

**4/03157/16/MFA - HYBRID PLANNING APPLICATION FOR THE REDEVELOPMENT OF SITE TO PROVIDE 12,503 SQM RETAIL (CLASS A1) FLOOR SPACE, 545 SQM OF CAFE/RESTAURANT (CLASS A3/CLASS A5) FLOOR SPACE, AND 180 SQM OF CAFE/RESTAURANT (CLASS A1/CLASS A3) FLOOR SPACE, WITH ASSOCIATED PARKING, ACCESS AND LANDSCAPING (DETAILS SUBMITTED IN FULL); AND OFFICE (CLASS B1) BUILDING MEASURING 2,787 SQM (DETAILS SUBMITTED IN OUTLINE).. LAND AT MAYLANDS AVENUE, MAYLANDS AVENUE, HEMEL HEMPSTEAD.  
APPLICANT: Aviva Life and Pensions Uk Ltd.**

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## **Appendix B: Summary of representations**

### NGK Spark Plugs (UK) Ltd, Maylands Avenue

Our comments revolve around traffic flows resulting from this development. Our concerns are largely the same as they were for the previous application.

It is stated, "As is evident above, the site has been granted permission for a significant amount of office floorspace and associated car parking, of which only a small element has been implemented." This is true but our position is that the traffic flow is significantly heavier since that permission was granted, We do not measure it but we live with it.

It is also stated (2.13), "The above, extant, development was assessed as acceptable to HCC as the highway authority. Analysis of traffic flows expected to be generated by the extant permission proposals was reviewed within the outline retail scheme on the site." Again true, but again, the current traffic flows are significantly different (worse). Peak hours are especially worse and the progression seems to work in steps, most noticeably in September of each of the years 2013, 2014, 2015, and 2016.

It is true (3.52) that "The site currently has a planning permission for a large level of B1 office land, only part of which has been implemented." We are grateful for that and, while it may be that permission can not be withdrawn, we urge you to reconsider the conclusions regarding the adequacy of the road system.

Finally (5.12), "This junction has been designed in order to accommodate the previous extant office development consent, and therefore has been deemed appropriate for significant volumes of traffic." We believe that this is true only of the internal site traffic. We understand that the access road will be expanded to two lanes but that won't help the traffic on Maylands itself.

You can see that we are merely making one overall comment in 4 different ways ... what do we do about the traffic, indeed current traffic? Thank you for your attention.

### Strategic Planning and Regeneration

Draft – to be finalised in light of any further evidence from the applicants and further advice from PBA

#### 1. The permitted scheme

Outline planning permission (4/01132/15/MOA) has been granted for retail development (12,503 sqm), offices (3,004 sq. metres) and restaurants (650 sqm) at

this site. Please refer to our comments of 1 December 2015 on this application.

The relevant conditions attached to this permission are summarised as follows:

- The gross retail floor area shall not exceed 12,503 sqm. The net retail floor area shall not exceed 9,290 sqm. comprising a maximum of:
  - 1,414 sqm of convenience food goods
  - 7,848 sqm of comparison non-food goods
- The retail units shall have a minimum gross internal area of 650 sqm.
- There shall be no more than six retail units.
- No retail unit shall contain a dedicated in-store post office, pharmacy, photo shop or financial services.
- The Class A3 floorspace shall be limited to 650 sqm (GIA).
- The outline permission was also granted pursuant to a Section 106 Agreement which imposed the following additional limitations on the permitted retail use of the approved retail floorspace:
  - Not more than one unit can be used for the sale of goods related to sports and outdoor pursuits, provided not more than 49% of the net sales area of that unit is used for the display of sports and outdoor pursuits clothing and footwear.
  - Not more than one unit can be used for the sale of clothing (excluding sports clothing), footwear, jewellery and fashion accessories, toiletries and cosmetics provided it is limited to 49% of the net sales area.
  - Notwithstanding the above two restrictions, no more than 3% of the net sales area of units can be used for the sale of food and drink, clothing and footwear, jewellery and fashion accessories, pharmaceuticals, toiletries and cosmetics.

## 2. The current application

The application is a hybrid and seeks full planning permission for the retail development and restaurants and outline permission for the offices.

The key changes between the extant permission and the new application, in terms of the retail provision and anticipated controls on operation, are as follows:

- An increase in number of retail units from six to nine.
- An increase in the net sales area and the area permitted to be used for the sale of convenience goods (from 1,414 sqm to 1,950 sqm).
- An increase in the amount of Class A3 space from 650 sqm to 725 sqm.

- An extension to the permitted retail use to include the sale of baby and children's clothing and maternity wear from one unit (xxx sqm).
- An extension to the permitted retail use to include the sale of pharmaceutical goods, toiletries, beauty and healthcare products from one unit (xxx sqm).

A condition is suggested by the applicants to stipulate that no more than 2,612 sqm (GIA) of the total retail floorspace (Class A1) shall be provided at mezzanine level.

557 parking spaces are proposed, marginally more than the 553 spaces in the outline permission.

With regard to the office development, the application only seeks approval for the principal of the land use and quantum of space (2,787 sqm, compared to 3,004 sqm in the outline permission). All other matters relating to the offices are reserved for future consideration. A notional development site for the offices is located in the south of the site, facing Breakspear Way (whereas the outline permission showed the offices in the north of the site fronting Maylands Avenue). The timescales for the offices is uncertain given the lack of office demand.

### 3. Planning policy context

#### (i) National context

The proposed retail development should be considered against paragraphs 24-27 in the National Planning Policy Framework (NPPF) and the Planning Practice Guidance on 'Ensuring the vitality of town centres'.

Given the site's location and the scale of retail development proposed, a sequential test should be applied and a retail impact assessment is required.

NPPF paragraph 22 is also relevant as the proposed development involves land allocated for employment use.

#### (ii) Dacorum planning policy context

An overview of the Council's planning policies for the site is provided below and more details can be found in the Appendix at the end of these comments:

##### Dacorum Local Plan (April 2004)

Most of the Aviva site is located in the Maylands Avenue General Employment Area (GEA), which is allocated for business use in saved Local Plan Policy 31. This GEA is designated as a 'Core Office Location' in this policy. The southern part of the site is protected as 'open land' through saved Policy 116.

Saved Policy 44 requires shopping proposals outside defined centres to demonstrate that a sequential approach to site selection has been followed and that there is a need for the development.

##### Maylands Master Plan (September 2007)

The master plan shows the Aviva site as located in the Maylands Gateway character

zone and states that Maylands Gateway will be a first rate business park for uses such as higher education, HQ offices, conference facilities and hotel uses. The Maylands Gateway character zone shows employment development on the open land protected by saved Local Plan Policy 116, as well as the GEA land.

#### Maylands Gateway Development Brief (July 2013)

A revised brief on the Maylands Gateway site was approved by the Council as a planning policy statement in July 2013. This document is more flexible over the type of jobs to be provided, including high quality B8 developments given current economic circumstances.

#### Dacorum Core Strategy (September 2013)

A key aim of the Core Strategy is to encourage employment development on the Maylands Business Park. Core Strategy Policies CS1, CS14, CS15 and CS34 and Figure 18 are particularly relevant. Policy CS34 provides detailed guidance on the Maylands Business Park and states that specific opportunities for each character zone are identified in Figure 18. Figure 18 states that the type of uses suited to the Maylands Gateway will primarily be HQ offices, conference facilities and a hotel.

Core Strategy Policy CS16 (shops and commerce) directs most retail development to the town and local centres. The policy also makes it clear that:

“New retail floorspace will only be permitted outside of defined centres if the proposal complies with the sequential approach and demonstrates a positive overall outcome in terms of the impact assessment.”

#### Site Allocations Development Plan Document

Following the Site Allocations public hearing (October 2016) and the Inspector’s initial note, the Council is now consulting on the ‘Site Allocations Modifications December 2016’. Substantial weight should now be given to the Site Allocations document, given the advanced stage it has now reached. It is expected that the Site Allocations document will be adopted by the council in spring or summer 2017.

However, the Site Allocations document does not deal with the Maylands Business Park, including the current application site. It was intended to cover this area in the East Hemel Hempstead Area Action Plan, but it is now expected that it will be considered in the single Local Plan. The Site Allocations document does include proposals for employment and retail development elsewhere in Hemel Hempstead.

#### Dacorum single Local Plan

Work has started on the evidence base for the single Local Plan. Once adopted, the single Local Plan will replace the existing saved Local Plan policies, the Core Strategy and the Site Allocations.

#### 4. Examination of key planning policy issues

The key planning policy issues raised by the current application are examined below. In examining these issues, we have taken account of the advice provided to the Council by PBA in their letter of 19 January 2017.

**Note: This section of these policy comments will be expanded next week and amended in the light of any further evidence from the applicants and advice from PBA.**

Issue 1: How much weight should be given to the extant permission for retail development on the site?

**High weight.**

Issue 2: Does the proposed development meet the sequential test?

**Yes – see page 3, paragraphs 5 and 6 of PBA’s 19 January letter.**

Issue 3: Would the proposed retail development on the site and at Jarman Park have an unacceptable cumulative impact on Hemel Hempstead town centre?

**PBA’s advice is that a cumulative impact assessment should be carried out (last paragraph on page 2 and paragraphs 1-3 on page 3 of PBA’s letter). They have also advised by email that:**

**“Our advice is firm on this point. Failure to address this and to be consistent with our November 2015 advice, it would be to refuse the whole application.”**

**The applicants have not provided such an assessment and seem unwilling to do so. If this continues to be the case, we should commission PBA to undertake the cumulative impact assessment.**

**The cumulative impact assessment should take account of the planning permission granted on appeal (since the approval of the outline application on the Aviva site) for retail development at Jarman Park. The Jarman permission is for 10,305 sqm (gross internal area) of class A1 retail floorspace, subject to a condition preventing the sale and display clothing and footwear, unless ancillary to the main use of an individual unit.**

Issue 4: Is the increase in the number of retail units acceptable?

**Yes – see PBA letter, page 4, paragraphs 1-3.**

Issue 5: Is the increase in the amount of floorspace used for convenience good sales acceptable?

**See PBA’s letter, pages 4-6.**

**PBA have a number of concerns over the robustness of the analysis. They conclude that the analysis should be updated to address their concerns. They add that subject to the necessary analysis being undertaken, it is expected that the increase in net convenience floorspace could be acceptable.**

Issue 6: Is the proposal to include a unit selling baby and children’s clothing and maternity wear acceptable?

Yes – see PBA's letter, page 6.

Issue 7: Is the proposal to include a unit selling pharmaceutical goods, toiletries, beauty and healthcare products acceptable?

No – see PBA's letter, pages 7 and 8.

The proposal is that Boots are allowed to occupy one of the units.

PBA have some doubts over the validity of the applicant's calculations on turnover for Boots. In any case, the turnover will be higher than the extant permission tested. PBA are concerned at the potential impact on Hemel Hempstead town centre from loss of trade and footfall

PBA considers that the Council should retain the condition preventing a pharmacy if the application is approved.

Given the uncertainties and the lack of robust evidence, PBA concludes that there is a likelihood of significant adverse impact on the town centre from a Boots store on the site.

The advice from PBA (bottom of page 8/top of page 9) on 'relevance of named retailers' refers to a possible 'keep open' clause. This which would require Boots to keep open their town centre store for a period of time (PBA suggests this should be for at least 5 years). However, they comment that this approach has not been offered from the applicant.

Issue 8: Is the proposed increase in the quantum of A3 floorspace acceptable?

Yes – see page 8 in PBA's letter.

Issue 9: Is the reduced office floorspace and the changed location of the offices acceptable?

No objection to the modest reduction in the office floorspace.

No objection in principle to the proposed location of the offices in the south of the site – but see concerns about deliverability in issue 10 below.

Issue 10: Is the office development deliverable given the proposed layout of the retail development?

Probably not.

No plan has been produced showing the potential location of the offices or the access arrangements to it.

It appears that access would be through the middle of the car park for the retail park. However, it seems highly unlikely there would be any interest in building or occupying offices in such a location. Indeed, it appears that the only type of development that could realistically take place in this location is more retail.

Also, we need to seek highways advice on whether access to the offices through the retail park car park would be acceptable on safety grounds (this is probably unlikely).

The Council should not approve the application unless we are satisfied that the proposed offices are deliverable. The applicants should demonstrate to us that the offices are deliverable – in particular, they should be asked to provide a plan showing the potential office location and access arrangements.

## 6. Conclusions

Conclusions will reflect examination of issues 1-10.

Other less important matters will also be mentioned. For example, mention the need for a condition on mezzanine floorspace, as suggested by the applicant.

### Strategic Planning and Regeneration further comments

The Chase and Partners (C&P) report is only just over a year old. Since the report was completed, no further health checks of Hemel Hempstead town centre have been carried out as far as I am aware. However, the health of the town centre has probably improved since then, given that:

- A few months ago, a survey showed that vacancy rates in the town centre had fallen appreciably and were now (I think) below the national average. I don't know who this study was carried out by and what the vacancy rate in Hemel town centre is.
- The completion of further stages of the Council's Hemel Evolution project have increased the attractiveness of the town centre.

Therefore, I think we can still rely on what C&P said about the town centre's health.

Another important point is that major refurbishment by Capital & Regional (C&R) is likely to boost the health of the town centre in the future. They have purchased the Marlowes Centre (see C&P report paragraph 3.18) and significant stretches of Marlowes i.e. Edmunds Parade (C&P paragraph 3.19 and Appendix 6) and Fareham House. In March 2016 commercial agents Cushman and Wakefield announced as follows:

"C&R buys in Hemel Hempstead

Capital & Regional has acquired Fareham House in Hemel Hempstead in a £7.8m off-market transaction.

The property is adjacent to two other sites owned by C&R, Marlowes shopping centre and Edmunds Parade, which the company bought in February.

Together the properties cover 340,000 sq ft across 87 shops.

The purchases cost £53.8m and represent a yield of 7%.

Chief executive Hugh Scott-Barrett said:

“We have worked hard to acquire Fareham House off-market and the transaction represents a considerable success in the opportunity that we now have in Hemel Hempstead, a strong South East commuter town with significant growth potential that has historically been under-invested in.

“Together, the three acquisitions we have undertaken provide us with effective control of the town centre retail offer and unlock attractive longer-term prospects for a more comprehensive development and repositioning that fit well with our asset management capabilities.” “

C&R are now drawing up proposals for major refurbishment of the land in their ownership. However, I don't think we can say much about their emerging proposals at this stage.

### Conservation and Design

Following a review of the proposals we would comment as follows:

#### Unit 1

##### Proposed supermarket

We would recommend that alterations be made to the design and materials to help break up the unit to add to the visual interest given its prominence within the site. This is due to the prominent location within the site and the alterations to the landscaping such as the swale which will add to the prominence of the building.

