

Comments received from local residents:

Comments received from the residents of 11 Lombardy Close:

Wood end Lane is partially residential. The treatment of the site adjacent to Wood end lane should be amended to take account of this.

Offices parking/landscaping should be sited alongside the residential property.

Comments received from residents of 11 Holmes Place:

Thank you for giving us the chance to respond to the planning application submitted by Prologix in respect of the proposed Maylands Gateway development.

I have a number of objections to the proposals submitted by the developers which I have set out below.

My first thought on seeing the proposals was that it marks the loss of more green space within Hemel Hempstead. Even in Maylands' industrial heyday this land was used for sport and recreational purposes and it is a shame that it cannot continue to do so.

My main objections to the proposals are as follows:

- 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;
- Opening up Buncefield Lane onto Boundary Way north of Wood Lane End will cause increased traffic along Wood Lane End.
- Environmental impacts

Units 2, 3 and 7

As submitted, the plans show these units in very close proximity to the existing residential areas of both Hales Park and Wood End Green. There would still be a significant development without these units and there really is no need to include these units which would spoil the area surrounding the houses. The ambience of a quiet neighbourhood would be changed beyond all recognition and what is currently a pleasant area would be destroyed.

Also, with memories of the Buncefield fire still fresh in many residents' minds what guarantees we will get about what hazardous materials may be being stored and used in these units?

I would suggest that there is no reason for these three units except maximising profit. The units sited to the north of the planned road along the park should be replaced with green space that would provide areas for dog walkers etc whilst also providing a wider barrier between the residential and industrial areas.

Units to be in use 24 hours per day

As submitted, the proposal is for the industrial park to be in use 24 hours per day seven days per week (section 20 of the application form). Given the closeness of the three sites mentioned above to the residential area this is completely unrealistic. It would be bad enough having the units sited so close to the existing houses but to have the noise

pollution going on late into the night and at weekends would be devastating for the residents, particularly those with young children.

I understand that we are moving towards a 24/7 culture and other places in Hemel (such as Amazon) work around the clock but this should not be allowed so close to a quiet residential area.

Is it really fair to expect people to live in the shadow of a non-stop industrial park?

Linking Buncefield Lane to Boundary Way

The proposal from Prologis is to open up Buncefield Lane to link it to the roundabout in Boundary Way by the Amazon warehouse. Prologis have sited the main entrance into their park on Buncefield Lane behind the current Shell petrol station on the A414. I can only imagine they have never stood by their proposed entrance during the rush hour or they would never have made this suggestion. Currently, both morning and evening Buncefield Lane has traffic queuing along it often past the entrance to the cemetery. This is mainly people using Wood Lane End as a rat run to avoid the queues along the A414 in the direction of the motorway.

The traffic along Wood Lane End is generally in one direction, eastwards towards Buncefield Lane. Traffic also regularly queues along Boundary Way at peak times. By linking Buncefield Lane to Boundary Way you will create another rat run as traffic from Boundary Way turns into Buncefield Lane to avoid one queue. Given that this will cause the Buncefield Lane queues to get even longer it will not be long before traffic then starts to turn into Wood Lane End towards Maylands Avenue to avoid the queues. Traffic from Boundary Lane will also start using Wood Lane End as a way out of the industrial Estate towards Hemel rather than the existing routes along Maxted Road etc. It is easy to see that opening up the end of Buncefield Lane in the manner proposed will have a significant impact on the current volume of traffic using Wood Lane End with no proposals as to how to deal it. Wood Lane End would quickly become busy in both directions which would be a real inconvenience to those living along that road as well as those accessing Hales Park and Wood End Close. Most of that traffic would continue using Wood Lane End as a rat run so the current problems with speeding would continue as the traffic tries to make up for time lost in the congestion on the Industrial Estate.

The only current proposal from Prologis so far has been a width restriction along Wood Lane End. The proposal sent recently to residents is completely inadequate for three reasons:

Firstly, width restriction is sited in the very short stretch of road between the Hales Park and Wood End Close junctions. This means traffic turning out of those roads will need to be looking for traffic on the wrong side of the road as it negotiates the width restriction.

Secondly, there is sufficient space to the left of the restriction (looking eastwards along Wood Lane End) for vans and light lorries to pass. I have seen first hand how some traffic will take to the pavement to avoid waiting for traffic to pass on the road side and it would only be a matter of time before traffic started doing the same there.

Thirdly, siting the restriction so close to two junctions may cause problems for large vehicles (removal lorries etc) trying to access the residential estates.

As someone who has lived in the area for over 16 years I can assure you the opening up the link to Boundary Way would be extremely hazardous. It might be easier for the HGVs to get into the park but the wider implications are very concerning.

The proposed entrance is also likely to have implications for those trying to visit Woodwells Cemetery.

In my opinion Buncefield Lane should be left alone (just like the northern part of Buncefield Lane between Boundary Way and Three Cherry Trees Lane always has been). The entrance to the new park should be via Maylands Avenue, either through the Peoplebuilding Estate or along a new road south of the Nuffield Health Club.

The best solution would have been for access to be via a slip road off the A414 but the site plans do not leave sufficient room for this.

Environmental Impacts

As mentioned above, Wood Lane End already has a problem with traffic using the road as a rat run to avoid the congestion on Hemel's roads. These proposals potentially add more than another 500 cars plus untold commercial vehicles to the traffic trying to get in and out of Hemel. As you must well know the stretch of the A414 that goes past this potential site is regularly queued in both directions at peak times. With no planned changes to the wider infrastructure can the area really cope with the extra congestion and associated pollution that these extra vehicles would bring?

Given the industrial and residential re-development that is already taking place along Maylands Avenue I would seriously urge the Council to take measures to reduce the congestion along the A414 before bringing more vehicles into the area.

Summary

For the reasons set out above I cannot support this development. There are several aspects of the Prologis plans that, to me, are completely unrealistic given the area in which the development is to take place. The main ones being the siting of the units too close to the residences and the wish to have the units operating around the clock. The entrances to the park have not been properly thought through taking into account the peak hour traffic flows in the area and the additional traffic into the park would just increase the congestion that already blights the A414.

Even if the Council decides that the development needs to go ahead I would urge the Council to reject the plans for units 2, 3 and 7 and also to reject proposals to put the entrance to the site in Buncefield Lane and open up the link to Boundary Way.

Further comments rec'd from residents of 11 Holme Place on 14.04.2017:

Thank you for your letter of 31 March 2017 notifying the additional plans uploaded in respect of the proposed development. Having seen the additional documents I remain convinced that the Prologis proposals are wholly inappropriate for the site they have chosen.

Since receiving the original letter I notice that there are at least three areas of the industrial estate that are currently being turned into residential developments. If there is such a demand for the type of units proposed by Prologis why could they have not been

incorporated into the existing industrial area? The green space that will be destroyed by these warehouses could have been better incorporated into a residential development. The letter from Savills dated 30 March 2017 states that there is a lack of industrial space in Hemel Hempstead but the fact that industrial spaces are being converted to residential use suggests that Brasier Freeth's statement is not correct. Would it not have been better to incorporate these distribution units into the existing industrial area?

However it tries to dress it up and justify it, the letter from Savills also recognises that some residents will have less light into some rooms as a result of being in the shadow of the new units. Whether within acceptable limits or not it is just one example of a reduction in the quality of living that the residents will experience as a result of this scheme. In my opinion the amendments set out in the letter reflect the minimum the developers believe they can get away with whilst appearing to be listening yet do nothing to address the concerns of those who have responded to the consultation. A 0.5m reduction in height of an 11m building is nothing.

The acoustic fence is also not going to remove the noise either. It may reduce it but the residents will still be subject to increased noise which, again, will reduce the quality of living for those affected. Especially if the site is operating 24/7 as the application states.

If the Council decides in favour of this development against the wishes of the residents I would strongly urge it to do so without units 2, 3 and 7. These are not vital to the development and such units could easily be absorbed into the existing industrial area.

I also notice that the plans still anticipate that Buncefield lane will be opened up into Boundary Way. As per my original submission this must not be allowed to happen. That junction has been blocked off for a reason. Opening it up to allow lorries access to the distribution centre will also open it up to all other traffic from Boundary Way and Wood Lane End will become significantly busier as a result. As others have noted, there is already a problem with speeding motorists using the road as a short cut. These proposals will only make that worse. The traffic calming measures set out in the documents will not stop that problem. That part of Wood Lane End will end up as busy as the Redbourn Road end of Three Cherry Trees Lane. This will also cause problems for those entering and leaving the nursery at the junction of Buncefield Lane and Wood Lane End. I note the comment from Savills about access to the site from Breakspear Way but I would argue that preventing Wood Lane End becoming significantly busier and therefore more dangerous is one of the 'special circumstances' referred to in that letter. Before any decision is taken with regard to the proposals I would urge the decision makers to remind themselves of why that junction is currently blocked.

I welcome the proposal to prevent HGVs travelling the full length of Wood Lane End but the fact of the matter is it will not be possible to open up Buncefield Lane to HGVs without opening up all roads to all other road users.

The exit from the roundabout on Boundary Way which is to give access to Buncefield Lane is already used as a parking area for lorries waiting for their scheduled arrival time

at their destination. Increasing the number of distribution centres in the area is only going to make this worse. The development needs to be moved to a place where adequate provision for such parking can be made.

It is no coincidence that there has not been a single expression of support from those living close to the site. Once again I urge you to reject this application and respect the wishes of the residents living close to this site.

It would be great if a more creative use could be found for an area which, even in the heyday of the industrial estate, was retained for social and recreational use.

Comments received from the residents of 60 Hales Park:

I am writing to you with regards to the recent consultation letter we have received with respect to the Maylands Gateway development (reference 4/00064/17/MFA).

I own 60 Hales Park which is the very last house on the road. We are end of terrace and have an L-shaped garden which runs along side the boundary of the site that Prologis are proposing to develop as commercial buildings.

When I bought my house in 2013 I did extensive research on the area and planning applications, especially Maylands Gateway, as I wanted the almost rural like location. At the time, all the plans I found proposed further residential development with local parks and shops, which I thought was ideal for the location. As you can imagine, I was extremely angered to now learn that industrial buildings are going to be built instead!

I appreciate that the affect on the value of my house does not concern you, but there are a few issues I have with the submitted plans and how they are going to affect our quality of life, living in our own home at 60 Hales Park.

The first is related to losing light and being overshadowed by large metal structured commercial buildings. Our main source of light in our living room is from a set of large french doors that open out to our garden and directly face the planned site. Our front windows are already overshadowed by a number of trees in front of our house so let minimal light in. It's difficult to tell from the plans exactly where Unit 7 is going to end and the parking alongside will be, but it looks to be overlooking our house so will block out our light into our living room. Ideally Unit 7 would finish prior to the end of our garden and the car park run alongside our house instead.

At the moment we can stand at our french doors and see clearly over our fence into the fields where the horses graze. There's a big gap in the trees where the doors are due to an old oak tree that died prior to our house being built in 2009. Not only will the new industrial buildings be a absolute visual eyesaw in comparison to the existing fields and wildlife, but if that's our view out then when the new buildings (Unit 5 & Unit 7) are erected they will be overlooking our house, directly into our living room which is a huge invasion of privacy. This could be minimised by planting additional trees in the gap but

they would have to be large established trees not the small saplings proposed as they wouldn't even be visible.

Also Units 2 and 3 which are planned for in front of our residential car park, although advertised as being low story for less impact, are actually going to be raised approximately 5m due to the ground elevation so will be overlooking our whole row of terraced houses from the front too.

Another real area of concern is the additional noise that will be generated. When inside our home currently we can't hear any outdoor noise through our double glazing. We always sleep with the windows open all year round to let fresh air in and because my fiance gets very hot in the night. This is only possible because the current noise levels are extremely low and the only sounds we hear are the odd bit of wildlife (horses, sheep, birds, foxes, etc) which is actually quite soothing. The plans proposed are for industrial buildings and distribution which can operate 24/7. The operational sounds from the buildings e.g. generators and additional traffic including large goods vehicles throughout the night will disturb us greatly. I personally don't see how any amount of shielding will prevent or reduce this, so would prefer a restriction is put in place on the working hours.

My final issue is also in relation to the additional traffic that is going to be produced. At peak times Maylands Avenue, Buncefield Lane and Breakspear Way are already extremely congested. I work in Hatfield and it can take as long for me to get from our house to the M1 roundabout at the top of Breakspear Way as it does to then get from there to Hatfield! As with most residential areas, we have issues with not enough parking spaces so wouldn't want any additional cars from the new businesses e.g. employees trying to park in our (private) allocated spaces. If it became an issue then maybe parking permits would have to be investigated in future. And there needs to be a restriction on goods vehicles coming down Hales Park as too many times we have had large lorries trying to turn around get stuck and causing damage.

Further comments were received on 10.04.2017 following the submission of revisions:

I have received your letter stating the application has been amended but as far as I can see some additional reports have been submitted along with a lighting plan. None of my previous concerns have been addressed with regards to noise, light, privacy, pollution etc so I still object on the same grounds and want my previous comments to be included.

Comments received from the residents of 12 Crest Park:

I have several objections to this proposal as listed below.

Overall the plans as submitted would have a substantial negative impact on the current residents of Woodlane End, Hales Park and Wood End Close and to the citizens who use the Nursery and visit the Cemetery.

The character (Residential) will be changed and the current residents quality of life considerably reduced.

Noise.

Woodlane End, Hales Park Estate and Wood End Close are very quiet locations. The proposed development would have a significant impact on that tranquillity due to the proposed usage (B1C, B2, B8) and not achieve the noise impact levels as described by law (Db range 10% below background 0700-1900Hrs and 5% below background 1900-0700Hrs) Also the proximity of units 1,3 and 7 to residential properties (In some cases 17.5 Meters, Four average car lengths) would mean that sound from the proposed buildings would be intrusive. The trees that are shown on the plans as a sound barrier are mostly deciduous, as they are without foliage for most of the year they would serve no purpose as a sound barrier.

The main road shown on the plan to service the units is 50 meters (Half a football pitch) from the nearest residential properties. As the usage is to be B1C, B2, B8 (Warehousing/Logistics and industrial) this road will be used 24 Hrs, 7 days a week by large diesel trucks, causing a noise and pollution nuisance.

Disturbance.

Significant disturbance to the current residence would be unacceptable in terms of noise (As above) and increased traffic density and pollution.

Overlooking.

The rear aspects of the residential properties are oriented East and South and have bedrooms and bathrooms. Three units on the plan (2, 3 and 7) are in very close proximity to residential properties already present, particularly those on the East and South of the Hales Park Estate. In some cases this distance is 17.5 meters (Four average car lengths). Due to the elevation of the proposed site (Units 2 and 3) and the rear access to the proposed buildings, the visual intrusion and loss of privacy would be substantial. The trees on the plan will provide no barrier as they are deciduous and have no foliage for most of the year.

Overshadowing.

Units 2, 3 and 7 are 12 meters high. In the case of units 2 and 3 they are on an embankment approx 2 meters above the level of Hales Park, this would be a total of 14 meters (That is an average three storey house). Due to the proximity of units 2 and 3, their height, length and proximity would substantially reduce natural sunlight. In the case

of the properties to the East, that would mean no natural sunlight until approx 10am. This will be a particular issue in the winter months when the sun is low.

Over Development of the site.

The proposed site is large and I understand the developers need to make the most of the opportunities available however, the proximity of units 2, 3 and 7 to residential properties is an over development and would have a detrimental impact on the current residential properties and their occupants.

Design.

The units are designed to have a coloured metal cladding, units 2 and 3 are 125 meters in length and unit 7 is 130 meters long (That's a football pitch and a quarter long). The visual impact of a building 125 meters long, 14 meters high and made of cladding would have a huge detrimental visual impact for the residential properties. In short they are ugly. The trees on the plan are mostly deciduous, and as they are without foliage for most of the year they will not hide these buildings.

Over-bearing, out of scale and out of character.

Woodlane End, Hales Park and Wood End Close are residential areas, and act as a barrier between the current industrial area and green space. The proposed development is over-bearing, out of scale and out of character with the residential nature of the area and the current land use. Units 2, 3 to the East are 125 meters long and unit 7 to the South is 130 meters (football pitch and a quarter long). Units 2, 3 and 7 almost cover the entire Eastern and Southern aspect of Hales Park; these units will form an almost complete barrier on the East and South and be 12 to 14 meters in height. For the residents of Hales Park it will be like living in an ugly walled compound like a prison. This will have a massive impact on the residential properties by totally enclosing the residential areas Hales Park and Wood End Close within an industrial area, with the associated noise and pollution issues.

Parking.

Considering the size of the units the plans show very little parking for the employees, employees would be forced to park in Woodlane End, Hales Park, and Wood End Close and cross the footpath to get to work. This would have a significant impact on the residents and road safety in these locations.

Loss of Existing Views.

Whilst this is not strictly a reason to object, due to the height and length of units 2, 3 and 7 there will be no views at all, all the current residents will see from their homes is a 12-14 meter high metal wall, not pleasant (Ugly) and certainly not appropriate for a

residential area. The trees on the plan are mostly deciduous, and as they are without foliage for most of the year they will not hide these buildings.

The following should also be taken into consideration.

Loss of Trees/foilage.

Trees are not just to provide an aesthetic; they also provide a barrier for noise, unwanted visual intrusion and a haven for wildlife. There are many mature hard and soft wood trees on the proposed site, some of which are ancient hedgerows (They exist on maps drawn in the early 1700s) . The loss of even a single tree would be a shame. The plans should be redrawn to prevent this loss.

Loss of Wildlife Habitat.

I have observed many varieties of wildlife on the site, some of which are protected species, Deer (Monkjack and Roe), Badger, Rabbit, Fox, Bats as well as many varieties of birds Heron, Jays, Pheasants, several types of common and less common songbirds. I have also seen Lizards, Snakes, Slowworms, Toads and Frogs. There are also many species of insects and butterflies. I suspect that as the site has not been used for some time for any purpose it has become a safe haven for all types of wildlife.

This development will have a huge impact of that habitat, reducing the area available to wildlife between the current developed area and M1, both un-natural barriers that wildlife will find difficult to cross to access the countryside on the St Albans side of the M1.

Loss of Green Space

Dacorum's Green Space Strategy 2011 laments the lack of Accessible Natural Green Space and states that in general it is the North and East of Hemel Hempstead residents that are the most deprived. The Dacorum policy states That no person should live more than 300 m from their nearest area of natural green space of at least 2 ha in size (The size of four football pitches). This development will substantially reduce access to Green Space. Prologis have put a green space on their plans, however it is not Two hectares in size and is not within 300m of half the residents of Hales Park and all of Wood End Close. The loss of the green space will be against Dacorum policy and a loss to the residents of the area.

The use of Brown Field verses Green Field land.

Dacorum has high targets for housing under government directions, and are currently using brown field sites for housing. To use a green field for industrial use when housing needs are high and there are currently many empty industrial sites within the Maylands

industrial area is wrong. Use the current industrial area for industry and the Residential areas for housing. This plot of land would be perfect for sympathetically planned housing.

The proposals, if accepted, will leave the current residents of Woodlane End, Hales Park and Wood End Close totally surrounded by a concrete landscape industrial development. This will not be appropriate.

The visual impact of this proposed development to Hemel Hempstead visitors will be huge. Hemel Hempstead has already been voted The ugliest town in Britain (Incidentally, I dont agree). The visual impact of this development to those using Breakspear Way will be huge. Coming off the M1 at Junction 8 to be greeted by a vast, ugly industrial estate would only serve to reinforce this perception.

Conclusion.

If the current plans were to be passed it would have a massive detrimental impact on the current residents of Wood Lane End, Hales Park and Wood End Close, be an ugly addition to the landscape and lastly give a poor perception of Hemel Hempstead as a place to live and work.

In an ideal world it should be used as housing to meet government targets and to fit in with the areas current residential status.

However, if it must be used for industrial use the plans should be redrawn.

1. Units 2, 3 and 7 should be removed from the plans due to their proximity to current residential properties.
2. 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).
3. The remaining units, 1, 4, 5 and 6 should be substantially reduced in size and particularly in height to blend in with the landscape.
4. All trees and hedgerows on and in the site should be retained; they provide a wildlife habitat, and a natural noise and visual barrier.
5. The access road is moved further away from Hales Park to the centre of the plot this would reduce noise and disturbance.
6. A covenant is placed on the development that no business after 1900 hrs be permitted (To reduce noise and pollution issues).

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

8. 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.

9. 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.

Further comments were received on 06.04.2017 following the submission of revisions:

I do not support this development despite the newly published plans (31.03.2017).

