

**4/00064/17/MFA - COMPREHENSIVE REDEVELOPMENT OF THE SITE TO PROVIDE 54,714 SQM OF FLEXIBLE COMMERCIAL FLOORSPACE WITHIN USE CLASSES B1C / B2 / B8 AND ANCILLARY OFFICES, TOGETHER WITH CAR AND CYCLE PARKING, ACCESS AND LANDSCAPING..**  
**MAYLANDS GATEWAY, MAYLANDS AVENUE, HEMEL HEMPSTEAD, HP2 4FQ.**  
**APPLICANT: PROLOGIS UK LTD.**

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[Case Officer - Tineke Rennie]

## **Summary**

The application is recommended for approval. The proposals are for a flexible, commercial use development comprising Class B1(c), B2 and B8 uses of which a large proportion is likely to be Class B8 (storage and distribution). The proposals accord with the aspirations of the Maylands Gateway Development Brief through the provision of a high quality employment-led development in a landscaped setting.

The proposed development addresses the prominent Breakspear Way frontage with a staggered layout together with design features to provide visual interest. This will be set behind a comprehensive landscaped belt along Breakspear Way.

Consideration has been given to the scale and position of the development adjoining the residential area of Hales Park to ensure that there will be no adverse impacts on the amenities of these properties. The positioning of the buildings and other measures have been incorporated into the scheme so as to act as a noise barrier and minimise disturbance to these properties. Landscaping proposals will further serve to screen the development from this adjoining area.

The application demonstrates that the proposed development would not result in any adverse impacts in terms of air quality and noise pollution. The impact on the existing ecology of the site will be mitigated through biodiversity off-setting on a site to the south of Breakspear Way that also forms part of the Gateway. Works to the immediate road network are proposed as part of the application to accommodate the flow of heavy vehicle traffic to the site so that there would be no adverse effect on traffic movement within the locality; improvements are also proposed to the Green Lane/Breakspear Way junction to mitigate impacts on the safety and movement of traffic within the wider transport network.

## **Site Description**

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

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

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

mature woodland is located in the southeast corner to the south of the former caravan park.

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

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

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

## **Proposal**

The proposals are for the redevelopment of the site to provide 54,714 sqm of flexible Class B1c (light industrial)/ Class B2 (general industrial) / Class B8 (storage or distribution). A total of seven units are proposed which will include an ancillary office element, loading and delivery bays and areas for staff car parking.

The flexible use for each unit, proposed floor area and height is as follows:

<b>Unit</b>	<b>Proposed Uses</b>	<b>Size (sqm)</b>	<b>Height</b>
1	B1c / B2 / B8	2,000	11.75m
2	B1c / B8	3,644	11.25m
3	B1c / B8	3,132	11.25m
4	B1c / B2 / B8	13,867	15.20m
5	B1c / B2 / B8	12,000	15.85m
6	B1c / B2 / B8	15,689	15.50m
7	B1c / B8	4,383	10.80m

An access road within the site is to be formed with a new junction on Buncefield Lane that will cross the site in the east-west direction. The existing access into the north of the site from Wood Lane End is to be stopped up.

Traffic will be directed to the site from Boundary Way to the north. The existing access link and junction of Boundary Way and Buncefield Lane is to be opened up and improved as part of the application proposals. Measures proposed to prevent Heavy Goods Vehicles (HGVs) from approaching the site from the south (Breakspear Way) or the west (Wood Lane End) include a 7.5t weight restriction and a width restriction on both of these approaches.

The site proposals include car parking spaces for 543 car parking spaces including 33 for disabled users. The proposals also include the provision of 216 cycle parking spaces (109 short term, 107 long term).

The larger units are located to the south of the access road and will be set back from Breakspear Way with a buffer area of landscaping and a parking area serving Unit 5. The smaller units are located to the north of the access road. Unit 7 adjoins the boundary with the Hales Park residential area and will sit at a lower level than the adjoining residential area. The public right of way will be located between this unit and the boundary with Hales Park. An area of landscaping including a bund is proposed along the boundary with Units 2 and 3 which sit at a higher ground level than the adjacent residential properties of Hales Park.

An area of public open space adjacent to the Boundary Way/Bouncefield Lane link forms part

of the proposals. This area (0.51ha) will be provided as public open space to be used for informal recreation and dog walking. It will be maintained by the applicant in perpetuity.

The existing Public Right of Ways (PRoWs) 50 and 51 are required to be diverted to enable the development. The footpath will continue to run along the boundary with Hales Park in the north west corner of the site behind Unit 7 continuing east past Units 2 and 1 to cross the proposed access road and travel south at the access junction adjacent to Buncefield Lane. It then splits and exits from the site via the south east corner on Buncefield Lane and the southern boundary along Breakspear Way. In the northwest corner of the site the footpath has been designed in discussion with the owners of the neighbouring former Lucas site to ensure connectivity with the pedestrian access through to Maylands Avenue. The proposed footpath would be 3.0m wide enabling shared pedestrian and cycle use and surfaced in tarmacadam.

An application will be made in accordance with S257 of the Town and Country Planning Act 1990 (TCPA) to divert the footpaths. The application process has commenced with informal consultation undertaken (ref. 4/00173/17/DIV). The formal process will be commenced following the determination of the planning application. Whilst an application to divert a Right of Way can be made in anticipation of the planning application an Order cannot be confirmed until the permission is granted.

### **Referral to Committee**

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

### **Planning History**

#### **Policies**

##### National Policy Guidance

National Planning Policy Framework (NPPF)  
Circular 11/95

##### Adopted Core Strategy

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

CS32 - Air, Water and Soil Quality  
CS34 - Maylands Business Park  
CS35 - Infrastructure and Developer Contributions

#### Saved Policies of the Dacorum Borough Local Plan

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

#### Supplementary Planning Guidance / Documents

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

#### Advice Notes and Appraisals

Sustainable Development Advice Note (December 2016)

Planning Policy Statement

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

Maylands Gateway Development Brief (July 2013)

Site Allocations Development Plan Document Modifications (December 2016)

#### **Summary of Representations**

A full copy of consultation responses is attached at Appendix A.

These are summarised below.

#### Hertfordshire Highways

Highways has reviewed the impact of this development on the local highway network and determined that it would not have a severe impact on the safety and operation of the highway network. Therefore, raise no objection to the proposed development, subject to suitable conditions relating to the following:

- Construction Management Plan;
- Travel Plan;
- Interim Travel Plan;
- Parking Layout
- Servicing and Delivery Management Plan
- Development Access

In order to mitigate adverse impacts on the network a financial contribution of £250,000 is sought towards the proposed improvement works at the Green Lane/Breakspear Way junction as set out in principle on AECOM drawing 60779140/101/04 revision A. This has been committed to by the applicant and will be secured through a s106 agreement.

In order to promote travel by non-car modes a contribution will be required in order to improve the accessibility of the site by Public Transport by funding improvements to nearby Bus Stops.

A contribution of £16,000 is required to provide improvements to the bus stops on Breakspear Way which are closest to the site. See appendix for full comments.

#### HCC Planning Obligations Officer

#### Trees and Woodlands

- St Albans Road - there will be a significant aesthetic change to the site, but not out of keeping with the wider Maylands estate. Existing vegetation along this boundary that will be supplemented with new planting.
- Wood Lane End - not a substantial impact on views. A number of trees on this side of the site are due to be removed which will be mitigated with the planting of new trees which will soften longer views of development.
- Views from Hales Park, Hales Park Close and Crest Park will be dominated by the new development. Existing and new vegetation will help to mitigate this impact. The number of trees and species chosen must be carefully considered.
- Many site trees have been identified as category 3 (cultural value, including conservation). British Standard states that the presence of Low (C) quality trees will not inhibit development.
- A lot of site trees are classified as Category C3 so would not insist on their retention even though they do contribute to the wildlife value of the site.
- Trees can positively contribute to the overall impact of noise reduction. Replacement planting around all new commercial units is welcomed, especially between residences to the north-west.
- Trees located along public footpaths be removed, the majority are Category C trees and so retention would not be sought
- Most landscaping proposals around the site boundaries and along internal routes are acceptable.
- Trees within the car parking areas in direct proximity to parked cars rarely results in any significant positive impact from trees due to the size of the planting pit
- If there is no intention to utilise root management devices tree planting should be restricted to car park boundaries.
- The majority of proposed tree species are appropriate to their indicated site location.
- Proposed planting along the rear boundary of Hales Park and Hales Park Close requires slight alteration. Field Maple will not attain the height of nearby trees or provide sufficient screening function to satisfy the needs of nearby residents. Alternating Oak and Field Maple will ultimately provide more of an aesthetic screen, with the two species growing to different, but complementary, heights.
- The submitted survey is accurate and conforms to British Standard 5837:2012 "Trees in relation to design, demolition and construction – Recommendations".
- The Arboricultural Impact Assessment is accurate, meets the requirements of the British Standard and is thorough in its consideration of site issues.
- Equine grazing across the site has occurred and may have reduced the classification of trees through direct damage to stems, stem bases and lower hanging branches.
- Existing landscape buffer to the north-west of the site forms a natural screen of mature deciduous trees, hedge and scrub, which are important to retain where possible.
- Poplar and coniferous trees within the northern sector relate to the former site use and are of low to moderate value only.
- Landscaping space is of vital importance for nearby residential use.
- Removal of internal hedges is unfortunate - internal hedges provide a significant contribution to the aesthetic nature of the site and its use by people and wildlife. Retention of hedgerows is welcomed and their replacement would be sought. The removal of trees

near to site entrances and along some sections of highway infrastructure is understood.

- Woodland retention is important, with new planting necessary to mitigate this loss.
- A considerable number of trees are to be removed from within the site, many of them mature. Diverted footpath routing has maximised tree retention with space left

#### Crime Prevention Officer

Recommend that the hedge separating the footpath from the rear of Unit 7 is prickly or a 2.2m high weldmesh fence provides separation.

The hedge aligning the right of way along Buncefield Lane in the south east part of the site should be no higher than 1m, so that vehicles using the lane provide some natural surveillance and therefore some security into this footpath for pedestrians and cyclists using this path.

Requests that the footpath to the rear of Unit 7 is not lit as it will attract anti-social behaviour.

Would look for the site boundary to the south side and west side (adjoining the former Luca site) to be secure either through planting (thick and prickly) or 2.2m weldmesh fencing.

Because the site is slightly isolated and not well overlooked I would look for the site to be built to the Secured by Design standard.

