approved by the local planning authority under ref: 4/02538/18/DRC.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to accord with adopted Core Strategy Policy CS12.</p>
8	<p>Unless otherwise agreed in writing, the development shall be carried out in accordance with the Construction Traffic Management Plan approved by the Local Planning Authority under reference 4/02461/17/DRC.</p> <p><u>Reason:</u> In order to protect highway safety and the amenity of other users of the public highway and rights of way.</p>
9	<p>During the first year of occupation a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.</p> <p><u>Reason:</u> To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.</p>
10	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by RPS reference RCEF39546-002R dated January 2017, Flood Risk Assessment Addendum reference RCEF55348-001R dated August 2017 and Drainage Philosophy Statement carried out by RPS reference NK018226-RPS-SI-XX-CA-D-0031 A dated 16 August 2017, and Supporting Addendum to FRA and Drainage Philosophy by Phillips Page Associates Ltd reference 180375-WDK-00-SI-RP-D-00001 dated 01/05/2019 and the following mitigation measures:</p>

	<p>1. Implementing appropriate SuDS measures to include attenuation tank, porous surfacing and attenuation pond.</p> <p>2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.</p> <p>3. Discharge into Thames Water Sewer restricted to greenfield run-off rate</p> <p>The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</p> <p><u>Reason:</u> To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.</p>
11	<p>Prior to the first occupation of the development hereby permitted, or as otherwise agreed in writing by the local planning authority, the surface water drainage scheme for the site approved by the local planning authority under reference 4/02462/17/DRC, shall be implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</p> <p><u>Reason:</u> To reduce the risk of flooding to the proposed development and future users.</p> <p><u>Informative:</u> For further guidance on HCC's policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance please refer to our surface water drainage webpage http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/</p>
12	<p>Construction of the development hereby approved shall be carried out in accordance with the Site Waste Management Plan approved by the local planning authority under reference 4/02463/17/DRC.</p> <p><u>Reason:</u> To ensure the sustainable construction in the development of the site in accordance with Policies CS29 of the Dacorum Core Strategy.</p> <p><u>INFORMATIVE:</u></p> <p>Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. Good practice templates for producing SWMPs can be found at:</p>

	<p>http://www.smartwaste.co.uk/ or http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html</p>
13	<p>The development hereby permitted shall be carried out in accordance with the approved sustainability and energy statement submitted by Turley Sustainability dated December 2016 and Gyron HH4 Datacentre Sustainability Statement reference HH4-ESS dated 04 June 2019.</p> <p><u>Reason:</u> To ensure the sustainable development of the site in accordance with Policies CS28, CS29 and CS31 of the Dacorum Core Strategy.</p>
14	<p>The development shall be constructed fully in accordance with the construction phase mitigation measures, as detailed within Section 7, sub-section 7.2 (pages 29 and 30) of the Air Quality Assessment; Project No. JAP9002; Revision: 4; RPS; 18 August 2017 and the Air Quality Assessment by Air Quality Assessments Ltd reference J0321/1/D3 dated 01 May 2019.</p> <p><u>Reason:</u> To safeguard the local environment in terms of air quality in accordance with Policy CS32 of Dacorum Core Strategy and to accord with section 7, subsection 7.2 of the following document: Air Quality Assessment; Project No. JAP9002; Revision: 4; RPS; 18 August 2017.</p>
15	<p>Before the development hereby approved is occupied, a noise mitigation / control scheme shall be submitted for the approval of the LPA based on the findings of the AAD Report (Proposed Computer Data Centre Plant Noise Assessment, Dated 30th April 2091, Ref: 19033/001/js/a). The assessment and mitigation / control scheme shall be compiled by appropriately experienced and competent persons. The mitigation / control measures shall be fully implemented in accordance with the approved scheme and appropriately validated (where necessary) before coming into first operation and, retained thereafter.</p> <p><u>Reason:</u> To safeguard the local environment in accordance with Core Strategy Policies CS12 and CS32.</p>
16	<p>Noise from industrial processes and plant within the development shall not exceed a rating level of 43 dB LArTr during any 1 hour period of the daytime 07:00 to 23:00 hours (i.e. 5 dB below the representative daytime baseline noise levels of 48 dB LA90); nor exceed a rating level of 38 dB LArTr during any 15 minute period of the night-time 23:00 to 07:00 hours (i.e. 5 dB below the representative night-time baseline noise levels of 43 dB LA90). Rating levels should be determined in accordance with BS 4142:2014 and assessed at a free-field location representative of the nearest residential properties to the site.</p> <p><u>Reason:</u> To safeguard the local environment in accordance with Core Strategy Policies CS12 and CS32.</p>
17	<p>The development hereby permitted shall be carried out in accordance with the details of measures to ensure reptiles will not be harmed as</p>