In particular we would recommend that elevations AA, DD and the northern end of BB be altered. AA will be the most prominent elevation when within the retail space. We would be concerned that there is a lack of visual interest due to the substantial area of brickwork and it should be broken up. Elevation BB will be located beyond the Swale. Due to the drop created by this the supermarket will appear higher and give more prominence to this elevation from the adjacent road. DD will be visible within the retail park area and would appear to be close to the landscaping area around the people building. Given this location the elevation would be prominent within the public environment of the site. It may be useful to contemplate using other materials such as corten or powder coated aluminium panels to relieve the brickwork. Other options could be to create bays of feature panels within the brickwork using either different bonds or brick types. The brickwork to the retaining wall/ walls to the frontage adjacent to the swale should also have some visual interest which perhaps includes piers and an ornamental brick bond such as garden wall bond.

#### Unit 2

We note that this building will be a feature when approaching the retail park. It appears to be of a standard design used elsewhere. To create a character and defined space within the retail park it would be useful to review the design and reflect the character of unit 11 at the opposite end of the park as these buildings will provide the entrance

features to the retail park. It may also be useful to consider re-orientating the building so that there is some active frontage to the elevation towards the road and that there is a stronger visual appearance at the entrance as at present the proposal steps up and back into the site. This element of the scheme should be reviewed.

### Unit 3

Given the close location and prominence within the site unit 3 should relate to and reflect the redesigned unit 2 and unit 11 in terms of materials and design features. At present it appears to be a standard design used elsewhere and fails to reflect the character of the area or the retail park. In particular we would be concerned about the design and detailing of the clerestory element which given the depth of the eaves and the overall proportions fails to sit comfortably with the structure below. Instead it would be recommended that similar features and materials to units 2 and 11 would help to create a sense of identity and cohesiveness within the retail park which would be desirable.

### Units 4-11

In general these proposals are acceptable but we would require a sample of materials by condition and it would be recommended that a suitable local brick or one which matches the colour of the local brickwork be used to help reflect the character of Dacorum.

### Transformer/ Car Parking

The proposed transformer appears to be at a prominent location within the site. This should either be moved to a less prominent location or be concealed with appropriate soft and hard landscaping. Design features could perhaps be added again to reflect the character of the wider retail park perhaps using matching brickwork. The car park dominates the site and it would be hoped that this could be reviewed to perhaps soften the space. Tree planting could help as could more pedestrian friendly aspects as traffic currently dominates and in particular linking units 2 and 3 with the rest of the site. It would be recommended that standard guardrails be avoided and traffic signage is limited.

### Recommendation

Overall we would support the proposals however the design and materials used need to be reviewed particularly units 1, 2, 3 the transformer and the landscaping. We would therefore recommend that further revised proposals be submitted.

### Conservation and Design further comments

No formal comments however further advice noted in report.

### Trees and Woodlands

Tree Protection Plan – drawing number 8895 TPP 01 Rev E (North) and (South)

I'm comfortable with many of the planned tree removals across the site. There are trees of poor condition and low amenity value whose retention would not be desired.

There are also trees of moderate value that are positioned too close to boundaries or that have self-set where there is no viable future for them.

The removal of five high quality Pin Oaks is regrettable but recognised as vital to the development of the site.

I was initially concerned about the number of tree removals specifically along the site frontage on Maylands Avenue. The many and varied selection of trees planted during there during the development of the People Building and health club are now developing into fine specimens. The aesthetic impact of these tree groups is considerable.

However, following site inspection I agree with removal plans along part of the frontage. A number of these trees have growth defects or poor form that will limit longevity. Others are located too close to street furniture or in positions where their root systems will be significantly affected by proposed construction.

It is intended to retain six trees along the Maylands Avenue boundary to the north of the existing vehicular access. Trees are well spaced out and positioned far enough from the site edge to avoid maintenance issues on the public highway.

However, to the south of the vehicular access the number of retained trees is extremely low, only one Oak is to be kept. Proposed planting does little to positively affect the aesthetic impact of this. Plans show that eight trees are to be planted in mitigation for the loss of 20+ individual trees, a hedge and several tree groups. The new trees are shown as three close to the junction, one on the car park edge and four widely spaced along Maylands Avenue.

Current proposals would create a landscape whose impact varies greatly to either side of the entrance way.

The four widely spaced Liquidambar's appear on plans to be too close to the public highway. It is probable that their positioning will cause future issues to the surfaced multi-use pathway through root damage and leaf fall / shading. The Liquidambar's should be moved back into the site, away from the boundary so that their canopies can develop without frequent intervention.

Although the four Liquidambar trees will eventually provide an impressive visual display, combined with a Liriodendron to the rear, their initial impact will be low and seemingly will conflict with the varied and interesting northern frontage. The southern section will appear sparse with large gaps between trees. The intended purpose of landscaping here is to "reinforce the parkland aesthetic." It is rare that modern urban parkland has regimented single species row planting, so I recommend that further planting is located within this area that creates a varied aesthetic. The visual impact of species such as Liquidambar is heightened when planted near to contrasting canopy shapes and colours. The Liriodendron will provide contrast but needs supplementing with more variety.

More planting will obviously screen the development to a greater extent but not to the point where views are heavily restricted. The careful placement of individual and grouped trees will still afford multiple views of the new retail units from along Maylands Avenue.

The Liriodendron itself is to be planted adjacent to a footway and the car park. Whilst falling leaves on the path can easily be managed by the site operator, falling debris on parked vehicles and root damage to hard surfaces are more tricky to deal with. It would seem sensible to move the tree away from the car park, further onto the green open space.

The chosen selection of species is good and could give a very positive impact to the development if a greater number of specimens were used.

Along the Breakspear Way frontage, two tree groups are planned, incorporating varieties of Field Maple, Rowan and Birch. These groups will look attractive throughout the year and enhance views of the development site. One existing tree, a Norway Maple, is to be retained, approximately located halfway between the new tree groups. The retention of a single tree may appear at odds with the more interesting groups to either side so consideration should be given to the addition of two smaller trees (such as the species above) adjacent to Maple to form a better link between the existing and new landscape.

#### Trees and Woodlands further comments

Thanks for the additional information. Although it isn't stated on submitted plans or in written advice, I'll assume that the red circled sections are revisions to previous plans.

I've copied a paragraph from the agents email to you below.

We have considered the additional requests to add more planting at various points across the site, but there are budget considerations, increased maintenance costs, and issues covered above including tree sap affecting cars and the adverse affect it has on the visibility of the retail units from Maylands Avenue. The amount of trees planted across the scheme represents the highest number of trees that can viably be planted before the visibility becomes an issue for retailers.

#### 'Budget considerations'

When assessing a scheme of this size and cost, discussion about the costs of a few extra trees being prohibitive is not realistic. Irrespective of this, it is not in fact necessary to increase the number of proposed trees on the site, merely to redistribute those already allocated.

Along the Breakspear Way boundary a group of nine new trees is proposed, comprising Acer, Sorbus and Betula. The impact of this group will be diminished by the presence of two large Oak trees, located within the public highway alongside the development site. The Oaks are shown on submitted plans.

Rather than have trees within the site replicating the screening and amenity function of highway trees, simply reduce the number of specimens in the on-site group and move those across the development site.

#### 'Increased maintenance costs'

There are no increased maintenance costs if tree numbers stay the same.

#### 'Tree sap affecting cars'

The original plans showed trees close to parking areas across the site. Following my comments, trees have been moved away from parking areas thus reducing the potential for falling sap to affect cars. I'm confused by the agents comment as I haven't suggested that trees should be planted closer to vehicles, indeed I have pointed out that distances between them need to be increased.

#### 'Visibility of retail units'

I would agree that over-planting could obscure the visibility of the new units, however this isn't being suggested. Compare the numbers, and therefore affect, of trees suggested within submitted plans along Maylands Avenue to the front of units 01, 02 and 03 versus those proposed in front of units 04 – 11. I count eleven trees to the front of units 01 – 03 (plus fifteen nearby along the site access road and one more on the public highway). This compares with four trees to the front of other eight larger sized units.

The visual affect of this disparity will be stark. The frontage of 01 – 03 will have visual interest, a mix of species and sizes and seasonal value. The frontage of 04 – 11 will only have real interest whilst the Liquidambar's are in autumnal leaf. Apart from this small part of the year, the frontage will appear sterile and uniform, with no variety of colour or size.

The density of trees to the front of units 01 – 03, in visual terms, was deemed acceptable by the agent in their submission, so there is little basis to their comment of lack of visibility regarding four trees in front of the larger units. Firstly, the site boundary to the front of units 04 – 11 is larger and so there is more opportunity to see the units over a longer period than with a shorter one, and secondly, the same density of trees has not been suggested. As previously stated;

"The intended purpose of landscaping here is to "reinforce the parkland aesthetic." It is rare that modern urban parkland has regimented single species row planting, so I recommend that further planting is located within this area that creates a varied aesthetic. The visual impact of species such as Liquidambar is heightened when planted near to contrasting canopy shapes and colours. The Liriodendron will provide contrast but needs supplementing with more variety."

Such variety could come from species like Birch (Betula) whose canopies are not dense.

Tree planting within the site needs to be of robust quantity at the start of the development's commercial life to allow for potential longer term tree thinning, should issues arise with specific specimens. It will not be possible to compel the site owner to plant more trees in the future should approved plans result in a poor 'parkland' aesthetic.

#### Parks and Open Spaces

I have looked at the landscaping proposals. The overall concept seems to be large swathes of wildflowers, which from May to September if managed properly should look spectacular. However proper management of this area is key to its success. Wildflowers can have the habit of looking good in year one and then the following year look a bit drab in comparison. This can all depend on what kind of seed mix is put down, will it be annual, annual and perennial, will it be put down as seed or turf?

So the key questions for me to the developer would be-

Are you proposing seeding the area or using wildflower turf? (Turf is more expensive, but seems to have a consistent display).

What type of mix is proposed? Annual or a mixture of annual and perennial.

Management regime for the wildflower areas? If the wildflowers fail, you could be left with a massive field of weeds.

The boundary hedge is a good idea around the car park for screening and as said would be good for nesting birds.

The other shrub planting dotted around are fairly standard good quality amenity planting.

#### Parks and Open Spaces further comments

Proposed perennial wild flower mix is sown into the soil to negate the requirement for topsoil to be brought to site. The wild flower management regime is based around a spring flowering meadow. This is acceptable as long as the proposed management actually happens.

#### Regeneration team (Strategic Planning and Regeneration)

This contribution does meet the Government tests as set out in the NPPF as noted within the Developer contributions section of the Maylands Design Strategy. This will be described in the points below.

The required improvements are necessary to make the development acceptable in planning terms, this is set out in:

The Dacorum Corporate Plan identifies the following priorities over the period 2012 and 2015, which it will work towards with partners:

- Secure regeneration and development at Maylands Business Park, based on the Maylands Master Plan
- Secure the best possible infrastructure development so that people have a vibrant economy accompanied by good quality of environment and open spaces, and other infrastructure – backed up by the Local Planning Framework, the Community Infrastructure Levy, and the Infrastructure Delivery Plan
- Create the conditions that keep businesses in the area and attract new ones – as the place to do business

Policies 12 and 13 of the adopted Dacorum Borough Local Plan (2004) provide a general basis for securing contributions from developments towards the various types of infrastructure and facilities.

Within the Dacorum Borough Council Core Strategy policy CS35 states that the Council will use planning obligations to ensure that developers make appropriate contributions towards the infrastructure required to support their development. These

contributions will be used to mitigate the impacts of development; and provide infrastructure to support that development.

The Dacorum Borough Planning Obligations Supplementary Planning Document (SPD) (2011) explains the Planning Objectives that Dacorum Borough Council will pursue in seeking planning obligations; sets out the evidence of need to substantiate the levels of contributions that will be sought for certain types of infrastructure; and gives details of the

Council's requirements; and describes the procedures that the Council will be followed in securing planning obligations. Within this document the Council identifies Maylands Business Park as an important regeneration project where contributions are particularly likely to be sought on a site by site basis in relation to environmental Improvements.

As identified within the various policy documents such as the Dacorum Core Strategy, Maylands Masterplan and through the Maylands Design Strategy it is noted that without investment with the urban realm within the area the locality will continue to decline and not be able to maintain its place as sub regional employment centre. Investment will be attracted to other areas of the UK or other European destinations rather than this employment centre. Hemel Hempstead has traditionally attracted strong levels of inward investment with much of this due to the prominence of Maylands but without continued investment in the public realm this will not continue. This site is located on the Main office fronted section of the Maylands Business Park with this scheme having a direct impact on this appearance.

The site currently has a significant level of office accommodation. This will reduce the level of B class uses on the site. Dacorum Borough Council have specific targets that it needs to meet within these uses, this level of B class development directly gives the B class employment target that has been adopted as part of the Core Strategy process. This application will lead to lower levels of B class uses as identified. The job numbers previously set against this area will need to be delivered elsewhere and we will have to compensate for the losses on this site. These improvements will enable the area to attract further investment and development so that we can meet these job targets on other sites.

There is a strong policy line within the Core Strategy setting out the expectation that developments should make financial contributions towards public realm improvements were necessary. Reference should be made to Policy CS13, the East Hemel Hempstead Vision Statement, CS34 and CS35

It is clear from the Core Strategy that the detail will be set out in supplementary planning documents including Design Statements (such as the Maylands Urban Design Strategy) the East Hemel Area Action Plan.

Policy CS13 is of particular relevance in that it states that "New development will be expected to contribute to the quality of the public realm...."

Policy CS35 clearly states that delivery of CS35 will be achieved by applying the Planning Obligations SPD (until superseded)

The Planning Obligations SPD clearly states that Maylands is a regeneration priority and contributions will be sought towards improvements in the Maylands Industrial area.

The CIL Charging Schedule and Draft Regulation 123 list have been subject to public consultation and examination. In my view, they are a material planning consideration which should be afforded some weight. It is clear from the Draft Regulation 123 list that public realm improvements in Maylands will be secured under S.106.

The improvements are directly related and only refer to works in the direct vicinity of the site. We only Intends to seek S106 contributions related to specific A3 sheets within the improvement specification to part fund the works, which will ensure that as these individual sheets can be referenced within S106 agreements.

Each of the A3 sheets identifies the improvements that are required has had costs assigned to each item and then given totals. The amount requested equates to 20% of the cost of each of these sheets. If you would like I can send the sheets which relate to the amount requested across to you or alternatively the documents relating to this can be found [following this link](#).

### Rights of Way

The application site is crossed by Hemel Hempstead public footpath 50.

The neighbouring, Prologis site, is upgrading this footpath to a 3m cycle path and it is hoped that this can be agreed, to the same standard, over this holding as well, ideally via a s106 agreement. This path will form part of a cycle link between Hemel Hempstead and St Albans that we are working on with Herts CC colleagues.