Whilst Prologis seem to making efforts to assuage some of the objections my neighbours and I have made in previous postings, the new plans do nothing to negate my neighbours nor my previous objections.

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.

The width restriction and tonnage limit (7.5 Tonnes) is ill conceived. The placing of it on Woodlane End, between Wood End Close and Hales Park, does nothing to prevent HGVs using Wood End Close as a turning point and more importantly it would prevent Emergency Services, particularly the Fire Service, from accessing properties to the East of the width restriction in Woodlane End and Hales Park. A Fire engine is 12 Tonnes+ so would breach the 7.5 tonnes limit and would not fit through the width restriction in the current plans, this would/could be catastrophic for the current residents or if Buncefield fuel depot were to have another emergency and other access routes were unavailable.

There will be no access from the East of Woodlane End at its junction with Buncefield Lane. Additionally how would the residents of Woodlane End and Hales Park get services that require the use of a vehicle over 7.5 Tonnes, Viz Building materials, removal lorries, Etc.

In short all of my previous objections still apply in addition to the above objections.

Conclusion.

1. A more detailed and thought out traffic plan needs to be proposed.

2. To prevent loss of amenity for the current residents in Hales Park, Woodlane End, and Wood Lane Close a bund of sufficient depth and height should be placed around the West and North of the proposed development (Effectively between the

proposed development and any existing residential properties) and planted with sufficient trees (Mix of Deciduous/Evergreen) and plant life to reduce the impact this proposed development will have on the current residents. In short so the current residents dont See, Hear or Smell any of the proposed development of industrial and warehousing units.

I do not support this development in its current form.

Further comments received from the residents of 12 Crest Park 29.04.2017:

I do not support this development.

Despite the newly published letter from Savills dated 21st April 2017. No plans, particularly elevation plans seem to link to this letter and I am assuming it is relevant to the plans published on the 31st March 2017, however these plans are dated Nov 2016, so without up to date plans how can the council or the residents make informed decisions.

Whilst Prologis seem to making efforts to assuage some of the objections my neighbours and I have made in previous postings, the new proposals do nothing to negate my neighbours nor my previous objections.

The height of units 2 and 3 have been reduced again by another .5m (18 inches) 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.

The letter suggests a proposed 2.1m high close-boarded fence and 1.5m-earth bund on the western side of the development. Sounds good, until you look at the elevation plans. They do not support the letter; the elevation plans only show a 1.5m bund for unit 3, there is no new bund of any size on the plans for units 2 and 7. Focusing on unit 3 the letter also suggests that the fence is on top of the bund, it is not, so frankly a 1.5m bund and a separate (but much lower in relation to the bund) 2.1m fence will do nothing to distance and/or hide the building.

There is also a proposal to plant trees on the bund, again whilst welcome the depth is not enough and they are all deciduous. There is not enough depth and height to the bund and deciduous trees drop their leaves, so in the autumn, winter and spring they will do nothing to camouflage the development.

Footpaths.

There is a mention in the letter that footpaths are to be diverted, but on the application there is nothing regarding footpaths. This is because there is a separate application on 4/00173/17/DIV, to date no letters have been received by residents in terms of consultation re this application. The proposal on that application is that the footpaths are re-routed. Not only are they re-routed, but laid with a 3m wide layer of tarmac, and when on the proposed new development will be part of a normal everyday pavement. This is

unacceptable, the footpath as it is a pleasant walk through the countryside, covered by trees, the proposal as it stands would be a walk through an industrial estate.

Parking

The letter states there will be enough parking due to a council formula used. The formula is to encourage the employees of the proposed development to use public transport. Trouble is, there isn't much public transport, the train station is 4 miles away, some local buses do travel down Maylands, but there are few long distance buses. Due to the proximity of the proposed development to the M1, employees who do not live in Hemel Hempstead will drive, and they will need somewhere to park.

Traffic.

There is nothing in the letter to address the need to restrict large vehicles I.E HGVs to Woodlane End East of Wood End Close. Trouble is that if a restriction was put in how would HGVs legitimately access the residents of Woodlane End, Wood End Close and Hales Park. What about fire engines, council refuse trucks Etc.

Conclusion.

1. A more detailed and thought out traffic plan needs to be proposed and published. Woodlane End, Wood End Close and Hales Park will still need access by large HGVs, council trucks and emergency vehicles, but restrictions need to be in place to prevent HGVs using the proposed development using Woodlane End as a route. I cannot see how these two requirements can be reconciled.
2. To prevent loss of amenity for the current residents in Hales Park, Woodlane End, and Wood Lane Close a much more substantial bund of sufficient depth and height should be placed around the West and North of the proposed development (Effectively between the proposed development and any existing residential properties) and planted with sufficient trees (Mix of Deciduous/Evergreen) and plant life to reduce the impact this proposed development will have on the current residents. In short so the current residents don't see, hear or smell any of the proposed development of industrial and warehousing units.
3. The lack of parking on the proposed development needs to be addressed.
4. The current footpaths should be left as they are; they currently provide a pleasant amenity to residents of the area and walkers. This would not be the case if they were just part of a normal roads pavement.

I do not support this development in its current form.

Comments received from the residents of 116 Wood Lane End

We strongly object to this development, in particular the location of units 2 & 3. They are far too high and too close to our homes. Building them so close will mean we experience air, noise & light pollution & disturbance. We will suffer a loss natural light and the visual intrusion will result in a lack of well being as it will make our homes feel completely overshadowed and hemmed in. You have not left enough space to plant mature trees to disguise the units and even if you do, these will also overshadow our homes. We also object to another distribution centre operating from 7am until 11pm as this is a very quiet area and will be another impact on our well being.

Further comments received from the residents of 116 Wood Lane End:

We have previously submitted brief comments on the website however, we wish to formally object to these planning proposals in more detail. Please record our comments as an objection.

Firstly, we live at number 116 Wood Lane End and our house will be directly in line with units 2 & 3. Without doubt, these planned units are absolutely huge, they are over bearing and out of character with the landscape. The proximity of the units would substantially reduce the natural sunlight to our homes and gardens. (I would bring your attention to a cottage named **Sunswept** in Buncefield Lane which has had a huge unit built next to it. It is completely overshadowed and receives no sunlight at all. **This is likely to happen to our house.** Whilst we note you do not take loss of property values into consideration, this will obviously reduce the value of our home and if you grant permission for this development Dacorum council will be directly responsible for this situation and we would like to ask if you will be compensating us for this?

Building on this land will result in a loss of an abundance of wildlife. We have personally seen foxes, deer and evidence of badgers and I know that bats nest in this area. There are many many birds, insects and butterflies and you will be causing huge damage to the environment. Doesn't everyone deserve, have a right to enjoy some natural green space around their homes. Dacorum Green Space Strategy 2011 raises the issue of the lack of Accessible Natural Green Space and states that in general it is the north and east of Hemel residents that are the most deprived. Doesn't this policy also state that no person should live more than 300 metres from their nearest area of natural green space? Prologis may have thought to provide a very small area of green space on their plans but it is tiny and not within 300m of half of the residents of Hales Park. Taking away this green space will be in direct contradiction of the Dacorum Policy and will have a huge detrimental impact on the wellbeing of the residents in this area.

Please can you explain why you allowed the Hales Park estate to be built if you intended to sell the surrounding green space for Industrial use. This would be better used for the homes that were planned in 2013 and these units be built on brown site land opposite Buncefield oil terminal thus having direct access to the motorway.

We already have to live with the constant drone of noise and pollution from the motorway not to mention the humming of generators from the units in Boundary Way –

is it really fair to surround us with even more large metal buildings and expect us to live on a 24 hour industrial park. We would also have parking problems as there does not look to be sufficient parking spaces for employees so many would park around the Hales Park area and use the footpath to get to work.

People work hard day to day and want to enjoy their homes and gardens – we will not be able to do this whilst development work is taking place next to us and who wants to sit in their garden and look at a 14 metre high metal building, knowing that you have driven away all of the wildlife.

We have recently visited the development at Marston Gate J13 on the M1 and there is some considerable distance between the units and the housing estate. If you do go ahead with this development, you must build a bund of a similar size to the one that is in place between the front of our houses in Wood Lane End and the units in Boundary Way. The bund there is wide and high enough to disguise the buildings. There is not enough space between our homes and the planned units to build a big enough bund on the present planning proposals and we would urge you to look at this in more detail. We will also expect to receive regular air / noise pollution reports. We do not want to **see** these units, **hear** their noise or **smell** their diesel fumes. If you cannot build a big enough bund and acoustic sound barriers (all the way round the development site) between the units and residential homes then we would suggest you remove units 2, 3 and 7 from the plans entirely.

So many new homes are being built in Hemel Hempstead, in particular, Maylands Avenue and Cherry Trees Lane (Swallowfield) and more are planned. This is all going to have a huge impact on our roads yet the infrastructure does not appear to be under review or improvement. Most of these homes will have an average of 2 cars per household and many will be travelling towards the M1 during the rush hour. Hundreds of additional cars will be using Wood Lane End in the future – the traffic jams on Breakspear Way will be increased significantly even before you put a distribution centre there. The approach to Hemel Hempstead will also be visually impaired – Breakspear Way is currently a reasonably nice view with housing and fields to one side and the open green space currently used by horses to the other – why spoil this with the sight of vast distribution units. This sort of development should always be out of site and beautiful landscaping should be on view to impress, welcome and encourage people to Hemel Hempstead, a town which has already been voted as one of the ugliest towns.

We strongly object to this development.

Further comments received from the residents of 116 Wood Lane End following the submission of revisions:

We note the changes to the proposed plans and wish to record that we still object strongly to this development.

Unit no. 2 is still so large that it will cause a huge visual intrusion and a negative impact on the wellbeing of residents in Wood Lane End, Holme Place and Crest Park. This unit should be removed from the plans or at the very least made much much smaller and located further away from our homes so we cannot see them, hear their activities or smell their fumes.

Perhaps you would like to visit my house so you may see for yourself what a negative impact these proposed buildings will have on the area and the residents.

Further comments received on 10.05.2017:

Re 4/00064/17/MFA - this looks to be the same size buildings as Gist distribution in Three Cherry Trees Lane - they have built a FOUR Storey car park - there is no such provision for parking on the Maylands proposals which would mean workers will park around Hales Park and Wood Lane End - unless of course they are expecting everyone to catch buses to work which just won't happen.

There is also a tree that has a preservation order on it by the existing entrance to this land - will this be removed or conveniently knocked over by bulldozers??

Further comments received on 22.05.2017:

Once again I am writing to you with my concerns. I have been made aware that NO2 emissions are dangerously high in parts of Hemel - some more than double the legal limit. This causes concern for severe health risks and yet you are considering building more warehouses and industrial units on greenbelt land which directly contradicts your own Core Strategy Policy - I'm sure I do not need to quote it for you here.

The area on which you are considering building is already returning back to nature since the horses have been removed. With severe health risks from diesel particulate, wouldn't it be far better to use the area to improve the environment and to plant more trees, creating a woodland which would go some way to protecting residents from the fumes of the motorway and surrounding roads and preserving the wildlife living there. There are lots of young families with children living in this area now and it will impact on their health and wellbeing. If you do decide to ignore legitimate concerns then you must build this much further away from our homes and gardens and you must plant a larger number of mature non deciduous trees. You must screen us from the health risks associated with diesel fumes and noise.

Comments received from the residents of 112 Wood Lane End:

We object to this development. Units 2 and 3 are too close to homes and far too high. These units will cause loss of light and overshadowing resulting in a loss of wellbeing. It would also cause noise and air pollution and disturbance in what is a very quiet residential area. We will also see an increase in vehicles using a quiet residential road.

This road is already a problem for speeding cars and lorries which ignore the road signs.

Comments received from the residents of 92 Wood Lane End

I object to this proposed development.

I am a local resident and will therefore be adversely affected should this development go ahead. The development will destroy a valuable open green space, increase traffic, pollution, noise and ruin an area which is used by varied wildlife including bats, deer and other species.

This area used to be a country lane and a credit to Hemel Hempstead. Now through this constant creeping development it is slowly turning into an industrial site and residents like me are feeling surrounded.

I can understand the need to build such industrial units to create wealth and employment. However, the area in question is a green field site and if built on in this way, will be lost forever, we need more green space, not less. There are thousands of square feet of brownfield space in Maylands and these sites must be fully exhausted before any consideration is given to building on green field sites. My area is largely residential and thankfully all industrial sites are well set back or to the south of residential properties. It is a real bonus to have green space and paths to walk down without the views being spoilt by industrial buildings. The ability to enjoy these spaces by residents will be lost if these plans go ahead.

Traffic is already a problem issue in the area. Wood Lane End (east) is already a busy cut through during rush hours and it can take 20 mins to get to the M1 via Buncefield Lane, with the traffic often backing right up from the dual carriage way to the junction with Wood Lane End. It is also sometimes almost impossible to travel by car up Buncefield Lane as you cannot get through the south bound traffic. Yet as I understand it, the proposal is to have the entrance to the new industrial park in Buncefield Lane instead of the dual carriage way, which is totally illogical and will just add to more chaos and pollution and vans and cars get stuck. The idea of opening up Buncefield Lane to Boundary Way is also illogical. It has thankfully been closed for years because the Council could see how it would be a cut through for rat runners. It is not clear given the increase in traffic what has changed here. It is unacceptable to residents to have all this extra pollution, noise and traffic coming into the area, not to mention the health risks. HGVs already use Wood Lane End as a parking area and turning around point. I acknowledge that the plans would involve a road narrowing scheme in Wood Lane End (east), but this should have been done years ago.

It can only be assumed that given the expectation that some of the new occupants of the proposed industrial park will be delivery based. Therefore, by definition this will entail more traffic, noise and pollution around the clock.

The size of the development itself is far too big. I know that the height has been reduced on some buildings but that make little difference. The siting of such an ugly construction on a green open space is not wanted. I know of no resident who want this development. The decision too of siting the main entrance in Buncefield Lane right opposite Woodwells Cemetary is appalling and disrespectful. I know of no other site that does this in such close proximity. The noise will impact on those visiting or using the cemetary.

The impact on local wildlife will be very great. There are bat communities in the area, deer, rabbits and a whole host of other fauna and flora. There are many mature trees and hedgerows too that have taken years to grow that will be lost forever. Buncefield Lane is a joy to walk down, until you get to the Shell garage which to the rear is a sea of rubbish and that will be a taste of things to come. Green spaces are priceless and if anything the council should turn the whole area over to public use as a park. 'Woodwells Park' not the awful 'Prologis Park' name which is meaningless. There are many families on the Wood Lane End estate that could benefit from using a new open green space. Some have to travel right to the other side of Hemel Hempstead or further to find such a space. It is simply not good enough to just put in a few paths for dog walkers to walk round industrial buildings. Who in reality wants that? I see that extra land has been earmarked north of Wood Lane End for a dedicated green space. This is welcome, but when people want to walk they want quiet, not traffic noise or the risk of being knocked down trying to reach the space. There is also the question of the children's nursery in Buncefield Lane. This proposed development will cause greater risk those using that establishment from pollution, traffic and noise.

There is simply nothing positive about this planning proposal and all it will do is destroy a valuable open green space, damage wildlife, create even more traffic problems in the area, increase noise, pollution and litter. There has to be a better use of such land. The Council has a duty to its residents to provide a safe and clean area for people to live in. We should encourage the use of green spaces especially for younger people to enjoy and exercise in for leisure. It is their future enjoyment and understanding of the nature of green spaces that we are really destroying and we cannot keep doing this.

These are my views (which are not exhaustive) and I request the Planning Committee to examine them.

I formally object to this planning proposal.

Further comments were received on 12.04.2017 following the submission of revisions:

I email with reference to the amended planning application number above. unit 2 has been reduced in height by a paltry 0.5 metres but it is still ridiculously close to the nearby properties. we have lived in wood lane end for five years now and have never lived in such a beautifully peaceful place especially at night. All our neighbours are wonderful and we all agree living here is fantastic so we do not wish to have it absolutely ruined by having a large unit sitting right on top of us. i would like to know if

there are covenants on the operation hours as we don't want to be hearing the continual beeping of reversing lorries and forklift trucks.i Invite you to come up and visit us to see what a beautiful place it is to live.why cant unit two have a large bund like the warehouse opposite us (martin brower)but up along the whole side and move it onto the opposite side to the buncefield lane end.or better still remove it completely.i ask the question would you like to have a large warehouse plonked next to your house in such a lovely quiet place.i bet mr prologis man wouldn't either.please feel free to come and visit whenever you like and I plead with you to take this into consideration

Comments received from the residents of 12 Holme Place

i have concerns over the loss of light to my property.
I have concerns that once the building are being used that we will have noise from air conditioning units.
I hope that there will be additional screening as the units will be in my line of sight.

Comments received from the residents of 11 Wood End Close

We object for this planning permission to be given as living in this area, we feel 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.

Comments received from the residents of 2 Holme Place:

I am the owner of 2 Holme place and I am writing to object to the above planning proposal.

Comments received from the residents of 21 Hales Park Close:

I'm writing about the proposed planing for the old Lucas site.

I understand that a large warehouse will be built at the boundary of my premises
Which would be about 25 yards from my flat. This will totally block out all my light
Which is unacceptable I don't get much light at the back of my flat due to all the
Large trees. I would be in complete shade if the planing goes ahead.

The noise of the lorries in and out day and night would be unbearable. It's bad

Enough with the car park from the gym on may lands avenue

The pollution from diesel lorries is another worry.

My flat would depreciate greatly in value and I don't think there would be any chance of being able to sell it.

i am strongly against planning permission going ahead.

Comments received from the residents of 33 Hales Park:

I am a resident at 33 Hales Park Hemel Hempstead and would like to oppose the proposal by Prologic U.K. Ltd. I am concerned about the noise pollution, traffic flow congestion and the impact it will have on our quality of living. Please accept this email as a signature to oppose the developments.

Comments received from the residents of 7 Welkin Green:

I am very disappointed to hear about this latest development plan, and not through a consultation letter, which considering I am situated in the immediate area I am surprised about, or possibly not surprised as you may have not wanted too many objections to this proposal !!

With my road being situated not too far off of Wood Lane End, I am very concerned about the amount of extra traffic this will bring. I presume that lorries will not be able to gain access to the proposal via Wood Lane End but this does not stop site workers in their cars from using Wood Lane End and will increase the traffic on what is already a popular cut through for people trying to get to the M1. I also object to the planned opening of the road from Boundary Way through to Buncefield Lane as this would also create a lot of extra traffic into this area, some extreme road widening would need to be put in place on Buncefield lane should this go ahead as cars can't pass easily along there as it is.

This area has until now been an enjoyable walk with no eyesaws along the way, which will obviously change should this proposal go ahead and get the required planning permission. It is also the home to a whole range of wildlife and as such this will destroy that too !

There are also many sites on the Maylands estate where this could be situated that are currently not used to their full, would it not be better to fully exhaust all of these sites before turning what is a much valued green space to many people into another industrial complex.

The noise pollution that this would create, not just once it is built and operational, but in the development would be a nuisance to all local residents. At least there is a bank with trees between Martin Brower and Wood Lane End which does block out a lot of the noise that is created from this business. Maybe if this development does go ahead something similar could be put in place.

I am someone that likes to have my windows open too, which I would not be able to do with the additional noise throughout the day and night, thus keeping me awake. This would also be affected by the amount of dirt that would be put up into the air and coming in to our houses.

The decision to site the entrance to this development opposite the long existing cemetery is very disrespectful and should be thought about more, possibly siting the entrance directly from the dual carriageway would be a better option for everyone concerned.

Every time I think of this development and what it will mean to the local residents, I see nothing positive to come from it. People's house values will go down because of it, will you be compensating them for this loss ??? The loss of peaceful times in gardens will be lost too, something which a lot of us currently enjoy as it is such a peaceful area.

I am sure all of these complaints will fall on deaf ears as the councils only concern is gaining more money through taxes to the businesses who will occupy these units, to compensate for cuts from the government in other areas.

I formally object to this planning proposal.