#### British Pipeline Agency

Not in a zone of interest.

#### Lead Local Flood Authority

No objection, subject to recommended conditions.

#### Historic England

No comment.

#### Highways England:

Referring to the planning application referenced above, dated 31 January 2017, application for a comprehensive redevelopment of the site to provide 54,714 sqm of flexible commercial floorspace within use classes B1C/B2/B8 and ancillary offices, together with car and cycle parking access and landscaping, Maylands Gateway, Maylands Avenue, Hemel Hempstead, HP2 4FQ, notice is hereby given that Highways England's formal recommendation is that we:

c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);

Annex A Highways England recommended further assessment required

Our formal response to this application requires review of the Transport Assessment that is currently being undertaken. For this reason we require additional time to fully assess the proposed development. We therefore recommend the application be not determined before 21st June 2017. If we are in a position to respond earlier than this we will withdraw this recommendation accordingly.

#### Countryside Access Officer

This site is crossed by Hemel Hempstead public footpaths 50 and 51.

The development will mean the loss of the last significant green space close to the residential area of Hale Park.

The proposed development would require both paths to be diverted, assuming planning permission is granted. In mitigation, and following consultation with the developers, a diversion application is underway that, will upgrade the paths to cycleways whilst retaining similar links afforded by the existing paths (this part of an overall strategy eventually aimed at providing a cycle link from Hemel Hempstead to St Albans).

#### Hertfordshire Historic Environment Advisor

It was previously advised by the Historic Environment Advisor that since the site has high potential to contain heritage assets of archaeological interest of such significance that they could be a major constraint on any proposed development.

A programme of archaeological desk-based assessment, followed by non-intrusive and intrusive archaeological evaluation of the site, has therefore been carried out in order to evaluate the known and potential archaeological and historic resource within it.

The archaeological investigations have established that significant Roman remains, including a Roman corn-dryer, and Roman ditches/gullies, pits and post-holes, are present within the site. The evaluation also identified a late Neolithic/early Bronze Age pit, and a Late Iron Age ditch.

A revised Written Scheme of Investigation was submitted by the applicant which has been confirmed by the Historic Environment Team as meeting their requirements.

#### Local Waste Authority

No objection raised, subject to the submission of a more detailed Site Waste Management Plan which would be required by way of a condition.

It was also noted that this application falls adjacent to two Employment Land Area of Search (ELAS006 – Maylands (East) and ELAS168 - Buncefield). These are identified in the county council's adopted Waste Site Allocations document as areas where proposed waste management facilities would, in principle, be acceptable.

#### Environmental Health

No objection, providing the scheme is approved and built in full accordance with the Noise and Vibration Assessment submitted.

Any revised plans would need to be considered for review.

#### Contaminated Land Officer

Air Quality:

The Air Quality Assessment was revised to include amended traffic data and updated baseline data as requested by the Land Contamination Officer. The conclusions remained unchanged and no objection was raised subject to the imposition of a condition requiring the development to be constructed in accordance with the construction phase mitigation measures proposed.

Land contamination:

Confirmed general agreement with the findings and recommendations contained within the report. As further investigative and remedial works are required, recommended that the contamination conditions be applied to this development should permission be granted.

#### Hertfordshire Biological Records Centre

Hertfordshire Ecology reviewed the application and consider that the ecology of the site as existing has been under-assessed with respect to protected species, grasslands and the hedgerows, most of which are Important under the hedgerow regulations and will be removed. It is considered that the impact of the development on protected species (badgers, bats, reptiles and avoidance of disturbance to nesting birds) can be addressed through best practice, condition and informatives.

In terms of the impact of the proposals on the wildlife resource, this would be heavily impacted and represent a considerable loss locally. This loss has not been adequately considered in the design of the development .

In order to mitigate this loss the applicant has engaged with Hertfordshire Ecology, Boxmoor Trust and the Council to contribute to the ecological management and enhancement of an area of land owned by the Council to the south of Breakspear Way. This would enable bio-diversity off-setting on a nearby site thereby reducing the net impact of the development and enhancing the wider Gateway area. This opportunity is welcomed by Hertfordshire Ecology.

The applicant has also amended the landscaping proposals in response to comments by Hertfordshire Ecology by adding the proposed native tree/shrub and seed mixes to the plan which draw heavily upon species already found within/surrounding the site; reviewed the composition of trees particularly around the boundaries and where appropriate changed the species to a more native variety; and revised the hedgerow along Breakspear Way to be a mixed native form which will also then continue along the full length of Buncefield Lane. They will also provide a wildflower mix instead of an amenity mix to the Buncefield Lane.

#### Thames Water

An inability of the existing waste water infrastructure to accommodate the needs of the application was initially raised with a suggested condition require details of a drainage strategy and on or off site drainage works.

The applicant has since submitted a Sewer Impact Study and provided previous correspondence from Thames Water dated 2016 that confirming that the existing foul sewer network does have sufficient capacity to accommodate the proposed foul water discharge.

In light of this information further comments were received from Thames Water on 24.04.2017 which state that with regard to sewerage infrastructure capacity, they would not have any objection to the above planning application.

#### Crown Estate

Confirmed that in principle, they are supportive of development on the site and have no comment on the overall layout or quantum of the proposals. Their main concern is to seek to ensure that the scheme makes an appropriate contribution towards enhancement of the highway network in the area.

Raised the following concerns about aspects of the submitted Transport Assessment:



- The analysis makes no reference to other studies ongoing in the area and, in particular, the Maylands Growth Corridor Study (MGCS);
- Question some of the results of the analysis of Breakspear roundabout as they do not appear to correlate well with observations on site or the Maylands Growth Corridor Paramics base model;
- From the TA it is not possible to identify the precise level of impact of the proposals on the Breakspear roundabout or Green Lane corridor;
- A range of mitigation requirements for Hemel Hempstead have been identified in the MGCS including a need for improvements to Green Lane / Breakspear roundabout to cater for existing congestion and growth in the area including the Gateway site in the short / medium term; a preferred option is emerging;
- The development should make an appropriate contribution to the proposed improvement at the Green Lane / Breakspear roundabout and this should be secured through a S106 Agreement.

#### Strategic Planning and Regeneration - Economic Development - Support

- Hemel Hempstead and particularly Maylands is a prime location for logistics companies to service the south of England;
  - Maylands has a significant cluster of high tech logistics businesses including Martin Brower, Amazon and Royal Mail;
  - Whilst maybe not as aesthetically pleasing as previously aspired to along Breakspear Way, the development bring significant new investment into the town, creating jobs not only for the future, but also during the construction phases.
  - Site is within our new Enterprise Zone and will be a positive addition to this site, with a number of environmentally friendly features proposed in their buildings;
  - Could create 700 - 1500 jobs depending on the class usage;
- We need to encourage an assortment of business to continue to have a supply of mixed employment to our residents;
- Look forward to Dacorum benefiting from the economic growth this will bring.

#### Response to Neighbour Notification / Site Notice

##### 11 Lombardy Close

- The treatment of the site adjacent to Wood Lane End should be amended to take account of the adjoining residential development.
- Offices parking/landscaping should be sited alongside the residential property.

##### 11 Holmes Place - Object

- Marks the loss of more green space within Hemel Hempstead
- Units 2,3 and 7 are too close to the existing residential development at Hales Park;
- The proposal for a site in use 24/7 is not realistic so close to a residential area (noise pollution);
- Opening up Buncefield Lane onto Boundary Way north of Wood Lane End will cause increased traffic along Wood Lane End with traffic safety impacts;
- Width restriction on Wood Lane End is unsafe for cars exiting from Hales Park and Wood End Close as they will need to look for traffic on the wrong side of the road; it will cause problems for large vehicles accessing the residential estate;
- Traffic would take to the pavement to avoid waiting as with the current situation;
- Proposed entrance will have impacts on those visiting Woodwells Cemetery;
- Entrance should be via Maylands Avenue or from Breakspear Way;

- Environmental impacts - vehicle congestion and associated pollution;
- Residential development is being constructed within the industrial estate - this development should be incorporated within the existing industrial area and residential development on this site;
- Reduction in quality of living for residents (loss of light; increased noise 24/7);
- Units 2, 3, 7 should be lost and absorbed into the existing industrial area;
- The number of lorries waiting for their scheduled arrival time that are parked within the area that is to be opened up from Buncefield Lane to Boundary Way will increase;
- More creative use should be found for this site which was retained for social and recreational use in the heyday of the industrial estate;

#### 60 Hales Park - Object

- Site was identified for residential use with local parks and shops in 2013 when property was purchased;
- Loss of light to living room and overshadowing from large buildings;
- Ideally Unit 7 would finish prior to the end of garden and the car park run alongside instead;
- Visual impact
- Overlooking from Units 5 and 7 - could be minimised by additional planting (large established trees);
- Noise pollution with operation 24/7 - seek a restriction in working hours;
- Increased traffic congestion in the immediate area;
- Increased pressure on parking;
- There should be a restriction of goods vehicles coming down Hales Park.

#### 12 Crest Park - Object

- Substantial negative impact on the residents of Wood Lane End, Hales Park and Wood End Close and users of the Nursery and visitors to the cemetery;
- Change of residential character and quality of life for residents considerably reduced
- Noise pollution - development would not achieve the noise impacts described by law;
- Trees proposed are mostly deciduous and would not serve as a sound barrier all year round;
- Increase traffic and pollution;
- Visual intrusion and loss of privacy would be substantial;
- Loss of natural sunlight to residential properties from Units 2 and 3;
- Units 2,3 and 7 would amount to over development due to the detrimental impact on the adjoining residential properties;
- Detrimental visual impact to the residential properties due to scale and appearance of proposed buildings;
- Proposals over-bearing, out of scale and character with the residential area - for the residents it will be like living in an ugly walled compound like a prison;
- Inadequate parking for employees which would impact on the residents and road safety in the area;
- Loss of views;
- Loss of trees and ancient hedgerows;
- Loss of wildlife habitat and acting as a barrier to wildlife accessing the countryside;
- Loss of Green Space and access for residents to green space;
- Use of brownfield sites for housing rather than a greenfield site (many empty sites within the Maylands industrial area)
- Residents of Wood Lane End, Hales Park and Wood End Close will be totally surrounded by industrial development;
- Visual impact to visitors to Hemel Hempstead accessing the town from the M1.

- If the site must be used for industrial use the plans should be redrawn:

Units 2, 3 and 7 should be removed from the plans due to their proximity to current residential properties.