The widening of the access road, off Maylands Avenue, to Unit 01 will need to consider the definitive line/extent of the current public footpath and the safety of public traffic.

### Environmental Health

The hybrid application comprises a full application for retail and café/ restaurant buildings, and an outline application for an office building.

The following response relates to air quality and contaminated land.

Air Quality:

Regulatory Services is in receipt of the following report submitted with the above application:

- Air Quality Assessment; Document Reference: EED14757-100\_AQ\_R.1.3.1; Waterman Infrastructure & Environment Limited; November 2016

A previous version of the report (ref: EED14757-100\_AQ\_R2.1.1\_CB dated February 2015) was submitted and reviewed under outline planning application 4/01132/15/MOA. It is predicted that the 2016 development is likely to result in an additional 3,985 AADT on the local road network, compared with the previous proposals submitted under 4/01132/15/MOA. The report has been revised to take this into account, and also been updated to reflect the recent guidance changes.

The findings of the report are summarised as follows:

- An air quality assessment was undertaken to determine the likely effects of the proposed development on local air quality. The contribution of an additional 3,985 AADT on the local road network, as a result of the 2016 development has also been considered.
- The construction of the proposed development would have the potential to generate fugitive dust from construction activities and changes in air quality as a result of exhaust emissions from plant and construction vehicles.
- A range of best practice environmental mitigation measures would be implemented to minimise dust generated during the construction works. With mitigation in place, the occurrence of nuisance dust would be minimised, and it is considered that the significance of effect would be minor adverse, and would be localised and temporary.
- Exhaust emissions from construction plant operating on the site would be small in comparison to the emissions from the road traffic movements on the roads adjacent to the site and therefore it is considered that their effect on air quality would be negligible.
- It is anticipated that the effect of exhaust emissions from construction vehicles entering and leaving the site would be minor adverse during peak construction periods and negligible at all other times, considering current background pollutant concentrations and local road traffic emissions.
- An assessment of the effect of the traffic associated with the proposed development on local air quality has been undertaken using the DMRB. This predicted the effect of the proposed development on air quality at two sensitive receptors surrounding the site. Taking into account uncertainty in future NO<sub>x</sub> and NO<sub>2</sub> reductions, the effects are predicted to be of minor adverse to negligible significance at the existing sensitive receptors considered in this assessment. The effects of the proposed development are predicted to be negligible for PM<sub>10</sub> and PM<sub>2.5</sub> concentrations.

#### Comments:

Ensuring that appropriate dust control measures are implemented in relation to the construction phase, I am satisfied that the construction and operational stages of the development will have a negligible to minor adverse effect on air quality.

The year 2013 has been modelled to establish the baseline air quality conditions. This data is now four years old. For completeness, I would ask that the model be re-run utilising more up to date diffusion tube data, which can be provided upon request and the report revised accordingly.

This information can be requested via condition if deemed appropriate. Appropriate wording can be provided upon request.

#### Contaminated Land:

Regulatory Services is in receipt of the following reports submitted in respect of the above:

- Preliminary Risk Assessment Report; Contract No. E12926/1A; Report Issue No.:

- 1; Report Status: Final; DTS Raeburn Ltd; June 2016
- Geo-environmental Appraisal; Contract No. E12926/1B; Report Issue No.: 1; Report Status: Final; DTS Raeburn Ltd; August 2016

To recap; the following report was submitted and reviewed under 4/01132/15/MOA and the following comments provided:

- Preliminary Environmental Risk Assessment; Document Reference: EED14757-100-R-1-2-1-GH; Waterman Energy, Environment & Design; February 2015

*'...The report provides a satisfactory preliminary risk assessment of the site. I am in agreement with the recommendations as follows:*

- *'A ground investigation should be undertaken to confirm the underlying ground conditions within the Site. The scope of this investigation should be informed following a detailed review of past ground investigation reports and remediation validation information. The scope and timing of the resultant investigation should be agreed with the local authority. The investigation should target potential sources of contamination, notably from the engineering works and waste treatment/disposal site, including previously remediated areas. In addition, soils and stockpiles should be screened for potential contaminants including asbestos. The outcome of this investigation could then be used to inform the nature and scope of potential remedial measures;*
- *The ground investigation should also allow for geotechnical assessment to assist with foundation design. This should include an assessment of the potential for settlement within any residual superficial deposits left on Site. In addition, the nature of the bedrock should be investigated if it is considered likely that foundation loads will have an impact on bedrock e.g. as a result of the use of piled foundations;*
- *As the Site is located in a groundwater Protection Zone III, the ground investigation should also include leachate and groundwater sampling to identify potential contaminants in the groundwater and the mobility of potential contaminants in the soils beneath the Site;*
- *Ground gas monitoring should be undertaken to establish the gas regime of the Site and to determine if any gas protection measures will be required in the proposed development. At this stage it is recommended that a two month programme of six gas monitoring visits will be required to comply with CIRIA C665;*
- *During any groundworks, it is recommended that all construction workers wear appropriate PPE to reduce the risk of exposure to potential contaminants in the underlying Made Ground; and*
- *The onsite stockpiles and any materials excavated to facilitate the proposed development should be assessed for their potential for reuse on Site, in accordance with the requirements of the CL:AIRE waste protocol, or if excess to Site requirements the waste classification of the material assessed.'*

*As further works are required, I recommend the contamination condition is applied*

*should planning permission be granted in order to ensure that the recommended works are undertaken...'*

## Preliminary Risk Assessment Report

The Preliminary Risk Assessment Report focuses on the discount food store component of the application only (Unit 1 - proposed for the northern part of the application).

The site covers about 0.5 hectares. Approximately its northern half comprises a car park, whilst the southern half is vacant and surfaced by compact gravel. Limited areas of grass landscaping and deciduous trees are present in the far southern and western sections.

It is understood that a discount food retail store and an associated car park are to be constructed in the northern and southern sections of the site respectively.

Geological map information indicates the site to be underlain by bedrock geology of the Lambeth Group (consisting mainly of silty clay with some sands, gravels and limestone bands) overlying the *Cretaceous* Lewes Nodular Chalk and Seaford Chalk Formations (undifferentiated).

The nearest surface water feature is Marchmont Pond, a man-made balancing pond located at about 420m to the south-east of the site. The site is considered to be of low sensitivity with respect to this feature.

The Lambeth Group and underlying Chalk formations are classified as 'Secondary A' and 'Principal' Aquifers respectively. The site also lies within 'Zone 3' of a Groundwater Source Protection Zone, associated with six groundwater abstraction boreholes for potable supplies located between about 800m and 1.5km to the south of the site.

An Ancient Woodland (Maylands Wood) is located at about 365m to the northwest of the site.

The site is located with 'Flood Zone 1' (the lowest risk classification with respect to fluvial and flooding).

In reference to the site history; the site was developed from Greenfield into a car park during the 1970s/early 1980s and has remained in this use to the present day. In terms of the near vicinity; an old chalk pit was identified on the 1878 – 1879 map edition situated approximately 40 metres to the southwest; this appeared infilled by 1924. The 1960 map edition identified a factory situated approximately 50 metres to the south of the site. By the 1969 map edition, the factory to the south of the site is now identified as an engineering works and includes above-ground tanks in the western section. A depot with associated above-ground tanks and an electricity substation has been constructed adjacent the site to the north. Numerous factories and other industrial works have been constructed along Maylands Avenue to the west of the site. These include two chemical works, an engineering works, a printing works, a battery factory, a clothing factory, an electronics works and a laboratory within 100m of the site boundary. On the 1969 – 1987 map edition, the engineering works to the south of the site have been extended northwards, to within about 20m of the site boundary. By 2006, the engineering works to the south of the site had been demolished and the

present-day office block constructed adjacent the site to the east.

Information provided by Dacorum Borough Council and included in the Watermans report has revealed that the engineering works to the south of the site was occupied by Lucas Aircraft and was operational between 1952 and 2002. Further enquiries locally have indicated that power systems for aircraft and military vehicles were produced at the site. Plans included within the Arup Report indicate that the site and adjoining area to the east were occupied by a car park associated with the adjacent engineering works. The Arup Report also documents that remediation works were previously undertaken at three locations within the adjacent engineering works site to the south, following its demolition. However, there are no records of any previous ground investigation or remediation works having been undertaken within the subject site.

A review of available environmental information supplied by Landmark Information Group identified a number of current and former potentially contaminative land uses within the vicinity of the site. Notable entries are as follows:

- *Integrated Pollution Controls:* Chemical processes at the former engineering works to the south of the site. Dated 1994 and revoked following closure of the factory - situated approximately 10 metres to the south.
- *Integrated Pollution Prevention and Control:* Relating to non-ferrous metal processes - situated approximately 257 metres to the north.
- *LAPPC:* Incineration of <1 tonne/hr of general waste (revoked) - situated approximately 67 metres to the northeast; Dry Cleaners - -situated approximately 205 and 254 metres to the northwest.
- *Potentially Infilled Land:* Areas of potentially infilled land situated approximately 234 and 378 metres to the northwest. These locations correspond to those of former brickworks which closed in the late 19<sup>th</sup> century. Considered unlikely to affect the site.
- *Waste Management Sites:* Storage of industrial waste including bagged chemical waste, drummed chemical waste and waste oil at the adjacent former engineering works. Lapsed or surrendered/cancelled - situated approximately 10 metres to the south. Small waste transfer site dealing with asbestos cement sheet and demolition/excavation material. Unlikely to affect the site due to the stated distance - situated approximately 405 metres to the northwest. Household, commercial and industrial waste transfer station. Unlikely to affect the site as soil disposal is not recorded to have been undertaken at this location - situated approximately 415 metres to the north.
- *PFS sites:* One PFS recorded as 'obsolete' but the current status of the associated fuel storage tanks is not know - situated approximately 210 metres to the northwest.
- *Potentially contaminative land uses (14no.):* Active and inactive processes including 8no. engineering firms (hydraulic, precision, mechanical, electrical and general), a road haulage firm, a breakdown recovery firm, a printing works, two used car dealerships and a car repair workshop - situated approximately 15 to 250 metres to the north and northwest.

The initial conceptual site model identified the following potential sources, receptors and pathways:

On-site sources:

- Current and historical use of the site as car park (contamination generally unlikely, however, localised *petroleum hydrocarbon* contamination could have been caused as a result of localised leakages/overflows from oil:water interceptors)

#### Off-site sources:

- Former aircraft engineering works adjacent to the south of the site (*petroleum hydrocarbons, metals/metalloids, chlorinated solvents and other volatile and semi-volatile organic compounds (VOC and SVOC), phenols, asbestos, acidity/alkalinity (low/high soil pH), asbestos*)
- Current and former factories and Industrial works within 100m of the site to the west, including various engineering works, printing works, car dealerships, electricity substations and former battery and clothing factories (*petroleum hydrocarbons, metals/metalloids, phenols, chlorinated solvents and other VOCs/SVOCs, sulphates, acidity/alkalinity (low/high soil pH), PCBs, asbestos*)

#### Potential receptors:

- Humans: construction workers, future maintenance workers, site end users
- Development end use: buildings, hardstandings, services, utilities and landscaped areas.
- Controlled waters:
  - Groundwater: classification of the underlying Lambeth Group and Chalk formations as 'Secondary A' and 'Principal' aquifers respectively
  - Licenced abstractions: location of the site within a SPZ3 associated with six potable water supply abstractions between about 800m and 1.5km to the south of the site
- Major ecological receptors: Ancient woodland c. 365m to the north-west of the site

#### Potential pathways:

- Humans: ingestion, skin contact, inhalation of dust and indoor and outdoor air
- Development end use: contact
- Controlled waters:
  - Groundwater: leachate migration into pore water from soil contamination, dilution and dispersion into groundwater
  - Licenced abstractions: hydrological flow within groundwater
- Major ecological receptors: hydrological flow within groundwater

#### Preliminary Risk Assessment:

The preliminary risk assessment has identified the following potentially complete significant pollutant linkages in respect of potential on-site sources:

- A low to moderate risk to construction workers associated with the current and historical use of the site as a car park (possible localised petroleum hydrocarbon contamination as a result of leakages/overflows from interceptors) via dermal contact, ingestion and inhalation.
- A low risk to future site users associated with the current and historical use of the site as a car park (possible localised petroleum hydrocarbon contamination as a result of leakages/overflows from interceptors) via dermal contact, ingestion and

inhalation.

- A low to moderate risk to controlled waters associated with the current and historical use of the site as a car park (possible localised petroleum hydrocarbon contamination as a result of leakages/overflows from interceptors) via contact, migration, dilution and dispersion through soils, hydrological flow within groundwater and surface runoff.
- A low to moderate risk to licensed groundwater abstractions associated with the current and historical use of the site as a car park (possible localised petroleum hydrocarbon contamination as a result of leakages/overflows from interceptors) via contact, migration, dilution and dispersion through soils, hydrological flow within groundwater and surface runoff.
- A low to moderate risk to major ecological receptors associated with the current and historical use of the site as a car park (possible localised petroleum hydrocarbon contamination as a result of leakages/overflows from interceptors) via contact, migration, dilution and dispersion through soils, hydrological flow within groundwater and surface runoff.

The risk to the short-term health of construction workers during the development phase of the site should be considered moderate on the basis of current information, but this should be adequately mitigated by the adoption of normal safe working practices including the use of appropriate personal protective equipment (PPE). The risk to future site users and the development end use is considered low due to the proposed coverage of the site by buildings and hardstanding. The risk to controlled waters is considered moderate on the basis of current information, but would become low if the chalk bedrock beneath the site were found to be overlain by a substantial thickness of clay soil of the Lambeth Group. The risk to licensed groundwater abstractions and major ecological receptors are considered low to moderate depending on the depth to groundwater and direction of groundwater flow beneath the site.

The preliminary risk assessment has identified the following potentially complete significant pollutant linkages in respect of potential off-site sources:

- A low to moderate risk to construction workers and future site users associated with potential off-site sources (former aircraft engineering works adjacent to the site to the south, current and former factories and industrial works within 100 metres of the site to the west including engineering works, printing works, car dealerships, electricity substations and former battery and clothing factories), via dermal contact, ingestion and inhalation.
- A low to moderate risk to the development end use associated with potential off-site sources (former aircraft engineering works adjacent to the site to the south, current and former factories and industrial works within 100 metres of the site to the west including engineering works, printing works, car dealerships, electricity substations and former battery and clothing factories), via contact, migration, dilution and dispersion through soils, hydrological flow within groundwater and surface runoff.
- A moderate risk to controlled waters associated with potential off-site sources (former aircraft engineering works adjacent to the site to the south, current and former factories and industrial works within 100 metres of the site to the west including engineering works, printing works, car dealerships, electricity substations and former battery and clothing factories), via contact, migration, dilution and dispersion through soils, hydrological flow within groundwater and surface runoff.
- A low to moderate risk to licensed groundwater abstractions and major ecological

receptors associated with potential off-site sources (former aircraft engineering works adjacent to the site to the south, current and former factories and industrial works within 100 metres of the site to the west including engineering works, printing works, car dealerships, electricity substations and former battery and clothing factories), via contact, migration, dilution and dispersion through soils, hydrological flow within groundwater and surface runoff.