	<p>approved by the local planning authority under reference 4/02539/17/DRC.</p> <p><u>Reason:</u> To avoid harming reptiles which may potentially be present and to accord with adopted Core Strategy Policy CS26.</p>
18	<p>The development hereby permitted shall be carried out in accordance with the scheme for the provision of a fire hydrant(s) to serve the development as approved by the local planning authority under reference 4/02540/17/DRC. The development shall not be occupied until the approved scheme of fire hydrant(s) has been installed.</p> <p><u>Reason:</u> To ensure water supplies are provided to adequately serve the site in accordance with BS 9999.</p>
19	<p>Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the buildings are occupied and implemented in accordance with the approved details.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to accord with adopted Core Strategy Policy CS32.</p>
20	<p>Prior to the occupation of Unit 4 for any use other than as a data centre, details of the reinstatement of the vehicular parking, loading bays and dock levellers, and the removal of all external plant and machinery shall be submitted to and approved in writing by the Council and all works carried out in accordance with these details.</p> <p>.</p> <p><u>Reason:</u> To ensure that parking and servicing arrangements for alternative uses do not detrimentally impact on the surrounding highway network and safeguard highway safety to comply with Policies CS9 and CS34 and the NPPF.</p>
21	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>A01-001 Rev P02 – Site Location Plan A01-002 Rev P02 – Landscape Proposal A01-003 Rev P02 – Landscape Section A20-000 Rev P03 – Ground Floor A20-010 Rev P03 – First Floor A20-020 Rev P02 – Roof Plan A20-700 Rev P03 - Elevations A21-902 Rev P01 – Security Fence</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p> <p><u>Article 35 Statement</u></p> <p>Planning permission has been granted for this proposal. The Council acted</p>

	pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
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Appendix A

Consultees: BRITISH PIPELINE AGENCY 5-7 ALEXANDRA ROAD	13/05/2019	BPA Pipelines - Not Affected.
DBC - CONTAMINATED LAND	13/06/2019	No objection
DBC - NOISE POLLUTION & HOUSING	04/06/2019	<p>Noise</p> <p>The report does not support that there will be an adverse impact due to noise. When referring to Condition 21 secured under the permission 4/00064/17/MFA, it specifies rated noise levels that should be met from the development. The modelling assessment has not taken account of new residential properties on Groundsel Walk (behind the Holiday Inn). These are modelled as receptors in the assessment, but not identified as residential however. The modelled contours would result in noise levels of 42 - 45dBA and exceed the conditioned rating level of 38dB at night. Mitigation following the wording of the original permission (and acknowledged within the acoustic report) would be inappropriate and further work is required. Modelling uncertainty is also not addressed, i.e. model validation and worst case taking account of downwind conditions.</p> <p>Following further clarification and information submitted by the applicant - comments updated as follows:-</p> <p>The application is to vary Condition 20 which reads as:</p> <p>The noise mitigation measures outlined in Paragraphs 4.13 and 4.14 (pages 9 and 10) of the Noise and Vibration Assessment Project No. JAE9001; Revision: 1; RPS; 20 December 2016</p>

		<p>shall be implemented prior to the occupation of the development.</p> <p>Reason: To safeguard the local environment in accordance with Policy CS12 of Dacorum Core Strategy.</p> <p>As the latest assessment identifies that mitigation is necessary then condition 20 would need to be varied. I would suggest:</p> <p>Suggested Condition – noise</p> <p>Before the development hereby approved is occupied, a noise mitigation / control scheme shall be submitted for the approval of the LPA based on the findings of the AAD Report (Proposed Computer Data Centre – Plant Noise Assessment, Dated 30th April 2091, Ref: 19033/001/js/a). The assessment and mitigation / control scheme shall be compiled by appropriately experienced and competent persons. The mitigation / control measures shall be fully implemented in accordance with the approved scheme and appropriately validated (where necessary) before coming into first operation and, retained thereafter.</p> <p>Reason: Policy CS32 - any development proposals which could cause harm from a significant increase in pollution (into the air, soil or any water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell light, noise or noxious substances, will not be permitted.</p> <p>Air Quality No observations in respect of the assessment. However the mitigation obligations under condition 19 should remain as the assessment takes account of the addition of new sources that may impact local air quality as a result of the stand-by generators. This would not affected the original assessment that would've accounted for transport generated by the development.</p>
<p>HISTORIC ENGLAND - FORMERLY ENGLISH HERITAGE EAST OF ENGLAND REGION</p>	<p>14/05/2019</p>	<p>Thank you for your letter of 10 May 2019 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.</p>