The remaining units construction should be more traditional (Brick or similar) to blend with the current buildings on Breakspear Way (I.E Breakspear Park and the Holiday Inn).

The remaining units, 1, 4, 5 and 6 should be substantially reduced in size and particularly in height to blend in with the landscape.

All trees and hedgerows on and in the site should be retained; they provide a wildlife habitat, and a natural noise and visual barrier.

The access road is moved further away from Hales Park to the centre of the plot this would reduce noise and disturbance.

A covenant is placed on the development that no business after 1900 hrs be permitted (To reduce noise and pollution issues).

That Dacorum commission a full independent survey to assess the impact of the development on wildlife, hedgerows, security and environmental impact.

That Dacorum canvas the occupants of Woodlane End, Hales Park and Wood End Close to obtain a good understanding of the impact this development will have on the residents. In particular how close these units, 2, 3 and 7, are to houses.

That Dacorum hold a public meeting, (attended by our local councillors and the planning department) for the residents of Woodlane End, Hales Park and Wood End Close to make their views known direct.

- The height of units 2 and 3 have been reduced to 11.9 meters (40 Feet) whilst this is welcome it does nothing to negate the proximity of the units (2,3 and 7) to current residential properties and the loss of amenity.
- Width restriction does nothing to prevent HGVs using Wood End Close as a turning point and would prevent emergency services accessing properties;
- A bund of sufficient depth and height should be placed around the west and north of the proposed development and planted with sufficient trees.
- Reduction in height does not negate the proximity of the units (2, 3 and 7) to the residential properties and loss of amenity
- Bund 1.5m high only for unit 3 with a separate 2.1m high fence will not distance and/or hide the building;
- Depth of trees is not enough and they are all deciduous so will not camouflage the development;
- No letters received about the footpath diversion
- Footpaths will be part of normal everyday pavement through an industrial estate whereas now is a pleasant walk through the countryside;
- Council formula for parking is to encourage public transport use, however there isn't much public transport. Employees will need somewhere to park;
- How will HGVs access residents of Woodlane End, Wood End Close and Hales Park. More detailed traffic plan needed.

#### 116 Wood Lane End - Object

- Strongly object to the location of Units 2 & 3 - too high and close to our homes;
- Will experience air, noise & light pollution & disturbance;
- Suffer loss of natural light and visual intrusion and a sense of enclosure;
- Additional planting will only overshadow homes;
- Loss of an abundance of wildlife;
- Loss of Accessible Natural Green Space;
- Site better used for housing and proposed use located on brownfield land opposite Buncefield oil terminal with direct access to motorway;
- Already high levels of noise from motorway and units in Boundary Way - this will be

worsened;

- Not sufficient parking for employees which will result on increased pressure around Hales Park;
- Unable to enjoy their private gardens;
- Wish to see a bund of a similar size to that between Wood Lane End and units on Boundary Way;
- New housing in Hemel Hempstead - Maylands Avenue and Cherry Trees Lane that will impact on local roads;
- Visual impact from Breakspear Way on the approach to Hemel Hempstead;
- Unit 2 remains so large it will cause a visual intrusion and have a negative impact on the wellbeing of residents in Wood Lane End, Holme Place and Crest Park;
- Inadequate parking for employers;
- Loss of a tree with a tree preservation order at entrance to site;
- NO2 emissions are dangerously high in parts of Hemel Hempstead which causes concern for severe health risks;
- Site is returning back to nature since horses have been removed - opportunity for improving the environment and planting more trees
- Creating a woodland would help to protect residents from fumes and preserve the wildlife
- Must build away from homes and gardens and plant more mature non deciduous trees to screen residents from the health risk associated with diesel fumes and noise.

#### 112 Wood Lane End - Object

- Units 2 and 3 are too close to homes and too high causing loss of light and overshadowing;
- Noise and air pollution and disturbance will result in a very quiet residential area;
- Increase in vehicles - there is already speeding cars and lorries.

#### 92 Wood Lane End - Object

- The proposals will destroy valuable open green space, increase traffic, pollution and noise and ruin an area used by various wildlife;
- Brownfield space in Maylands must be fully exhausted before building on greenfield sites;
- Green space and paths enjoyed by residents will be lost;
- Traffic congestion is already an issue in the area; the entrance in Buncefield Lane will add to this with chaos and pollution and vans and cars get stuck;
- Unacceptable to residents to have extra pollution, noise and traffic, health risks;
- Use will generate more traffic, noise and pollution around the clock;
- Siting of the main entrance opposite Woodwells Cemetery is appalling and disrespectful;
- Impact on local wildlife will be great;
- Many families on the Wood Lane End estate could benefit from using a new open green space;
- The dedicated green space is welcomed but people want quiet, not traffic noise of the risk of being knocked down trying to reach the space;
- Impact on the children's nursery in terms of pollution, traffic and noise;
- Use of green spaces should be encouraged especially for younger people to enjoy and exercise in for leisure;
- Unit 2 has been reduced in height but is still ridiculously close to the nearby properties;
- Wood Lane End is a beautifully peaceful place especially at night;
- Would like to know if there are covenants on the operation hours;
- Would like to see a bund like the opposite warehouse but along the white side and move it onto the opposite side to the Buncefield Lane end; or lose the unit completely.

#### 12 Home Place - Object

- Concerns over loss of light to my property;
- Noise from air conditioning units
- Would like to see additional screening.

#### 11 Wood End Close - Object

- Object to this planning permission as it will be too close to our homes, adding even more pollution, noise, light pollution, loss of even more day light than there already is in this area.

#### 2 Holme Place - Object

#### 21 Hales Park Close - Object

- Large warehouse will totally block out all my light.
- The noise of the lorries all day and night will be unbearable - it's bad enough with the car park from the gym on Maylands Avenue;
- The pollution from diesel lorries is another worry.

#### 34a Rant Meadow - Object

- Why are they building on green belt when there are plenty of empty buildings already there which can be developed.
- Pollution, traffic and the loss of playing fields.

#### 33 Hales Park Close - Object

- Concerned about noise pollution, traffic flow congestion and impact on the quality of living.

#### 7 Welkin Green - Object

- Concerned about extra traffic generated by site workers;
- The opening of Boundary Way to Buncefield Lane would create extra traffic requiring road widening on Buncefield Lane;
- Impact on the existing walkway which is currently an enjoyable walk;
- Home to a whole range of wildlife that will be destroyed;
- Many sites on Maylands estate which can be used rather than this much valued green space;
- Noise pollution both in construction and operation that will be a nuisance to residents;
- A bank such as that between Wood Lane End and Martin Brower could be put in place;
- Dirt and noise coming into house from open windows day and night;
- Entrance opposite cemetery is disrespectful; possibly should be sited from dual carriageway;
- Loss of peaceful time spent in gardens;
- Council's only concern is gaining more money through taxes to the businesses to compensate for cuts from the government in other areas.

#### 110 Wood End Lane - Object

- The land is conservation in nature;
- Have been surrounded by lorries coming through the lane for years and speeding traffic;
- No Councillors were at the meeting at Holiday Inn Hotel;

- Impact on the levels of traffic on residents and surrounding Maylands Avenue;
- How can we expect the juggernauts to enter the very tight lane opposite the cemetery entrance;
- Loss of light, noise and disturbance, pollution from traffic will affect people and wildlife which is rapidly eroding;
- Adequacy of the turning of these large vehicles turning to the back of 110 - 116 Wood Lane End;
- Encroachment of privacy;
- Hemel Hempstead surely has enough brownfield sites;
- Visual intrusion and loss of green habitat would be immense;
- Where would the horses go?
- Already significant disturbance from M1 and dual carriageway
- Impact on school at the upper end of the lane, where would they go, have they been consulted?

#### 104 Wood Lane End - Object

- Why allow the residential development of Hales Park in the knowledge that in the future you may need to consider the placement of vast industrial units with 24/7/HGV movement so close to the homes;
- Scientific evidence linking diesel particulate with serious health problems;
- Many families in the immediate vicinity - risk to young lungs is considerable;
- Air Quality Assessment gives cause for concern due to reference to 'a degree of uncertainty' inherent in 'all air quality assessment tools'
- Dacorum is not currently using continuous automatic air quality measuring instruments
- Serious concerns about noise pollution - needs to be addressed by constant monitoring;
- Inappropriate to be sited in such close proximity to residential properties.

#### 19 Hales Park Close- Object

- I object to the proposal of the above development on the grounds listed below:
  - Noise pollution due being a 24hr operating site
  - Increase in local traffic which is unacceptable as current volumes are already too high
  - air pollution from warehouse & vehicle usage

#### 35 Hales Park - Object

- The residential area is characterised by the peace and quiet achieved by the green area which serves as a buffer between the residential and industrial area;
- Buffer also achieves little light pollution;
- Views of greenery and wildlife will be replaced by industrial area;
- Where will the horses be moved to?

#### 8 Upper Ashlyn's Road- Object

Buildings too close to residents homes, reducing their light into their homes & gardens and increasing noise & pollution - how would you like it!

#### 42 Hales Park - Object

- Development will destroy the lovely area and surroundings;
- Block sunlight and noise pollution and will be constantly disturbing.

#### Kings Langley School - Support

- As a local school are impressed by Prologis approach to sustainable development
- Prologis' willingness to work with local secondary schools to develop programmes focussing on sustainable construction;
- Would like to work with Prologis on one of these programmes;
- Encouraging to see a developer which has a clear aim to contribute to and invest in the local community.

#### 1C Wood End Close- Object

- Units 2-6 are still very high and will impact upon nearby homes in Hales Park, Hales Park Close and Holme Place;
- Bund of massive height and suitable landscaping to avoid massive visual intrusion;
- Loss of light;
- Substantial planting of mature trees on bund to provide visual relief and protect from noise, air and light pollution;
- Additional research into the effect of diesel fumes upon health - recent reports suggest current legislation needs to be improved;
- Conditions to be applied to provide at least current levels of protection and takes into account current knowledge of the impact on health;
- Council should undertake constant monitoring;
- Provision of jobs must be balances against protecting the local cimmunity from over or poorly designed development
- Must take account major concerns of local residents regarding health and well being.

#### The Green Triangle, Oakland College - Support

- Very supportive and particularly impressed by Prologis' commitment to the objectives of the Enviro-Tech Enterprise Zone and those of our partnership;
- Pleased about the pioneering work that has been done in creating environmentally sustainable developments, including measures to mitigate and adapt to climate change;
- The first industrial property company in the UK to measure, reduce and mitigate the carbon emissions embodied its new facilities;
- Collaboration with Planet Mark and Cool Earth to help prevent deforestation through work with indigenous villages;
- Engaged with with the business community throughout the planning process;
- Impressed by the very thorough consultation process that they undertook locally
- Will be an asset to the local business community.