The above potentially complete significant pollutant linkages are generally considered to present a low risk to the human receptors identified, but the risk could potentially become moderate in the event that volatile contaminants from off-site sources were able to migrate to beneath the site. The off-site sources identified are however considered to present a potentially moderate risk to controlled waters and major ecological receptors (the latter depending on the direction of groundwater flow beneath the site), and hence it is unlikely that any contamination affecting these receptors (if present) could conclusively be attributed to the subject site. An intrusive investigation has been proposed to enable a quantitative assessment of the levels of ground contamination beneath the site and the associated risk to the relevant receptors. The findings of the investigation shall be reported separately.

The PRA research suggests a generally low risk to the proposed development from soil gas, unless volatile contaminants were able to migrate to the site from off-site sources. However, correspondence from Dacorum Borough Council included in the Waterman Report states that gas protection measures, comprising a 2000-gauge Visqueen membrane and a 175mm-thick reinforced ground floor slab were provided to a recent hotel development approximately 300 metres to the southwest of the site. A gas monitoring regime has therefore been incorporated into the proposed site investigation works.

The site is situated within an intermediate probability radon area, where between 1% and 3% are affected by radon gas at concentrations above the Action Level. Public Health England (PHE, formerly HPA) recommend the inclusion of basic radon protection measures into all new buildings or extensions regardless of their location. Such protection is not mandatory unless radon is encountered in commercial buildings/workplaces at concentrations in excess of 400Bq/m<sup>3</sup>, the likelihood of which is considered low. However, basic radon protection can easily be provided by means of a well-installed damp-proof membrane of minimum 1200-gauge, modified and extended to form a barrier across the ground floor slab.

## Geo-environmental Appraisal

This report details the findings of the ground contamination and geotechnical appraisal undertaken at the site. The previously reviewed Preliminary Risk Assessment Report (PRA) (Report E12926/1A) covered the area of the proposed discount food store only. The ground contamination and geotechnical appraisal covers a significantly larger area (the 4/03157/16/MFA application boundary). The report states that that a PRA report for the site was completed in June 2016 (Report E12926/1B) and the scope of the present ground investigation was designed based on an initial Conceptual Site Model (CSM) included in that report. The above-mentioned PRA (Report E12926/1B) has not been submitted for review; submission and review of this additional PRA is required prior to review of the geo-environmental appraisal.

As further information is required, I recommend that the standard contamination condition be applied to this development should permission be granted to ensure this information is submitted. For advice on how to comply with this condition, the applicant should be directed to the Council's website ([www.dacorum.gov.uk/default.aspx?page=2247](http://www.dacorum.gov.uk/default.aspx?page=2247)).

### Contaminated Land further comments

### 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:

#### Decision

Hertfordshire County Council (HCC) as highway authority has no objection to the proposed hybrid full and outline application, subject to conditions.

#### Conditions

Condition 1: Before commencement of any part of the development, detailed plans shall be submitted to and approved in writing by the Local Planning Authority and Highway Authority which show the proposed access arrangements for the internal 4 arm roundabout, servicing access for the discount retailer, exit only egress for the retail car park onto Maylands Avenue, and the widening of the signalised junction access to Maylands Avenue.

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

#### Condition 2

Prior to the commencement of the development hereby permitted full details in the form of scaled plans and written specifications shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:

- i. Roads, footways, foul and on-site water drainage.
- ii. Existing and proposed access arrangements including visibility splays.
- iii. Parking provision in accordance with adopted standard.
- iv. Cycle parking provision in accordance with adopted standard.
- v. Servicing areas, loading areas and turning areas for all vehicles.

#### Condition 3

Prior to commencement of the development, the applicant shall submit a Delivery and Servicing Plan to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Delivery and Servicing Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and

manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.

Reason: In the interests of maintaining highway efficiency and safety.

#### Condition 4

Before commencement of any part of the development, a Stage 1 Road Safety is required for all access arrangements to be submitted to and approved in writing by the Local Planning Authority and Highway Authority. The Stage 1 Road Safety Audit should consider the 4-arm roundabout access within the proposed development site, exit only egress from the retail car park onto Maylands Avenue and the widening of the signalised junction access with Maylands Avenue.

Reason: To ensure that the proposed access arrangements are safe and suitable for their intended use.

#### Condition 5

At least two months prior to occupation, each occupier of the development (retail, restaurant or office land uses) shall submit a Travel Plan in accordance this Hertfordshire's Travel Plan Guidance to be reviewed and approved by the Local Planning Authority in conjunction with the Highway Authority. Implementation of the plan shall follow a timescale to be agreed by the Local Planning Authority and Highway Authority.

Reason: To promote sustainable transport measures to the development.

#### Condition 6

Construction of the development hereby approved shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

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

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

#### Condition 7

Prior to commencement of any part of the development, swept path assessment is required for the proposed 4-arm roundabout to demonstrate that a 16.5m articulated lorry can safely traverse through the roundabout to access the servicing and delivery areas for the retail buildings.

Reason: In order to protect highway safety and the amenity of other users of the site.

#### Condition 8

Prior to first occupation, a servicing and delivery plan is required to ensure that there is no conflict between parked vehicles and arriving or departing vehicles in the service yard.

Reason: In order to ensure that the propose service yard is safe and suitable for all users.

#### Community Infrastructure Levy (CIL)

The Community Infrastructure Levy is a planning charge tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. The proposed development may be liable for a charge under the Community Infrastructure Levy (CIL).

#### S278 Agreement

Any works within the highway boundary (including alterations to the footway and the proposed site access) will need to be secured and approved via a S278 Agreement with the HCC.

The proposed mitigation measures for the A414 / Maylands Avenue roundabout junction will be secured and approved via S278 agreement. It is agreed that the proposed mitigation measures at the A414/Maylands Avenue roundabout junction will be implemented upon completion of the first phase of the scheme, Discount Food Store and A3 units (units 2 and 3) and prior to the commencement of phases 2 and 3. As there is a risk to HCC that Phase 2 and 3 may not be implemented HCC require a bond fee equal to the associated costs for construction of the mitigation measures be secured via S278/106 agreement.

#### S38 Agreement

It is assumed that all roads within the site will remain under private control and management. No s38 agreement should therefore be required.

#### S106 Agreement

HCC will likely seek contributions via S106 for Travel Plan monitoring fees and additional contributions will be sought via CIL contributions as Dacorum Borough Council has adopted CIL. A bond will be sought for implementing the proposed mitigation measures for the A414 / Maylands Avenue roundabout junction via S106 agreement.

#### Informatives

AN1) 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.

AN2) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

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

AN3) General works within the highway: Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's highway design guide "Roads in Hertfordshire". 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 0300 1234047.

## Description of the Proposal

The planning application is a hybrid application comprising the following:

- Full application for the construction of 12, 503sqm of retail (class A1) floor space, 545sqm of café/restaurant (class A3/A5) floor space, 180sqm of café/restaurant (class A3/A5) floor space, a car park with 557 car parking spaces and associated access and landscaping works; and,
- Outline application for the construction of an office (class B1) building measuring 2,787sqm.

## Site Description

The development site is located in Hemel Hempstead in Maylands Gateway. The site is comprised of undeveloped brownfield land.

The site is bound to the north by residential and employment land, to the east by undeveloped green space, to the south by Breakspear Way and the west by Maylands Avenue.

Maylands Avenue is principle A main distributor road subject to a 30mph speed limit. Breakspear Way is a principle A main distributor road subject to a 70mph.

The site is currently accessed at the northern boundary of the site via a three arm signalised junction. However, a secondary access point is barricaded at the southern

edge of the site which was previously used by the Former Lucas Factory.

## Planning History

The proposed development site is subject to the following relevant planning history:

- District planning application reference 4/02728/03/OUT: construction of three office buildings (Class B1a), ancillary structures, ancillary building (retail class A1), security and management suite, meeting facilities, car parking, cycle parking and landscaping. This was granted permission, subject to conditions.
- District planning application reference 4/00806/09/RES: reserved matters application pursuant to outline planning permission 4/02728/03/OUT. This was granted permission subject to conditions.
- District planning application reference 4/02609/14/PRE: pre-application was sought for the redevelopment of the site to provide new retail and commercial floor space comprising: food superstore measuring 5,500sqm, comparison floor space measuring 4,650sqm, commercial leisure floor space measuring 630sqm, new commercial building to the west of the People Building and associated access and landscaping works.
- District planning application reference 4/01132/15/MOA: outline application for the construction of retail space (class A1) measuring 12,503sqm, office floor space (Class B1) measuring 3,004sqm, restaurants measuring 1,031sqm and associated car parking, access and landscaping works. The application was granted planning permission, subject to conditions.
- An amendment was later provided for application 4/01132/15/MOA that included a Transport Assessment (TA) for HCC review to address HCC's request for strategic traffic modelling to be undertaken to assess the cumulative impact of the development. HCC found that the TA suitably demonstrated that, with the implementation of certain mitigation measures promoted on drawing CIV 14164\_38\_A01, the resultant capacity of the network is acceptable to HCC.
- A pre-application meeting was held 5th July 2016 to discuss the changes to the proposed layout and composition of the site. Minutes were provided for HCC approval.

## Analysis

As part of the planning application, the applicant has provided a Transport Assessment (TA), Design and Access Statement (DAS), Workplace Framework Travel Plan (FTP) and Planning Statement (PS), among a number of drawings, for consideration.

## Policy Review

As part of the TA, DAS and PS, the applicant has provided the evidence of review of the following policy documents:

- National Planning Policy Framework 2012
- Hertfordshire County Council Local Transport Plan 3 (2011 ? 2031)
- Dacorum Borough Council Adopted Core Strategy (2006 ? 2031)
- Dacorum Borough Council Local Plan (1991 ? 2011)
- Dacorum Borough Council ? Maylands Gateway Development Brief (May 2013)
- Dacorum Core Strategy Policies: CS10, CS11, CS12, and CS13

- National Planning Practice Guidance

Whilst this is considered appropriate, evidence of review of the following key policy documents is required:

- Roads in Hertfordshire Highway Design Guide 3rd Edition

### Transport Assessment

The applicant has provided a Transport Assessment (TA) as part of the application package for review by HCC. The TA was reviewed and HCC comments are provided in the following section.

### Trip Generation

The TA provided trip generation profiles for the previously approved outline planning application and for the proposed new composition for the site.

### Extant Trip Generation

An existing outline planning application was granted permission with all matters reserved in 2015 for ?the Construction of Retail Floor space (Use Class A1) Measuring 12,503 sq. m, Office Floor space (Use Class B1) Measuring 3,004 sqm, Restaurants Measuring 650sqm, and Associated Car Parking, Access and Landscaping Works?. Previous to this the site was granted outline permission for a predominately office space as a high-tech office park. Peoplebuilding was permitted as part of this outline consent under application 4/02728/03/OUT.

The TA for the outline application for the retail application provided analysis of the original office park development in comparison to the impacts of the retail scheme. The impacts of this proposal were accepted by HCC. The trips were generated using the TRICS online database.

The retail scheme trips were derived using the following trip rates and respective trips:

#### A1 Food Retail per 100sqm (2,356sqm)

- AM Peak (0745 ? 0845):  
Rate: 2.381 arrivals and 1.672 departures  
Trips: 56 arrivals and 39 departures
- PM Peak (1600 ? 1700):  
Rate: 4.989 arrivals and 5.233 departures  
Trips: 118 arrivals and 123 departures
- SAT Peak (1115 ? 1215):  
Rate: 5.432 arrivals and 5.084 departures  
Trips: 128 arrivals and 120 departures

#### A1 Non-Food Retail per 100sqm (10,146sqm)

- AM Peak (0745 ? 0845):  
Rate: 0.477 arrivals and 0.222 departures

Trips: 48 arrivals and 23 departures

- PM Peak (1600 ? 1700):

Rate: 0.813 arrivals and 1.105 departures

Trips: 82 arrivals and 112 departures

- SAT Peak (1115 ? 1215):

Rate: 3.194 arrivals and 2.908 departures

Trips: 324 arrivals and 295 departures

A1 Food Restaurant per 100sqm (1,030sqm)

- AM Peak (0745 ? 0845):

Rate: 0 arrivals and 0 departures

Trips: 0 arrivals and 0 departures

- PM Peak (1600 ? 1700):

Rate: 1.735 arrivals and 1.090 departures

Trips: 18 arrivals and 11 departures

- SAT Peak (1115 ? 1215):

Rate: 1.570 arrivals and 0.457 departures

Trips: 16 arrivals and 5 departures

The total trips for the peak hours are:

- AM Peak: 104 arrivals, 62 departures and 166 two-way
- PM Peak: 218 arrivals, 246 departures and 464 two-way
- SAT Peak: 468 arrivals, 420 departures and 888 two-way

The additional office trips for the development, based on 3,002sqm of B1 office use, would be as follows:

- AM Peak: 54 arrivals, 18 departures and 72 two-way
- PM Peak: 24 arrivals, 29 departures and 53 two-way
- SAT Peak: 19 arrivals, 33 departures and 51 two-way

Therefore, the total extant development trips, before consideration of pass-by, diverted and linked trips are:

- AM Peak: 158 arrivals, 80 departures and 238 two-way
- PM Peak: 242 arrivals, 275 departures and 517 two-way
- SAT Peak: 487 arrivals, 453 departures and 940 two-way

These have been previously agreed as part of outline consent 4/01132/15/MOA and are still considered to be appropriate.

### Proposed Trip Generation

The application is a hybrid application comprising a full application for the retail and restaurant land uses and outline application for the office site. Therefore, the full application and outline will be considered separately.

The full application is for the retail and restaurant land uses. The proposed trip generation profile has altered the extant trip generation profiles slightly as the scheme

has progressed and the A1 food retail uses will be a discount food store and a higher-end food retailer, as opposed to a 'traditional' mainstream supermarket.

The TA has again used TRICS to establish trip rates for the proposed development site. The assumptions used to establish the trip rates for the discount food superstore are as follows:

- 01 ? Retail ? C ? Discount Food Stores
- Excluding Scotland and Ireland
- Monday to Friday for AM and PM peaks
- Saturday for Saturday peaks
- Edge of town centre, suburban area, edge of town and neighbourhood centre locations were used

The assumptions used to generate the trip rates are considered acceptable.