Comments received from the residents of 110 Wood Lane End:

DEAR COMMITTEE , LIVING AT 110 WOOD LANE END ,I MUST OBJECT TO THIS PROPOSED PLAN FIRSTLY THE LAND IS OF CONSERVATION IN NATURE THAT HAS BEEN LIKE THAT FOR AS LONG AS I CAN REMEMBER,WE IN WOOD LANE END ,HAVE BEEN SURROUNDED BY LORRIES COMING THROUGH THE LANE FOR YEARS ,AND SPEEDING TRAFFIC ,NO COUNCELLORS WERE AT THE MEETING AT THE HOLIDAY INN HOTEL , TO EXPLAIN HOW THE LEVELS OF TRAFFIC WILL HAVE NOT ONLY ONUS BUT THE SURROUNDING MAYLANDS AVENUE SITES . ALSO HOW CAN WE EXPECT JUGGERNAUGHTS TO ENTER THE VERY TINY LANE OPPOSITE CEMETARY ENTRANCE,THE LOSS OF LIGHTFROMTHE VERY LARGE BUILDINGS THAT ARE BEEN PROPOSED THE NOISE AND DISTURBANCE OF THE SITE ITS SELF WITH THE COMMING AND GOING, THE POLUTION THAT WILL COME WITH THIS INCREASED TRAFFIC FLOW WILL NOT DOUBT NOT ONLY EFFECT THE HUMAN POPULATION BUT THE WILD LIFE IS RAPIDLY BEEN ERODED AS FAST AS THESE BUILDINGS WOULD BE PUT UP HAS THESE POINTS BEEN LOOKED AT THE ADEQUACY OF THE TURNING OF THESE LARGE VEHICLES TURNING INTO THE BACK OF NUMBER 116 TO NUMBERS 114 112 110 WOOD LANE END WOULD BE HORRENDOUS TO ALL THESE HOME OWNERS,AND THEIR OFFSPRING ,THE LIGHT THAT WOULD BE TAKEN BY THE LARGER OF THE PREMISES PROPOSED WOULD ALSO BE AN ENCROACHMENT ONTHE PRIVACY OF THE RESIDENTS SURELY HEMEMEL HEMPSTEAD HAS ENOUGH BROWNSITES FOR THIS TYPE OF DELVELOPMENT IE INDUSTRIAL ESTATE. TH4E VISUAL INTRUSION AND LOSS OF GREEN HABITAT WOULD BE IMENSE AND THE GEEN SPACE COULD NOT BE REPLACED ,HORSES FEQUENTLY USE THE LANEWHERE WOULD THEY GO ? THE CEMETRY IS ALSO A PLACE OF TRANQUILLTY THIS WOULD BE LOST AT A STROKE, THUS ALSO THE DISTURBANCE OF THE GROUNDS WOULD BE CONSTANCE TO VISITORS WHO AT PRESENT HAVE ENOUGH OF THAT FROM THE SURROUNDING M1 AND ENTRANCE TO MOTOWAY FROM DUEL CARRIAGEWAY ,IASK YOU TO UP HOLD THIS OBJECTION ON ALL THE GROUNDS COVERED ,I FEEL DISAPOINTEED THAT NO LOCAL COUNCILLPRS WERE AT THE ONSET OF THESE PLANS AT THE HOLIDAY INN ,THE COUNCIL HAS AN OBLIGATION TO THE WELFARE OF THE

WHOLE COMMUNITY HUMANS AND WILD LIFE PLEASE KEEP WOOD LANE END AS IT IS ALSO THE SCHOOL AT THE TOP OF THE LANE AT THE JUNCTION OF SITE WHERE WOULD THIS GO HAVE THEY BEEN ASKED REGARDING THERE POSITION

Comments received from the residents of 104 Wood Lane End:

My home is a short distance away from the proposed development and my first concern is that myself and many others living in Wood Lane End and the Hales Park complex were not afforded the courtesy of receiving the letter from Tineke Rennie dated 26th January. I assume this to have been an oversight, rather than a deliberate attempt to minimise the number of objections. It may well be that you decided to restrict the notices to those residents who will live within the 'shadow' of the proposed warehouses, in which case you may well be underestimating the strength of feeling locally.

We realise of course that the land has for many years been earmarked for such use, but with this in mind I might ask why permission was granted for a residential development the size of Hales Park, with the knowledge that in the future you might need to consider the placement of vast industrial units, with 24/7 HGV movements movements so close to the homes.

In your defence I imagine that 30 or so years ago the scientific evidence linking diesel particulate matter with serious health problems was virtually non existent, but this is no longer the case.

There are many families with young children living in the immediate vicinity and the risk to young lungs is considerable and must not be ignored.

I have read the 'Air Quality Assessment' document within the application and whilst difficult to digest it does give cause for concern, since reference is made to there being 'a degree of uncertainty' inherent in 'all air quality assessment tools'. This does not inspire confidence whilst we all suffer anquish about our future health and that of our children. Furthermore I note that Dacorum is not currently using continuous automatic air quality measuring instruments. I would expect you to improve your approach to monitoring in this area, should you decide approve the application.

I also have serious concerns regarding noise pollution and this would also need to be addressed by use of continuing monitoring.

Should the application be approved then the residents will expect you to provide regular reports on air and noise monitoring statistics.

In summary, I consider it inappropriate to grant permission for such a development to be sited in such close proximity to residential properties.

Comments received from the residents of 19 Hales Park Close:

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

Comments received from the residents of 35 Hales Park:

I live in the residential area immediately adjacent to the proposed site. Part of living here is the peace and quiet achieved by the green area which serves as a buffer between the residential and industrial area. The buffer ensures that even minute levels of noise are barely audible, and that there is little light pollution. If the sight is approved, the views of greenery and wildlife directly across from my doorstep will be replaced by the much less pleasant sights of industrial area. Continuing on my point about wildlife, the field across from my house is home to a herd of horses, I am concerned as to where these, among other species living close by, will be moved. I enjoy the feeling that, even though I live near the industrial estate, I live in a peaceful, secluded neighbourhood. Everything about living here would be ruined by both the construction, and general running of the site. I hope that the planning is not approved.

Comments received from the residents of 8 Upper Ashlyn's Road:

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

Comments received from the residents of 42 Hales Park:

My fiance and i have received a letter about these planning works that will be taking place and object to the decision being made.

We moved in 4 months ago we would not have bought the house if we knew this was taking place and destroying our surroundings. It will block our sunlight and the noise pollution will be constantly disturbing. It is a lovely area please do not destroy that.

Comments received from Kings Langley School:

Kings Langley School is delighted to support the Maylands Gateway development. As a local school we are particularly impressed by Prologis approach to sustainable development and their willingness to work with local secondary schools to develop programmes focussing on sustainable construction offering students insight into industry. We would very much like to work with Prologis on one of these programmes and it is encouraging to see a developer which has a clear aim to contribute to and invest in the local community

Comments received the residents of 1C Wood End Close:

Whilst not receiving directly notification of this proposal, I am writing to raise objections. I note that the suggested height of units 2-6 has subsequently been reduced and that a landscaping strategy will be developed. However, these units are still very high and will impact upon nearby homes in Hales Park, Hales Park Close and Holme Place. Unless a bund of sufficient height and suitably landscape is provided there will be massive visual intrusion. Of course, loss of light will be suffered regardless of a bund and both threats are simply unacceptable.

The bund will need to be of sufficient magnitude to provide for substantial planting of mature trees, which apart from providing visual relief will protect us from noise, air and light pollution. A similar strategy was adopted within the planning consent granted for the development to the north of Wood Lane End which was built in the 90's. Since then there has been additional research into the effect of diesel fumes upon health and recent reports suggest that current legislation in relation to air pollution needs to be improved. If the application is approved then we would expect conditions to be applied which will provide at least the same degree of protection, but enhanced to take account of current knowledge of the impact upon health. As our council we will expect you to apply constant monitoring of air and noise.

I am convinced that there will be considerable noise and air pollution which will have an undesirable effect on the neighbourhood, especially those houses on the perimeter of the development and the nearby nursery.

Whilst I appreciate that new developments in the area provide new jobs and can enhance local business, this must be balanced against protecting the local community from over or poorly designed development.

A reassessment of this proposal must be considered to take into account major concerns of local residents regarding our health and well being.

Comments received from The Green Triangle, Oakland College:

The Green Triangle Partnership is very supportive of Prologis' proposed development at Maylands Gateway. We were particularly impressed by Prologis's commitment to the objectives of the Enviro-Tech Enterprise Zone and those of our partnership in their application. We were also pleased to learn about the pioneering work that they have done in creating environmentally sustainable developments, including the measures to mitigate and adapt to climate change.

"We are also supportive of the fact that Prologis is the first industrial property company in the UK to measure, reduce and mitigate the carbon emissions embodied in the structure and fabric of its new facilities and its collaboration with Planet Mark and Cool Earth to help prevent deforestation through work with indigenous villages.

"Prologis has been particularly engaged with the business community throughout the planning process and we were impressed by the very thorough consultation process that they undertook locally. We believe that they'd be an asset to the local business community.

Comments received from the University of Hertfordshire:

The University of Hertfordshire supports Prologis proposals for Maylands Gateway site. We were particularly impressed by the jobs and skills that the development will offer and Prologis commitment to education through training and engagement with students.

Comments received from the residents of 92 Wood Lane End:

Thank you for your letter of 31 March 2017, about the proposed development at Maylands, reference as above.

I am now providing my further comments. I think my original comments have been lost.

Overview

The proposed development is still unwelcome. I am opposed to it and object to it. I have spoken to many local neighbours about the proposals and have yet to find anyone who supports it. I have to say that there is bemusement at the decision to 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. Also, to put such a large development at the point where people enter in to the town is hardly a positive first impression when driving in. What is proposed by Prologis 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. What is being proposed will make matters much worse. Then there is the environmental destruction of a valuable green space. The revised proposals are every bit as bad as the original ones and offer nothing positive. The whole Proglogis scheme should be scrapped.

Loss of green space

This part of Mayland benefits greatly from untouched green space. This is a valuable resource and many local people use it for walking and recreation. I myself walk the area regularly using the designated footpaths. To cover the area with an industrial estate would be a scandal. No one can understand why the decision has been made to build on a green space when there are many brown field sites available in the area. At push, most local residents may accept a housing estate being built instead, but even that would be unwelcome in my book. No reasonable explanation has been forthcoming from Proglogis or Dacorum as to why further industrial development would enhance the area, other than the obvious motivation of money, profits for Proglogis and income for Dacorum via industrial rents/income. The new site would effectively box residents into an industrial zone. I realise that part of the plan is to leave the footpaths and run them through the site. But who in their right mind wants to walk through an industrial site? I think this is cynical and underpinned with the hope that the paths will just fade away due to lack of use and be consumed into the site. This is a real issue as a public footpath near me was blocked by metal gate put there by a company bordering the path. The Council has taken action. We would need strict policies in place to ensure the paths are maintained by the site owners and not at Council expense. I still want to see the site left alone. However, the proposals are too ambitious. If this all goes ahead, as a minimum there should be a much larger publicly accessible green space preserved at the top of the site - where it borders Wood Lane End - to give an much larger barrier. This is only fair and would also help those living nearby avoid being overlooked and disturbed.

Effect on local wildlife

Due to the sight being untouched for a number of years, this has enabled wildlife and fauna to become established. I seen many species of animal, including Deer, Badgers,

Rabbits, Foxes and Bats. There is also a wide variety of trees and vegetation that wildlife rely on. That would be totally destroyed and lost for good. I have read the environmental report on the area that Proglosis commissioned. Frankly, it is fanciful and I don't believe its outcomes. It seems to just want to tell Proglosis what it wants to hear to justify its actions. The reports say that they cannot find evidence of bat roosting in the area. I disagree. I have many times seen heavy bat activity in the area on many evenings and remain convinced that Bats are indeed roosting nearby. They simply do not travel large distances to feed. Why has Dacorum accepted this report? Surely the Council should commission its own independent report? No doubt many smaller creatures will lose their habitat too, such as frogs and slow worms. In an enlightened age where we should respect and preserve our wildlife, we are slowly destroying it with appalling projects like this.

Traffic issues

Traffic problems are getting worse in the area and pressures on Wood Lane End are growing. It has already become a turning around point for HGVs and articulated lorries on a daily basis. The road surface has been ruined and indeed the white 'give way' lines between Wood Lane End and Wood Lane Close have literally worn out. The siting of an industrial site on 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. Buncefield Lane is effectively gridlocked southbound most evenings during rush hour. Also, to propose opening up the top of Buncefield Lane to Boundary Way is folly. It has been blocked off for years and with good reason as the Council knows that to open it up will cause chaos. Now it appears to have been pushed into this by Proglosis. The proposed traffic plan may look good on paper, but it simply will not work and the area will soon become jammed up with vehicles by those wanting a short cut. It will happen because that is human nature. Also, mix in the new housing and shops etc in Maylands with all the extra traffic that will bring in mix that with those trying to get to and from the Proglosis site, the area is going to struggle to cope. Also, I cannot understand why there is no access point to the site from the dual carriage way and everyone the having to use Wood Lane End or Buncefield Lane? There is no logic to that. On top of this, there is a childrens nursery in Buncefield Lane. The opening up of Buncefield Lane to Boundary Way, would mean a vast increase in traffic and pollution that the children and parents would be exposed to. This is unacceptable in this day and age, particularly when much of the the traffic coming into the area will be belching out diesel fumes. The topic of the moment. There is also a real risk of people being knocked down by vehicles too. Wood Lane End is already an unofficial race track. The only welcome part is the decision to put in traffic calming arrangements in Wood Lane End. The decision to build such a site opposite a cemetery and its main access point is totally appalling.

Noise and disturbance

It is unclear as to what kind of businesses would be permitted to use the new site, or if the Council has set any covenants or restrictions. However, I am aware that there may be delivery firms operating from the site, which by definition means vehicles accessing and leaving the site all day long and possible even into the night. This will lead to an increase in noise and disturbance as vehicle traffic will without doubt increase. As I say,

there really needs to be an indication from the Council as to the kind of businesses allowed to operate on the site and the noise levels that may emanate from industrial activity or the buildings themselves (lights, aircon etc).

Conclusion

The above comments outline my concerns about the proposals. They are based on realistic concerns and if the plans go ahead in the form suggested, I can only see real problems ahead. The area simply cannot take any more industrial development without serious harm to the environment and a negative impact on the quality of life of local Council Tax paying residents who did not ask for this development, but want to enjoy the countryside and all its benefits. There is more to life than money.

I remain totally opposed to the proposals and urge the Council to think again.

Petition received from the resident of 104 Wood Lane End:

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.

119 Signatories

Comments received from a resident:

We would like to be ensured that this would not involve cutting down any of the existing trees nor impact on the environment of nature to this area.

Comments received from a resident:

I wish to object to the proposed development of a distribution unit on green-belt land in Wood Lane End, Hemel Hempstead.

We have very few green belt areas left in Dacorum for wildlife to flourish. I am outraged that an area of natural beauty for many species will be wiped out by the building of another unnecessary and unsightly distribution unit. We should be nurturing our wildlife by increasing the number of Green Belt areas for wildlife to thrive. In addition to the detrimental impact on the wildlife, the proposed build will impact massively on traffic congestion on to Breakspear way which is notoriously poor due to the high volume of drivers accessing the M1. The residents in Wood Lane End will see an increased amount of traffic as the road will be used as a rat-run by commuters looking for short-cuts to Breakspear way.

Having spoken to one of the residents they are understandably concerned on the proximity of the construction to their property along with general street-scene which also should be taken into consideration. I would also expect that the building, which is apparently going to be 9 meters in height will have an effect on the amount of light they get into their back garden.

Comments received from the residents of 7 Moorside, Stratford Way:

My late mother is buried in Woodwells Cemetery and I visit her grave at least once a week. In my opinion, the decision of siting the main entrance in Buncefield Lane right opposite Woodwells Cemetery is wrong and utterly and disrespectful. I know of no other site that does this in such close proximity. The noise will definitely have a negative impact on those visiting the cemetery.

Any cemetery should be peaceful environment for those visiting the graves of their loved ones and not a congested through road to distribution depots.

The impact on local wildlife will be very great.

There is also the question of the children's nursery in Buncefield Lane. This proposed development will cause greater risk to those using that establishment from pollution, traffic and noise.

Comments received from the residents of 32 Dagg Dell Lane:

Object to this application due to noise pollution, traffic congestion, should be used as sporting facilities.

Comments received from residents of 34a Rant Meadow:

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. Please reject this application.

Comments received from a resident:

I would like to raise objection to the proposed transport plan for access to the above site. The plan that I can see <http://plandocs.dacorum.gov.uk/PlanningDocs/234/44/77/84/44778468.pdf> shows the currently closed access from Boundary Way into Buncefield Lane being opened to allow articulated lorries to pass the entrance to the Nursery and Woodwells Cemetary which is totally unacceptable as the 24/7 noise and additional pollution that this will bring to the nursery and the cemetary should not be permissable. I strongly believe that an alternative access route to this site should be considered. Access from Breakspear Way into Buncefield lane and then into the new site would seem a more feasible option as this would have far less impact on the cemetery.

The people of Dacorum who have lost their loved ones deserve to be able to visit the cemetary with some peace and tranquility and not have to suffer the indignity of constant engine noise and beeping of lorries reversing.

I'm actually totally against the distribution depots being sited so close to the cemetary and to the homes in Wood Lane and Hales Park too, these depots create a lot of noise and pollution and think the whole plan should be reconsidered.

Comments received from a resident:

I wish to express my objection regarding the above planning permission. I strongly disagree with the changes to buncefield lane/ boundary way.

Comments received from a resident:

I would like to object to the road widening near Woodwells Cemetary in Buncefield Lane.

Prologis wish to widen the road directly outside the cemetery and open up the road into Boundary Way to allow lorries access to the land opposite (which they wish to build warehouse units on). If they get permission, there will be a constant flow of articulated lorries up and down Buncefield Lane which will without doubt end the calm and peaceful environment of the cemetary.

I may be wrong but I believe the plots close to the road are for babies/young children?

I personally think this is completely objectionable- a cemetery should be peaceful environment for those visiting loved ones not a congested through road to distribution depots.

Comments received from a resident:

I contact you as Case Officer of Planning Application - 4/00064/17/MFA.

My late mother is buried in Woodwells Cemetery and I visit her grave at least once a week. In my opinion, the decision of siting the main entrance in Buncefield Lane right opposite Woodwells Cemetery is wrong and utterly and disrespectful. I know of no other site that does this in such close proximity. The noise will definetely have a negative impact on those visiting the cemetery. Any cemetery should be peaceful environment for those visiting the graves of their loved ones and not a congested through road to distribution depots. The impact on local wildlife will be very great too. There is also the question of the children's nursery in Buncefield Lane. This proposed development will cause greater risk to those using that establishment from pollution, traffic and noise.

Ref 4/00064/17/MFA to leave an objection

Comments received from the Crime Prevention Officer:

Thank you for consulting me with regard to planning application 4/00064/17/MFA at Maylands Gateway, Maylands Avenue, Hemel Hempstead, HP2 4FQ for 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.

Comments

1. Public Right of Way through site:

- a. There is a Public Right of way running through the site entering via the north west corner as a 3m wide cycle / footway, running east behind units 7A-7d and past units 2 and 1. If this public right of way cannot be diverted off site, then it should not compromise the security of the various units on site. I note on page 18 of the DAS it mentions about a hedge separating the footpath from the rear of units 7a-7d. Provided this hedging was prickly I would be content, otherwise I would ask for a 2.2m high weldmesh fence to provide separation. I am pleased there will be suitable hedging / landscaping providing separation between the footpath and units 2 and 1.

 - a. The diverted route of the public footpath 51 which runs within a landscape corridor along the southern half of the eastern site boundary is described (page 17 of DAS) as being between a clipped hedge on the development side and native highway hedgerow on the lane side. No height is mentioned. The hedge to the lane side must not be 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.

 - a. Page 20 of the DAS says about street lighting being provided for the public right of way at the rear of units 7a-7d. I would ask that this footpath is not lit as it will likely attract Anti-Social Behaviour (ASB). Too much permeability of a development makes controlling crime very difficult, as it allows easy intrusion around the development by potential offenders. All planned routes should be needed, well used by generating adequate footfall at all times, well overlooked and well integrated. Underused alleyways, shortcuts, footpaths and a large number of minor access points can create hiding areas, create anonymity for offenders and if there is little to no natural surveillance over these areas, then they can become vulnerable to or facilitate crime as well as anti-social behaviour.
1. Boundary: I would look for the site boundary to the south side (with Breakspear Way), to be secure, and if there are gaps in the hedging for weldmesh fencing to be fitted, so as to stop offenders having easy access and egress from the site. As regards the western boundary with the former Lucas site and Virgin Active, again I would look for this boundary to be secure either through planting (thick and prickly) or 2.2m weldmesh fencing.