#### University of Hertforshire - Support

- Impressed by the jobs and skills that the development will offer and Prologis commitment to education through training and engagement with students.

#### 92 Wood Lane End - Object

- Why build yet more industrial capability in Hemel Hempstead when thousands of sq. feet of buildings suitable for such use lie empty in the Maylands area or are being constructed.
- Location of such a large development at the point where people enter in to the town is hardly a positive first impression when driving in
- Proposals will lead to serious traffic problems, noise, pollution and disruption for existing residents;

- The area is already blighted with HGVs and cars using Wood Lane End as a turnaround point or cut through;
  - Environmental destruction of a valuable green space used by many local people for walking and recreation;
  - No reasonable explanation as to why further industrial development would enhance the area, other than the obvious motivation of money, profits for Proglosis and income for Dacorum via industrial rents/income.
  - The new site would effectively box residents into an industrial zone.
  - We would need strict policies in place to ensure the paths are maintained by the site owners and not at Council expense.
  - If approved as a minimum there should be a much larger publicly accessible green space at the top of the site - where it borders Wood Lane End - to give an much larger barrier.
  - Wildlife and fauna has become established on the site that will be totally destroyed;
  - Have many times seen bats roosting in the area and remain convinced that they are roosting nearby - contrary to report;
  - Smaller creatures will lose their habitat;
  - We should respect and preserve our wildlife;
  - Traffic problems and pressures on Wood Lane End are growing;
  - Development of the scale proposed will lead to more problems with traffic jams caused by those wanting to reach the site, or cut through to Boundary Way;
  - Opening up top of Buncefield Lane to Boundary Way will cause chaos;
  - Additional traffic pressure from new housing and shops in Maylands;
  - Why no access point on the dual carriageway?
  - Impact on children's nursery due to traffic and pollution;
  - Traffic safety - Wood Lane End is already an official race track;
  - Only welcome part is the traffic calming measures in Wood Lane End;
  - To build such a site opposite a cemetery is appalling;
- An indication of what kind of businesses will be allowed to operate on the site and the noise levels that may emanate (lights, aircon etc).

#### 7 Moorside, Stratford Way - Object

- Siting the main entrance in Buncefield Lane right opposite Woodwells Cemetery is wrong and utterly and disrespectful.
- Noise will have a negative impact on those visiting the cemetery.
- Cemetery should be peaceful environment; not a congested through road to distribution depots.
- Impact on local wildlife will be very great.
- Greater risk to the childrens nursery from pollution, traffic and noise.

#### 32 Dagg Dell Lane - Object

- Noise pollution, traffic congestion
- Should be used as sporting facilities.

#### Resident - object

- Object to the proposed transport plan for access to the above site
- 24/7 noise and additional pollution to the nurdery and cemetery from opening the Boundary Way/Buncefiled Lane access



- An alternative access route to this site should be considered - access from Breakspear Way into Buncefield lane would have far less impact on the cemetery.
- Visitors to the cemetery deserve some peace and tranquility
- Noise and pollution due to the distribution depots being sited so close to the cemetery and to the homes in Wood Lane and Hales Park

Resident - object

- Strongly disagree with the changes to buncefield lane/ boundary way.

Resident - object

- Object to the road widening near Woodwells Cemetery in Buncefield Lane
- Will be a constant flow of articulated lorries up and down Buncefield Lane which will impact on the cemetery which should be a peaceful environment
- Plots close to the road are for babies/young children?

Petition received from the resident of 104 Wood Lane End - Object: 119 Signatories

I am attaching a copy of a petition signed by a number of residents in relation to this application, which should serve to demonstrate the strength of feeling in opposition of the planned development.

I have spoken to many of the signatories and understandably their main concern is for their future health should this go ahead. For those living under the shadow of the vast buildings they also express concerns about visual intrusion, loss of light and general well being.

There has been a great deal of publicity given recently to the impact of diesel fumes upon the health of those living close to roads and establishments generating large volumes of HGV movements. Indeed, current scientific opinion is clearly linking premature deaths with air pollution caused by diesel fumes, with young lungs being the most vulnerable.

A development of this size should not be located close to residential properties. This is particularly relevant, given the nature of the dwellings, which could be described as starter homes, attracting families with young children, ie those most at risk. As mentioned in formal objections; you should not have granted planning permission for the Hales Park development with the knowledge that it would in the future be surrounded by industrial units with the inherent risk to health.

We will be expecting you to protect us from this risk, both now and in the future as scientific evidence is updated.

**PETITION IN RESPECT OF MAYLANDS GATEWAY DEVELOPMENT**

We, the undersigned wish to raise objections to this application on the following grounds, which are relevant to our health and wellbeing;

- Air Pollution
- Noise Pollution and Disturbance
- Light Pollution
- \*Loss of light/Overshadowing

- \*Visual Intrusion

\* Particularly those properties adjacent to the boundaries of the development.

## **Considerations**

### Policy Context

The site is not currently in active use. It comprises the former Kodak and Lucas sports grounds and a former caravan park.

### **Local Plan (2004)**

The Proposals Map shows the site as covered by the following designations within the Local Plan (2004):

- Former Kodak sports ground, at junction of Buncefield Lane and Boundary Way (2.8 hectares). This land is site E2 in the Schedule of Employment Proposal Sites. The proposal is for “extension of existing estate for business, industry and storage and distribution uses”.
- Former caravan park, at junction of Breakspear Way and Buncefield Lane (1.8 hectares). This is site L6 in the Schedule of Leisure and Tourism Proposal Sites. The proposal safeguards the touring and caravan site (now closed) for its existing use unless a satisfactory alternative is available. The Plan also shows the site as ‘open land’. Saved Local Plan Policy 116 (open land in towns and large villages) states that open land forming part of the urban structure will be protected from building and other inappropriate development by applying the provisions of Policy 9. Policy 9 has since been superseded by Policy CS4 in the Dacorum Core Strategy.
- Former Lucas sports ground, north of Breakspear Way. This land is designated as ‘open land’ in the Local Plan, so is subject to saved Policy 116.

Policy 75 (retention of leisure space) states that building on leisure spaces will not be permitted, unless one of the criteria in the policy is complied with.

Finally, the northern part of the site, including E2, is within an area of archaeological significance (area 38), so saved Local Plan Policy 118 applies.

### **Maylands Master Plan (2007)**

The Maylands Master Plan (2007) does not carry the Local Plan’s proposals for the site forward. Instead, it identifies the site as forming part of the Maylands Gateway character area. Paragraph 2.2.1 states that the Gateway will be a first rate business park, with landmark buildings, including a higher education presence, HQ offices, conference facilities and a hotel.

### **Maylands Gateway Development Brief (revised 2013)**

The Maylands Gateway Development Brief (revised 2013) supplements the Maylands Master Plan and provides a more detailed, complementary strategy for the Gateway area. Paragraph 1.4.2 in the brief states that the document may be adopted as a formal planning guidance once the Core Strategy is adopted. The brief was not given such status, but it remains a material planning consideration to be considered in determining planning applications.

Section 4 in the Maylands Gateway Development Brief sets out planning and design principles for the Gateway development. The following points are relevant to this application:

- High quality buildings in a landscaped setting are required, to help make Maylands become one of the premier business locations in the region. Special attention should be paid to the frontage with Breakspear Way with high quality design and office elements fronting onto Breakspear Way (paragraphs 4.3.1 and 4.3.2).
- The Gateway must maintain the character of an employment-led, 'green', mixed use area with supporting facilities. Development will be employment-led, particularly but not exclusively encouraging those businesses in the areas of high technology. High quality B8 developments that meet the quality aspirations will be considered (paragraph 4.4.1).
- Buildings should have entrances facing Breakspear Way and the new access road, with servicing to the rear wherever possible (paragraph 4.7.3).
- A landscaped belt is proposed for the southern edge of the development along Breakspear Way. Also, a buffer will be created between the commercial Gateway uses and other uses such as the residential area and the cemetery, primarily through tree planting (paragraph 4.8.2).
- A new east-west link road is proposed from Maylands Avenue to Green Lane, running through the site (paragraph 5.2.2 and Figure 5.1).
- The Maylands Gateway area is split between car parking Accessibility Zones 3 and 4 (see Local Plan Appendix 5). The approach to parking provision should be treated as if the whole area were in Zone 4, where 75-100% of the maximum demand-based parking standard should be provided (paragraphs 5.3.1-5.3.3).

### **Dacorum Core Strategy (2013)**

Policy CS34 (Maylands Business Park) of the Core Strategy (2013) contains principles guiding development in Maylands. One of these principles is to secure HQ offices and other, complementary uses in an open setting in Maylands Gateway.

Figure 22 of the Core Strategy (East Hemel Hempstead Area Action Plan: Vision Diagram) shows the site as falling within the Maylands Gateway area. Figure 18 contains more detailed guidance on the East Hemel Hempstead character zones and development opportunities, including Maylands Gateway.

### **Site Allocations Development Plan Document (submitted 2016)**

The Site Allocations Development Plan Document (submitted 2016) is expected to be adopted in summer 2017. Maylands Gateway is not covered in the Site Allocations, because it forms part of the proposed area for the East Hemel Hempstead Area Action Plan. However, an Area Action Plan is no longer proposed, due to uncertainty over the scale and nature of development at East Hemel Hempstead within St Albans District and difficulties in aligning the timing of each authority's plan-making processes. Revised planning policies and proposals for the part of East Hemel Hempstead in Dacorum will, therefore, be included in the forthcoming single Local Plan.

### Principle of Development

The principle of built development is acceptable on this site. Core Strategy Policy CS34, which forms part of the development plan, proposes employment development in Maylands Gateway. This supersedes the open land designation in relation to the Maylands Gateway site. Therefore whilst the loss of 'open land' is contrary to saved Local Plan Policy 116, built development on the site is acceptable in accordance with Policy CS34. The Maylands Master Plan and the

Maylands Gateway Development Brief also propose employment development at Maylands Gateway which are both material considerations in the determination of planning applications.

Saved Policy 75 of the Local Plan (retention of leisure space) and Paragraph 74 of the NPPF permits building on leisure spaces providing there is a demonstrable surplus of sports pitches and informal leisure space; or leisure space lost is replaced to an equivalent or better standard in an accessible alternative location. Policy 75 also states that in all cases the amenity, landscape and nature conservation aspects of the site will be taken into account.