The following trip rates, per 100sqm GFA, were established for the discount food store land use:

- AM Peak: 0.870 arrivals and 0.483 departures
- PM Peak: 3.566 arrivals and 3.673 departures
- Sat Peak: 5.227 arrivals and 5.222 departures

The associated number of trips considering a GFA of 1849sqm would be:

- AM Peak: 16 arrivals, 9 departures and 25 two-way trips
- PM Peak: 66 arrivals, 68 departures and 134 two-way trips
- Sat Peak: 97 arrivals, 97 departures and 194 two-way trips

This is considered acceptable for the proposed land use.

The same trip generation rates used in the extant trip generation profile were applied to the higher-end food retailer. This is considered acceptable for the purposes of the TA. Therefore, the proposed trip generation profile for 1554sqm of higher-end food retail space would be:

- AM Peak: 37 arrivals, 38 departures and 75 two-way trips
- PM Peak: 78 arrivals, 81 departures and 159 two-way trips
- Sat Peak: 81 arrivals, 81 departures and 162 two-way trips

The TA states that the extant trip rates are robust for the high-end food retailer and that it is considered that the discount food store trip rates would be more applicable. However, this is not considered an appropriate assumption and it is considered appropriate to use the previously agreed trip generation rates.

The TA provides a trip generation profile for the Non-Food retail units. The trip rates used to establish the trip generation profile for these units are the same as those used in the extant trip generation profile and are therefore considered appropriate. Therefore, the following trips will be generated by the non-food retail units based on 9587sqm of GFA:

- AM Peak: 46 arrivals, 21 departures and 67 two-way trips
- PM Peak: 78 arrivals, 106 departures and 184 two-way trips
- Sat Peak: 307 arrivals, 279 departures and 586 two-way trips

The TA provides trip rates for an A3 Food Retail Drive-Thru. This is different to the restaurant use in the extant trip generation profile. TRICS was interrogated for the trip rates and the following parameters were considered:

- 06 ? Hotel, Food & Drink ? D ? Fast Food ? Drive Through
- Excluding Scotland and Ireland
- 210 ? 800sqm GFA
- Monday ? Friday for weekday AM and PM peaks
- Saturday and Sunday for Saturday/Weekend peak

The parameters used to establish the trip rates are considered acceptable for the purposes of the TA. Therefore, the following trip rates, per 100sqm GFA, were considered for the proposed trip generation profile for the drive-thru retail units:

- AM Peak: 9.49 arrivals and 8.341 departures
- PM Peak: 10.375 arrivals and 9.448 departures
- Sat Peak: 17.79 arrivals and 15.033 departures

The following is the trip generation profile for the proposed drive-thru units based on 780sqm:

- AM Peak: 73 arrivals, 65 departures and 138 two-way trips
- PM Peak: 81 arrivals, 74 departures and 155 two-way trips
- Sat Peak: 139 arrivals, 117 departures and 256 two-way trips

Therefore, the total proposed trip generation profile for the full application portion of the hybrid application for Food Retail, Non-Food Retail and Restaurant Drive-thru land uses are as follows:

- AM Peak: 172 arrivals, 121 departures and 293 two-way trips
- PM Peak: 303 arrivals, 329 departures and 632 two-way trips
- Sat Peak: 627 arrivals, 572 departures and 1199 two-way trips

The outline application portion of the hybrid application is for the office land use. The proposed trip generation profile for the office portion of the scheme was generated using the same trip generation rates as the extant permission and this is considered appropriate for the purposes of this TA. Therefore, considering 2954sqm of office space, the trip generation profile for the office space will be as follows:

- AM Peak: 53 arrivals, 18 departures and 71 two-way trips
- PM Peak: 24 arrivals, 29 departures and 53 two-way trips
- Sat Peak: 19 arrivals, 32 departures and 51 two-way trips

Therefore, the combined full and outline application trip generation profiles for the proposed development would be:

- AM Peak: 225 arrivals, 139 departures and 364 two-way trips
- PM Peak: 327 arrivals, 358 departures and 685 two-way trips
- Sat Peak: 646 arrivals, 604 departures and 1250 two-way trips

#### Difference in Trip Generation Profiles ? Extant vs Proposed

For the purposes of determining the net impact of the proposed development, the combined trip generation profile for the full and outline application will be considered.

The extant and proposed trip generation profiles were compared to demonstrate the proposed changes in the trip profiles. The extant trips were subtracted from the proposed trips and the following is the difference in trips, (not considering pass-by, diverted or linked trips):

- AM Peak: +67 arrivals, +59 departures, and +126 two-way trips
- PM Peak: +91 arrivals, +87 departures, and +178 two-way trips
- Sat Peak: +165 arrivals, +153 departures, and +318 two-way trips

Therefore, before considering reductions due to pass-by, diverted or linked trips. The proposed development will generate significantly more trips than the extant scheme.

#### Pass-By, Diverted and Linked Trip Reduction

Due to the location of the proposed development on Maylands Avenue, and the close proximity to other employment uses and amenities, it is expected that there would be pass-by, diverted and linked trips associated with the site. Therefore, the TA has proposed the following reductions, to the full application land uses, which have previously been agreed by HCC:

- Pass-by Retail:
- 30% for AM and PM peaks; and,
- 15% for Sat peak.
- Redistributed retail shoppers from other locations: 20% for AM, PM and Sat peaks
- Linked Trips (based on lowest trip generation land use of peak): 30% for AM, PM and Sat peaks
- A3 Pass-by and Diversions trips: 50% for AM, PM and Sat peaks.

The following further reductions have been proposed as part of this full application and are considered acceptable:

- A3 linked proportion to other site uses: 30% for AM, PM and Sat peaks.

The total retail land uses trip generation profile considering the pass-by, linked and diverted trips would therefore be:

- AM Peak: 36 arrivals, 22 departures, and 57 two-way trips
- PM Peak: 89 arrivals, 95 departures, and 184 two-way trips
- Sat Peak: 263 arrivals, 243 departures, and 506 two-way trips

The total proposed trips for the hybrid application with the combined full and outline application trip profiles would therefore be:

- AM Peak: 89 arrivals, 40 departures and 129 two-way trips
- PM Peak: 113 arrivals, 124 departures and 237 two-way trips
- Sat Peak: 282 arrivals, 275 departures and 557 two-way trips

#### Comparing the Proposed and Extant Reduced trips

Consideration has been made for the full application element of the hybrid application and comparison has been made between the reduced retail and restaurant trip profiles for the proposed and extant proposals.

The reduced extant total retail and restaurant development trips are as follows:

- AM Peak: 38 arrivals, 24 departures and 62 two-way trips
- PM Peak: 75 arrivals, 84 departures and 159 two-way trips
- Sat Peak: 258 arrivals, 234 departures and 492 two-way trips

When comparing only the reduced trip generation profiles for the retail and restaurant land uses only, the difference would be:

- AM Peak: -2 arrivals, -2 departures and -4 two-way trips
- PM Peak: +14 arrivals, +11 departures and +25 two-way trips
- Sat Peak: +5 arrivals, +9 departures and +14 two-way trips

The extant combined reduced total proposed trips for the retail, restaurant and office space would be:

- AM Peak: 92 arrivals, 42 departures and 134 two-way trips
- PM Peak: 99 arrivals, 113 departures and 212 two-way trips
- Sat Peak: 277 arrivals, 267 departures and 544 two-way trips

The difference between the reduced trip profiles for the total hybrid (full + outline) application and extant outline applications are therefore:

- AM Peak: -3 arrivals, -2 departures and -5 two-way trips
- PM Peak: +14 arrivals, +11 departures and +25 two-way trips
- Sat Peak: +5 arrivals, +8 departures and +13 two-way trips

It is demonstrated that the change in trips is related to the changes to the proposed composition of the retail and restaurant land uses. Whilst the number of trips is increasing in the PM peak and Saturday peak periods, it is agreed that the number of increased trips is negligible and that further assessment is not required.

#### Multi-Modal Trip Generation

The TA included a section with Multi-Modal analysis. The TA provided multi-modal splits for each of the A1 Discount Food, Food Retail and Non-Food Retail land uses, A3 fast food/drive-thru and restaurant land uses and office land uses. The multi-modal trip rates were established using the TRICS database for the A1 and A3 land uses and from journey to work census data for the office land use. This approach is considered acceptable.

## Trip Distribution

The trip distribution profile assumptions used in the extant planning permissions have been used in the TA for this hybrid full and outline planning application and are therefore considered acceptable.

## Impact on Highway Network

### Junction Assessment

It was agreed as part of pre-application discussions that no further junction capacity assessment would be required as the junction capacity assessments undertaken for the original outline application were rigorous and resulted proposals for mitigation measures to be introduced on the highway network. It should be noted that as part of the original application, mitigation measures were explored for the A414 / Maylands Avenue roundabout to bring the junction up to safety and operational standards. These mitigation measures will be a requirement of any planning application approval at this location. A Stage 1 Road Safety Audit has been provided for the proposed changes to the roundabout and is subsequently discussed in the Road Safety

### Audit section.

Whilst it was agreed junction assessment would not be required for the wider local highway network, the TA included junction assessments for the two access junctions:

- Internal 4-arm roundabout; and,
- Site Access / Maylands Avenue signalised junction.

The junction capacity assessments were undertaken for the AM, PM and Saturday peak periods for the future horizon year 2021 for the scenario 'Base 2021 + Committed development + Proposed'. This is considered appropriate to demonstrate how the changes to the internal layout will impact the network.

### Internal Site 4-arm Roundabout

The internal 4-arm roundabout is a newly proposed roundabout with an IUD of 28m. The internal road between Maylands and the roundabout will be widened to two lanes in both directions.

The junction capacity results for the roundabout are as follows:

#### AM Peak:

- Peoplebuilding/Gym arm: RFC of 0.071 and queue of 0.1 PCUs
- Main Retail Car Park arm: RFC 0.109 and queue of 0.1 PCUs
- Site Access/ Maylands Avenue arm: RFC 0.229 and queue of 0.3 PCUs
- Discount food store arm: RFC 0.023 and queue of 0.0 PCUs

#### PM Peak:

Peoplebuilding/Gym arm: RFC of 0.127 and queue of 0.1 PCUs

- Main Retail Car Park arm: RFC 0.254 and queue of 0.3 PCUs
- Site Access/ Maylands Avenue arm: RFC 0.253 and queue of 0.3 PCUs
- Discount food store arm: RFC 0.094 and queue of 0.1 PCUs

Sat Peak:

- Peoplebuilding/Gym arm: RFC of 0.175 and queue of 0.2 PCUs
- Main Retail Car Park arm: RFC 0.467 and queue of 0.9 PCUs
- Site Access/ Maylands Avenue arm: RFC 0.447 and queue of 0.8 PCUs
- Discount food store arm: RFC 0.152 and queue of 0.2PCUs

The junction capacity results for the roundabout demonstrate that the roundabout will operate within capacity and HCC are satisfied that the proposals will be operational and will not cause queueing the highway network.

Site Access / Maylands Avenue Signalised Junction

The proposals include widening of the site access road from Maylands Avenue to the proposed new roundabout. The site access road will include two lanes for both directions. The junction modelling results will consider this as part of the junction modelling.

The junction capacity results for the signalised junction are as follows:

AM Peak:

- Maylands Ave NB: DoS of 80.1 and mean max queue of 18 PCUs
- Maylands Ave SB: DoS of 48.3 and mean max queue of 9 PCUs
- Site Access road: DoS of 26.9 and mean max queue of 3 PCUs

PM Peak:

- Maylands Ave NB: DoS of 57.7 and mean max queue of 7 PCUs
- Maylands Ave SB: DoS of 77.9 and mean max queue of 18 PCUs
- Site Access road: DoS of 45.5 and mean max queue of 4 PCUs

Sat Peak:

- Maylands Ave NB: DoS of 51.9 and mean max queue of 5 PCUs
- Maylands Ave SB: DoS of 59.6 and mean max queue of 8 PCUs
- Site Access road: DoS of 60.4 and mean max queue of 5 PCUs

The junction capacity results for the signalised junction demonstrate that the junction will operate within capacity and HCC are satisfied that the proposals will be operational and will not cause excessive queueing on the highway network. It is stated that the queueing on the site access road is within the length of the road from between Maylands Avenue and the roundabout and therefore would not impact the operation of the roundabout. A review of the layout demonstrates that there is approximately 50m of available queueing capacity and therefore 5 PCUs can be suitably accommodated. This is considered acceptable for the purposes of this TA.

## Highway Safety

The TA provided a summary of the most recent 5 years up to June 2014 of collision data, as was previously discussed in the outline planning application. This review of this data is therefore still considered suitable and supports that there does not appear to be any significant collision clusters on the local highway.

The TA also collision data up to January 2016 to compliment the previous review. The collision data was obtained from Crashmap.co.uk. A review of this data demonstrated 11 collisions have been recorded in the 18 month period following the initial review. There are 3 slight collisions on Maylands Avenue, 2 slight and 1 serious collision at the Maylands Avenue/Breakspear Way/ St Albans Road roundabout, 1 slight accident on the Breakspear Way carriageway, 2 slight collisions at the Breakspear Way/A414/Green Lane roundabout, 1 slight collision on Green Lane and 1 slight collision on Boundary Way. As the collisions are widespread and there appears to be no significant collision clusters on the local highway, it is considered that the development is not likely to exacerbate any existing safety concerns on the local highway.

## Access Arrangements

The application is a hybrid application with a full application for the retail and restaurant land uses and outline application for the office site. It is noted, however, that as part of the office site, no new access arrangements are required as the office will be accessed via the proposed retail car park to be agreed as part of the full planning application portion of the hybrid application. Therefore, the vehicle and pedestrian accesses will be agreed as part of the full planning application.

## Vehicle Access

The full planning application proposals seek to provide access and egress for the development via the existing Maylands Avenue entrance which forms the access road to the Peoplebuilding, as consented in the outline scheme. This junction was designed to accommodate the previously approved trip generation for the outline scheme for the mixed use retail and office development.

Within the site there will be a 4 arm roundabout to provide access to the various parts of the development site including: the north to the discount food store car-park, east to the Peoplebuilding and gym car parking area, south to the main customer car park for the retail and A3 restaurant units and west to Maylands Avenue main access.

As part of this planning application, it is proposed to widen the inbound lane from Maylands Avenue to the roundabout to two lanes to better accommodate inbound vehicles. It is also proposed to widen the outbound lane to two lanes between the roundabout and Maylands Avenue. This was considered achievable in principle at the pre-application stage.

The proposed servicing access for the discounted superstore, Unit 01, is to be at the northern boundary of the site via an existing service access road. The TA included swept path assessments of the access arrangements and it is demonstrated that the access can suitably accommodate a lorry entering and departing at this location.