		<p>It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.</p>
HCC - Archaeology Unit, ENVIRONMENT DEPARTMENT	04/06/2019	<p>The development site has already been subject to archaeological evaluation and open area excavations, which identified very significant archaeological remains of Roman date. These included exceptionally well-preserved Roman tile and lime kilns. A subsequent programme of post-excavation assessment and analysis and publication of these investigations is proceeding in accordance with Condition 14 on 4/00064/17/MFA.</p> <p>I therefore have no comment to make upon the proposed variation of Conditions 12, 19, 20 and 26 on 4/00064/17/MFA.</p>
HERTS PROPERTY SERVICES HERTS COUNTY COUNCIL	14/05/2019	<p>Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum's CIL Zone 3 and does not fall within any of the CIL Reg123 exclusions.</p> <p>Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.</p>
HCC - Dacorum Network Area HERTS COUNTY COUNCIL	28/05/2019	<p>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.</p> <p>The views of the highway authority on the variation of conditions 12 (flood risk assessment), 19 (construction phase mitigation measures), 20 (noise mitigation) and 26 (approved plans) attached to planning permission 4/00064/17/MFA (comprehensive redevelopment of the site to provide 54,714 sqm of flexible commercial floorspace within use classes B1c / B2 / B8 and ancillary offices, together with car and cycle parking, access and landscaping).</p>

		<p>This application seeks to make amendments to approved Unit 4 to allow it to be used as a data centre. The drawings that describe the building to be changed are listed in Condition 26 which therefore requires updating. As a result of the proposed amendments to the drawings there are consequential variations to Conditions 12, 19 and 20 to amend the reference to the updated reports submitted in support of this application. Similar changes were permitted by DBC in December 2017 in respect of Unit 5 on the site (their ref 4/02214/17/ROC).</p> <p>Documents of most relevance to the highway authority submitted in support consist of a covering letter, an addendum to the Design & Access Statement and a 1.5 page letter forming a 'brief Transport Statement'. No application form was made available on the DBC website.</p> <p>The proposed use of Unit 4 is as a data centre. Its overall size is to remain the same but by dint of the change of proposed use there would be the need for 112 fewer car parking spaces and 14 fewer HGV parking spaces. The proposed variation would not, therefore, have an impact on the local highway network, and the conclusions reached in recommending that permission be granted originally remain valid.</p> <p>Conclusion: HCC as highway authority has reviewed the application submission and does not wish to raise objection to the proposed development.</p>
CRIME PREVENTION/ARCHITECTURAL OFFICER HERTS CONSTABULARY CRIME PREVENTION DESIGN SERVICE	07/06/2019	<p>Thank you for sight of planning application 4/01116/19/ROC.</p> <p>I have no comments in relation to the variation of conditions 12 (Flood Risk assessment), 19 (construction phase mitigation measures/0, 20 (noise Mitigation) and 26 (approved plans).</p>
HIGHWAYS AGENCY - AREA 8 WOODLANDS	28/05/2019	No objection.
LEAD LOCAL FLOOD AUTHORITY	29/05/2019	Following a review of the information we can confirm that we do not have any objections in principle on flood risk grounds. The planning application relates to several units within the

Maylands Gateway site area, however the amendments to the proposal referenced within this document relate to Plot 4 only, all other plots remain as approved. Prologis UK Ltd (Prologis) have now secured an occupier for Unit 4, Gyron, who intend to use the unit as a computer data centre. In order to facilitate this use, alterations to the external appearance of the building and service yard to house associated plant is required. As a result of the alterations of the plot 4 layout, and installation of plant to facilitate use as a data centre requires changes to the drainage layout. We note that the site wide drainage is based upon attenuation and discharge into Thames Water surface water agreed at planning application stage. Units 1 to 5 will be attenuated on the plot site with below ground attenuation tanks, the drainage strategy also divides the overall discharge rate above into specific plot areas. The attenuation system discharges via a flow restriction in accordance with the Drainage strategy (less than or equal to 11.03l/s for Plot 4) to a Thames Water surface water sewer.

The east side of the site is currently proposed to be porous paved car parking with a perforated pipe taking the surface water around the perimeter of the building and into attenuation beneath the HGV area on the west side of the site. The proposed data centre on plot 4 would require an allocation of space for cooling towers, and this is proposed to replace the requirement for car parking on the east side of the site, therefore changing this area from porous paved car parking, to impermeable building cover. The West side is currently proposed to be a HGV hard standing area, consisting of an attenuation system beneath the HGV yard area. The proposed data centre would require an allocation of space for generators and an electrical sub-station and switch room. This is proposed to be situated in the west side of the site, in place of the HGV yard area and dock levellers. Therefore this displaces the position of the above attenuation.

The proposals to the north side of the site will be retained as much as possible. Therefore, the north side of the site now provides the most feasible area for the majority of the attenuation volume. As such, it is proposed to maintain the porous paving solution to the car park, together with tanked attenuation beneath this area. This attenuation,

		combined with what can be accommodated around the Generator/substation, and service yard areas, would capture all surface water flows within plot 4. All surface water would be retained within this attenuation to the proposed 11.03l/s as stated within the original drainage philosophy statement.
THAMES WATER UTILITIES DEVELOPMENT CONTROL	30/05/2019	<p>Waste Comments Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided</p> <p>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.</p> <p>Supplementary Comments Based on the information provided Thames Water have no further comments to add.</p>

Appendix B

Neighbours:

No response to 105 individual letters or site notices.