The Dacorum Playing Pitch Strategy & Action Plan 2015 - 2025 (June 2015) includes a 'Hemel summary and action plan'. It concludes that there is no demand for any more grass football pitches in the town, but there is demand for some additional facilities, including for a 3G football pitch (in Hemel or Tring), two cricket pitches, an AGP hockey pitch and rugby union pitches.

The Playing Pitch Strategy & Action Plan looks at the potential for new sites in Hemel with Bunkers Park/Bunkers Lane being the only site identified. The document states that the site has potential to be considered as appropriate for developing a cricket pitch to alleviate the current overplay in Hemel. There is also the possibility of a floodlit AGP on the site with priority for hockey and demand for a second AGP suitable for football and rugby. The document goes on to state that "there is also interest from local football, cricket and tennis clubs to develop club facilities on this site which could be taken forward as a multi-sport site."

The submitted Site Allocations document proposes new leisure space at Bunkers Park site (proposal MU/5 in the Schedule of Mixed use Proposals and Sites) . The planning requirements for MU/5 include "leisure space to include public and private sports pitches".

There is no reference to the former Kodak and Lucas sports grounds in the Playing Pitch Strategy & Action Plan, as these sites are no longer used as playing pitches. The site was not identified in the 2008 Open Space Study as formally contributing to any quantitative assessment of leisure space for the town. It is also noted the former Kodak and Lucas sports grounds were never available for general public use and both have been disused for many years. Lucas no longer have a presence in Hemel Hempstead and the former Kodak sports ground is allocated for employment development in the Local Plan (site E2).

It is therefore evident that there is no longer a requirement for the former sports pitches by either Kodak or Lucas. The site is not identified as making a formal contribution to leisure space for Hemel Hempstead, and new public and private leisure space is proposed at Bunkers Park within the Site Allocations document. As such proposed development of this site complies with both saved Policy 75 and paragraph 74 of the NPPF.

It is also noted that the applicant proposes to provide and maintain the area of public open space adjacent to the Boundary Way/Bouncefield Lane to be used for informal recreation and dog walking. This makes a positive contribution towards informal leisure provision within the immediate locality.

Policy CS34 sets out the principles guiding development in Maylands which for Maylands Gateway includes securing HQ offices and other complementary uses in an open land setting in Maylands Gateway. The vision for the Gateway is set out in the Maylands Gateway Development Brief which sees the Gateway as a key part of Maylands becoming a 'green' business park. Development is to be employment-led (Classes B1, B2 and B8) providing a range of high quality accommodation for a range of uses. The Brief also recognises that market demand over the plan period is expected to be dominated by warehouse/distribution uses (B8) and this needs to be a key consideration in the proportion of land uses for development.

The proposed use of the site is flexible B8 storage and distribution use, B2 general industrial and B1(c) light industrial use, with ancillary offices. The proposed uses are acceptable in terms

of the Maylands Gateway Development Brief which states that high quality B8 developments will be considered (paragraph 4.4.1), providing the brief's quality aspirations are met which are considered further below.

The former caravan park in the south east corner of the site is safeguarded from alternative development by Proposal L6 of the saved Local Plan, unless a satisfactory alternative is available. The site was closed many years ago as it no longer met the standards of the operator, the Caravan Club of Britain. The site was no longer regarded as appropriate for its requirements by the Caravan Club due to traffic noise from Breakspear Way, inadequate existing facilities and size constraints. Bunkers Lane was considered as a superior alternative site by the Club and pursued in 2006. On this basis the loss of the site for camping and caravanning would not be resisted in accordance with saved Policy 95 of the Local Plan.

### Layout, Scale and Design of Development

The proposed layout of the site comprises of a total of seven units with ancillary offices that range in size from 2000m<sup>2</sup> (Unit 1) to 15,689m<sup>2</sup> (Unit 6). The units have been designed to allow for different business uses. The height and positioning of the buildings have been established in response to the surrounding development.

The larger Units 4, 5 and 6 have heights of 15.20m, 15.85m and 15.50m respectively to accommodate the required storage capacity through high bay racking and mezzanine storage systems. These large buildings will cater for the demand from nationwide operators and range in size from 12,000m<sup>2</sup> to 15,689m<sup>2</sup>. The buildings are positioned in a staggered layout along the Breakspear Way frontage. Unit 5 is set further back from the Breakspear Way frontage with a car parking area and the ancillary office component to the front. This layout breaks up the mass of buildings and provides relief along the frontage to Breakspear Way.

Unit 4 runs parallel to the southern half of Buncefield Lane and is of significant scale. In order to improve the relationship of this building with Woodwells cemetery located opposite the building has been set back with a car park area positioned between the building and the diverted footpath. A formal hedge separates the footpath from the car park and a set back is provided between the 3.0m wide footpath and a native hedgerow aligning the highway. Landscaping is also proposed on the east side of Buncefield Lane adjoining the entrance to the cemetery; further landscaping is proposed on this side of Buncefield Lane to the north of the entrance so as to provide additional screening for the cemetery.

Unit 7 has been designed so that it can be internally divided to provide either four small or one medium sized unit. The provision of smaller units is welcomed as they would help to serve the current shortage for start up firms moving on from the Maylands Business Centre with expanding needs.

The smaller scale Units 2, 3 and 7 have been positioned adjacent to the Hales Park residential area so as to mitigate adverse impacts on the amenities of these properties. The proposed uses of these units are limited to light industrial or storage and distribution as to avoid noise and disturbance that can be associated with general industrial use.

The activity areas such as service yards all face into the plot to minimise noise transmission to the adjoining Hales Park and Woodwells Cemetery. The service yard to Unit 6 adjoins the west boundary to the former Lucas Aerospace site which has outline planning permission for commercial use.

The Maylands Gateway Brief emphasises the need for development to positively address Breakspear Way. High quality design and office elements should face Breakspear Way. High quality landscaping is also sought with low level planting along this frontage and appropriately spaced gaps to allow visibility of the buildings.

Attention has been given within the proposals to the treatment along Breakspear Way through the staggered layout of the buildings; the office component to Unit 5; the variation in landscaping; and the elevational treatment of the buildings themselves. The elevations feature a band of opaque light running at high level and extending vertically to a height of above 2.0m above ground. This serves to create a more lightweight appearance along this elevation. The two storey office element contributes to the visual interest by featuring a large proportion of glazed areas together with brise soleil and columns.

The landscaping proposals have also provided variation and screening along this frontage with the retention of the block of woodland at the eastern end, new grassland, semi-mature trees, hedgerow and thicket in proximity to the attenuation pond at the western end.

The Landscape and Visual Impact Assessment considers the impact of the proposals on Breakspear Way from the west (Viewpoint 11) and from the footbridge looking east (Viewpoint 14). Photomontages demonstrating the visual impact of the development along Breakspear Way are provided in Appendix G. It is clear that the buildings will be visible from Breakspear Way behind the existing and proposed planting; however the visibility will be reduced as the proposed semi-mature trees mature.

The buildings are considered to be of a high quality design for this type of use. Due to the visual interest provided within the elevations they would not have a greater visual impact than offices of a similar height. It is also recognised that the proposed units are significantly smaller than the large distribution depots which are often found on warehousing sites.

The buildings are faced in metallic cladding with alternating profiles so as to create visual interest through varying profiles. Conservation and Design have considered the proposals and raised no objection. They have suggested the use of colour to further break up the appearance of the large scale buildings. Colour has been utilised on the west elevation to Units 2 and 3 fronting the Hales Park residential development. The material has been lightened in colour and will comprise a smooth matt surface so that the building will blend into the sky, thereby reducing the visual impact of this building.

The Maylands Gateway Brief sets out quality aspirations that should be sought Gateway sites for proposed employment uses and in particular Class B8. It is considered that this aspiration is met through a high quality storage and distribution development.

### Employment

The proposed use of the site for employment use accords with adopted Core Strategy Policies CS14 (Economic Development), CS15 (Offices, Research, Industry, Storage and Distribution), CS34 (Maylands Business Park) and the Maylands Gateway Development Brief. The applicant has submitted the anticipated number of jobs created by the proposed development in accordance with the Homes and Communities Agency (HCA) Employment Density Guide (2015).

	Use Class B1(c)	Use Class B2	Use Class B8
No. Employees	1,170	1, 528	786

Based on their own surveys, the applicant has submitted that by 2014 their ratio of person to floor space had risen to one person for every 69m<sup>2</sup>. This is a slightly higher ratio than the HCA guidelines of one job per 77-95m<sup>2</sup> (GEA) for distribution centres.

The Councils Strategic Planning and Regeneration (Economic Development) Team are fully supportive of the application acknowledging the economic benefit it will bring to the borough:

*We know that Hemel Hempstead, and more particularly Maylands is a prime location for logistics companies to service the south of England. Maylands already has a significant cluster of high tech logistics businesses including Martin Brower, Amazon and the Royal Mail. This proposed development scheme, whilst maybe not as aesthetically pleasing as we previously aspired to along Breakspear Way, will bring significant new investment into the town, creating jobs not only for the future, but also during the construction phases. This site also falls within our new Enterprise Zone and will be a positive addition to this site, with a number of environmentally friendly features proposed in their buildings.*

*And from their planning statement suggest the site, when fully developed and occupied could create 700-1500 jobs depending on usage the usage class. Hemel Hempstead has a very diverse business community, and we are aware that we need to encourage a assortment of business to continue to have a supply of mixed employment to our residents.*

### Access and Parking

The site will be accessed via a new junction from Buncefield Lane with the site access road running across the site in a general east - west direction. A smaller access road extends north to access Units 1, 2 and 3 in the north east corner of the site.

The Maylands Gateway Development Brief outlines an aspiration for a new east-west link road from Maylands Avenue to Green Lane to achieve connectivity with the wider Maylands area. The potential for this connection was considered in discussion with the developers of the adjacent former Lucas site to the west. The site layout and proposed uses of both sites precludes an east-west vehicular access in practical terms and therefore this has not been pursued. However the footpath to the north of the application site has been aligned to connect with a footpath that travels west through the adjoining site and connects with Maylands Avenue.