At the pre-application meeting held 5th July 2016, it was suggested that the existing access may be used for the proposed office land use as there is currently still a right turn lane on Maylands Avenue into this access. However, it is proposed within the current planning application documents to have an exit only at this existing access location. No detailed design drawings have been provided for this location; however, swept paths have been undertaken and it was demonstrated that a 7.5t panel van can safely manoeuvre through the exit to turn left with appropriate 25m forward visibility. It is unclear if the site access will be a left out only or if the access will accommodate both left and right turning movements, this will need to be clarified as part of any S278 agreement discussions.

The Development Management (DM) Implementation team were consulted with regards to the suitability of the access arrangements. The DM Implementation team is satisfied with the proposals and have no objections to the proposals in principal, subject to S278 agreements.

### Pedestrian Access

Pedestrians are accommodated through the development site via footways and zebra crossings. Pedestrian access to Maylands Avenue is provided at a number of locations along the western boundary connecting to the footway on Maylands Avenue. The level of pedestrian access to the site is considered acceptable for the proposals.

### Swept Path Assessments

The TA included swept path assessments for all the servicing areas for the proposed development utilising a max legal length UK articulated vehicle of 16.5m in length. This is considered acceptable. The swept paths provided are suitable and demonstrate that an articulated lorry can safely manoeuvre through the servicing areas to enter and depart in a forward gear.

However, on drawing CIV14164, the swept path of the reversing lorry in the bottom half of the drawing traverses over the parked lorry. This is not acceptable. A servicing and delivery plan should be implemented to avoid conflict between parked and arriving/departing lorries.

It is noted that the applicant did not provide swept paths of the articulated lorry traversing through the roundabout. This is required for HCC consideration.

### Road Safety Audit

A Stage 1 Road Safety Audit is required for the access arrangements, both the widening of the signalised junction and the exit only egress, and proposed 4 arm roundabout within the development site to ensure that the proposed designs are safe and suitable for their intended uses.

A Stage 1 Road Safety Audit was provided for the proposed mitigation measures at the A414 and Maylands Avenue roundabout.

The Stage 1 RSA highlighted the following issues and provided the respective recommendations:

1. Risk of junction overshoot due to the proposed avoidance lane requiring vehicles to stop and give-way if required. This is inconsistent with the other avoidance lanes at the roundabout which lead to a lane gain situation.

It was recommended that the layout be reviewed and assess to see if provision of a lane gain avoidance lane is possible to remove the need for drivers to give way and provides consistency through the roundabout. If this is not feasible, appropriate signing and lining is required to make it clear that give-way is required. Provision of a high PSV surface could be used to assist in the braking zone.

2. Risk of side impact collisions due to the alignment of the roundabout avoidance lane. There is concern that that alignment of the give-way for the avoidance lane may create a risk of side impact collisions. Additionally, there is concern that, should the avoidance lane reach capacity and queue back to the main carriageway, motorists will seek to use the main circulatory to carry out this manoeuvre and avoid the queue, thereby increasing the risk of side swipe collisions.

It was recommended that the traffic flow data be assessed to review if stacking to the main carriageway is likely to occur. Appropriate visibility splays to both the roundabout circulatory and eastbound A414 entry speed should be provided.

3. Risk of pedestrian collisions due to an existing pedestrian crossing point on the A414 St Albans Road set approximately 110m from the roundabout exit. The proposals seek to relocate the crossing approximately 50m from the roundabout where drivers utilising the roundabout avoidance lane will be entering the A414 St Albans Road. The location of signal heads have not been provided and the forward visibility for all motorists is reduced from the existing situation, thereby increasing the risk of overshooting the stop line risking collisions with pedestrians. Late braking could lead to shunt collisions on roundabout exit and side impact collisions on the roundabout circulatory if queuing traffic stacks back onto the circulatory.

It was recommended that the existing pedestrian crossing point remain at its existing location.

4. Risk of loss of control on utility covers as no utility diversion information has been provided there appears to be a number of service covers and gullies that will be located within the running lane of the avoidance lane.

It was recommended that the location of all utility covers and gullies be reviews and utility diversions arranged to remove the utilities from the carriageway and vehicle swept paths.

No designer response has been provided at this stage; however, it is stated in the TA that the comments provided by the Stage 1 RSA team are accommodated in the design and it is ready to be submitted for a S278 submission.

#### Refuse and Service Delivery

As part of the full application portion of the hybrid application, the refuse and servicing arrangements for the retail and restaurant land uses have been provided. Refuse and servicing vehicles for the retail units and restaurants will be required to use the Maylands Avenue access; however, it is proposed that the servicing for the discount

food store occur via an existing access from Maylands Avenue at the northern boundary of the site.

As part of any future reserved matters application for the outline application for the office space, refuse and servicing arrangements will be required to be submitted for HCC consideration.

## Parking

### Car Parking Provisions

The TA specifies that a total of 505 car parking spaces will be proposed for full planning application for the retail and restaurant elements of the Maylands site. The site layout plan demonstrates that 29 spaces will be designated disabled parking spaces and 27 will be parents and child spaces. These will be situated in close proximity to retail and restaurant accesses.

Dacorum Borough Council parking standards set out the following maximum standards for each land use:

- A1 Food Retail (discount retailer): 1 space per 18sqm for food stores up to 2500sqm. Resulting in a maximum 102 spaces for 1825sqm of GFA.
- A1 Food Retail (main site retailer): 1 space per 18sqm for food stores up to 2500sqm. Resulting in a maximum 87 spaces for 1554sqm of GFA.
- A1 Non-food Retail: 1 space per 35sqm (non-food without garden centre). Resulting in a maximum 274 spaces for 1825sqm of GFA.
- A3 Fast food: 1 space per 8sqm. Resulting in a maximum 98 spaces for 780sqm of GFA.

Therefore, the total maximum provision should be 561 car parking spaces for the A1 and A3 uses can be provided considering the total proposed GFA of each use. 505 car parking spaces is equivalent to 90% of the total maximum parking provision, which is within the 75-100% parking provision range for accessibility zone 4.

It is suggested that the A3 uses will be ancillary to the A1 uses. This is considered a reasonable assumption and appropriate justification for the reduced parking provisions. Therefore, HCC are satisfied with the proposed parking for the A1 and A3 land uses. However, it is ultimately the decision of the LPA to determine the suitability of car parking provisions.

The TA specified that 29 disabled parking spaces will be provided within the total 505 car parking spaces. This is within the standards set out by DBC that state 4 plus 4% of the total capacity should be designated disabled parking spaces, which equates to 25 spaces. However, it is ultimately the decision of the LPA to determine the suitability of car parking provisions.

The car parking provisions for the outline application for the office space has not been considered as part of this planning application. It is noted that DBC require the following maximum car parking provisions for an office use:

- B1 Office: 1 space per 30sqm. Resulting in a maximum 99 spaces for 2954sqm of GFA.

As part of any reserved matters application submission subsequent to approvals of the outline application element of this hybrid, the applicant will need to provide further information on the car parking provisions for the office land use.

### Cycle Parking Provisions

The exact number of cycle parking provisions for the full planning application are not specified in the TA; however, the TA states that cycle parking will be provided in line with DBC parking standards which state:

- A1 Food Retail: 1 short term (s/t) space per 150sqm plus 1 long term (l/t) space per 10 maximum staff on site for food stores up to 2500sqm.
- A1 Non-food Retail: 1 short term (s/t) space per 350sqm plus 1 long term (l/t) space per 10 maximum staff on site.
- A3 Fast food: 1 short term (s/t) space per 100sqm plus 1 long term (l/t) space per 10 maximum staff on site.

Cycle parking provisions should be provided in line with these standards.

As part of future reserved matters application for the outline application for the office land use, the applicant will be required to provide cycle parking in line with the following minimum requirements set out by DBC:

- B1 Office: 1 short term (s/t) space per 500sqm plus 1 long term (l/t) space per 10 full time staff.

### Car Parking Accumulation Assessment

The TA included a parking accumulation assessment for the full application portion of the proposed development site to establish the level of car parking is appropriate for the development.

The parking assessment for the site demonstrates that the car parking areas for the full application portion of the site are appropriate for the land uses and will suitably accommodate all vehicles accessing these units. Therefore, HCC have no objection to the level of car parking for the proposed site.

### Accessibility

#### Public Transport

The closest bus stop to the proposed development site is located on the existing access road to the development, adjacent to the Peoplebuilding. The bus stop is serviced by bus routes PB1 And PB2. PB1 has services to Boxmoor and PB2 also has services to Boxmoor. Other bus stops are located on Maylands Avenue adjacent to the site. The bus stop located on the east side of Maylands is serviced by bus routes 301, 320, 758 and ML1 with access to Hemel Hempstead and Boxmoor. The bus stop on the west side is also serviced by routes 301, 320, and 758, in addition to PB2. These services provide access to Berry Lane Estate, Victoria, Boxmoor, Coreys Mill, and Stevenage.

The nearest train station to the proposed site is Hemel Hempstead station. The station is approximately 2.9 miles from the development site. The train station is serviced by London Midland and Southern rail services. London Midland provides services from Hemel Hempstead to London Euston, Tring, Milton Keynes Central, and Northampton. Southern rail services provide service to Milton Keynes Central, and East Croydon.

Comments from the Sustainable Transport Development Officer are as follows:

## BUS

The nearest bus stops are a pair on Maylands Avenue, outside the site, south of the Peoplebuilding access. The northbound stop has shelter and easy access kerbing, the southbound stop has easy access kerbing but no shelter. Neither stop has a display screen. Peoplebuilding itself has an unmarked stop served by the PB1 and PB2. Other available services are as follows:

Services are as follows:

- 301 Stevenage-Hemel Hempstead: x4 pm peak to Stevenage, x7 am peak to Hemel Hempstead Mon-Fri only
- 320 R?wth/Watford-H.Hempstead: Mon-Sat half hourly, Sun hrly
- 758 H.Hempstead-London: x3 am peak from London, x4 pm peak to London
- ML1 Railway Station-Warners End (Circ): Mon-Fri x5 am peak, x5 pm peak
- PB1 Maylands-Railway Station: x4 am peak to Maylands, x3 am peak to station Mon-Fri only
- PB2 Maylands-Railway Station (Circ): Mon-Fri x5 pm peak circular services

## RAIL

The site is approx. 2.9 miles from Hemel Hempstead station from where frequent trains are available into London with a journey time of around 25-30 mins. Bus routes available from identified stops going to the station ? ML1, 320, PB1, PB2.

## OTHER COMMENTS

The site has bus stops outside served by a variety of routes which mainly cater for commuters between the business park and the town centre and/or rail station. Only the 320 has services throughout the day. The bus stops themselves have recently been upgraded, both having easy access kerbing, but only the northbound stop has a shelter, and neither have display screens.

If developer contributions are being sought these could go towards the provision of a shelter at the southbound stop (approx. £8000) plus display screens at both stops (£16,000 for two).?

## Walking and Cycling

There are footways on both sides of Maylands Avenue leading up to the site access from north and south of the site. There are currently no cycle provisions on Maylands Avenue. Maylands Avenue has a 30mph speed limit and is therefore considered cycleable.

Comments from the Sustainable Transport Development Officer are as follows:

"Walking/cycling routes in the vicinity will also be important to facilitate access to these facilities from nearby businesses. The Maylands area has been given a level 3 Bikeability rating, suggesting suitability for experienced cyclists only. There is therefore potential for improvements to cycling and routes to major employers close by."

## Travel Plan

The applicant has provided a Workplace Framework Travel Plan as part of the application package. The FTP is considered acceptable at this stage; however, Travel Plans will be required for each of the occupiers of the retail, restaurant and office land uses. The TPs will need to be submitted to and approved prior to first occupation. The Sustainable Transport officer has provided comments on the Travel Plan.

Comments from the Sustainable Transport Development Officer are as follows:

"Please find comments to follow on the framework travel plan for Land at Maylands Ave, and attached a copy of the travel plan summary proforma. This should form an appendix to the Travel Plans to be developed for each land use within the site and should contain no new information but act as a quick-reference for the main document. HCC's travel plan guidance for business and residential development can be found online at [www.hertfordshire.gov.uk/travelplans](http://www.hertfordshire.gov.uk/travelplans). It is acknowledged that the travel plan presented is a framework document only, there are certain details that are missing, but these should be included in the formation of travel plans for individual land uses.

## Travel Plan Management

- Travel plan evaluation and support fee should be secured by S106 agreement.
- Travel Plan Co-Ordinator/s will need to be appointed and contact details passed to HCC, ideally with a second contact person in case of personnel changes.
- Identification of key individuals/external partners whose buy in/engagement with the Travel Plan is required for its success eg bus operators, local authorities, cycling groups/equipment providers.

## Measures

- These could be further tailored to the use class when individual plans are developed. E.g. retail units would target measures at both staff and customers ? e.g. showers/lockers/changing facilities for staff cyclists, information provision and home delivery promotion to customers.

## Targets and Monitoring

- Existing travel patterns ? these will need to be established for the individual use classes on first monitoring.
- Targets ? may need to be amended following information from monitoring.
- Multi-modal counts and questionnaire surveys to be used ? annual staff survey, would prefer multi-modal counts in years 1, 3 and 5 as this would make it consistent with other Travel Plans in the county.

## Action Plan

- HCC to be notified of commencement of construction.
- Contact details for Travel Plan Co-ordinator to be provided to HCC.
- Submit final travel plan for each use class after first monitoring.
- Submit information received from survey/monitoring every year, review reports to be submitted in years 1, 3 and 5.
- Identification of additional measures may be necessary in order to meet targets after years 3 and 5.
- HCC sign off once year 5 targets are met.?

As part of any future reserved matters application for the outline application for the office space, a Travel Plan will be required to be submitted for HCC consideration.

### Construction

A Construction Traffic Management Plan (CTMP) will be required to ensure construction vehicles will not have a detrimental impact on the vicinity of the site and a condition will be required to provide adequate parking for construction vehicles on-site to prevent on-street conflict and impacts to the highway safety.

Construction is proposed to be undertaken in 3 Phases as follows:

- Phase 1 ? Discount Food Retail Store and A3 retail units;
- Phase 2 ? Retail development, including high-end foot retail store; and,
- Phase 3 ? Office area (subject to reserved matters applications subsequent to approval of the outline scheme)

### Planning Obligations / Community Infrastructure Levy (CIL)

Dacorum Borough Council has a Community Infrastructure Levy (CIL), which was adopted in July 2015 and therefore contributions towards local transport schemes will be sought via CIL if appropriate. It should be noted that HCC are requesting that a contribution of £8,000 be sought for the provision of a bus shelter at the southbound stop and a contribution of £16,000 be sought for display screens at both stops within the vicinity of the site. This will ultimately help aid sustainable travel.