1. Security & Secured by Design: Page 20 says about security and Secured by Design, but does not say that the buildings will be built to the police minimum security level of Secured by Design. 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, which for this site would mean: Ground floor doors to BS PAS 24:2012 or equivalent with any glass in the doors being laminated; all ground floor windows to BS PAS 24:2012 or equivalent with any glazing to include laminate glass; Vehicle access roller shutters to LPS 1175 SR2 or equivalent .

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

- 69 – re safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
- & the National Planning Practice Guidance (NPPG) – Design section
- 010 – re Sec 17 of the Crime and Disorder Act 1998 – to prevent crime & disorder.
 - 011 – re taking proportionate security measures being a central consideration to the planning and delivery of new developments and substantive retrofits.
- & Dacorum Core Strategy policies:
- CS12 – re safe access, layout and security
 - CS13 – re pedestrian friendly, shared spaces in appropriate places

Comments received from 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

HIGHWAYS ENGLAND has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regards to 4/00064/17/MFA and has been prepared by Penny Mould.

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 28th April 2017.** If we are in a position to respond earlier than this we will withdraw this recommendation accordingly.

Comments received from the British Pipeline Agency:

BPA Pipelines

NOT IN ZONE OF INTEREST

Thank you for your correspondence enclosing details of your proposals as listed above. We are not aware that any of BPA Pipelines apparatus, falls within the vicinity of the above noted location.

However, if the location of your work should change, please complete a new Linesearch enquiry immediately, using www.linesearch.org

Whilst we try to ensure the information we provide is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.

Comments received from the Lead Local Flood Authority:

Thank you for consulting us on the above application for redevelopment of the site to provide 54,714sqm of flexible commercial floorspace within use classes B1C/B2/B8 and ancillary offices, together with car and cycle parking, access and landscaping.

Following a review of the 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, we can confirm we can confirm that we have no objections on flood risk grounds and advise the LPA that 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.

Infiltration tests show that infiltration is not feasible and there are no watercourses within the vicinity therefore it is proposed to connect into surface water sewer. We acknowledge that the application site will discharge into the existing Thames Water sewer at Greenfield rates. We note that Thames Water has been contacted and an impact study has been carried out on-site. The drainage strategy is based upon attenuation tanks, porous surfacing for the car park and balancing ponds. Detailed surface water run-off calculations for 1:100 year plus climate change have been provided within the surface water drainage assessment, which ensures that the above rainfall events can be contained on-site. The micro drainage modelling identified flood

volumes and areas for informal flooding have been identified on-site.

We therefore recommend the following conditions to the LPA should planning permission be granted.

LLFA position

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the 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, submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Condition 1

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:

2. Implementing appropriate SuDS measures to include attenuation tank, porous surfacing and attenuation pond.
3. 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.
4. 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.

Condition 2

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:

1. 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).
1. Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.

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

Reason

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

Informative to the LPA

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

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/>

Comments received from Hertfordshire Archaeological Advisor:

Please note that the following advice is based on the policies contained in the National Planning Policy Framework.

As previously notified (with regard to previous consultations concerning the development of the site) the proposed development site is undisturbed grassland, situated on gently sloping land close to the Scheduled Wood Lane End Roman Temple Complex (SM 27921), a nationally important Romano-British site. This is less than 100

metres to the north/north-west. The Hertfordshire Historic Environment Record [HER] for the surrounding area also records several later prehistoric and Roman and medieval sites nearby, including those identified during the widening of the M1. In addition, archaeological investigations at 'Spencers Park', to the north of the industrial estate, have identified very significant Roman archaeological remains dating to the 1st – 3rd centuries A.D..

This office previously advised (with reference to application refs 4/00702/16/PRE, 4/03348/16/PRE etc.) 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 systematic archaeological field evaluation of the site should be undertaken in order that the results could inform any planning applications that might be submitted.

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. Such assessment is intended to identify and evaluate the nature and likelihood of the impacts of the development, in both the short and the long term, on archaeological and cultural heritage features against closely defined criteria.

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.

In this context, I note that reports on the archaeological desk-based assessment of the site, and of the geophysical survey and archaeological observation of geotechnical test pitting carried out in February 2016, have been submitted with the application, but the report on the trial trench evaluation of the site has not as yet been submitted.

While further archaeological evaluation will be required to establish the dating and extent of these foci of activity, to identify any archaeological remains that may be a constraint on any proposed development, and to inform a detailed programme of archaeological investigations to mitigate the impact of the development upon the historic environment, I now consider that archaeological mitigation for the scheme can be secured, by appropriately worded negative conditions, should you be minded to grant planning consent for the proposal.

I recommend, therefore, that the following provisions be made, should you be minded to grant consent:

1. A programme of additional archaeological field evaluation prior to the commencement of the development.

above 2. Such appropriate mitigation measures indicated as necessary by the programme of additional archaeological evaluation.

These may include:

- a) the physical preservation of any archaeological remains *in situ*, if warranted, by amendments to the design of the development if this is feasible,
- b) the appropriate archaeological excavation of any archaeological remains before any development commences on the site, with provisions for subsequent analysis and publication of the results,
- c) the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive, and the publication of the results, as appropriate,
- d) and such other provisions as may be necessary to protect the archaeological interests of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 141, etc. of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case two appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

Condition A

No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation

5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Condition B

- i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).
- ii) 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 approved under condition (A). 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 approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

If planning consent is granted, then this office will be able to provide detailed advice concerning the requirements for the investigation and to provide information on accredited archaeological contractors who may be able to carry out the work.

Further comments were received on 07.04.2017 following the submission of a revised Written Scheme of Investigation prepared by CgMs:

I confirm that the WSI now meets the requirements of the Historic Environment Team.

Obviously, whether the WSI can be secured as an approved document is a matter for the Planning Authority.

Comments received from Historic England:

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisors, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals.

Comments received from Hertfordshire Waste Authority:

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

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

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

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

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

new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;

the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'

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

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

Policy 2: Waste Prevention and Reduction: &

Policy 12: Sustainable Design, Construction and Demolition.

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

A development of this magnitude will produce a considerable amount of waste during site preparation and construction phases. A SWMP should be used to improve resource efficiency by identifying methods (including re-use, recycle or recover) to minimise the amount of waste generated on site. Whilst it is encouraging to see that the applicant submitted an initial SWMP as part of the application, a more detail version should be supplied prior to development commencing on site. The document does state that a detailed SWMP will be submitted once contractors have been appointed and the county

council, as waste planning authority, would encourage that this is required by pre-commencement condition.

The more detailed SWMP should contain suitable estimates of waste arisings, explanations of how all waste types are to be managed, and the details of any waste carriers to be involved in the management of these wastes. Predicted waste types should be specified by European Waste Catalogue (EWC) code and included in tables which allow recorded waste management to be easily compared to the initial predictions upon the completion of the development. This will provide a useful tool to promote greater understanding of waste production for future developments.

The county council would expect detailed information to be provided for both the site preparation and construction phases as the waste arisings from construction will be of a different composition to arisings from the enabling work. 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

The SWMP should be set out as early as possible so that decisions can be made relating to the management of waste arisings and so that building materials made from recycled and secondary sources can be used within the development. This will help in terms of estimating what types of containers/skips are required for the stages of the project and when segregation would be best implemented. It will also help in determining the costs of removing waste for a project.

The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted and provide comments to the two councils.

It should also be 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. This is backed up by government policy, which is contained in National Planning Policy for Waste. Given the importance of employment land in delivering waste management across the county, the county council does not wish to see the loss of identified Employment Land Areas of Search through alternative development onsite or incompatible development in close proximity to the site.

Comments received from Environmental Health:

I have considered the plans for the above development from the standpoint of preventing future statutory nuisance and preserving the amenity of the nearest residential properties.

With the above in mind I was particularly concerned about the prospect of B2 uses being located in the vicinity of nearby residential properties. However the applicant's Noise and Vibration Assessment dated 20th December 2016 had raised the same concern and recommended units 2, 3 and 7 are reserved for B1 and B8 use only. Units 2, 3 and 7 will themselves provide screening for the residential accommodation from the rest of the site and the other buildings which may be approved for B2 use. In addition the Noise and Vibration Assessment identifies the need for a 4 metre high acoustic fence to fill up the gaps between units 2, 3 and 7, in order to provide a continuous acoustic screen for the residential property alongside the site. On the basis of the documents supplied I have no adverse comments to make regarding this application, providing the scheme is approved and built in full accordance with the Noise and Vibration Assessment submitted.

One point I noted from the Environmental Review also supplied was that there is a recommendation for a lot more geotechnical surveying to be carried out with the stated possibility that the results could alter the final layout of buildings and roads on the site?

My no objection comment is made in relation to the layout and details supplied and given the nature of the development I would want an opportunity to revisit and revue any modified plan, no matter what the cause of the alterations.

Comments received from Land Contamination Officer:

This response relates to air quality and contaminated land.

Previous consultations

To recap, the following previous planning applications relate to this site:

- 4/00702/16/PRE
- 4/01147/16/SCE
- 4/03348/16/SCE

With regards to 4/00702/16/PRE; our records indicate that Regulatory Services was not consulted.

With regards to 4/01147/16/SCE; the following comments were provided in my memo dated 9 May 2016:

'...The covering letter provided by Savills to the Planning Department states the following in relation to land contamination...

'A Phase 1 Contamination Assessment has been undertaken, full details of which will be submitted in support of any planning application. A Phase 2 (Intrusive) Site Investigation has also been undertaken and the associated risk assessments are currently being undertaken.

The Phase 1 Assessment identified a limited potential for the presence of soil and groundwater contamination associated with imported hard-core materials and off-site point sources. The preliminary findings of the Phase 2 Intrusive Assessment support this conclusion. Localised contamination has been identified in a single sample of shallow soil in the north western extremity of the site which appears to be associated with ashy fill material. Trace concentrations of PFOS contamination associated with the Buncefield Incident have been identified in shallow soils across the site but the concentrations are such that the identified contamination is not considered to represent a risk to human health receptors or controlled water receptors.

The construction process will be undertaken in line with a Construction Environmental Management Plan (CEMP), which will be secured by a planning condition and agreed with Officers. This document will identify potential risks to the environment associated with the construction phase and stipulate control measures that must be adopted to mitigate potential risks to the environment including soil and groundwater.'

Comments:

The Phase 1 and 2 investigation reports should be submitted for review before details comments can be provided. All investigative works and associated reporting must be undertaken in accordance with current published legislation and guidance. The preliminary risk assessment and initial conceptual site model must include all known potentially contaminative uses of the site and near vicinity and incorporate the findings of previous investigations within the radius of influence. It appears that contamination has been found, which will require remediation prior to redevelopment. A suitable remediation strategy and associated validation must be agreed prior to commencement of works. With regards to PFOS, the chosen assessment criteria/concentration must be sufficiently justified. The Environment Agency are the statutory consultee for controlled waters, and their opinion must be sought...'

With regards to 4/03348/16/SCE; the following comments were provided in my memo dated 13 January 2017:

'...The covering letter provided by Savills to the Planning Department (dated 8 December 2016) states the following in relation to land contamination and air quality.

Contamination:

A Phase 1 Contamination Assessment has been undertaken, full details of which will be submitted in support of any planning application. A Phase 2 (Intrusive) Site Investigation has also been undertaken and the associated risk assessments are currently being undertaken.

The Phase 1 Assessment identified a limited potential for the presence of soil and groundwater contamination associated with imported hardcore materials and off-site point sources. The preliminary findings of the Phase 2 Intrusive Assessment support this conclusion. Localised contamination has been identified in a single sample of shallow soil in the north western extremity of the site which appears to be associated

with ashy fill material. Trace concentrations of PFOS contamination associated with the Buncefield Incident have been identified in shallow soils across the site but the concentrations are such that the identified contamination is not considered to represent a risk to human health receptors or controlled water receptors.

The construction process will be undertaken in line with a Construction Environmental Management Plan (CEMP) which will be secured by a planning condition and agreed with officers. This document will identify potential risks to the environment associated with the construction phase and stipulate control measures that must be adopted to mitigate potential risks to the environment including soil and groundwater.

The proposed end uses of the proposed development will represent low risk activities from a soil / groundwater contamination perspective. Post development contamination sources will be limited to common point sources such as fuel storage tanks/ filling pumps, low volume chemical / paint storage, etc. These common point sources can be easily managed to minimise the risk to the environment including soil and groundwater.

In light of the above, it is not anticipated that the development will give rise to any significant environmental impacts associated with contamination.

Comments:

The Phase 1 and 2 investigation reports should be submitted for review before detailed comments can be provided. All investigative works and associated reporting must be undertaken in accordance with current published legislation and guidance. The preliminary risk assessment and initial conceptual site model must include all known potentially contaminative uses of the site and near vicinity and incorporate the findings of previous investigations within the radius of influence. It appears that contamination has been found, which will require remediation prior to redevelopment. A suitable remediation strategy and associated validation must be agreed prior to commencement of works. With regards to PFOS, the chosen assessment criteria/concentration must be sufficiently justified. The Environment Agency may wish to make comments in respect of the risk to controlled waters.

A condition can be attached to any future planning permission (if necessary) to ensure the above reports are submitted and any required remediation and validation undertaken.

Air quality:

The site is not designated part of an Air Quality Management Area (AQMA). The most likely effect on the local air quality is expected to result from the increased traffic generation at the site. As part of any planning application, an Air Quality Impact Assessment will be produced.

The key objectives of the Air Quality Assessment will assess:

- *Construction Effects*: to evaluate the effects from fugitive dust and exhaust emissions associated with construction activities and to recommend appropriate mitigation measures; and
- *Operational Effects*: to describe the significance of the potential air quality effects resulting from changes in traffic flow characteristics on the local road network due to the operation of the proposed development.

The scope of the assessment for the construction phase will comprise a risk assessment of dust and emissions during construction of the proposed development, having regard to the Institute of Air Quality Management (IAQM) 'Guidance on the assessment of dust from demolition and construction'. The outcome of the assessment will be categorised as 'low', 'medium' or 'high' Dust Impact Risk. The IAQM Guidance lists mitigation measures appropriate for 'low', 'medium' and 'high' risk sites.

With implementation of the appropriate mitigation measures the residual construction phase effects are expected to be "not significant". Whilst, the construction dust assessment has not yet been completed, and so the detail of the mitigation is not yet known, the mitigation measures are likely to include (amongst other things): damping down any stock piled loose materials, sheeting vehicles or plant moving materials around the site, appropriate routing of construction traffic and inspections for dust during construction.

The scope for the assessment of the operational phase comprises dispersion modelling using the detailed dispersion model Atmospheric Dispersion Modelling System (ADMS) Roads to predict the local increase in key traffic related air pollutants: nitrogen dioxide (NO₂) and particulate matter (PM₁₀). The predicted impacts at individual receptors will be described using criteria definitions from the Environmental Protection UK (EPUK) / Institute of Air Quality Management (IAQM) (May 2015) Land-Use Planning & Development Control: Planning For Air Quality document. The Impact Descriptors are: 'negligible', 'slight', 'moderate' or 'substantial'. Professional judgement is required to assess the overall impact from the impact at individual sensitive receptors. An overall 'moderate' effect or greater will normally be considered to be a "significant" effect.

The Department of Environment, Food and Rural Affairs (DEFRA) provides maps of estimates of local background concentrations for each 1 km x 1 km grid square in England. The DEFRA predicted background annual-mean concentrations of the key pollutants of concern, NO₂ and PM₁₀, at the application site for 2011 are 21 µg.m⁻³ and 20 µg.m⁻³, respectively. The relevant Air Quality objective for annual-mean NO₂ and PM₁₀ is 40 µg.m⁻³; therefore, concentrations of both NO₂ and PM₁₀ are well-below the relevant Air Quality objectives and there is significant headroom before the Air Quality objectives are exceeded. On this basis, using the impact descriptors within the EPUK / IAQM guidance, the anticipated result of the assessment of the operational phase is that the overall impact will be either 'negligible', 'slight' or 'moderate'. Where the impact is 'slight' or less then the resulting effects would be considered 'not significant'.

The assessment of impacts during the operational phase has not been completed, so any requirement for mitigation is not yet known, but if required it is likely to include: a travel plan for employees and vehicles travelling to / from the distribution centre.

Comments:

I am in agreement with the recommendation for the undertaking of an Air Quality Assessment and the proposed scope of works. Current Dacorum Borough Council diffusion tube data can be provided upon request. This will be required in order to establish baseline air quality and validate the modelling.

A condition can be attached to any future planning permission (if necessary) to ensure the air quality assessment is undertaken...'

Submissions in respect of 400064/17/MFA:

The remainder of this memo relates to the current application (4/00064/17/MFA).

Air Quality:

Regulatory Services is in receipt of the following report submitted in respect of 4/00064/17/MFA:

- Air Quality Assessment; Project No. JAP9002; Revision: 1; RPS Health, Safety and Environment; 16 December 2016

The assessment covers the:

- Construction phase – an evaluation of the temporary effects from fugitive construction dust and construction vehicle exhaust emissions; and the
- Operational phase – an evaluation of the impacts of the development traffic on the local area.

The report contains all necessary information/content and follows the recommended assessment format as outlined in current guidance documents.

Section 5 provides an assessment of the construction-Phase air quality impacts. The overall dust impact risk for earthworks, construction and trackout is deemed to be 'medium'. The IAQM dust guidance lists mitigation measures for low, medium and high dust risks. The general site measures described as 'highly recommended' for medium risks are listed below. The 'highly recommended' measures for medium risk construction sites and medium risk trackout are also listed. There are no 'highly recommended' measures for medium risk earthworks:

Communications

- Develop and implement a stakeholder communications plan that includes community engagement before work commences on site.
- Display the name and contact details of person(s) accountable for air quality and dust issues on the site boundary. This may be the environment manager/engineer or the site manager.
- Display the head or regional office contact information.

Dust Management Plan

- Develop and implement a Dust Management Plan (DMP) (which may include measures to control other emissions), approved by the Local Authority. The level of detail will depend on the risk, and should include as a minimum the highly recommended measures in this document. The desirable measures should be included as appropriate for the site. The DMP may include monitoring of dust.

Site Management

- Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken.
- Make the complaints log available to the local authority when asked.
- Record any exceptional incidents that cause dust and/or air emissions, either on- or off- site, and the action taken to resolve the situation in the log book.

Monitoring

- Carry out regular dust soiling checks of surfaces such as street furniture, cars and window sills within 100m of site boundary.
- Increase the frequency of site inspections by the person accountable for air quality and dust issues on site when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions.
- Agree dust deposition, dust flux, or real-time PM₁₀ continuous monitoring locations with the Local Authority. Commence baseline monitoring at least three months before work commences on site or, if it a large site, before work on a phase commences. A shorter monitoring period or concurrent upwind and downwind monitoring may be agreed by the local authority. Further guidance is provided by IAQM on monitoring during demolition, earthworks and construction.

Preparing and maintaining the site

- Plan site layout so that machinery and dust causing activities are located away from receptors, as far as is possible. Use screening intelligently where possible – e.g. locating site offices between potentially dusty activities and the receptors.
- Erect solid screens or barriers around the site boundary.
- Fully enclose site or specific operations where there is a high potential for dust production and the site is active for an extended period.
- Avoid site runoff of water or mud.
- Keep site fencing, barriers and scaffolding clean.

- Remove materials that have a potential to produce dust from site as soon as possible, unless being reused on site. If they are being re-used on-site cover as described below.
- Depending on the duration that stockpiles will be present and their size - cover, seed, fence or water to prevent wind whipping.

Operating vehicle/machinery and sustainable travel

- Ensure all vehicles switch off engines when stationary – no idling vehicles.
- Avoid the use of diesel or petrol powered generators and use mains electricity or battery powered equipment where practicable.
- Produce a Construction Logistics Plan to manage the sustainable delivery of goods and materials.

Operations

- Only use cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems.
- Ensure an adequate water supply on the site for effective dust/particulate matter suppression/mitigation, using non-potable water where possible.
- Use enclosed chutes, conveyors and covered skips, where practicable.
- Minimise drop heights from conveyors, loading shovels, hoppers and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate.
- Ensure equipment is readily available on site to clean any dry spillages, and clean up spillages as soon as reasonably practicable after the event using wet cleaning methods.

Waste management

- Avoid bonfires and burning of waste materials.

Medium risk measures specific to construction

- Ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out, unless this is required for a particular process, in which case ensure that appropriate additional control measures are in place.
- Use water-assisted dust sweeper(s) on the access and local roads, to remove, as soon as practicable any material tracked out of the site. This may require the sweeper being continuously in use.
- Avoid dry sweeping of large areas.
- Ensure vehicles entering and leaving sites are covered to prevent escape of materials during transport.
- Record all inspections of haul routes and any subsequent action in a site log book.
- Install hard surfaced haul routes, which are regularly damped down with fixed or mobile sprinkler systems, or mobile water bowsers and regularly cleaned.