A new vehicular link from Buncefield Lane to Boundary Way is to be created for development traffic to access the site via Boundary Way and Green Lane. Development traffic will be prevented from accessing the site from either Wood Lane End or Buncefield Lane from the south through a freight management plan and traffic calming measures. These are to consist of road narrowings directly to the south of the junction into the site; and just to the east of the junction of Wood End Close and Wood Lane End. Buncefield Lane will be widened to enable larger vehicles to access the site where appropriate. A weight restriction of 7.5t is proposed to Wood Lane End and Buncefield Lane to the south of the site access. The road narrowing's have been designed so as to ensure access by emergency vehicles with proposals subject to full vehicle tracking.

Speed limits will also be introduced along Buncefield Lane and the eastern arm of Wood Land End in proximity to the junction with Buncefield Lane. The current national speed limit (60mph) will be reduced to 20mph and 30mph speed limits within this area.

Local residents have questioned why access to the site could not be from Breakspear Way rather than Buncefield Lane. The applicants have provided a two-fold response. Firstly, access to the site from Breakspear Way as primary distributor would be contrary to the Local Transport Plan. New access to primary distributors would only be acceptable in special circumstances which includes demonstrating that no alternative proposals are viable. Secondly, a large proportion of the vehicles accessing the site are expected to come from the east. Accessing the site from this direction on Breakspear Way would require undertaking a U-turn at the Maylands Avenue/Breakspear Way roundabout and travelling west to the access, contributing to further traffic stress on Breakspear Way and to this junction. The proposed entrance on Buncefield Lane and associated route connecting to Boundary Way and Green Lane has been developed in conjunction with Highways who have confirmed that they would not support a new access from

Breakspear Way.

Following a review of the Transport Assessment submitted in support of the application by Highways, additional information was provided by the applicant. Further details are required by way of condition which includes: the width of the new vehicle access, visibility splays, pedestrian splays and the general internal layout; a swept path analysis of the access justifying that vehicles can exit the site in forward gear.

The existing pedestrian PRowS 50 and 51 will be repositioned and surfaced to provide a shared use foot/cycle path. The shared use foot/cycleway will also be extended along Buncefield Lane past the amended PRow 50 to Boundary Way. It will be constructed alongside the new access road and will be lit.

The Countryside Access officer together with HCC has engaged with the applicant at the outset in relation to the footpath diversion. They have commented that "in mitigation, and following consultation with the developers, a diversion application is underway that, will upgrade the paths to cycleways whilst retaining similar links afforded by the existing paths (this part of an overall strategy eventually aimed at providing a cycle link from Hemel Hempstead to St Albans)."

The proposed development includes 543 parking spaces including 33 disabled spaces. Appendix 5 of the Local Plan sets out maximum car parking standards, which represent a starting point for provision, with restraint to be applied progressively on a zonal basis.

The site is within Accessibility Zone 4, where new non-residential development is expected to provide 75-100% of the maximum demand-based standard. The maximum parking standard for business parks in Local Plan Appendix 5 is 1 space per 40 sq. metres. If this standard is applied, between 1,026 and 1,368 spaces are needed. However, Appendix 5 recognises that this standard is not appropriate for developments heavily orientated to B8. The Council's maximum standard for B8 use is 1 space per 75 sq. metres. If this standard is used, the requirement is for 547 at 75% of the maximum standard.

The application proposes a very slight under provision of the maximum standard by 3 spaces. Whilst it is noted that most of the proposed floorspace could well be occupied by B8 uses, some units (1, 4, 5, 6) will be used for B1(c) or B2 purposes with only Units 2, 3 and 7 used for B1(c). The applicant has considered the potential to provide additional parking within the site on this basis. There is the potential to accommodate a further 27 spaces across the parking areas which would take the provision over the maximum standard. However this provision is indicative at present and would be subject to further detailed design. Final car parking provision and layout would be required by way of condition, should the committee be minded to grant consent.

The provision of 109 short term cycle parking spaces and 107 long term spaces is proposed as part of the application. This is in general accordance with Appendix 5 of the Local Plan and is considered to be acceptable by Highways.

A Framework Travel Plan has been submitted in support of the application. It has been reviewed by Highways who have advised that it would need to be developed into individual Travel Plans for each site occupier. Conditions have been recommended that include the submission and approval of an interim travel plan prior to commencement of construction followed by the submission and approval of a full travel plan prior to the occupation of each unit.

#### Impact on Highways Safety

A Transport Assessment (TA) has been submitted by the applicant to demonstrate the impact on the local highway network. Following an initial assessment by Highways additional information was submitted to substantiate the proposed trip rates in terms of the proposed land



use. This information included a sensitivity test that was undertaken on a 'worst case' trip generation scenario. It was found that the difference was not significantly different to that presented in the TA. A multi-modal assessment was also provided as part of the additional information. Committed developments and junction modelling were included and considered acceptable for the purposes of the TA.

As part of the junction modelling it was found that the St Albans Road/Maylands Avenue, Breakspear Way/Green Lane and Boundary Way/Green Lane junctions are operating close to or above capacity. This would be exacerbated by the addition of traffic from the proposed development as well as background growth and committed development.

In order to mitigate the impact that the proposed development would have on these junctions, a mitigation scheme has been developed by AECOM and Highways England which involves the signalisation of the junction in the first phase with the introduction of free-flow left turn lane from Green Lane to Breakspear Way in the second phase. Additional modelling was provided which demonstrates that the Phase II mitigation measures at the Breakspear Way/Green Lane junction provide significant capacity improvements, and are sufficient to accommodate both the proposed and development phases and background growth to 2028.

The applicant is proposing mitigation measures at the Breakspear Way/Green Lane junction to help alleviate these congestion concerns. They have put forward a proposed scheme for improvements to this junction that they would implement. Highways England have been engaged throughout the application process and informally confirmed that they agree with the principle of the improvements to this junction and would prefer these works to be undertaken rather than a contribution to the wider Phase II mitigation works. Hertfordshire Highways are considering the details of these proposed works. Discussion with Highways England, Hertfordshire Highways and the applicant are on-going in this regard and in order to finalise the Heads of Terms that will specify the mitigation works to this junction.

Highways have reviewed the impact of the proposed development on the local highway network and determined that it would not have a severe impact on the safety and operation of the highway network. They have no objection to the proposed development, subject to suitable conditions. The conditions recommended by Highways will be imposed should planning consent be granted.

#### Impact on Trees and Landscaping

Trees and Woodlands have assessed the application in terms of the removal of trees. Whilst a lot of the trees to be removed are identified as having cultural value, including conservation, they are of low quality and therefore their retention would not be sought.

The landscaping proposals around the site boundaries and along internal routes are acceptable. Initial proposals to plant within the car parking areas have been removed on the basis that a root management system would need to be deployed for it to be successful.

The majority of proposed tree species are appropriate to their location. A recommendation that the mix of species along the rear boundary of Hales Park and Park Close is changed to alternating Oak and Field Maple has been implemented on the basis that it will provide more of an aesthetic screen to the site.

Where possible the retention of the internal hedges is welcomed and their replacement sought. Woodland retention is also important, with new planting to mitigate this loss.

Trees and Woodlands have requested further details in terms of: the construction methodology and surface design for the proposed footpaths that are positioned close to trees; the removal of trees within the Woodland W32; excavation works close to root protection areas.

## Ecology

Hertfordshire Ecology reviewed the application and consider that the ecology of the site as existing has been under-assessed with respect to protected species, grasslands and the hedgerows, most of which are Important under the hedgerow regulations and will be removed. However following Hertfordshire Ecology surveys, no further Phase 1 Habitat Surveys are required. It is considered that the impact of the development on protected species (badgers, bats, reptiles and avoidance of disturbance to nesting birds) can be addressed through best practice, condition and informatives.

A suitable condition has been recommended in this regard which requires further details of measures to avoid harming reptiles which may potentially be presented to the satisfaction of the Local Planning Authority.

A survey of the hedgerows and grasslands was undertaken by Hertfordshire Ecology in April 2017. It was concluded that the principle habitats affected by the development are more valuable than previously considered although they are not of Local Wildlife Site quality. The ancient hedgerows are intrinsically 'Important' as defined by the Hedgerow Regulations. Overall it is considered that the proposed landscaping, which is relatively limited, will not compensate for the loss of these locally significant features and their role within the site.

In terms of the impact of the proposals on the wildlife resource, this would be heavily impacted and represent a considerable loss locally. This loss has not been adequately considered in the design of the development by way of accommodating existing features or through compensation and enhancement. However it is acknowledged that if the site returned to its former sports use or continued to be heavily grazed, the ecological interest would remain degraded. The wildlife resource is not considered to represent a justifiable reason to refuse the application and is insufficient to outweigh the economic value of the proposed development.

Whilst the proposed landscaped amenity area to the north-east of the site will provide a valuable recreational resource, it will impact on a feature that already exists. The area currently has little ecological importance and whilst welcomed, the ecological enhancements will not provide any significant ecological benefit.

The applicant has amended the landscaping proposals by adding the proposed native tree/shrub and seed mixes to the plan which draw heavily upon species already found within/surrounding the site. The composition of trees has been reviewed particularly around the boundaries and where appropriate changed the species to a more native variety; the hedgerow has been revised along Breakspear Way to be a mixed native form which will also then continue along the full length of Buncefield Lane. A wildflower mix instead of an amenity mix will also be provided to Buncefield Lane. These revisions are in accordance with the requests made by Hertfordshire Ecology and are acceptable.

The proposals will result in a substantial net loss of biodiversity locally which has not been compensated for within the application site to provide any net gain as required by paragraphs 109 and 118 of the NPPF. Biodiversity Offsetting provides an opportunity to reduce the net impact of a development where the damage arising from a development cannot be avoided or mitigated. An area of land to the south of Breakspear Way together with the application site forms part of the original field that was bisected by Breakspear Way. The site is within the ownership of the Council and provides the opportunity to secure ecological management and enhancement on a site similar in character to the application site, thereby off-setting the loss arising from the proposals. Hertfordshire Ecology describes this area and the contribution its long-term management would make in terms of off-setting as follows:

*Whilst this area already exists and as such would not be of additional benefit in terms of*

*increasing ecological resources, its survival, longer term condition, ecological value, potential and contribution to the local area is uncertain. If not managed appropriately, its condition and quality would continue to degrade further, to the point where its value would cease to be of any particular significance, certainly as any form of open grassland. Consequently, any opportunity to secure and manage this and any adjacent areas for the future – as part of the overall Gateway area through which Breakspear way runs, would be welcome. It would provide a contribution to Biodiversity Offsetting and could be enhanced by additional hedgerow planting or reinforcement to further compensate for the loss of ancient hedgerows within the development site.*

Discussions are taking place between the applicant, Hertfordshire Ecology, Boxmoor Trust and the Council in terms of securing the long term ecological management of this resource. The applicant has committed to the provision of a management plan and a contribution towards the management of the site 'in perpetuity'. At this stage it has not yet been confirmed who will be responsible for the management of this area however the options are Boxmoor Trust, the Council or the applicant.