### Conclusion

HCC is satisfied that the applicant has suitably provided information to justify a recommendation for approval, subject to conditions.

### Hertfordshire Lead Local Flood Authority

Thank you for consulting us on the above hybrid application for the redevelopment of the site to provide 12,503sqm retail floor space (Class A1), 545sqm of café/restaurant floor space (Class A3/Class A5) and 180sqm café/restaurant floor space (Class A1/Class A3) with associated parking, access and landscaping (submitted in full); office building (Class B1) details submitted in outline.

In the absence of an acceptable FRA we object to the grant of planning permission and recommend refusal on this basis for the following reasons:

The FRA carried out by MJM Consulting Engineers reference 6011-001 Rev C dated November 2016 submitted with this application does not comply with the requirements set out in the Planning Practice Guide (as revised 6 April 2015) to the National Planning Policy Framework. The submitted FRA does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In order for the Lead Local Flood Authority to advise the relevant local planning authority that the site will not increase flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, the following information is required as part of the flood risk assessment;

1. Detailed surface water volume and run-off calculations for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Outline drainage strategy for the proposed office development.

Overcoming our objection

To address the above points, please see the below comments;

1. The national climate change allowances have been updated for all applications validated on/or after 19 February 2016 and we now require all SuDS component to cater for all rainfall events up to and including the 1 in 100 plus 40% for climate change event. The drainage strategy and calculations should be updated accordingly.

2. We note that the drainage for the full application is based upon attenuation and discharge into surface water sewer. Thames Water has been contacted in relation to the connection and has no objection in principle to the scheme. The drainage strategy consists of permeable paving, underground tanks and balancing ponds. However we require clarification on the proposed office site and whether this has been incorporated into the storage and run-off calculations.

We acknowledge that this part of the planning application is for Outline permission. However it is important that certain details are confirmed to ensure that the most appropriate drainage scheme can be implemented to ensure there will be no flood risk to the site and the surrounding area and to demonstrate that an appropriate scheme using the key principles of SuDS are feasible. Therefore we would like as much information as possible for how surface water will be managed on the office development and how it will be incorporated within the whole site.

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/>

Informative to the LPA

The LPA will need to be satisfied that the proposed drainage strategy will be maintained and managed for the lifetime of the development.

The applicant can overcome our objection by submitting an FRA which covers the deficiencies highlighted above and demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of the FRA. We will provide you with bespoke comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate FRA has been submitted.

#### Hertfordshire Lead Local Flood Authority further comments

Unfortunately I cannot respond out today however it will be with you tomorrow morning. To let you know our position; we have removed our objection and recommended several conditions.

#### Hertfordshire Crime Prevention Design officer

##### Comments

Whilst not against the proposals, there are elements that cause me great concern, in that the current layout will allow for crime and anti-social behaviour (ASB) as has been going on at the nearby Jarman Park retail site in Hemel Hempstead not far away. Police have kept getting called to the private retail site at Jarman Park to deal with customers causing problems for staff in and around fast food takeaway premises, youths displaying in their cars in the car park (mainly late at night and in the early hours of the morning), which has skewed police response in the town centre dealing with the night time economy. Unless these elements are dealt with and where needs conditioned, then I would wish to formally object to this planning application. The reason I will ask for some conditions is that on the nearby Jarman park site, I was assured various things would be put in place but that never happened. If I may explain:

1. Crime Prevention: Due to the type of development proposed and the obvious potential impact on policing I would have expected a stand-alone section on designing out crime from the applicants. In planning crime prevention is seen as an important issue in how a development functions as well as being safe for members of the public.

The National Planning Policy Framework (NPPF) says at:

- Part 58 says about developments should, function for the lifetime of the development; and creating safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion.
- Part 64 says that developments should have their planning permission refused for developments that fail to improve an area and the way it functions.
- Part 69 says about, Safe and accessible environments where crime and disorder and the fear of crime, do not undermine quality of life or community cohesion.

The National Planning Practice Guidance (NPPG) makes reference at various parts of the Design section to Crime Prevention and also specifically:.

It says also at part 010 in the Design section “Designing out crime and designing in Community Safety should be central to the planning and delivery of new development. That councils are required to exercise their functions with due regard to sec 17 of the Crime and Disorder act 1968. That crime should not be seen as a stand-alone issue to be addressed separately from other design considerations.”

b. It says at part 011 in the Design section, “Planning should promote appropriate security measures. That taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits.”

c. It says at part 014 in the Design section, “Planning promoting cohesive and vibrant neighbourhoods... A mix of uses will be successful when they are compatible one with another, interact with each other positively avoiding opportunities for conflict, and encouraging a mix of uses that are both vibrant and safe at all different times.”

Dacorum Core Strategy – CS 12 – re safe access, layout and security

It is therefore clear that Crime Prevention should be addressed for this application

2. Public Car Park: The car parking is very open and there is no mention of any detail to stop youths gathering and displaying on the car park overnight or late evenings. Whilst the car has good clear sight lines across it, there are no speed bumps, or kerbs between the rear of parking spaces to help deter such dangerous and anti-social behaviour. Therefore the car park must be designed to deter such behaviour, which has occurred at nearby Jarman Park.

I would request a planning condition that the public car park across the whole site (including the A5 use car parks) is required to achieve and maintain the Safer Parking Award. This will help the Police to work with the management and owners of the site to deal with problems if they occur in the future, and mean that the car park has been designed and has strategies in place to help deter crime and ASB.

3. Fast Food Takeaways (A5 use): Two such premises are shown. What hours are proposed for these premises? If 24/7/365, these premises could have a significant impact of calls to the police.

In the Design and access Statement (DAS) on page 31 it says: “Together with the other A3 / A5 unit it is well located adjacent to the access road to the site off Maylands Avenue, with good visibility when approaching. Glazing is used extensively in this building in order to maximise active frontage and natural surveillance, the latter is assisted by CCTV where needed to provide a safe environment.”

This provides no detail. I would expect extensive CCTV in and around the A5 uses to help protect staff and help deter crime and provide evidence for court purposes when required. I would also expect every vehicle entering and leaving the site to be captured on a static camera so that the number plate can be read. There should also be CCTV covering the public car parking area generally, as well as the cycle parking areas. Such CCTV should be conditioned to make sure it is fitted and is fit for purpose.

4. Gym use: This is mentioned in the DAS at 03.08.08 at point 2. Such Gyms invariably after they have been open a little while apply to open 24/7/365, which is fine, provided users who leave their cars in the public car park do not have their car broken into during the night-time. This is another reason for requesting a condition that the public car park is required to achieve and maintain its Safer Parking Award as well as have suitable CCTV fitted..

5. Service area to retail units on eastern edge of development:

- In the DAS at 03.09.09 at point 2, it says about pedestrian access points at either end of the retail units. Such pedestrian access causes me some concern, that the service yard area will be open to anyone, which it should not be. This should be a private area, with as few pedestrians as possible, due to HGV's reversing etc and the potential for theft from the rear of HGV, or open rears of retail units, whilst the lorries are being unloaded. Surely there is no need for any pedestrian gate on the south side of this rear service yard area?
- On the Proposed site plan – sheet 1 – 16023/p-003 it shows that the fence around the service yard to be chain link fence. This is not suitable for such areas and should be weldmesh fencing. Yet I note in the DAS at 03.08.12 re 'Furniture' on page 53 it shows a picture of some weldmesh fencing with the caption underneath "Secure fencing around service area". If the fencing were weldmesh and to a minimum height of 2.4m I would be content.

6. Cycle Stands: These are mentioned and location shown on a plan in the DAS at 03.08.12. These areas should have CCTV coverage to deter cycle theft and help encourage cycle use.

7. Requested Conditions:

For information the below specifications for CCTV conditions are in line with Home Office recommendations re specification.

Condition re safer Parking Award:

No development shall take place within the application area, until the applicant has undertaken to install measures, so the site has been approved for the Safer Parking Award by the British Parking Association's Safer Parking Scheme, and this is confirmed by the local Crime Prevention Design Advisor (CPDA) to and approved by the Planning Authority.

Reason: The Safer Parking Scheme is aimed at the management of criminal behaviour within the parking environment. Parking facilities that have achieved the award mean the parking operator has in place measures that help to deter criminal activity and anti-social behaviour, thereby doing everything they can to prevent crime and anti-social behaviour in their parking area.

Condition re CCTV for public parking area on site:

No development shall take place within the application area, until the applicant has undertaken to install CCTV to the following standards,

i. CCTV cameras:

a. CCTV cameras to cover all vehicles entering and leaving the site so that the front and rear number plates can be read from the video. (This is because offenders do not always alter both number plates on a vehicle, and such a camera will also help identify who was driving the vehicle).

b. CCTV cameras to cover the vehicle parking area to a general observation category. (So as to deter crime in this area)

ii. CCTV system

a. Such CCTV recording medium must be a DVD best quality digital system that records for a minimum of 31 days before overwriting; the recording system that will be installed has its own software for playing back the CCTV on the DVD disk (that software needs to go on each playback disc, so that it is possible to replay the disc immediately). That CCTV cameras record at a minimum frame rate of 8 frames per second (FPS) or higher. Whilst the minimum frame rate of 8 frames per second is quoted, it may need to be higher to capture driving through the field of view (FOV) of the camera at the vehicle entrance and exit and may need to increase to 12 FPS.

b. The CCTV system should have a clock and date that are displayed on any clip viewed. The system clock and date should be set correctly and maintained (taking account of GMT and BST). When images are downloaded onto a disc or other medium for police purposes, it needs to be with the time and date integral to the relevant picture.

c. The CCTV storage system should be operated and recorded pictures retained in a secure area.

d. The playback software should have: variable speed control including frame by frame, forward and reverse viewing; be able to display single and multiple cameras and maintain aspect ratio (i.e., the same relative height and width); be able to display a single camera at full resolution; permit the recording from each camera to be searched by time and date.

Reason: To help deter crime and Anti-Social Behaviour as well as helping in the detection and prosecution of offenders, thus making the proposed development safer for members of the public.

Condition for CCTV for hot food take away use (A5)

i. CCTV cameras:

a. CCTV cameras to cover all vehicles entering and leaving the A5 area site so that the front and rear number plates can be read from the video. (This is because offenders do not always alter both number plates on a vehicle, and such a camera will also help identify who was driving the vehicle).

b. CCTV cameras to cover the vehicle parking area to a general observation category. (So as to deter crime in this area)

- c. CCTV cameras to cover the drive- thru lane with a separate cameras covering the order window (booth 1) and pick up window (booth 2), as well as the drive-thru lane past these booths.
- d. CCTV cameras to cover the customer general seating area outside the restaurant to a general observation category.
- e. CCTV cameras to cover all customers entering and leaving the restaurant to a category where customers can be identified if they are offenders.
- f. CCTV cameras to cover to a general observation category inside the restaurant, specifically where customers queue and are served as well as the outer entrance doors to the toilets.

ii. CCTV system

- a. Such CCTV recording medium must be a DVD best quality digital system that records for a minimum of 31 days before overwriting; the recording system that will be installed has its own software for playing back the CCTV on the DVD disk (that software needs to go on each playback disc, so that it is possible to replay the disc immediately). That CCTV cameras record at a minimum frame rate of 8 frames per second (FPS) or higher. Whilst the minimum frame rate of 8 frames per second is quoted, it may need to be higher to capture members of the public walking through the field of view (FOV) of the camera at the pedestrian entrances and may need to increase to 12 FPS.
- b. The CCTV system should have a clock and date that are displayed on any clip viewed. The system clock and date should be set correctly and maintained (taking account of GMT and BST). When images are downloaded onto a disc or other medium for police purposes, it needs to be with the time and date integral to the relevant picture.
- c. The CCTV storage system should be operated and recorded pictures retained in a secure area.
- d. The playback software should have: variable speed control including frame by frame, forward and reverse viewing; be able to display single and multiple cameras and maintain aspect ratio (i.e., the same relative height and width); be able to display a single camera at full resolution; permit the recording from each camera to be searched by time and date.

iii. Management of CCTV system:

When the premises are open then there will always be someone on site who can operate the CCTV system and be able to download images for Police purposes.

Reason: To help deter crime and Anti-Social Behaviour as well as helping in the detection and prosecution of offenders, thus making the proposed development safer for members of the public.

Conclusion: This planning application causes me concern for Crime & Disorder and a potential drain on police resources in the area. If the above conditions were attached

to any consent then this would address my formal objections. I would not be content to accept any assurances from the applicants.

I hope the above is of use to you in your deliberations and will help the development achieve that aims of the National Planning Policy Framework (NPPF).

- 69 – re safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

& the National Planning Practice Guidance (NPPG) – Design section

- 010 – re Sec 17 of the Crime and Disorder Act 1998 – to prevent crime & disorder.
- 011 – re taking proportionate security measures being a central consideration to the planning and delivery of new developments and substantive retrofits.

& Dacorum Core Strategy policies:

- CS12 – re safe access, layout and security
- CS13 – re pedestrian friendly, shared spaces in appropriate places

#### Hertfordshire Crime Prevention Design further comments

I think at this stage it is general designing out crime, rather than just Park Mark condition. If the design of the car park were agreed in planning first, then I would be happy for the Park Mark condition regarding on-going maintenance and management. Reason being if planning permission is granted with just a Park Mark condition, they will say they cannot alter the plan of the car park without planning permission, which they would already have which would then disadvantage the Park Mark condition. They would also say that CCTV was considered in planning and not conditioned so they would not then install CCTV post planning permission.

I'm not against the development but just want the car park layout so it works to stop youths gathering and displaying, and for CCTV of the public realm as per my original consult. I accept that the individual premises will be responsible for CCTV inside their premises and for their car park if that is separate from the main car park.

Thank you for further consulting me with regard to planning application 4/03157/16/MFA at land at Maylands Avenue, Maylands Avenue, Hemel Hempstead for hybrid planning application for the redevelopment of site to provide 12,503 sqm retail (class A1) floor space, 545 sqm of cafe/restaurant (class A3/class A5) floor space, and 180 sqm of cafe/restaurant (class A1/class A3) floor space, with associated parking, access and landscaping (details submitted in full); and office (class B1) building measuring 2,787 sqm (details submitted in outline).

#### Further comments

I thank the applicants for providing some further plans and information, via yourself. If I can make the further comments as below:

1. Boundary to side of Maylands and side road: Where a grass or perennial wildflower meadow form a border with the public domain (such as Maylands Avenue), will there be any measure to stop travellers pulling up on this and encamping? I note there is a

swale shown, but doubt this will stop vehicles getting onto this area as there is an exit roadway from the car park shown over this. Such a deterrent could be a suitable size bund or ditch?