Medium risk measures specific to trackout

- Use water-assisted dust sweeper(s) on the access and local roads, to remove, as necessary, any material tracked out of the site. This may require the sweeper being continuously in use.
- Avoid dry sweeping of large areas.
- Ensure vehicles entering and leaving sites are covered to prevent escape of materials during transport.
- Inspect on-site haul routes for integrity and instigate necessary repairs to the surface as soon as practicable.
- Record all inspections of haul routes and any subsequent action in a site log book.
- Install hard surfaced haul routes, which are regularly damped down with fixed or mobile sprinkler systems, or mobile water bowsers and regularly cleaned.
- Implement a wheel washing system (with rumble grids to dislodge accumulated dust and mud prior to leaving the site).
- Ensure there is an adequate area of hard surfaced road between the wheel wash facility and the site exit, wherever site size and layout permits.
- Access gates to be located at least 10 m from receptors where possible.

The IAQM dust guidance states that with the recommended dust mitigation measures in place the residual effect will normally be '*not significant*', and recommends the mitigation is secured by for example planning conditions, a legal obligation, or by legislation.

Section 6 of the report summarises the future operational-phase air quality impacts of the key pollutants associated with the development traffic of the proposed scheme.

Nitrogen Dioxide (NO₂)

Predicted annual-mean NO₂ concentrations in the opening year at the façades of the existing receptors are below the AQS objective for NO₂. When the magnitude of change is considered in the context of the absolute concentrations (NO₂ concentration 'with development' minus NO₂ concentration 'without development' as a percentage of the AQS Objective), the impact descriptor is 'negligible' at all receptors.

As all predicted annual-mean NO₂ concentrations are below 60 µg.m⁻³, the hourly-mean objective for NO₂ is likely to be met at all receptors. The short-term NO₂ impact can be considered 'negligible' and is not considered further within this assessment.

Overall, the impact on the surrounding area from NO₂ is considered to be 'negligible', using the criteria adopted for this assessment and based on professional judgement.

Particulate Matter (PM₁₀)

Predicted annual-mean PM₁₀ concentrations in the opening year at the façades of the existing receptors are well below the AQS objective for PM₁₀. When the magnitude of change is considered in the context of the absolute concentrations (PM₁₀ concentration 'with development' minus PM₁₀ concentration 'without development' as a percentage of the AQS Objective), the impact descriptor is categorised as 'negligible' at all receptors.

As all predicted annual mean PM₁₀ concentrations are below 31.5 µg.m⁻³, the daily-mean PM₁₀ objective is expected to be met at all receptors and the short-term PM₁₀ impact is not considered further within this assessment.

Overall, the impact on the surrounding area from PM₁₀ is considered to be 'negligible', using the criteria adopted for this assessment and based on professional judgement.

Fine Particulate Matter (PM_{2.5})

Predicted annual-mean PM_{2.5} concentrations in the opening year at the façades of the existing receptors are well below the AQS objective for PM_{2.5} at all receptors. When the magnitude of change is considered in the context of the absolute concentrations (PM_{2.5} concentration 'with development' minus PM_{2.5} concentration 'without development' as a percentage of the AQS Objective), the impact descriptor is categorised as 'negligible' at all receptors.

Overall, the impact on the surrounding area from PM_{2.5} is considered to be 'negligible', using the criteria adopted for this assessment and based on professional judgement.

In terms of the significance of effect; the results of the modelling indicate that with the development, the predicted NO₂, PM₁₀ and PM_{2.5} concentrations at existing receptors are below the relevant long and short-term AQS objectives. When the magnitude of change in annual-mean NO₂, PM₁₀ and PM_{2.5} concentrations is considered in the context of the absolute predictions, the air quality impacts of the development on existing receptors are categorised as 'negligible'. Taking into account the geographical extent of the impacts predicted in this study, the overall impact of the development on the surrounding area as a whole is considered to be 'negligible', using the descriptors adopted for this assessment. Using professional judgement, the resulting air quality effect is considered to be 'not significant' overall.

In terms of sensitivity and uncertainty; the impacts at existing receptors are shown to be not significant even for this conservative scenario. Consequently, further sensitivity analysis has not been undertaken and, in practice, the impacts at sensitive receptors are likely to be lower than those reported in this conservative assessment. When the change in concentration at existing sensitive receptors is considered in the context of the absolute concentration, the overall air quality impact on the surrounding area as a whole is categorised as "negligible" and the resulting effect is considered to be "not significant". On that basis, no mitigation measures are considered necessary.

Comments:

In general, I am in agreement with the findings and recommendations made within the report. However, I have the following queries/comments, which require a response:

In reference to model input data, sub-section 3.26 states *'Representative sensitive receptors for this assessment have been selected at properties where pollutant concentrations and/or changes in pollutant concentrations are anticipated to be greatest...'*

These are:

- 7 Maddox Road
- 18 Barley Croft
- Holiday Inn
- Jack and Jill's Nursery
- Dwelling at A414
- Westwick Hall Farm
- 15 Highland Drive

The above-listed modelled sensitive receptors selected to assess the air quality impacts during the operational phase are predominantly located to the south and southwest of the site; no residential properties have been identified within the Hales Park residential area immediately to the north. However, residential properties within Hales Park have been identified and considered in terms of the construction phase (Table 5.2 *'Sensitivity of the surrounding area for earthworks and construction'* specifically relating to dust soiling). Justification will be required as to why residential receptors to the north were omitted from the operational phase assessment.

In reference to Baseline Air Quality Conditions (specifically *'Local Urban Background Monitoring'*), sub-section 4.9 states *'...DBC does manually monitor NO₂ concentrations at a number of urban background locations using passive diffusion tubes and the most measured annual-mean concentrations are presented in Table 4.1'*. Table 4.1 presents bias adjusted annual mean NO₂ concentrations for 2010 to 2013 (where applicable), for the urban background diffusion tube monitoring sites:

- DC40 Sawyers Way, Hemel Hempstead
- DC42 Wood Lane End, Hemel Hempstead
- DC43 Roman Way, Markyate
- DC48 Prince Edward Street, Berkhamsted
- DC58 Gammons Close, Hemel Hempstead
- DC59 Wadley Close, Hemel Hempstead
- DC60 Field Road, Hemel Hempstead
- DC69 Lawn Lane, Belswains
- DC106 Outside 24 Cotterells
- DC108 Old Town Hemel Hempstead
- DC109 St Marys 1

- DC113 Chapel Street, Berkhamsted
- DC116 Castle Street, Berkhamsted

Bias-adjusted diffusion tube monitoring data is available for 2014, 2015 and 2016, which can be provided if deemed necessary.

The above amendment(s) can either be made immediately (and the revised report resubmitted prior to a planning decision being made), or a condition imposed, should planning permission be granted, to ensure that these revisions are undertaken.

In reference to the recommended construction phase mitigation measures, to ensure these are undertaken, I recommend the following condition be imposed, should planning permission be granted:

‘The development shall be constructed fully in accordance with the construction phase mitigation measures, as detailed within Section 7, sub-section 7.2 (pages 29 and 30) of the Air Quality Assessment; Project No. JAP9002; Revision: 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.’

Updated Air Quality Assessment:

The Air Quality Assessment has been revised to include amended traffic data and updated baseline data.

In reference to model input data and specifically Table 3.3; the list of modelled sensitive receptors selected to assess the air quality impacts during the operational phase has been updated to include Hales Park as requested.

In reference to Baseline Air Quality Conditions; Table 4.1 has been updated to include bias adjusted annual mean NO₂ concentrations for 2014 and 2015 as well as 2010 to 2013 (where applicable), for the following urban background diffusion tube monitoring sites:

- DC40 Sawyers Way, Hemel Hempstead
- DC42 Wood Lane End, Hemel Hempstead
- DC43 Roman Way, Markyate
- DC48 Prince Edward Street, Berkhamsted
- DC58 Gammons Close, Hemel Hempstead
- DC59 Wadley Close, Hemel Hempstead
- DC60 Field Road, Hemel Hempstead
- DC69 Lawn Lane, Belswains

The following sites have now been omitted:

- DC106 Outside 24 Cotterells
- DC108 Old Town Hemel Hempstead
- DC109 St Marys 1
- DC113 Chapel Street, Berkhamsted
- DC116 Castle Street, Berkhamsted

The conclusions remain unchanged.

In reference to the recommended construction phase mitigation measures, to ensure these are undertaken, I recommend the following condition be imposed, should planning permission be granted:

‘The development shall be constructed fully in accordance with the construction phase mitigation measures, as detailed within Section 7, sub-section 7.2 of the Air Quality Assessment; Project No. JAP9002; Revision: 2; RPS; 30 March 2017.

Reason: To safeguard the local environment in terms of air quality in accordance with Policy CS32 of Dacorum Core Strategy and to accord with section 7, subsection 7.2 of the following document: Air Quality Assessment; Project No. JAP9002; Revision: 2; RPS; 30 March 2017.’

Contaminated Land:

Regulatory Services is in receipt of the following reports submitted in respect of 4/00064/17/MFA:

- Phase 1: Environmental Liability Review; Reference: RCEL38874-00 R; RPS Health, Safety and Environment; January 2016
- Phase 2: Geo-Environmental Site Investigation and Risk Assessment; Reference: RCEI39093-003 R; RPS Health, Safety and Environment; April 2016

Phase 1: Environmental Liability Review

The report was commissioned prior to the proposed acquisition of the site for commercial redevelopment. At this time, development plans were not yet available. The principal aim of the review was to determine whether there was potential for ground conditions or ground contamination to be present which could significantly constrain the use of the site, or give rise to the risk of significant environmental liability.

At the time of writing, the site comprised 13.45 hectares of undeveloped land, partly used for equine grazing. Electricity transformers were situated adjacent to the northern site boundary in the eastern area of the site and to the south of the site beyond Breakspear Way.

In terms of the surrounding area; residential properties were noted to be located immediately adjacent to the north western perimeter of the site. To the north of the site beyond Wood Lane End was noted a car park associated with a large distribution centre. A cemetery and small number of residential properties were noted to be situated

to the east of the site beyond Buncefield Lane. A fuel filling station is situated immediately adjacent to the south-eastern corner of the site (adjacent to the former caravan park). TO the south of the site beyond Breakspear Way are a hotel and undeveloped scrubland and a balancing pond. To the west of the site are commercial buildings including a gymnasium and offices. Also to the west of the site is a large concentrate base associated with a former Engineering Works.

Historical use of the site has been limited to sports grounds and a caravan park (south eastern area).

In terms of the surrounding area, the following potentially contaminative land uses have been identified within a 250 metre radius:

- Engineering works with associated tanks (along site boundary) situated to the immediate west. Present from 1955 to present day.
- Fuel filling station situated to the immediate south. Present from 1970 to the present day.
- Farm situated approximately 10 metres to the northeast. Present in 1878.
- Burial Ground situated approximately 10 metres to the east. Present from 1969 to the present day.
- Hotel situated approximately 50 metres to the south. Present from 1970 to the present day.
- Electricity Substation situated approximately 50 metres to the south. Present from 1991 to the present day.
- Chalk Pit situated approximately 50 metres to the southeast. Present in 1873.
- Clay Pit situated approximately 100 metres to the southwest. Present in 1873.
- Garage situated approximately 100 metres to the southeast. Present between 1982 and 1991.
- Old Chalk Pit situated approximately 100 metres to the southeast. Present between 1873 and 1878.
- Farm situated approximately 100 metres to the northeast. Present between 1878 and 1995.
- Depot situated approximately 100 metres to the northwest. Present from 1968 to the present day.
- Balancing tank situated approximately 100 metres to the south. Present from 1969 to the present day.
- Industrial Estate situated approximately 200 metres to the west. Present from 1969 to the present day.
- Oil Storage Depot (Buncefield) situated approximately 200 metres to the northwest. Present from 1968 to the present day.
- Factory situated approximately 200 metres to the west. Present from 1968 to the present day.
- Chalk Pit situated approximately 250 metres to the west. Present between 1873 and 1878.
- Laboratory situated approximately 250 metres to the west. Present from 1968 to the present day.

- Depot situated approximately 250 metres to the southwest. Present from 1968 to the present day.
- Electronic Works situated approximately 250 metres to the west. Present from 1968 to the present day.

Historical use of the site is unlikely to have resulted in widespread soil or groundwater contamination. There is the potential for some localised contamination associated with Made Ground present as a result of earthworks or land-raising. There is the potential for ground gas associated with any land-raising/filling and the infilling of off-site pits, ponds and hollows.

Notable land uses in close proximity to the site that may have resulted in localised contamination of the site include the fuel filling station (adjacent to the south) and the former engineering works/factory and associated tanks (adjacent to west).

There is the potential for groundwater contamination and diffuse surface contamination associated with the Buncefield incident that occurred in December 2005.

British Geological Survey (BGS) mapping indicates that the site is underlain by superficial deposits from the Clay-with-Flints Formation and the Lambeth Group. The underlying bedrock is indicated to comprise of the Lewes Nodular Chalk Formation and the Seaford Chalk Formation. The Environment Agency classifies the Clay-with-Flints Formation as Unproductive Strata. The Lambeth Group is classified as a Secondary A Aquifer. The underlying chalk bedrock is classified by the Environment Agency as a Principal Aquifer. The site is situated within the total catchment area (outer zone) of a groundwater Source Protection Zone.

RPS was provided with a copy of the following report:

- Environmental Review, Maylands Gateway, Aecom, Ref 4773693, 7 May 2015.

This document includes a review of two individual site investigation reports that relate to the two former sports grounds. Information presented within the Aecom report relating to encountered ground conditions is presented as follows:

The Aecom report indicates that 'reworked clay' was identified across the northern area of the site (former Kodak sports ground). Made Ground was reported to be encountered above the reworked clay in a small number of locations in the northern area of the site. The maximum thickness of Made Ground encountered in the southern area of the site was reported to be 0.5m.

The Aecom report indicated that the Clay-with-Flints Formation was encountered beneath the topsoil/Made Ground across the site. The depths of the top of this layer were reported to range between 0.1 and 3.25mbgl. Material possibly indicative of the Lambeth Group was identified in window sample WS01 and WS09 on the Kodak Sports Ground and immediately below the Made Ground layer although this layer may have been indicative of Head Deposits' (Clay-with-Flint Formation).

The Chalk is reported to have been encountered beneath the Head Deposits in nine boreholes across the site. The report states that the depth to the top of the Chalk varies between 1.9mbgl and 3.6mbgl.

No surface water courses have been identified within 1km of the site. The only surface water feature identified within 500 metres of the site is a balancing pond situated approximately 100 metre to the south of the site beyond Breakspear Way.

There are two active licensed groundwater abstractions within a 2km radius of the site. Both licenses are held by British Pipeline Agency Limited for groundwater pollution remediation, 840 and 883 metres to the north. There are no licensed surface water or potable abstractions within 2km of the site.

There are no recorded licensed or known historical landfill sites within a 500 metre radius of the site.

Pre-application discussions between RPS and the Council (specifically Regulatory Services) have confirmed that the site is not listed within the Council's Part IIA Register and therefore investigation/remediation of the site is unlikely to be formally requested under Part IIA. This department stated *'we are not aware of any special regulatory measures affecting land in the area of the site as a result of the Buncefield incident, however there is potential for PFOS to be present within deep groundwater.'*

The Aecom report includes a description of the site, its surroundings and the environmental setting. It includes an account of a site reconnaissance visit, a review of database data and historical maps and a review of the two aforementioned site investigation reports. Salient geo-environmental information from the site reconnaissance visit is as follows:

- *'The former sports pitch and caravan park uses have ceased and the site is now used as a horse paddock.'*
- *'Evidence of a drainage network was apparent across the site; manholes were observed on all three parcels of land. The Scott Wilson report identified a potential interceptor on the former caravan site.'*
- *'Evidence of obvious asbestos containing materials was not observed.'*

The Aecom review of the site investigations relating to the two former sports grounds provides the following information:

Lucas Aerospace Sports Ground (November 2007)

- 15 window samples boreholes advanced to depths of between 2.5 and 4.0 metres bgl; and
- Analysis of soils samples.

No groundwater or gas monitoring is understood to have been undertaken as part of this assessment.

Kodak Sports Ground (August 2008)

- 10 window sample boreholes advanced to depths of between 3.0 and 5.0 metres bgl;
- Installation of 4 groundwater/gas monitoring wells;
- Analysis of soil samples; and
- Monitoring of ground gas on 3 occasions.

The scope of the two site investigations is considered to be basic and would not be sufficient to support the proposed planning application in their own right.

In terms of ground observations; the Aecom report indicates that groundwater was encountered in one of the four installations present within the former Kodak Sports ground. It states that no groundwater strikes were encountered on the Lucas Sports ground, suggesting that the presence of shallow groundwater is localised. Groundwater associated with the Chalk Deposits was not encountered.

The report states that fragments of charcoal were observed in Made ground in WS6 (Lucas) and that clinker and coal were observed in the reworked clay (Kodak). It reports that a hydrocarbon odour was noted in WS10 at 0.72mbgl associated with the Made Ground. The report goes on to state *'Olfactory and visual assessment conducted on Made Ground at the site did not reveal the presence of significant sources of contamination.'*

The Aecom report includes an assessment of the available soil analytical data in relation to the chronic (long-term) risk to human health receptors. The assessment compares the analytical data to generic assessment criteria (GAC) derived by LQM and the CIEH for a commercial/industrial land use.

A total of 19 soil samples analysed as part of the two previous site investigations for a wide range of inorganic and organic contaminants were subjected to the Aecom assessment. The maximum concentrations of metals, petroleum hydrocarbons, polycyclic aromatic hydrocarbons and phenols were less than the corresponding assessment criteria for a commercial end use.

Six of the soil samples collected from across the northern area of the site were analysed for PFOS. The report indicates that concentrations of PFOS in the six soil samples ranged from 0.0004 to 0.0039mg/kg. The highest concentration is reported to have been identified at a location positioned closest to the Buncefield Terminal. In the absence of generic assessment criteria, the Aecom report addressed the PFOS concentrations by comparing them to a Predicted No-Effect Concentration (PNEC) for secondary poisoning of 0.0167 mg/kg, taken from the Environment Agency's Environmental Risk Evaluation Report (PFOS; 2004). Aecom stated *'the measured concentrations of PFOS are well within the PNEC'*.

A single groundwater sample was collected from the northern area of the site and analysed for metals and hydrocarbons. Aecom compared the laboratory data to

freshwater Environmental Quality Standards (EQS). The report indicates that none of the EQS values were exceeded.

Ground gas monitoring was undertaken on the four wells installed within the northern area of the site on three occasions. The maximum concentration of methane and carbon dioxide were 0.6 per cent and 7.4 per cent respectively. The maximum borehole flow rate was 7.3 l/hr. The site was classified as Characteristic Situation 2 whereby basic gas protection measures would be required. Additional gas monitoring across the entire site was stated as being required to inform a risk assessment prior to development of the site.

The report concluded '*Aecom considers that the site represents a Low Risk to the site owner. It is unlikely that the magnitude of any consequences arising from unforeseen environmental issues will cause an unacceptable environmental impact and/or arise as a potential liability/cost for the site owner.*'

The report states '*the soil and groundwater quality at the site is not considered to represent a constraint to development for commercial/industrial use.*'

The conceptual site model produced by RPS lists the following potential sources of on-site and off-site contamination and the associated contaminants of concern:

On-site:

- Made Ground (metals, asbestos, hydrocarbons, solvents)

Off-site:

- Fuel filling station (petroleum hydrocarbons)
- Buncefield oil storage (PFOS, petroleum hydrocarbons)
- Engineering works and associated tanks (metals, asbestos, hydrocarbons, solvents)

The following plausible pollutant linkages have been identified:

- A low/moderate risk to current site users, future site users, construction/maintenance personnel and off-site receptors associated with the abovementioned on-site and off-site potential sources of contamination via dermal contact, inhalation of soil dust, ingestion of soil dust and inhalation of soil vapours.

The previous site investigations identified soil contamination (including PFOS associated with the Buncefield incident) albeit at concentrations that are not likely to represent a risk to human health receptors. The previous investigations are considered to be basic and the exploratory holes were sparsely placed. RPS therefore recommends further investigation to cover the entire site and target potential contamination sources to assess the risk to human health receptors further.