It has been agreed that this would provide an opportunity to reduce the net impact of the development and enhance the wider Maylands Gateway area by positive management of this additional area of land. Whilst it is acknowledged that the landscaping will not replicate the existing character or extent of the resource given that the new character will be consistent with the existing character of Maylands, the positive aspect of the proposed development is the identification of the site to the south which is to be subject to biodiversity off-setting. This site forms part of Maylands Gateway and therefore will contribute to the overall ecological value of the Gateway which is to be an employment-led 'green' mixed use area. Provisions are set out in the S106 Heads of Terms as outlined further below.

A landscaping management plan would be required to ensure that where possible the features provide a robust and prominent landscape feature in the longer term; this should be provided as a Condition of Approval. These requests have been incorporated into the proposals and are therefore considered to be acceptable.

#### Air Quality

An Air Quality Assessment has been submitted in support of the application covering both the construction phase and the operational phase of the development.

An evaluation is made within the Assessment of the temporary effects from fugitive construction dust and construction vehicles exhaust emissions. The construction phase air quality impacts and mitigation measures based on the IAQM dust guidance are provided. A condition has been recommended to ensure that the proposed construction phase mitigation measures are undertaken should planning permission be granted.

The site is not designated as part of an Air Quality Management Area (AQMA) and therefore the most likely effect on the local air quality during operation is expected to result from the increased traffic generation of the site. An evaluation has been undertaken of the impacts of the development traffic on the local area during operation. This is an issue which has been raised as a significant concern by residents.

The Air Quality Assessment was revised as requested by Environmental Health to include amended traffic data and updated baseline data. In addition the list of modelled sensitive receptors selected to assess the air quality impacts during the operational phase was updated to include Hales Park. The conclusions remained unchanged, namely that the impact on the surrounding area from Nitrogen Dioxide, Particulate Matter and Fine Particulate Matter is categorised as 'negligible'.

Environmental Health are in agreement with the findings and recommendations in the report. The resulting air quality effect from the proposed development is considered to be 'not significant' overall; as such the proposed development will have a minimal impact on air quality and is considered to be acceptable.

### Noise

Environmental Health have considered the proposals in terms of preventing future statutory nuisance and preserving the amenity of the nearest residential properties. Noise pollution arising from the development is a significant concern raised by the residents of Hales Park.

The Noise and Vibration Assessment submitted as part of the application states that the existing noise environment on site is dominated by road noise from the Breakspear Way and the M1, approximately 800m from the site.

In terms of the noise impacts from the operations on site, noise will arise primarily from B2 industrial use and the vehicle movements on the internal road network. Noise from fixed plant may also contribute to overall site emissions and will be limited to appropriate levels by design. Noise from fixed plant can also be controlled by condition.

So as to mitigate any potential noise impacts on the residential Hales Park, Units 2, 3 and 7 have been restricted to non-B2 (general industrial) use, along with ensuring that no apertures are positioned in the facades closest to the residences. The structure of the buildings will also control noise from activities within the buildings. To control vehicle noise affecting the residential area, a 4.0m high acoustic fence is proposed between Units 2 and 7 to close the gap. This barrier together with the screening arising from the proposed units provides sufficient shielding to vehicle noise emissions from within the site.

It is recognised that the proposed use of the site, where industrial in nature, may necessitate the use of noisy machinery. Plant may also be associated with future use. As end users are not yet known, it would be appropriate to impose a condition requiring future plant to be designed to operate at an acceptable level so as not to impact on noise levels. The applicant accepts that a condition that would control noise emissions from industrial processes and plant will be necessary. The following condition has been proposed and would be attached should planning permission be granted:

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

An assessment has also been undertaken with regard to the noise impact arising from the off-site traffic movements on the nearest sensitive receptor. The change with the implementation of both phases of the development would be no more than 1dB which would have a negligible to minor adverse affect.

Environmental Health has confirmed that on the basis of the documents supplied they have no comments to make, providing the scheme is approved and built in full accordance with the Noise and Vibration Assessment submitted.

### Contamination

The applicant has submitted a Phase 1: Environmental Liability Review which provides a

detailed desk-based preliminary risk assessment of the site. The Land Contamination Officer has confirmed that they agree with the conclusions and recommendations for an intrusive ground investigation prior to redevelopment.

Similarly the Land Contamination Officer is in agreement with the findings and recommendations contained within the Phase 2: Geo-Environmental Site Investigation and Risk Assessment. However further investigative and remedial works are required as the proposed site layout was unknown at the time of writing. Conditions will be attached in this regard should the committee be minded to grant consent.

### Archaeology

The site is located close to the Scheduled Wood Lane End Roman Temple Complex (SM 27921), a nationally important Romano-British site. Several later prehistoric and Roman and medieval sites are located nearby, including those identified during the widening of the M1. In addition very significant Roman archaeological remains dating to the 1st – 3rd centuries A.D have been identified at Spencers Park to the north.

As the site has high potential to contain heritage assets of archaeological interest of such significance that they could be a major constraint on any proposed development, a systematic archaeological field evaluation of the site has been undertaken. The archaeological investigations have established that significant Roman remains, including a Roman corn-dryer, and Roman ditches/gullies, pits and post-holes, are present within the site. The evaluation also identified a late Neolithic/early Bronze Age pit, and a Late Iron Age ditch. These features appear to be domestic or agricultural in nature.

During the course of the application the applicant submitted a Written Scheme of Investigation (WSI) which the Historic Environment Team has confirmed meets their requirements. A condition recommended by the Historic Environment Team will be attached which requires the development to take place in accordance with this WSI.

### Flood Risk and Drainage

The Lead Local Flood Authority has been consulted and confirmed following the submission of additional information that they have no objection to the application on flood risk grounds. The proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy.

The drainage strategy is based on attenuation tanks, porous surfacing for the car park and balancing ponds. It has been demonstrated that the 1:100 year plus climate change rainfall events can be contained on-site. Conditions have been recommended to ensure that the measures set out in the Flood Risk Assessment are implemented as part of the works.

### Impact on Neighbours

The residential area of Hales Park is located to the north east of the site. Dwellings on Hales Park, Hales Park Close, Holme Place and the dwelling at 116 Wood Lane End share a boundary with the application site to the south and west of the residential area. Unit 7 with a height of 11.25m will be positioned approximately 17m from the boundary of properties on the south side of Hales Park Close and Hales Park. At present, mature vegetation aligns this boundary. Units 2 and 3 with a height of 11.25m will be positioned approximately 15m from the boundary with the properties 5-12 Holme Place, 116 Wood Lane End and 35 Hales Park. Just before the boundary the site rises approximately 2.0m with mature vegetation at various levels along the slope.

A significant number of concerns have been received from the residents of Hales Park about the impact that Units 2 and 3 and 7 would have on their amenities due to the scale of the buildings and their proximity to the residential dwellings. At a height of 11.75m the buildings are considered by residents to have an over bearing relationship to the adjoining residential properties in terms of the visual impact on the character of the area and creating a sense of enclosure together with daylight, sunlight and privacy impacts.

Some residents have suggested a much larger bund and more extensive landscaping to screen the proposed development from the views. In response to these concerns the applicant has made the following amendments:

- The overall height of Units 2 and 3 has been reduced by 0.5m;
- The overhang on the western elevation of Units 2 and 3 has been removed and the gutter internalised;
- Two high level cladding bands in lighter colours will replace the existing silver cladding on the upper half of the western elevation and will be a flat matt surface;
- A 1.5m earth bund will be provided along the length of Unit 3 adjacent to the western boundary; and
- Existing vegetation along the western boundary will be strengthened with additional planting along with a 2.1m close board fence.

The proposed development will affect the outlook of the residential properties that front on to the development site. However it is noted that the closest residential properties to the south boundary adjoining Unit 7 do not face the application site; they have flank elevations with no windows facing this boundary. Those that face Unit 7 have a separation of approximately 30.5m from the rear elevation of this unit. This is considered to be sufficient distance separation in terms of ensuring that there is not an unacceptable sense of enclosure arising from Unit 7.

The existing linear woodland located along this boundary (outside the application site) will be reinforced with new trees planted in gaps to increase the screening. Beyond the new 3.0m wide footpath set within a broad greenway will be a native hedgerow; all of which would serve to further screen the site.

Nos. 46-60 Hales Park will have a direct outlook to Unit 3. However a car park and turning area to the front of these properties provides a significant set back from the boundary. A distance of 40.3m from the front elevations of these properties and the rear elevation to Unit 3 will be achieved. There is a significant height to the existing mature trees along this boundary to screen the proposed development from the outlook of these properties. Landscaping will be reinforced with planting and feathered trees.

The block of flats (5-12 Holme Place) will directly look out towards Unit 3 with a set back 17.5m from the rear elevation of this unit. As outlined above the bund has been increased in height along this boundary and landscaping proposals include a 10-15m wide belt of native thicket mix proposed together with semi-mature trees to form a substantial screen of the proposed unit. Together with the light grey colour of the light grey colour to this elevation it is considered that the visual impact of the building will be sufficiently mitigated so as not to cause any unacceptable harm to the amenities of these properties.

Unit 3 has been set back beyond the rear building line of 116 Wood Lane End and as such would not impact on the windows to the east elevation of this dwelling. The unit would run parallel with the rear garden of this property however with a set back of 15m from the boundary and the landscaping proposals as outlined above, it is considered that the impact on his property in terms of creating a sense of enclosure and visual intrusion would not be harmful.

A daylight and sunlight report has been submitted by the applicant which has assessed the impact of the proposals on the nearest residential properties. In accordance with the BRE

guidelines Unit 7 would be well within the 25 degree line taken from the windows of 24-25 Hales Park Close. Similarly Unit 2 would be well within the 25 degree line taken from the windows of 46-60 Hales Park. On this basis the proposed development would not result in an unacceptable loss of light to these properties.

The reduction in height of Units 2 and 3 and removal of the eaves overhang has been proposed to reduce the impact on the nearest residential properties at 5-12 Holme Place. A revised daylight and sunlight assessment has been undertaken in light of these changes with Unit 3 marginally encroaching the 25 degree line of the ground floor windows. However the windows will still retain good sky visibility levels of 24- 26 percent which is considered very good in relation to BRE. It is however below the 20 percent reduction suggested due to the current unobstructed outlook from these properties; the sky visibility levels are actually marginally better than 24-35 Hales Park. Overall the assessment demonstrates that good levels of compliance with BRE in relation to daylight will be retained to all residential properties.