2. Retractable Bollards: Thanks for sending through the new plan (Ref: 16023/SK109 Car Park Zoning Diagram) which illustrates the positions of the permanent and retractable bollards. Also for the applicants responding into planning following my earlier comments: *"I referred to the use of retractable bollards in the car park during night time hours. These will enable vehicles to enter the car park area for Units 1 – 3, but prevent access to the large car park in front of Units 4 – 11. A new plan (Ref: 16023/SK109 Car Park Zoning Diagram) has been provided which illustrates the positions of the permanent and retractable bollards. The bollards are shown on the originally submitted plans, but this simply shows the lines of bollards more clearly. This will therefore directly address the comments made by Michael Clare in respect of securing the car park at night to prevent people 'displaying' in their cars and causing anti-social behaviour."*

Whilst pleased that the applicants are looking to stop Anti-Social Behaviour (ASB) in the main car park overnight, and their solution is to zone off the main car park overnight by fitting fixed and retractable bollards, there is a lack of detail as to how this will function, which makes me wonder if this is the best solution? If I may explain:

a. It is stated that the shops at units 1 & 4 to 11 will be open from 07:00hrs to 22:00hrs. There is no time given as to when the retractable bollards will be deployed and who will do so. If customers come out of units 4 to 11 at 22:00hrs (having parked in the main car park) and then go on foot over to units 2 or 3 which are described as 24 hour opening (A3/A5 use) and spend some time there having a meal, then it is likely their car will become trapped behind the retractable bollards. What is the intention then regarding the customer being able to get their car out from behind the retractable bollards? How will this function?

b. Bollards that are permanent and retractable are to be used, but no standard is given. Retractable bollards if going to function in such a setting a couple of times a day and resist being damaged, will need to be to BS PAS 68 and 69. So many bollards would be extremely expensive. A retractable bollard of any other type would not be suitable as they would quickly become damaged beyond repair, making them ineffective and opening up the car park to ASB. Would it not be better to have low level landscaping helping to break up the main car park into sections not large enough for cars to display, or have static bollards spaced at the rear of each parked car between the double rows (such as is shown on the Car Parking Zone plan opposite unit 3), or road humps spaced again to prevent youths displaying in their cars?

3. Fencing for Service Yard: I thank the applicants for responding into planning regarding my previous comments: *"A comment was also made in respect of the height of the fencing around the service yard. This has been updated to show 2.4m high wire panel fencing. Drawing Refs: 16023/ P-003 Rev B – 'Proposed Site Plan Sheet 1', and 16023/ P-004 Rev B – 'Proposed Site Plan Sheet 2' are attached which show this. "* I am content that 2.4m weld mesh fencing will be used.

4. CCTV: The applicants have responded into planning regarding my previous comments regarding CCTV: *"In respect of the issues raised in Michael Clare's email dated 04 January 2017, the majority of the comments will be dealt with via a*

*management company which will be appointed to manage the site on a day to day basis, dealing with security, landscaping, lighting and hard surfaces. In respect of CCTV we have looked into the possibility of installing it and it is not considered viable or necessary at this site."*

There is no detail as regards what the thought process was to dismiss the need for CCTV, and therefore I must disagree with this. My reasons and my justifications for insisting on CCTV are:

a. A management company is mentioned regarding managing the site on a day to day basis, dealing with security, landscaping, lighting and hard surfaces. Again no details are given as to whether there will be a presence every day and between what hours. Whilst not directly a planning issue, it will affect how the site functions, which is a planning issue. The NPPF says about "Function" at paragraphs 58 and 64. Also The NPPG under Design - Para 010 says about, Designing out crime and designing in Community Safety should be central to the planning and delivery of new development. That councils are required to exercise their functions with due regard to sec 17 of the Crime and Disorder act 1968. That crime should not be seen as a stand-alone issue to be addressed separately from other design considerations

b. If security on site is to be dealt with, how many security staff will there be on duty at various times of the 24 hr clock and will this differ on various days at various times. How will they manage the security if there is no CCTV on site that they can monitor, and if needs be prosecute offenders for misbehaving on site and getting civil exclusion orders?

If there are problems on site it will not be the role of the police to sort out the problems, as the land is private and the owners managers of the site have the duty of care to all that use the site whether workers or members of the public. The Police do not patrol nor deal with misbehaviour on private land, and will only attend to investigate crimes and then only when the need arises, depending on what resources are available at that time. This site needs to take responsibility for its own policing and deterring crime on site.

c. Crime Risk: I have assessed the crime risk for the application site at Maylands Avenue based on Jarman Park which is a nearby and similar out of town retail site, where ASB and crime regularly occurs. Jarman Park has CCTV covering the site and has a compliment of its own security staff on site 24/7/365 due to the ASB and crime on site. In between 1<sup>st</sup> January 2016 to 31<sup>st</sup> December 2016 the following crimes occurred:

- i. Assault – Common - (14 offences involving 4 at A5 /A3 use – 4 at A1 Supermarket use)
- ii. Assault – ABH – (6 offences involving 1 in car park of A1 Supermarket and 4 at A5/A3 use)
- iii. Assault Racially Aggravated – (1 offence at A3/A5 use)
- iv. Burglary` – (2 offences 1 at A1 use and 1 at A3/A5 use)

- v. Criminal Damage – (7 offences involving 4 at A3/A5 use – 2 at A1 Supermarket car Park and 1 in general car park)
- vi. Driving whilst disqualified – (1 x offence in general car park)
- vii. Driving over alcohol limit – ( 1 offence in A1 Supermarket car park)
- viii. Drugs – possession – ( 2 offences both in general car park)
- ix. Drunk and Disorderly – (1 offence outside A1 Supermarket use)
- x. Fly Tipping – (1 offence in general car park)
- xi. Using Counterfeit notes – (4 offences at A1 Supermarket use)
- xii. Harassment – ( 5 offences involving 1 at A1 Supermarket use, 1 at Gym and 3 in general car park)
- xiii. Public Order offences – (11 offences involving 1 at A1 Supermarket and 1 at A1 Supermarket car park, 6 offences at A3/A5 use and 3 in the general car park)
- ixx. Obstruct Police – 1( offence in car park at A1 Supermarket use)
- xx. Robbery – (4 offences involving 3 in general car park and 1 outside A1 Supermarket use)
- xxi. Theft from Person - (7 offences involving 2 in general car park – 1 at A1 Supermarket car park, 1 at A3/A5 use and 3 at A1 Supermarket)
- xxii. Theft – (14 offences involving 3 general car park area, 2 at A1 Supermarket and 1 at A1 Supermarket Car park, 5 at A3/A5 use, 4 at various other A1 and D2 use).
- xxiii. Theft from machine – (1 offence at D2 use)
- ixxx. Theft from motor vehicle – ( 5 offences involving 3 in general car park and 2 at A1 Supermarket use)
- xxx. Theft from shop – (27 offences involving 25 at A1 Supermarket use – 2 at A3/ A5 use)
- xxxi. Making off without payment (13 offences involving 5 offences at A1 Supermarket use, 7 at A3 use, 1 at A1 use)
- xxxii. Theft of pedal cycle – (3 offences from general car park area.)

I have left out offences that occurred at the petrol filling station at Jarman Park as there isn't a petrol station at the proposed site.

From the above it can be seen the range of offences that not only occur in shops and restaurants / hot food takeaway premises, but also in the various car park areas, such as will be at the proposed Maylands Avenue site. The external CCTV at Jarman Park has helped police in the investigation of crimes that occur not only in the car parks but capturing vehicles and index numbers of offenders vehicles who have committed offences within the various premises. For the applicants to say they have looked at CCTV and they consider it is not viable or necessary, without any explanation is not acceptable.

As can be seen from the above crimes reported to police in one year at a nearby site, the Maylands site is likely to also be a drain on police resources and therefore the provision of CCTV will not only help deter crime, help protect the members of the public who will use the site, help protect staff on site. It is not right to build a new out of town shopping and leisure area and try to abrogate any responsibility for deterring crime and protection of members of the public who will use the site.

Conclusion: My objections still stand.

#### Hertfordshire Fire and Rescue

We have examined the drawing and note that the provision for Hydrants does not appear to be adequate to comply with BS9999:2008.

#### Water Supplies

1. Water supplies should be provided in accordance with BS 9999.
2. This authority would consider the following hydrant provision adequate:
  - Not more than 60m from an entry to any building on the site.
  - Not more than 120m apart for residential developments or 90m apart for commercial developments.
  - Preferably immediately adjacent to roadways or hard-standing facilities provided for fire service appliances.
  - Not less than 6m from the building or risk so that they remain usable during a fire.
  - Hydrants should be provided in accordance with BS750 and be capable of providing an appropriate flow in accordance with National Guidance documents.
  - Where no piped water is available, or there is insufficient pressure and flow in the water main, or an alternative arrangement is proposed, the alternative source or supply should be provided in accordance with ADB Vol 2, Section B5, Sub section 15.8.
3. In addition, buildings fitted with fire mains must have a suitable hydrant sited within 18m of the hard standing facility provided for the fire pumping service appliance.

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

#### Hertfordshire Fire and Rescue - further comments

I am happy for the provision of hydrants to be done under conditions.

## Hertfordshire Property Services

I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community.

Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. 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.

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Section 106 planning obligation clauses can be provided on request.

### Justification

Fire hydrant provision based on the approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008 and is available via the following link:  
[www.hertsdirect.org/planningobligationstoolkit](http://www.hertsdirect.org/planningobligationstoolkit)

The County Council seeks fire hydrant provisions for public adoptable fire hydrants and not private fire hydrants. Such hydrants are generally not within the building site and are not covered by Part B5 of the Building Regulations 2010 as supported by Secretary of State Guidance "Approved Document B".

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

- (i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning

obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).

(ii) Directly related to the development;

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

(iii) Fairly and reasonable related in scale and kind to the development.

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

I would be grateful if you would keep me informed about the progress of this application so that either instructions for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested provision.

#### Hertfordshire Environmental Records Centre

We do not hold any biological records (species or habitat) for the application site. The area immediately to the east has some ecological value but is only designated as an Eco Site, therefore outlining its potential as a wildlife site. As such it does not carry any statutory or non-statutory protection.

The Ecological Appraisal submitted with the application has provided evidence that only breeding birds could form an ecological constraint. Other ecological surveys (reptiles for example) were conducted but showed no evidence of a population that could be negatively harmed by the development. I would therefore suggest that the following Condition be placed within any planning decision.

*No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and the 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.*

The Design and Access Statement has also produced an outline landscape plan which looks to include a variety of native planting and habitats types. Hertfordshire Ecology supports this aspiration, and would like to suggest that the applicant consider including specific habitat features such as bat and bird boxes, log piles, and consider the use of green and brown roofs, and green walls in their overall design. I would also suggest that the landscape plan is secured through a condition of the planning decision.

*A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of development. The content of the LEMP shall include the following.*

- a) Description and evaluation of features to be managed.*
- b) Ecological trends and constraints on site that might influence management.*
- c) Aims and objectives of management.*
- d) Appropriate management options for achieving aims and objectives.*
- e) Prescriptions for management actions.*
- f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).*
- g) Details of the body or organisation responsible for implementation of the plan.*
- h) Ongoing monitoring and remedial measures.*

*The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results form monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.*

#### Hertfordshire Minerals and Waste

I am writing in response to the above planning application insofar as it raises issues in connection with waste matters. Should the district council be mindful of permitting this application, a number of detailed matters should be given careful consideration.

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

Most recently, the Department for Communities and Local Government published its *National Planning Policy for Waste (October 2014)* which sets out the following:

*'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:*

- the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;*

- *new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;*
- *the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'*

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

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

Policy 2: Waste Prevention and Reduction: &

Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application the borough council is urged to pay due regard to these policies and ensure their objectives are met.

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 to be removed from the site and where that waste is being taken to. Good practice templates for producing SWMPs can be found at:

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

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

The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted as part of this development and provide comment to the borough council. Completed SWMPs should be passed onto the Waste Planning Authority to collate the data after the development.

### Environment Agency

Thank you for consulting us on this application. The preliminary risk assessment shows there is potential contamination to ground. The site is located in SPZ3 on a principal secondary aquifer. Therefore these proposals need to be dealt with in a way which protects the underlying groundwater.

We are currently operating with a significantly reduced resource in our Groundwater and Contaminated Land Team in Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific advice on the risks to controlled

waters for this site as we need to concentrate our local resources on the highest risk proposals.

We recommend however that the requirements of the National Planning Policy Framework and National Planning Policy Guidance (NPPG) are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be additional to the risk to human health that your Environmental Health Department will be looking at.

We expect reports and Risk Assessments to be prepared in line with our 'Groundwater protection: Principles and practice' document (commonly referred to as GP3) and CLR11 (Model Procedures for the Management of Land Contamination).

In order to protect groundwater quality from further deterioration:

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

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

From [www.gov.uk](http://www.gov.uk):

Groundwater Protection: Principles and Practice (August 2013)

- Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section
- Use MCERTS accredited methods for testing contaminated soils at the site

From [planningguidance.planningportal.gov.uk](http://planningguidance.planningportal.gov.uk):

- Land affected by contamination

British Standards when investigating potentially contaminated sites and groundwater:

- BS 5930: 1999 A2:2010 Code of practice for site investigations
- BS 10175:2011 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

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person. The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management)

## Thames Water

### Waste Comments

### 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

Based on provided Drainage Strategy (drawings S(52)-01 and S(52)-02 rev C) we have no objection to the both phases of above planning application.

## Affinity Water

Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

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".

## National Grid

An assessment has been carried out with respect to National Grid Electricity Transmission plc's, National Grid Gas plc's and National Grid Gas Distribution Ltd's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

For details of National Grid's network areas please see the National Grid website (<http://www.nationalgrid.com/uk/Gas/Safety/work/>) or the enclosed documentation.

## Are My Works Affected?

**National Grid has identified that it has apparatus in the vicinity of your enquiry which may be affected by the activities specified.**

**Can you please inform National Grid, as soon as possible, the decision your authority is likely to make regarding this application.**

If the application is refused for any other reason than the presence of National Grid apparatus, we will not take any further action.

Please let us know whether National Grid can provide you with technical or other information that may be of assistance to you in the determination of the application.

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

## Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to National Grid Electricity Transmission plc (NGET), National Grid Gas plc (NGG) and National Grid Gas Distribution Ltd (NGGD) apparatus. This assessment does **NOT** include:

National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact National Grid.

Gas service pipes and related apparatus

Recently installed apparatus

Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities.

Further "Essential Guidance" in respect of these items can be found on the National Grid Website (<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>).

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to National Grid's easements or wayleaves nor any planning or building regulations applications.

NGG, NGET and NGGD or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the National Grid Plant Protection team via e-mail or via the contact details at the top of this response.