- A low risk to shallow groundwater (Made Ground and Head Deposits) and the Principal Aquifer (Chalk formation) associated with the abovementioned on-site and off-site potential sources of contamination via leaching of mobile contaminants from Made Ground, vertical and lateral migration of mobile contaminants in permeable strata and migration along subsurface structures.

Previous investigations did not identify the presence of shallow groundwater across the majority of the site. Localised shallow groundwater was identified in the Made Ground/Head Deposits at isolated positions within the northern area of the site only. A single groundwater sample was subjected to laboratory analysis; the concentrations were not considered to be significant.

The presence of low permeability superficial deposits and Lambeth Group deposits above the Chalk is likely to provide the underlying Chalk with a degree of protection by limiting the potential for the vertical migration of shallow groundwater and any mobile contaminants. The risk to the underlying Principal Aquifer associated with on-site contamination sources is therefore considered to be low.

It is likely that the groundwater associated with the Chalk Formation has been impacted by PFOS as a result of the Buncefield incident. This contamination is not likely to have a significant impact on on-site receptors.

- A low/moderate risk to future building structures, underground utility services and of-site structures associated with the abovementioned on-site and off-site potential sources of contamination via direct contact with fill or contaminated soils and migration of ground gas.

Future ground gas monitoring should be undertaken to assess the risk associated with ground gas.

Soils should be analysed for sulphate content to assess the risk associated with sulphate attack on concrete.

It may be necessary to adopt the use of 'barrier pipe' for water supply pipe due to the presence of PFOS in shallow soils. Further assessment should be undertaken prior to development of the site.

In terms of overall risk, the site has been assigned a risk rating of low/moderate. The report states as follows:

'Historical use of the site is unlikely to have resulted in widespread soil or groundwater contamination. There is the potential for some localised contamination associated with Made Ground present as a result of earthworks or land raising. Potential contaminants principally include metals, asbestos and polycyclic aromatic hydrocarbons.

Notable land uses in close proximity to the site that may have resulted in localised contamination of the site include the fuel filling station (adjacent to south) and the former engineering works/factory and associated tanks (adjacent to west). Potential contaminants principally include hydrocarbons and solvents. There is the potential for ground gas associated with any land raising/filling and the infilling of off-site pits, ponds and hollows including the chalk and clay pits to the south of the site. Previous investigation identified the presence of PFOS in shallow soils (likely to be associated with the Buncefield incident), however the concentrations were considered not to represent a significant risk.

These matters should be assessed further prior to development of the site as part of a site wide intrusive investigation.

The presence of low permeability superficial deposits and the Lambeth Group are likely to provide the underlying Chalk with a degree of protection by limiting the potential for the vertical migration of shallow groundwater and any mobile contaminants. The risk to the underlying Principal Aquifer associated with on-site contamination sources is therefore considered to be low. Therefore, RPS does not consider it to be necessary to investigate the quality of the Principal Aquifer associated with the Chalk Formation.

It is likely that the groundwater associated with the Chalk Formation has been impacted by PFOS as a result of the Buncefield incident. There is not considered to be a significant risk to deep groundwater associated with the identified on-site sources (including current/historical land uses and the trace concentrations of PFOS in shallow soil). Furthermore, deep groundwater contamination that may be present beneath the site associated with the Buncefield incident does not represent a significant risk to on-site receptors. Therefore, RPS does not consider it to be necessary to investigate the quality of the Principal Aquifer associated with the Chalk Formation prior to development of the site.'

In terms of other environmental issues, the report states as follows:

'There is the potential for dissolution features and underground workings associated with the chalk Bedrock. Further intrusive investigation should be carried out to identify the potential for such features.'

The report makes the following conclusions and recommendations:

'...On the basis of the RPS assessment, it is unlikely that the site would be designated as 'contaminated land' and it is thought unlikely that the site will be investigated by the Local Authority beyond the initial desk based review of the borough. It is considered far more likely that the Local Authority will impose specific planning conditions associated with ground contamination issues that will require the developer to investigate, assess and action accordingly.

Based on the available information, the site is considered to be suitable for its proposed use from a ground conditions perspective; however intrusive investigation would be required to confirm ground conditions prior to redevelopment to support the planning application and enable foundation design.

It would be considered prudent to undertake a geophysical survey of the site in an attempt to locate chalk mining/dissolution features.

Based on the available information, RPS has not identified a significant risk of third party liability or regulatory action associated with ground contamination which could affect the site.

The likelihood of ground contamination issues significantly affecting value/saleability in relation to commercial redevelopment is considered to be low. It is considered that the site should be considered acceptable as security from an environmental risk perspective for normal lending purposes.

Prior to redevelopment intrusive site investigations would be required to satisfy any planning conditions set by the Local Authority (or in advance of planning consent being granted). Intrusive investigation would also be required to assess the presence of chalk dissolution features and mine workings and to assess ground conditions to enable foundation design.'

Comments:

The Phase 1: Environmental Liability Review provides a detailed desk-based preliminary risk assessment of the site. I am in agreement with the conclusions and recommendations for an intrusive ground investigation prior to redevelopment.

Phase 2: Geo-Environmental Site Investigation and Risk Assessment

The report was commissioned prior to the proposed acquisition of the site for commercial redevelopment. At this time, development plans were not yet available. The principal aim of the report was to investigate the potential presence of contamination and assess the potential development constraints, risk of future liability, the potential risk to future users of the site and its environs, as well as the wider environment. The scope of the site investigation was based on the findings of the Phase 1: Environmental Liability Review, the content of which is summarised.

The objectives of the site investigation were to assess:

- General ground conditions to allow for recommendations for preliminary geotechnical requirements;
- Potential ground and groundwater contamination associated with the sites former uses and surrounding land uses; and
- The ground gas regime.

The site investigation was carried out in February 2016 and comprised:

- 24no. window sampler boreholes (WS01 to WS24) advanced to a maximum depth of 6.0mbgl;
- In-situ standard penetration testing (SPT) at regular intervals throughout the depth of the boreholes;
- Installation of 24no. groundwater/gas monitoring wells;
- 24no. trial pits (TP01 to TP24) advanced to a maximum depth of 4.5mbgl; and
- Permeability testing to BRE 365 standards in selected trial pits.

The boreholes and trial pits were located in identified key source areas of potential contamination as well as to provide general site coverage. The rationale behind each of the site investigation locations is detailed within the report.

The soil arisings from each hole were carefully examined for visual and olfactory evidence of contamination. Headspace testing was undertaken on-site for ionisable volatile organic compounds (VOCs) using a portable Photo-Ionisation Detector (PID).

During the site investigation a total of 109no. representative soil samples were collected from exploratory hole arisings. 30no. selected samples were analysed for the following:

- pH
- Metals (arsenic, boron, cadmium, chromium, copper, lead, mercury, nickel, selenium and zinc)
- Sulphide
- Sulphate
- Asbestos
- Polycyclic aromatic hydrocarbons (PAHs)
- BTEX (benzene, toluene, ethylbenzene and xylenes)
- MTBE
- Speciated TPH
- PFOS
- Phenols

Three groundwater samples were collected from monitoring wells where sufficient groundwater was present on 15 March 2016) and subjected to the same analysis as the soil samples (with the exception of asbestos).

The ground conditions encountered during the site investigation were found to be generally consistent with those recorded during the previous investigations. However, the Lambeth Group lithology was not confirmed during the site investigation. Topsoil was encountered across the majority of the site area and varied in thickness from 0.15 metres (WS05) to 0.50 metres (TP02 and WS09). Made Ground was encountered at approximately 8no. of the 48no. locations and varied in thickness from 0.10 metres (WS14, WS17 and TP18) to 2.90 metres (TP21). Made Ground was typically associated with areas of previous development on the site and towards site boundaries. Reworked/weathered Clay-with-Flints was encountered beneath the Made Ground in 18no. of the 48no. locations and varied in thickness from 0.20 metres (TP13, TP14 and TP16) to 2.90 metres (WS14 and TP21). The Clay-with-Flints Formation was

encountered in all 48no. locations and varied in thickness from 0.50 metres (WS02, WS03 and TP18) to 5.70 metres (WS06). The maximum depth of the Clay-with-Flints Formation was not proven in WS03, WS05, WS09, WS10, WS13, WS14, WS15, WS18, TP03, TP0, TP06, TP10, TP11, TP12, TP17, TP21, TP23 and TP24. Chalk was encountered in 29no. of the 48no. locations beneath the Clay-with-Flints. It varied in thickness from 0.40 metres (TP22) to 3.45 metres (TP20). The maximum depth of the Chalk was not encountered in any locations.

Notable volumes of groundwater were not encountered in any of the boreholes or trial pits during drilling/excavation. Following completion of works, water was identified in 12no. of the 24no. monitoring wells, although the majority of these instances relate to a small volume of groundwater present at the base of the well that is not representative of a groundwater body.

No visual or olfactory evidence of contamination was encountered during the intrusive investigation, however during a subsequent archaeological investigation a localised area of hydrocarbon contamination and several steel drums were reported to RPS. The observations were made in Trench 4, which was situated in the north-eastern area of the site in the area between TP02, TP04, WS03 and WS05. The depth of contamination was not reported to RPS, as such, further investigation/assessment has been recommended.

No elevated concentrations of volatile contaminants (>100ppm) were recorded in arisings by the PID.

In order to assess risks to future site users, concentrations of contaminants of concern have been compared to Suitable 4 Use Levels (S4ULs) published by LQM and the CIEH in 2015. The assessment has been based upon the standard commercial land use scenario with soil organic matter of 1 per cent. In the absence of a S4UL for lead, the Category 4 Screening Level (C4SL) has been selected.

A total of 28no. soil samples were analysed for a wide range of inorganic and organic determinands. Of these samples; 15no. were representative of topsoil/Made Ground, 4no. were representative of weathered/reworked Clay-with-Flints and 2no. were representative of the natural Clay-with-Flints Formation.

A comparison of soil analysis to the relevant assessment criteria was undertaken, which indicated as follows:

- 24no. soil samples were analysed for a wide range of metals. No metal determinands were identified at concentrations exceeding the assessment criteria.
- 24no. samples were screened for asbestos fibre content: 15no. samples of topsoil/Made Ground, 4no. samples of weathered/reworked Clay-with-Flints and 2no. samples of the natural Clay-with-Flints Formation. No asbestos was detected in any of the samples. No readily visible fragments of asbestos were identified during the site investigation.

- In the absence of available guidance for the assessment of acute risk from cyanide, a soil assessment criterion of 53 mg/kg has been derived utilising the methods proposed by the Massachusetts Department of Environmental Protection and the first edition of the SNIFFER framework. The maximum concentration of cyanide identified by the soil analysis was 0.4 mg/kg, therefore cyanide is not considered likely to represent a risk to human health receptors.
- 24no. soil samples were analysed for speciated TPH and BTEX. The concentrations of petroleum hydrocarbons were generally low and none exceeded the corresponding assessment criteria. In order to determine the potential cumulative effects; the Hazard Quotient (HQ) has been calculated for each individual hydrocarbon fraction by dividing the measured concentration of the fraction by the GAC value. The HQs are added to derive a Hazard Index (HI). An HI >1 can be considered indicative of a potential risk to human health. None of the calculated HI values were greater than 1 and therefore petroleum hydrocarbon concentrations identified are not considered to represent a significant risk to human health receptors.
- 24no. soil samples were analysed for a range of speciated PAHs. The sample of ashy, granular Made Ground collected from WS01 at a depth of 0.20mbgl was the only sample found to contain concentrations of PAHs in excess of the corresponding assessment criteria (AC), specifically:
 - Benzo(b)fluoranthene: 41.0mg/kg (AC - 0.99mg/kg)
 - Benzo(a)pyrene: 56.0mg/kg (AC - 35mg/kg)
 - Dibenzo(a,h)anthracene: 7.8mg/kg (AC - 3.5mg/kg)
 WS01 is located in the northwest corner of the site in the vicinity of the former tennis courts.
- 24no. soil samples were analysed for total monohydric phenols. The concentrations were generally low and none exceeded the corresponding assessment criteria.
- 15no. soil samples were analysed for PFOS. Concentrations above the laboratory detection limit of 0.0001 mg/kg were identified in 11no. samples. The detectable concentrations ranged between 0.0003 to 0.0023 mg/kg with a mean value of 0.00069mg/kg. in the absence of any published soil assessment criteria relating to PFOS, the PNEC of 0.0167mg/kg has been utilised. The maximum identified concentration of PFOS within the soil samples (0.0023 mg/kg) is significantly less than the PNEC concentration.

The report provides a summary of the assessment of soil contaminant concentrations (as identified by the two previous site investigations) undertaken by Aecom. The Aecom report did not identify any exceedances above the same assessment criteria.

Groundwater has been assessed in terms of the Principal Aquifer as this is considered to represent the primary controlled waters receptor. The results of the groundwater analysis have been compared to the relevant UK Drinking Water Standards (DWS) and Environmental Quality Standards (EQS) for freshwater as screening criteria. Samples were collected from WS02, WS09 and WS17, which were all located in the western half

of the site. Comparison of the measured contaminant concentrations against the assessment criteria identified the following:

- Groundwater pH was typically found to range between 7.4 and 7.7 which is within the assessment criteria for DWS and EQS.
- 3no. groundwater samples were analysed for a broad range of metallic determinants. No exceedances for DWS were identified.
- The highest concentration of sulphate identified was 160 mg/l, which did not exceed the DWS value of 250 mg/l.
- Cyanide was not identified at concentrations above the detection limit of 40 µg/l, which is less than the DWS of 50 µg/l.
- 2no. samples (WS02 and WS17) were analysed for speciated TPH and BTEX. DWS values are only specified for benzene (1 µg/l) and TPH Aliphatic/Aromatic Total (10 µg/l). No concentrations were identified above the detection limit of 1 µg/l for BTEX. Concentrations of TPH were identified above the DWS in both samples - WS02 (70 µg/l) and WS17 (160 µg/l). There was no apparent source of hydrocarbon contamination at these locations. The soil hydrocarbon concentrations at WS02 were less than the limit of detection. A soil sample was not analysed from WS17 but no visual or olfactory evidence of contamination was identified. The hydrocarbon contamination identified in water samples associated with WS02 and WS17 is considered unlikely to represent a risk to human health receptors and controlled waters at these concentrations. The Clay-with-Flints Formation (response zone) is not a source of drinking water and given the low permeability of the Formation, migration of groundwater and any associated contaminants within it will be limited. RPS does not consider the chalk Principal Aquifer to be at risk.
- 2no. groundwater samples (WS02 and WS17) were analysed for speciated PAHs. No DWS or EQS values are specified for several of the PAH compounds. The concentrations were low and none exceeded the DWS where available. The only PAHs identified above the limit of detection of 0.01 µg/l were fluoranthene and chrysene (both 0.08 µg/l). There are no DWS for these compounds.
- Concentrations of PFOS were not identified above the detection limit of 0.1 µg/l in any of the 3no. groundwater samples.

Ground gas monitoring was undertaken on 6no. occasions during March/April 2016. Atmospheric pressure ranged from 985 to 1020 mbar over the course of the monitoring programme. A single detectable concentration of methane was encountered during the ground gas monitoring programme. A volume of 7.1 per cent was identified in WS05 during the second visit. The maximum recorded concentration of carbon dioxide was 9.6 per cent (WS10). The maximum recorded peak flow rate encountered was 256 l/hr recorded in WS10. This reduced to 0.0 l/hr following the initial peak. A peak flow rate of 42.6 l/hr was encountered at WS03 on the same occasion, reducing to a steady flow rate of 1.0 l/hr following the initial peak. Both of these flow readings were encountered on 10 March 2016 during rapidly falling atmospheric pressure. On 23 March 2016, during low pressure (996 mbar), the maximum recorded peak flow rate (l/hr) encountered was 75.8 l/hr in WS17, reducing to 0.0 l/hr following the initial peak.

Reduced oxygen concentrations were consistently encountered in several wells and occasionally encountered in other wells.

Section 9.0 presents the findings of the updated environmental risk assessment, and specifically discusses the likelihood and significance of environmental risk to potential receptors at the site and the surrounding area, summarised as follows:

Future Site User/Occupants:

- Soil contaminant concentrations were generally low.
- The sample of ashly Made Ground taken from WS01 (0.20m) below the existing hardstanding in the area of the former tennis courts, contained three PAH compounds at concentrations greater than the S4UL assessment criteria. The risk can be controlled by ensuring that this material does not remain present at or close to the surface post development (off-site removal or relocation below hardstanding or at depth).
- With the exception of WS01 (0.20m), no other samples exceeded the S4UL assessment criteria for commercial land use.
- No asbestos fibres were identified in the 24no. samples analysed.
- PFOS concentrations were significantly less than the PNEC.
- No volatile contamination was identified in soil or groundwater samples collected from across the site.
- Ground gas concentrations were typical of natural soils with a high organic content and typical Made Ground. The risk assessment has identified Characteristic Situation 2 conditions, hence basic gas protection measures are required.
- Based on the information available; the risk to human health receptors associated with contamination and ground gas is considered to be low.

Construction/maintenance workers:

- The S4ULs cannot be used to assess acute (short-term exposure) risk.
- The limited risk to construction workers can be controlled by the use of standard PPE and by adopting high levels of personal hygiene. Providing that contractors undertake a suitable risk assessment and implement necessary mitigation, the potential risk to construction workers associated with contamination is considered to be low.

Groundwater:

- A continuous body of groundwater is not present within the Made Ground or the underlying Clay-with-Flints Formation.
- Analysis of the 3no. groundwater samples identified petroleum hydrocarbon at concentrations exceeding the DWS in the water samples associated with WS02 and WS17. Petroleum hydrocarbons were not considered to be a risk to human health and controlled waters at the concentrations identified. The Clay-with-Flints Formation is not a source of potable water and given its low permeability, migration of groundwater and any associated contaminants within it will be limited. RPS does not consider the chalk Principal Aquifer to be at risk.

- Based on the analytical data and the hydrogeological setting the risk to the Principal Aquifer associated with on-site contamination is considered to be low.
- There is not considered to be a significant risk to deep groundwater associated with the on-site sources (including current/historical land uses and the trace concentrations of PFOS in shallow soil). Deep groundwater contamination that may be present beneath the site associated with the Buncefield incident does not represent a significant risk to on-site receptors. Therefore RPS did not consider it to be necessary to investigate the quality of the Principal Aquifer associated with the Chalk Formation prior to development of the site.

Surface Water:

- No sensitive surface water receptors have been identified in the vicinity of the site.

Structures and Infrastructure – Buildings (on-site and off-site):

- Based on the ground gas monitoring undertaken on-site as part of the current investigation, Characteristic Situation 2 conditions are applicable to the site, whereby basic ground gas protection is required.
- The report recommends that BS 8485:2015 (specifically the point scoring system) be consulted when outlining/designing appropriate gas protection measures.
- Assuming appropriate mitigation measures are adopted, the risk posed by ground gas to infrastructure is considered to be low.

Polymeric Utility Pipes:

- Limited soil and groundwater contamination has been identified. The identified concentrations are not likely to represent significant risk to water pipes in accordance with UKWIR Guidance. The risk to water supply pipes is considered to be low.

The conceptual site model has been revised as follows:

- A low risk to current and future site users and construction/maintenance workers associated with the identified contamination via direct contact, ingestion of soils and dust and inhalation of vapours.
- A low risk to groundwater and surface water associated with the identified contamination via leaching and ground/groundwater migration.
- A low risk to structures and infrastructure associated with the identified contamination via direct contact.

The report concludes as follows:

- Soil contaminant concentrations were low and exceedances of S4UL assessment criteria and were limited to shallow Made Ground at a single location (WS01).
- No asbestos has been identified.
- The risk associated with the shallow ashy Made Ground beneath the former tennis court can be controlled by ensuring that this material does not remain

present at or close to the surface post development (either by off-site disposal or relocation below hardstanding or at depth), which would break the associated contaminant pathways. The risk to human health receptors is considered to be low.

- Although the underlying Principal Aquifer represents a sensitive receptor, it will be provided with a significant degree of protection by the low permeability Clay-with-Flints Formation and the upper weathered surface of the Chalk Formation. No sensitive surface water features have been identified in the vicinity of the site. The risk to controlled waters receptors associated with the site is considered to be low.
- Based on the ground gas risk assessment, Characteristic Situation 2 conditions should be assumed whereby basic ground gas protection measures are required. These should be designed in accordance with BS 8485:2015.