Residents have raised concerns about privacy impacts arising from the proposed development. However, the rear elevations to Units 2, 3 and 7 do not contain any windows or doors. The relevant boundaries are well screened and there would be no overlooking as a result.

### Sustainability

The Council's Sustainable Development Advice Note (2016) was agreed by Cabinet in December 2013 and supplements and where appropriate, updates the Core Strategy (2013). This is in light of the changes such as the demise of the Code for Sustainable Homes in 2015 and the subsequent updated Part L of the Building Regulations. Certain applications are still required to submit a statement in accordance with the updated Core Strategy Policy CS29 Sustainable Development Checklist which has been expanded to cover other relevant Core Strategy policy considerations. Development is also encouraged to meet the requirements set out within Table 10: Progress towards Zero Carbon in New Development of the Core Strategy.

The applicant has submitted a Sustainability and Energy Statement in support of the application which sets out the strategy to ensure the delivery of a sustainable new industrial logistics park at Maylands Gateway. The strategy is based on the following elements: economic benefit; BREEAM; operational carbon reduction; energy demand reduction; and embodied carbon mitigation. The strategy meets and goes beyond the Sustainable Development Checklist as set out in Appendix 1 of the supporting statement and as summarised below.

The strategy outlines the positive economic impacts of the proposals as including new jobs both during construction and operation together with the purchasing of materials, private investment and business rates. The range of business units will also be suitable for small and medium enterprises as well as larger national companies.

The development has been designed with the aim of achieving BREEAM Very Good rating which is applied as a minimum by the applicant to all new developments. This is based on the 2014 BREEAM New Construction technical guidance.

The buildings will be designed and constructed in accordance with a fabric first approach to create high efficiency buildings which reduce primary energy demand and therefore carbon emissions. Furthermore due to the nature of the use of the buildings (industrial and logistics) heating and cooling is unlikely to be required and is therefore limited to the ancillary office spaces. The predominant energy consumption is electrical lighting which is reduced by over 15 percent coverage of the roof by roof lights for natural lighting and appropriate glazing to elevations of offices. Improved air tightness values will be lower than the Building Regulations standard.

Energy efficiency measures are also proposed that together with the fabric and construction the buildings will target a 25 percent reduction in regulated energy beyond the requirements of Part L 2013. This goes beyond the standard encouraged within Table 10 of the Core Strategy which is to meet Part L 2013.

As with all of Maylands the site is located within a District Heating Opportunity Area. However the National Heat Map shows that the site is located in an area of low heat density. Furthermore the heating demand for the site itself will be limited due to the nature of the proposed use. As such it is not considered feasible for a District Heat Network or Combined Heat and Power network to be applied to the proposed development.

The applicant has also proposed a further commitment to include solar PV systems to generate 10 percent of each buildings regulated energy to reduce emissions and energy costs.

Sustainable, low carbon materials will be used for the buildings to reduce the embodied carbon of the development with the remaining embodied carbon offset by 110 percent through a donation to the 'Cool Earth' project. This project prevents deforestation of rainforests and the mitigation strategy will be monitored and certified by Plant First to achieve the Sustainable Property Development Certification. It is estimated that the embodied carbon offset for the site will be over 1.3km of rain forest protected. Local projects with direct educational and biodiversity benefits will also be identified as part of the wider landscaping or Green Infrastructure strategy.

The applicant has reiterated their commitment to the delivery of resource efficient, sustainable new buildings with a recognised market leading Global Corporate Sustainability Strategy. They are listed as being in the top 100 Global Most Sustainable Corporations in the world.

#### Fire and Rescue Services

Details of the provision and location of the fire hydrants has not been provided at this stage. Given that this level of detail is not yet known but would be looked at during the course of Building Regulation approval, a condition will require details to be submitted and approved prior to the commencement of development.

#### CIL and Planning Obligations

Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is not CIL Liable.

Financial contributions will be sought in respect of Regulation 122 of the CIL Regulations 2010 where they would be used for transport proposals directly resulting from any site requiring a Transport Assessment; and for Public Realm Improvements within the Maylands Masterplan area. Financial contributions are also sought where they would be used towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants.

The legal agreement will need to be completed and submitted as part of any planning application to ensure that there is a mechanism to secure the matters sought by the CIL Regulation 122.

The following heads of terms have been agreed:



<b>HEAD OF TERM</b>	<b>AMOUNT</b>
Maylands Urban Realm Improvements	£13,267.40
Maylands Urban Realm Improvements	£47,250

The following heads of terms are still being negotiated:

<b>HEAD OF TERM</b>	<b>AMOUNT</b>
Bus stop easy access kerbing and shelter	£16,000

The planning obligation has been requested by Highways to be used towards providing a bus shelter at the westbound stop on Breakspear Way and easy access kerbing for those bus stops located at the eastbound stop. The bus stops would only be within 400m for a small part of the very west of the site and pedestrian access is poor due to the dual carriageway nature of Breakspear Way which would need to be crossed to access the westbound stop, and lack of footway on southern side of Breakspear Way. The contributions sought are to improve access for occupiers of the development to sustainable travel modes and will ensure that additional needs brought on by the development are met. Discussion is taking place with Highways as to whether the contributions should be sought as part of a S106 Agreement.

### RECOMMENDATIONS

1. That the application be DELEGATED to the Group Manager, Development Management and Planning with a view to approval subject to the withdrawal of the holding objection from Highways England; agreement from Hertfordshire County Council Highways about the proposed mitigation works to the Breakspear Way/Green Lane junction; and completion of a planning obligation under s.106 of the Town and Country Planning Act 1990.
2. That the following Heads of Terms for the planning obligation, or such other terms as the Committee may determine, be agreed:

#### **Highways**

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

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

- Contribution of £13,267.40 towards delivery of urban realm improvements identified on Sheet 22 of the Maylands Business Park Improvements Specification.
- Contribution of £47,250 towards delivery of urban realm improvements identified on Sheet 23 and 24 of the Maylands Business Park Improvements Specification.

#### **Public Open Space**

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

## Ecology

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

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

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

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

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

- 3     **Prior to the commencement of above ground development, details of both hard landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- hard surfacing materials;
- means of enclosure;
- soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- trees to be retained and measures for their protection during construction works. Measures shall include hand-carried equipment only for all tree work within protected areas. The use of excavators for stump removal within Root Protection Areas is not permitted;
- proposed finished levels or contours;
- car parking layouts and other vehicle and pedestrian access and circulation areas;
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);

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

Reason: To ensure a satisfactory appearance to the development and to safeguard

the visual character of the immediate area and to accord with adopted Core Strategy Policy CS12.

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

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

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

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

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

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

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

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

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

- 8 **Prior to the commencement of any works a Construction Traffic Management Plan which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing with the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic. The Construction Traffic Management Plan shall include details of:**

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car

parking);

d. Siting and details of wheel washing facilities;

e. Cleaning of site entrances, site tracks and the adjacent public highway;

f. Provision of sufficient on-site parking prior to commencement of construction activities;

g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

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

9

**Prior to the commencement of the construction of the first unit hereby permitted an Interim Travel Plan shall be submitted and approved by the Local Planning Authority in consultation with the Highway Authority, such a Travel Plan shall accord with Hertfordshire County Council document 'Hertfordshire's Travel Plan Guidance for Business and Residential Development'.**

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

10

**No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan referred to in Condition 12 above. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan referred to in Condition 12 shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.**

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

11

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

Reason: In the interests of maintaining highway efficiency and safety

12

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

Reason: In the interests of maintaining highway efficiency and safety

- 13     **The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by RPS reference RCEF39546-002R dated January 2017 and Drainage Philosophy Statement carried out by RPS reference NK018226-RPS-SI-XX-CA-D-0031 dated December 2016, and the following mitigation measures:**

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

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

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

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

**The scheme shall also include:**

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

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

**by the local planning authority.**

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

Informative:

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

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

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

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

Reason: For the avoidance of doubt.

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

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

INFORMATIVE:

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

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

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

- 17 **The development hereby permitted shall be carried out in accordance with the**

**approved sustainability and energy statement submitted by Turley Sustainability dated December 2016.**

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

- 18 Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.**

**For the purposes of this condition:**

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

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

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

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

- 19 All remediation or protection measures identified in the Remediation Statement referred to in Condition 21 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

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

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

**Informative:**

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

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

- 20     **The development shall be constructed fully in accordance with the construction phase mitigation measures, as detailed within Section 7, subsection 7.2 (pages 29 and 30) of the Air Quality Assessment; Project No. JAP9002; Revision: 1; RPS; 16 December 2016.**

Reason: To safeguard the local environment in terms of air quality in accordance with Policy CS32 of Dacorum Core Strategy and to accord with section 7, subsection 7.2 of the following document: Air Quality Assessment; Project No. JAP9002; Revision: 1; RPS; 16 December 2016.

- 21     **The noise mitigation measures outlined in Paragraphs 4.13 and 4.14 (pages 9 and 10) of the Noise and Vibration Assessment    Project No. JAE9001; Revision: 1; RPS; 20 December 2016 shall be implemented prior to the occupation of the development.**

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

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

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

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

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

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

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



**until the approved scheme of fire hydrant(s) has been installed.**

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

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

Reason: To ensure public right of way access is maintained in accordance with adopted Core Strategy Policy CS8.

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

**30830-PL-200A;  
30830-PL-201;  
30830-PL-202;  
30830-PL-203A;  
30830-PL-204;  
30830-PL-205;  
30830-PL-206;  
30830-PL-207;  
30830-PL-208;  
30830-PL-209A;  
30830-PL-210;  
30830-PL-211A;  
30830-PL-212;  
30830-PL-213;  
30830-PL-214;  
30830-PL-216;  
30830-PL-217A;  
1644/16-07 07 I;  
1644/16-07 08 D;  
1644/16-07 11 I;  
1644/16-04-05 06 04;  
1644/16-04-05 06 05;  
1644/16-04-05 06 06;  
NK018226-RPS-Y-XX-DR-X-SK0265;  
NK018226-RPS-SI-XX-DR-X-SK0300;  
NK018226-RPS-SI-XX-DR-X-SK0602 Rev C;  
MJA-P105-4447-C;  
MJA-P105-4447-D.**

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

Article 35 Statement

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