The report makes the following recommendations:

- If any previously unidentified underground structures or contamination is encountered during redevelopment, work in that area should halt until professional advice has been sought.
- Any waste soil or groundwater resulting from the redevelopment should be handled and disposed of in accordance with the relevant statutes and regulations.
- The redevelopment should be undertaken under a Construction Environmental Management Plan. The purpose of this is to limit the environmental impact of redevelopment on the environment.
- It would be considered prudent to quantify the concentrations of localised petroleum hydrocarbon contamination identified by the archaeological excavation subsequent to the RPS site investigation. This could be undertaken during the additional geotechnical investigation.

Comments:

- In general, I am in agreement with the findings and recommendations contained within the report.
- At the time of writing, the proposed site layout was unknown.
- Further consideration is required in respect of the PAH exceedances at WS01. Should this area be beneath a building or hardstanding then no further action is required. However, if WS01 is to be located within an area of soft landscaping, either off-site removal or relocation beneath a building or area of hardstanding is required. Confirmation will be required as to the required option.
- Section 8.2 details the ground gas risk assessment methodology but does not discuss the generation of the site specific gas screening value. The site has been classified as Characteristic Situation 2, (although the gas screening value calculation is not detailed within the main body of the report, and basic ground gas protection measures are required. The protection measures must be designed in accordance with BS 8485:2015 and their installation appropriately validated.

- I would agree that further investigation should be undertaken in respect of the localised petroleum hydrocarbon contamination identified by the archaeological excavation subsequent to the RPS site investigation.
- I have no reason to question the risk assessment and conclusions in respect of risk to controlled water.

As further investigative and remedial works are required, I recommend that the contamination conditions be applied to this development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website (www.dacorum.gov.uk/default.aspx?page=2247).

Comments received from Thames Water:

Waste Comments

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Water Comments

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

Supplementary Comments

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. It is therefore recommended that a foul water impact study for the development is carried out to confirm the extent of any network reinforcement required. We consult only on a peak flow rate and not an average. Agreed flow was assumed to be a peak value. We will have no objection if gravity connection will be replaced with pump with discharge rate 1.9l/s. Regarding surface water we have no objection to the above planning application.

Comments received from the Crown Estate:

I write on behalf of The Crown Estate (TCE) in their capacity as the Owner of the Gorhambury Estate and developer of the East Hemel mixed use proposals. This letter makes representations on the Prologis proposals to redevelop the Maylands Gateway site.

The Crown Estate have appointed Vectos to review the proposals in more detail including the technical work associated with the Transport Assessment.

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

We have considered the Transport Assessment prepared by RPS and there are a number of aspects of the report which cause us concern.

The analysis makes no reference to other studies ongoing in the area and, in particular, the Maylands Growth Corridor Study (MGCS). The MGCS is being undertaken on behalf of a joint working group including Hertfordshire LEP, Dacorum Borough Council, St Albans City and District Council, Hertfordshire County Council and Highways England. TCE have been contributing to the study in terms of financial and professional input. The study has been progressing for over 12-18 months looking at the local transport network including the area around Maylands Gateway. It is disappointing that no reference is made to the study given the wealth of information available within that study.

We also 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 which has been approved by Hertfordshire County Council and Highways England.

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. However, it is clear that the proposals will have a material effect on an already congested network.

The MGCS has identified a range of mitigation requirements for Hemel Hempstead. The study identified that in the short / medium term there is a need for improvements to Green Lane / Breakspear roundabout to cater for existing congestion and growth in the area including the Gateway site. A number of scheme options have been developed to deliver the required improvement and a preferred option is emerging.

We therefore consider that this 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.

I trust the above comments are helpful. As noted above TCE do not wish to stand in the way of this development but wish to see all developments making appropriate contributions towards infrastructure improvements in the area that will facilitate overall growth.

Comments received from Strategic Planning - Economic Development:

Prologis Application – From an Economic Development perspective this development is very welcomed. 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.

Prologis note that the proposal is for a;

“Comprehensive redevelopment of the site to provide 54,714 sq.ft. of flexible commercial floor space within Use Classes B1c / B2 / B8 and ancillary offices, together with car and cycle parking, access and landscaping”.

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.

We are fully supportive of this application and look forward to Dacorum benefiting from the economic growth this will bring

Comments received from Trees and Woodlands:

I visited this site on 20/04/17, using the public footpaths that cross the site and highway footways that extend around it.

The site is of large size and contains spread across it numerous trees, hedgerows and scrub areas. A number of issues affecting vegetation have been identified by local residents, many of whom oppose plans to develop the site. I will provide comment on these issues and on selected submitted documentation. Text in **bold** indicates a

requirement for further documentation or important processes, procedures or information that should be noted.

Loss of views / light

The effect of development on the views of local people will be significant. However, with specific regard to existing and proposed trees, there is no right to light or a view. However, given many residents opinion of planned works, they may wish to view more trees than is currently the case.

'Appendix D Representative Viewpoint Block Model Photomontages' shows a range of views of the proposed commercial units. In views from St Albans Road, there will be a significant aesthetic change to the site, but not out of keeping with the wider Maylands estate. There is existing vegetation along this boundary that will be supplemented with new planting.

From the residential section of Wood Lane End there will not be a substantial impact on views, although a number of trees on this side of the site are due to be removed. The planting of new trees is proposed in mitigation, which will soften longer views of development.

None of the photomontages provided represent the views which will be experienced by residents whose properties are directly adjacent to the site, such as Hales Park, Hales Park Close and Crest Park. Views from these properties will be dominated by the new development. Existing and new vegetation will help to mitigate this impact but the number of trees and species chosen must be carefully considered (further comment below).

Habitat loss

In my role as Tree Officer, it is not appropriate to provide comment on the wider loss of habitat. However, I can merely state that the site is used extensively by wildlife and during my site visit I saw numerous bird species, including Green Woodpecker, Sparrow, Black Bird and Blue Tit and emerging Bluebells.

The retention of trees and hedgerows is mentioned by a resident who objects to proposed development on the grounds of the loss of wildlife.

Specifically with regard to BS5837:2012 "Trees in relation to design, demolition and construction – Recommendations", surveyed trees are categorised with two designations; the first signifies the physical quality of the tree, whilst the second identifies its wider value or contribution. In short, the categories are:

A	High quality	1	Arboricultural quality
B	Moderate quality	2	Landscape quality
C	Low quality	3	Cultural value, including conservation
U	Unsuitable for retention		

Many site trees have been identified as category 3. However, it is intended within the British Standard that the presence of Low (C) quality trees will not inhibit development, regardless of the 1 – 3 designation. **A lot of site trees are classified as Category C3**

and so DBC would not insist on their retention, even though they do contribute to the wildlife value of the site.

Noise impacts

Trees have limited acoustic damping properties, and indeed are not mentioned at all within the submitted Noise and Vibration Assessment. They can positively contribute to the overall impact of noise reduction and so replacement planting around all new commercial units is welcomed, especially between the development and residences to the north-west.

Rights of Way diversions

Of those trees currently located along public footpaths and due to be removed, the majority are Category C trees and so retention would not be sought by T&W. Please refer to further comment within this document regarding screening / landscaping and footpath construction.

Landscaping

The treatment of site boundaries, especially those adjacent to residential areas, is important to mitigate the effects of development. The loss of views, sunlight or sky is a major concern for those living nearby. However, whereas existing trees previously may have been considered a hindrance to views, conversely they now could be considered as the lesser evil and preferable to the sight of new buildings.

Landscape Proposal drawings (numbers 07 and 08) indicate the position of new trees, shrubs and thickets. **Initial opinion of drawings 07 and 08 is that most landscaping proposals around the site boundaries and along internal routes are acceptable.** Specific reference to planting details is provided further below.

One aspect of Landscaping needing further discussion is that within the Unit 5 and 6 car parks. Nine trees are to be planted within the car park spaces of Unit 5 and ten within the spaces of Unit 6. **Planting in direct proximity to parked cars rarely results in any significant positive impact from trees due to the size of the planting pit usually provided.** As an example, a tree which ultimately develops a 5 metre wide canopy (similar to that indicated on plans) would require a recommended planting pit of 11 m³ (data from GreenBlue Urban Ltd). This would equate to a planting pit approx. 3 x 3 metres and 1.2 metres deep.

This soil volume per tree could be accommodated through the use of a root management system, but it is doubtful that such a device has been proposed.

If there is no intention to utilise root management devices, it is perhaps better that tree planting is restricted to car park boundaries. Confirmation whether tree planting is proposed using root management systems should be communicated to T&W.

Proposed tree planting

The majority of proposed tree species are appropriate to their indicated site location.

Informal amenity area with a mix of broadleaf species of varying sizes, leaf shapes and seasonal colours is welcomed.

Tilia cordata Greenspire is suited to planting along a main transport corridor (access to Boundary Way roundabout).

Retention of Oak and Ash along site boundaries to be supplemented with species such as *Acer platanoides* Emerald Queen, *Acer campestre*, *Betula pendula*, *Fagus sylvatica* and further Oak will create a varied green site margin with interesting aesthetic texture. Additional species like *Sorbus aucuparia*, *Prunus avium* and *Salix caprea* will provide points of visual focus whilst in bud / flower.

The extension of a line of established Beech (*Fagus*) trees along the northern edge with new plantings is welcomed in combination with secondary plantings of *Betula pendula* and *Acer campestre*.

Liquidambar styraciflua is a fantastic colourful street tree and its use along the main internal vehicular route will bring aesthetic benefit to the site. *Betula utilis* *Jacquemontii* is also suited to planting within the development, contrasting well with the *Liquidambar*.

Acer campestre Streetwise is a good compact tree that can be planted to good effect within car parking areas. However, if sufficient room is not given within the car park surface structure to root management systems, it is likely that the Acers will not thrive, or indeed survive to maturity.

Proposed planting along the rear boundary of Hales Park and Hales Park Close may require slight alteration. It is intended to plant one Oak and six Field Maple to supplement those trees to be retained. However, Field Maple will not attain the height of nearby trees or provide sufficient screening function to satisfy the needs of nearby residents. It is probable that alternating Oak and Field Maple will ultimately provide more of an aesthetic screen, with the two species growing to different, but complementary, heights.

Tree Survey

The submitted survey is accurate and conforms to British Standard 5837:2012 "Trees in relation to design, demolition and construction – Recommendations".

The submitted AIA is also accurate, meets the requirements of the British Standard and is thorough in its consideration of site issues. Specific comment is made with reference to stated paragraph numbers.

2.8 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.

2.11 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.

2.12 Poplar and coniferous trees within the northern sector relate to the former site use and are of low to moderate value only.

3.4 Landscaping space is of vital importance for nearby residential use.

3.6 The clearance of internal hedges is unfortunate. They provide a significant contribution to the aesthetic nature of the site and its use by people and wildlife. Where possible, the 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.

3.7 Woodland retention is important, with new planting necessary to mitigate this loss.

3.8 It is proposed to remove a considerable number of trees from within the site, many of them mature. Diverted footpath routing has maximised tree retention with space left available for supplementary planting. Poplar trees are to be removed whilst 3 of 4 Oaks are to be retained.

3.9 The retention of mature trees with additional young specimens is important, especially for visual amenity within the site and around the margins.

3.10 Significant development is planned close to retained trees. Construction must be carefully organised to avoid short- or long-term damage.

3.11 Agreed drainage and underground service provision is not yet submitted. These must be located to avoid RPAs and tree canopies. Detail to be submitted for assessment.

4 It is welcome that areas of potential conflict have been identified and method statements submitted to lessen impact. It's crucial that method statements are understood and implemented by site management to minimise damage.

4.12 Footpaths are proposed close to trees, and a 'minimum dig' construction proposal doesn't actually describe a construction methodology that could be followed by any site operatives. A surface design would need to be proposed to

T&W and Rights Of Way Officers and agreed by both. 'No-dig' would be a requirement close to significant site trees and all locations where this was necessary should be identified on a plan.

4.16 The removal of trees from woodland W32 should not be carried out by excavator, as is common on development sites. A line of protective fencing should be agreed around the woodland to maintain sacrosanct RPAs and be installed prior to any nearby ground works. All tree work within that protected area should be carried out by hand-carried equipment (chainsaw, powered tools) only. Stump removal could be completed by smaller-sized specialist self-driven grinding machines. The use of excavators for stump removal within RPAs is not approved.

5 British Standard compliant protective fencing is proposed. It should be installed as stated in 5.1, "prior to the commencement of all construction related work on site".

All stated guidance of section 5 should be adhered to during the construction process.

Appendix 1

List of trees to be removed is regrettably long but understood within the context of the application. It is important to mitigate the effects of large scale removal through good landscape design and implementation.

All pruning works stated is to be completed in adherence to BS3998:2010 'Tree work – Recommendations'.

Appendix 2

Remedial tree works

Sections A2.1, A2.4 and A2.5 are crucial to the retention of trees on the site.

Excavation works within or close to root protection areas

A2.6 is an important paragraph in the document. Specifically, "where practical, as much of the approved tree protection barrier is to be installed as can be achieved." This will assure the minimisation of tree damage on site more than any other measure.

Retaining structures adjoining tree protection zones

Arboricultural review as required.

Acoustic barrier construction

Arboricultural review as required, where support posts are proposed within or close to RPAs.

Footpath construction

A2.14 Arboricultural review of footpath route and widths is important following pegging out. The use of mini digger is obviously better than a larger machine but it is still vitally important to follow 'no dig' and 'minimal / minimum dig' methodologies.

A2.16 The use of footpath edging needs to be carefully considered. It is common for the benefits of 'no dig' surface installation to be undone by the excavation of deep trenches to support edging structures. **It should be necessary to submit a footpath surface design with cross-sectional drawings and dimensions for assessment, both for RPA and non-RPA areas if different designs are to be utilised.**

Wherever the potential for tree damage may arise, arboricultural review may be warranted.

Comments received from Highways:

Decision

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

Hertfordshire County Council (HCC) does not raise any objections to the proposed development, subject to the following conditions being applied: Construction Traffic Management Plan 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.

Travel Plan Prior to the commencement of the construction of the first dwelling hereby permitted an Interim Travel Plan shall be submitted, approved and signed off 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.

No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan referred to in Part A of this condition above. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan referred to in Part A of this condition 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.

Parking Layout No works shall commence on site until a scheme for the parking of cars and cycles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate car and cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport

Servicing Servicing and Delivery Management Plan – Prior to the commencement of the use hereby permitted, a Servicing and Delivery Plan shall be submitted to and approved in writing with the Local Planning Authority. The 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

Development Access A detailed plan is to be provided illustrating the junction geometries of the proposed access junctions. 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

Description of the Proposal The proposal is for the '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'.

In total, the floorspace would be provided across a total of seven units in two phases.

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).

Site Description The location of the proposed development is on land to the north of Breakspear Way. The site is bound by Buncefield Lane to the east and there is a petrol station located adjacent to the site at the southeast. The site is bound at the north by

Wood Lane End and a residential area (Hales Park). The existing site is currently vacant land on which the applicant has proposed the development.

The site is located within the identified Maylands Gateway masterplan area, adjacent to the Maylands Business Park.

History The Council's Proposals Map identifies that the northeastern part of the site is within the General Employment Area and is designated as Employment Site E2. Saved Local Plan Policy 31 sets out that Employment Site E2 (Buncefield Lane/West/Wood Lane End South), in which part of the site is located, should be used for industry, storage and distribution.

The remainder of the site is designated as Open Land and the site of the former caravan park is designated as Leisure and Tourism Site L6.

The applicant submitted a request for a screening opinion for the site, and comments were provided from HCC in May 2017.

Analysis As part of the planning application package, the applicant has provided a Transport Assessment (TA) to provide evidence to demonstrate the impact of the proposed development on the local highway network.

A Design and Access Statement (DAS) is required for all planning applications that have an impact on the highway, as outlined in Roads in Hertfordshire: Design Guide (3rd Edition). A DAS has been provided for the proposed development and is considered appropriate for the purposes of this planning application.

Following a review of the TA, additional information was provided by the applicant responding to the points raised and providing clarification.

Policy Review The applicant has provided evidence of consideration of the following policy documents in their application submissions for the proposed development:

- Department for Communities and Local Government, National Planning Policy Framework, March 2012;
- PPG Transport Evidence Bases In Plan Making and Decision Taking, March 2015;
- PPG Travel plans, transport assessments and statements in decision-taking, March 2014;
- DfT, Delivering Travel Plans through the Planning Process (2009);
- Hertfordshire County Council (HCC) Local Transport Plan (LTP3) (2011);
- HCC Transport Vision & Emerging LTP4 (2014 & 2015);
- Hemel Hempstead Urban Transport Plan (2009);
- Maylands Gateway Development Brief (May 2013);
- Dacorum Borough Council Core Strategy (Adopted Sep 2013);
- Saved Dacorum Borough Council Local Plan (Adopted 2004);
- Roads in Hertfordshire Design Guide (January 2011);

Trip Generation and Distribution Trip Generation A trip generation profile for the proposed development is provided as part of the TA.

Existing Situation The existing site has no established land use, and therefore no existing trips are associated with it.

Proposed Development Situation The proposed development site would comprise 54,715sqm of B1c, B2 and B8 floorspace.

To obtain trip rates for the proposed land uses, the TRICS online database was interrogated. This is considered appropriate. The following parameters were used for the proposed development office and retail space:

Office - 02-Employment - F Warehousing (Commercial); - No areas were excluded - GFA: 387-80066sqm; - Average Vehicle Trip Rates (Monday to Friday);

The proposed trips rates generated by the TRICS assessment for the proposed development are as follows:

Warehousing - AM Peak: 0.168 arrivals, 0.049 departures and 0.217 two-way movements - Weekday peak (1330-1430) 0.171 arrivals, 0.156 departures and 0.327 two-way movements - PM Peak: 0.058 arrivals, 0.172 departures and 0.230 two-way movements

This equates to the following traffic generation for Phase 1; - AM Peak: 45 arrivals, 13 departures and 58 two-way movements - Weekday peak (1330-1430) 46 arrivals, 42 departures and 88 two-way movements - PM Peak: 16 arrivals, 46 departures and 62 two-way movements And for the total development (Phase 1 and Phase 2); - AM Peak: 92 arrivals, 27 departures and 119 two-way movements - Weekday peak (1330-1430) 94 arrivals, 85 departures and 179 two-way movements - PM Peak: 32 arrivals, 94 departures and 126 two-way movements

The proposed land use used in the TRICS interrogation is not considered appropriate for the purposes of assessment. The trip rates used for the resulting calculations in the TA are considerably lower than can be derived for other land uses within TRICS also covered by the proposed B1c/B2/B8 classifications. The applicant should consider an alternative land use to provide a more comparable trip generation or provide additional justification for the trip rate selections. Additionally, all regions, including Greater London were selected, which is not accepted without additional justification.

Paragraph 4.4.6 of the TA assumes in excess of 1000 people would be employed on the site. As such, the predicted forecast of 119 and 126 two-way trips in the peak hours do not appear to be representative.

As part of the additional information provided, a sensitivity test was undertaken based on a 'worst case' trip generation scenario using predominantly B2 land use for the flexible units.

This equates to the following traffic generation for Phase 1; - AM Peak: 60 arrivals, 19 departures and 79 two-way movements - PM Peak: 16 arrivals, 51 departures and 67 two-way movements And for the total development (Phase 1 and Phase 2); - AM Peak: 136 arrivals, 43 departures and 179 two-way movements - PM Peak: 32 arrivals, 109 departures and 141 two-way movements

This difference is not significantly different to that presented in the TA, and as such does not materially affect the conclusions drawn from the TA. It is also noted that the vehicle mix is different for this scenario, such that the number of Passenger Car Units (PCUs) input to the traffic model is actually lower for some time periods.

Multi-modal Trip Generation Although requested in the pre-app screening response, the main body of the TA does not provide a multi-modal trip generation profile or discussion thereof, although the appendices do include multi-modal trip data. It was recommended

that a multi-modal trip generation profile be provided to demonstrate the impact the development is likely to have on pedestrian, cycle and public transport modes of travel and to better understand the likely use of public transport from this site. This multi-modal assessment was provided as part of the additional information based on the revised trip generation exercise.

Trip Distribution Trip distribution assumptions for the proposed development traffic have been provided as part of the TA. The trip distribution profile for HGVs is based on a freight management strategy. Private vehicles are assumed to be drawn to the site as follows; 10% from Hemel Hempstead, 90% from the south and east based on population densities. No additional information is provided in the TA in support of this distribution.

The distribution is explained in the additional information, with the distribution of traffic being based on a 'gravity model' type approach derived from the location of working age populations. This is considered appropriate.

Impact on the Highway Junction Assessment Committed Developments As part of the TA the applicant has considered the following sites as committed development, following consultation with DBC;

- Spencer Park residential development (DBC Planning Permission 1477/09);
- Heart of Maylands (DBC Planning Permission 00676/14);
- 47 Maylands Avenue (DBC Planning Permission 01972/13);
- Breakspear House (DBC Planning Permission 00235/11);
- Units E&F, Maylands Wood Estate (DBC Planning Permission 00738/10/VOT, 02525/06)

The traffic data for these sites extracted from the appropriate Transport Statements and Transport Assessments. This is considered acceptable.

Junction Modelling The TA included junction capacity assessments for the following junctions, as agreed in the HCC scoping response;

- Green Lane / Breakspear Way
- Breakspear Way / Maylands Avenue
- Boundary Way / Green Lane
- Boundary Way / Buncefield Lane
- Maylands Avenue / Wood End Lane

The junction modelling was undertaken and the results were presented for the following scenarios:

- 2018 Base - 2018+Development (Phase 1) - 2028+Development (Phase 1 and 2) - 2018+Committed Development - 2018+Committed Development + Development - 2018+Committed Development (Sensitivity) - 2018+Committed Development (Sensitivity) + Development - 2028+Committed Development (Sensitivity) - 2028+Committed Development (Sensitivity) + Development

This methodology is considered acceptable for the purposes of the TA.

The junction modelling results were presented by junction and for each scenario for the AM and PM peak periods. The results show that the St Albans Road/Maylands Avenue, Breakspear Way/Green Lane and Boundary Way/Green Lane junctions are operating close to or above capacity in the Base models. This is then exacerbated by the addition of traffic from the proposed development as well as background growth and committed developments.

The model outputs were provided for review as part of the additional information and were considered acceptable for assessing the impact of the development.

Mitigation

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. The Phase II scheme is set out in principle on AECOM drawing 60779140/101/04 revision A.

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 development phases and background growth to 2028.

Highway Safety As part of the TA, 5 years of collision data (2011 – 2016) was reviewed and obtained from HCC. This methodology is considered acceptable for the purposes of the TA.

There were 23 Personal Injury Collisions in the study area during the five year period. The TA concludes that 18 of these could be, at least in part, attributed to congestion.

As detailed, the applicant is proposing to provide a financial contribution of £250,000 towards mitigation measures at the Breakspear Way/Green Lane junction to help alleviate these congestion concerns.

Highway Layout Vehicle Access The applicant proposes a new vehicle access to the site from Buncefield Lane. Further, information would need to be provided to illustrate the width of the access, visibility splays, pedestrian visibility splays and the general internal layout is in accordance with guidance set out in Roads in Hertfordshire Design Guide 3rd Edition.

Additionally, the applicant would need to undertake a swept path analysis of the vehicle access justifying that vehicles can exit the site onto the highway in forward gear. Any works within the highway boundary (including alterations to the footway and the proposed site access) will need to be secured and approved via a s278 Agreement with the HCC.

As the applicant proposes a new access a Stage 1 Road Safety Audit would be required to resolve any safety problems at an early stage in the design process. The applicant has proposed 'Gateway' narrowings on Buncefield Lane and Wood Lane to prevent inappropriate routing of large vehicles. The applicant has provided vehicle tracking swept paths of emergency vehicles negotiating the narrowings.

Geometries for the proposed entrance and the exit have not been provided as part of the application submission. Exact dimensions are required to be provided in order to ensure that service and refuse vehicles can enter and leave the site safely. Geometries are required to be in line with Roads in Hertfordshire highway design guide, 3rd edition.

Whilst the extents of the current Traffic Regulation Order (TRO) for the 7.5t weight restriction on Wood Lane End/ Buncefield Lane is not changing it would need to be updated according to these proposals to allow HGV's movements on Buncefield Lane to the north of the proposed gateway. A TRO would also be required to reduce the current

national speed limit (60mph) on the open section of Buncefield Lane and the section of Wood End Lane which bounds the site. Buncefield Lane from the north of the development access to Boundary Way would be subject to a 20mph speed limit; Buncefield Lane from the south of the site access to Breakspear Way would be subject to a 30mph speed limit; and the existing 30mph speed limit on Wood Lane End west of the development would be extended past the development to Buncefield Lane.

Any changes to the local highway network would be subject to S278 agreements. A fully dimensioned plan including all the proposed amendments to the local highway network is required by the applicant.

Pedestrian/Cycle Access The access to Public Right of Way (PRoW) 51 from Breakspear Way would be maintained but relocated and resurfaced with the route linking to a new shared use foot/cycle path and the realigned PRoW 50 between Buncefield Lane and the recently constructed developments of Maylands Avenue.

As part of the proposal the current footway along the northern side of Breakspear Way adjacent to the development would be upgraded to a shared use foot/cycle way.

The shared use foot/cycleway would also be extended along Buncefield Lane past the amended PRoW 50 to Boundary Way.

The new access road would replace the current motorised traffic free section of Buncefield Lane and a shared use foot/ cycle way would be constructed alongside. The shared use foot /cycle way would therefore maintain the segregated infrastructure for access by foot and cycle. The link would be lit, representing a positive improvement to the local walking and cycling network.

Swept Path Analysis Some swept path assessments have been provided as part of the planning application. The applicant has provided swept path assessments for the following scenarios:

- a fire tender has been shown negotiating the proposed narrowings on Wood Lane and Buncefield Lane.

Inset 2 of drawing NK018403-SK001-2 in the TA shows the fire tender overrunning the footway significantly in order to turn right out of Wood Lane. This is not acceptable as it would represent a danger to pedestrians. The applicant confirmed that this was a drafting error and has provided a revised plan showing the fire tender undertaking an acceptable manoeuvre.

Swept path assessment should also be provided demonstrating the suitability of the proposed site access by those HGVs likely to use the site.

Road Safety Audit A Stage 1 Road Safety Audit would be required as the applicant has proposed changes to the adopted highway network. Additionally, any mitigation proposals would require Road Safety Audits.

Parking The applicant has stated that the proposed development comprises 543 car parking spaces, including 33 disabled spaces.

Dacorum Borough Council's parking standards set out a maximum 1 space per 40sqm of B1/B2/B8 and 1 space per 75sqm floor space of standalone B8. According to the Maylands Development Brief it is appropriate to apply 75-100% of these standards.

As such the proposal accords with the standards. However, it is ultimately the decision of the LPA to determine the suitability of the proposed car parking provisions.

Cycle Parking Provisions The applicant stated in the TA that provision of 109 short term cycle parking spaces and 107 long term parking spaces would be included as part of the proposed development. This assumption is considered acceptable for the purposes of this TA.

However, it is ultimately the decision of the LPA to determine the suitability of the proposed cycle parking provisions.

Accessibility Public Transport

BUS The nearest marked bus stops are a pair on Breakspear Way which would be within 400m of most of the site. The westbound stop has easy access kerbing but no shelter. The eastbound stop has a shelter, but no easy access kerbing. The stops on Maylands Ave mentioned in the Transport Assessment would only be within 400m walking distance for a small part of the very west of the site. There is an unmarked stop at Woodwells Cemetery but this is only served by the very limited 212 route.

Services which can be accessed from the site are as follows: Woodwells Cemetery 212 Galley Hill-Woodwells Cemetery alternate Suns only x2 per day

Breakspear Way 748/758 Hemel Hempstead-London Mon-Fri hourly during the day, more frequent am/pm peak, Sat 1-2 hrly, Sun 2 hrly 757 London (Victoria)-Luton/Legrave Mon-Fri x1/day, no Sat/Sun ML1 Rail station-Warners End (Circ) Mon-Fri am/pm peak periods only, no Sat/Sun

RAIL Hemel Hempstead station is approx 3 miles away. Trains are run by London Midland and Southern and journey time into London Euston is between 30 and 33 mins.

OTHER COMMENTS Bus service provision in the area currently caters mostly for commuters, with the ML1 running only in am and pm peak periods and the 748/758 running during the day but at higher frequency early morning/early evening. There is a wider range of services available in Maylands Avenue but these stops are over 400m for most of the site.

Accessibility to bus stops from this site is currently poor. The unmarked stop at Woodwells Cemetery is only served by a very limited service run by Community Action Dacorum, a local community transport provider. The nearest marked bus stops are on Breakspear Way. Whilst these would be within 400m of most of the site, 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.

Should this development go ahead, developer contributions will be required towards the provision of improved infrastructure at the nearest bus stops on Breakspear Way – a shelter at the westbound stop and easy access kerbing at the eastbound stop. This would cost in the region of £16,000.

Walking and Cycling The TA demonstrates that that the development site is remote from most origins and destinations. However in combination with bus travel, walking is considered attractive. The review has also found that although cycling facilities are

limited in Hemel Hempstead, the development site is well located within cycling distance of compatible residential origin/ destinations. The development provides appropriate upgrades to walking and cycling facilities in the vicinity of the site to assist with encouraging travel by sustainable modes.

Travel Plan A Travel Plan Framework has been provided as part of the application and has been reviewed by HCC Travel Plan officers;

At the moment this is a Framework Travel Plan which would need to be developed into individual Travel Plans for each site occupier. It may be that only a Travel Plan Statement is required for some of the units depending on use class and development area; guidance can be found at www.hertfordshire.gov.uk/travelplans. Some details which would need to be provided include;

- Contact details for Travel Plan Co-Ordinator (and preferably a secondary contact in case of personnel changes) to be provided on appointment.
- A statement of commitment to the success of the plan from a senior member of the occupier's management team.
- Further details of the role of the Co-Ordinator – frequency on site, time allocated to role.
- Details of any Steering Group set up – name/frequency/membership – on larger sites this can assist in overall co-ordination of the Travel Plan and assessment of any areas where action/improvement is needed if internal stakeholders meet to discuss issues.
- Identification of internal stakeholders.
- Package of measures – could also include information provision on suitable walking/cycling routes in the vicinity.
- Could consider provision of dedicated car share spaces to further encourage car share.
- Baseline mode split data – to be accurately obtained on first staff survey. For larger sites and depending on use class, multi-modal counts may also be appropriate to generate better quality data.
- Interim modal shift targets – for units where greater staff numbers and Full Travel Plan, annual targets are appropriate for each mode, for smaller units targets for years 1, 3 and 5 would be acceptable.
- Monitoring frequency – if targets are met we only require monitoring for 5 years, submission of monitoring data every year and review report for years 1,3 and 5. If targets not met, additional measures to be identified in review report and Travel Plan signed off once year 5 targets met. An evaluation and support fee would be required if the Travel Plan is secured by S106 agreement (see appendix E of our guidance).

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

Planning Obligations / Community Infrastructure Levy (CIL) Dacorum Borough Council has a Community Infrastructure Levy (CIL), which was adopted in July 2015 and therefore contributions towards local transport schemes would be sought via CIL if appropriate.

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.

The applicant has committed to providing a financial contribution of £250,000 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 will be secured through a s106 agreement.

Summary HCC as highway authority has reviewed the impact of this development on the local highway network and it has been determined that it would not have a severe impact on the safety and operation of the highway network. Therefore, HCC have no objection to the proposed development, subject to suitable conditions.

Comments received from Hertfordshire Ecology:

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

1. Herts Ecology undertook an early site appraisal for Dacorum Borough council on the northern half of this site (Coppinsfield) in January 2012. This was at the least beneficial time to undertake such a survey, although some plant species were visible. No plans or proposals were available at the time of the survey, so it was not possible to determine the likely impact of any proposals, other than the potential for significant interest being present that may otherwise influence any development. The limitations of the survey were highlighted and **one of the recommendations was to undertake a survey in the summer** to provide a more accurate understanding of the grassland communities present.
2. A pre-application comment was made on 12/5/16. **Local grassland interest was noted, the highly damaging impact of the proposals locally, the need for an updated habitat and species survey, assessment of grassland interest and Hedgerow Regulations, and in the light of this, Biodiversity Offsetting should be considered to compensate for the local losses.** There was no indication as to the existence of the habitat survey undertaken earlier in 2016.
3. A Screening Opinion was provided on 20/5/16. Whilst meeting the criteria for potentially requiring an EIA, the issue of significance was considered. Whilst a Phase 1 Habitat Survey was referred to in supporting documents, no details (time, results etc.) were provided so our comments only related to the outline reference by Savills. Herts Ecology raised concerns regarding **loss of grassland and potential reptile habitat.** There was no information to demonstrate the significance of the impact to be anything other than local and so an **EIA was not considered to be justified on ecological grounds.** However comments would still be required on further survey information. Hertfordshire Ecology did not accept that the proposals would have insignificant impacts – at least to the site **locally.** This issue remained outstanding and required addressing - a **no net loss and net gain** approach to biodiversity was stressed, following aims outlined within the NPPF.
4. A **Phase 1 Habitat Survey** was undertaken in **March 2016.** Despite this being stated as an optimal time for undertaking such surveys – and I agree that basic habitat types

can be mapped at any time – **March is clearly inadequate for determining the real quality of plant communities** with any confidence given that the full complement and abundances of plants will not be visible or very difficult to identify. During this period as grasses and herbs will not be flowering or even in leaf – many species, even perennials, will be dormant. Whilst acceptable for an initial assessment, it is not satisfactory to demonstrate a site's value if a formal opinion is required to inform advice given the impact of development proposals.

5. Other wildlife was recorded. Whilst I have no reason to dispute the results, breeding birds, invertebrates, reptiles and amphibians are likely to be inactive and certainly not displaying or showing breeding behaviour, so as a wider sample of wildlife the survey is again rather limited although potential bat roosts were checked in July. This particularly relates to **bat activity and reptiles, for which October surveys are outside of the optimum survey period**, even if weather conditions may have been adequate.

6. The site is dominated by grasslands which are considered to be heavily grazed and 'improved'. This implies they are species poor and / or improved for agriculture. I do not consider this to be the case, even from the description provided although I acknowledge the grasslands are not species-rich. 10 species are noted; I recorded 21 species with relative abundances in January 2012 from the northern section alone, and a number of additional species noted from the larger Breakspear Way sports field which was not surveyed. Whilst I did not regard the grassland to be wholly unimproved on the basis of my survey results, it was not without any interest and did justify a further survey at the optimum time. This has not been undertaken.

7. The hedgerow, scrub and woodland descriptions in the 2016 report appear reasonable.

8. **No evidence of bat roosts was found** likely to be present in the stables and trees or that wasn't assessed further. It is most likely that bats are active in and around this area but I have no reason to consider the conclusion regarding a lack of roosts is not reliable. However, whilst I do not dispute the view that it is unlikely to support regular use by uncommon species, to make such a statement with no activity surveys whatsoever on a site that will be essentially destroyed, is not acceptable in my opinion. Barbastelle bats have been recorded in Hertfordshire in urban fringe locations close to roost sites although there is no suggestion these species are likely to be present here. **However the site's use by common species should have been assessed** given that the majority of this habitat resource will be removed.

9. There was no assessment of other mammal so the presence of small mammals, deer, hedgehogs etc. cannot be dismissed although these would not represent a constraint on the proposals. Other than **badgers** I would not have expected any specific surveys to be undertaken – the hedgerows are most unlikely to support Common dormice.

10. A number of bird records were identified from the database search, although many of these may not have been from the site or reflect occasional visits. The site in supporting large areas of grassland, and a good mature hedgerow network will support a locally valuable breeding bird community, although no attempt to record this has been made. Again, this under-represents the ecology of the site. A simple **breeding bird survey** would have been expected for a development of this size and nature.

11. I agree that heavy grazing pressure will not provide particularly suitable conditions for reptiles, although a cessation of grazing or remnant edge areas will enable grass to grow and provide more suitable habitat. I would be surprised if the former caravan area with open hardstandings and grasslands would have been included within the grazed area. **Although no reptiles were discovered despite reasonable survey effort, the timing of the surveys is outside of the optimum survey period which in my view – despite the temperatures – makes the results less reliable.** However, the presence of reptiles is in itself not a reason to represent a fundamental constraint on the proposals.

12. The grasslands have been assessed to have **negligible – low ecological interest due to heavy grazing pressure.** Heavy grazing for some time will damage and degrade grassland, although this could recover if appropriate management was applied. Whilst this has not enabled flowering, seed setting or any structural diversity to be maintained in recent years the heavy grazing may not have destroyed any intrinsic botanical interest the grasslands may have supported. **Although they are considered to be improved, in my opinion they are not.** This is confirmed by the 2012 and 2017 surveys I have attached. However, I remain of the opinion that these grasslands are **not of Local Wildlife Site quality.** Whilst further surveys may identify some additional interest following the removal of grazing, I do not think that more detailed surveys during the summer would identify any further *significant* interest given the character of the grassland I consider to be present. **Consequently I do not think further grassland surveys are justified.**

13. The hedgerows, scrub and trees are considered to have more ecological interest than the grassland resource, although I am surprised that **none of the hedgerows have been subject to an assessment under the Hedgerow Regulations.** This would at least provide a measure of their importance, particularly as the hedges H2, H3, H4 (most) and H9 on the Habitat Map (and others) are to be removed. Most of the existing hedgerows either side of Buncefield Lane will also be removed to accommodate the required highway improvements. The landscape report describes the large, internal ancient hedges as: *Within the site itself there are a number of individual trees, lengths of hedgerow and small groups.* A brief view of the aerial photo shows how poorly this reflects these features and their contribution to the site character, let alone ecology.

14. In April 2017 Hertfordshire Ecology undertook a brief assessment of most of the hedgerows affected and the results are attached. It is apparent that **most of the hedges meet are 'Important' as defined by the Hedgerow Regulations.** The nature of the ancient hedgerow network and narrow green lane are typical of Dacorum on the

clay-with-flints of the Chilterns dip slope above the river valleys. The antiquity of the features is reflected in the old boundaries as shown on the historic maps.

15. The internal hedgerows are also significantly larger than the boundary hedges and so their loss in respect of the existing biodiversity resource will have an even greater impact, although the loss of the Buncefield hedges will also be highly significant. **It is proposed that replacement opportunities through the enhancement of existing green corridors surrounding the site will be sufficient.** New landscaping will also provide new habitats maintaining and enhancing connectivity where possible although the extent of these is limited – the strips of combined grassland, hedgerow, woodland and tree planting will vary from between around 5 and 12 metres in width at best, the majority being considerably **less** than half the width of the existing hedgerows.

16. Furthermore, **the proposed species are largely inappropriate to reflect the existing ancient hedgerows.** Of the 16 tree species proposed, most are ornamental cultivars and only 7 are 'native' and of these, only four were recorded as woody species on the site as part of the hedgerow survey. **No species are proposed for formal native hedgerow, indigenous hedgerow or proposed thicket mix planting,** and so I cannot provide any views on the ecological suitability of these features.

17. Even the character of the footpath will change from following an ancient, native hedgerow between semi-natural grasslands to a tarmac path adjacent to amenity grassland and ornamental ground cover shrubs. This 'pleasant greenway' with Himalayan Birch trees may be appropriate for an industrial site but it does not represent sympathetic planting or replacement of ancient features lost as a result. In this respect **it will not maintain the local, natural character of the area.** However, this is clearly not the intention of the proposals and the LPA will need to take a balanced view on the implications of this.

18. I note the landscape proposals for the hedgerow along Breakspear Way are to mimic the single species hedge opposite; this hedge is itself poor in respect of species diversity and was planted presumably when the road was created. **This standard would not now be considered ecologically acceptable** and so the proposals are also weak in this respect, particularly given the loss of a significant extent of important hedgerows within the site.

19. Consequently, **I do not consider that the proposed landscaping will compensate for the loss of these locally significant ancient features and their role within the site;** furthermore the loss of adjacent grassland will clearly further degrade the local ecological resource in itself and in connection with the hedgerows.

20. It is proposed to create an **attenuation pond** which will be planted with appropriate vegetation. Given that any significant vegetation development will degrade its SUDS role which is why the feature is being created, **I am unconvinced this will provide a significant ecological resource within the site.** Its' primary role is to retain water

when necessary, and as such if it is expected to be present as a pond and filled with water, this will limit its functionality.

21. **Badgers and bats can be dealt with as necessary** as the development proceeds following best practice. New landscaping is expected to provide new foraging resources, although given the majority of the site will be developed and the rather ornamental character of much of the landscaping, the use of such features is unlikely to be high.

22. **Avoidance of disturbance to nesting birds** during development should be a matter of best practice. Additional planting will enhance nesting opportunities where provided although it will not compensate for the loss of the hedgerows as a nesting resource.

23. The **proposed lighting scheme using warm LEDs and horizontal luminaires** does represent the least impact from an ecological perspective and as such is **acceptable**.

24. The development is considered by the applicant to have **little ecological impact** given the low ecological significance of the land involved and would be consistent with policy requirements for nature conservation. However, given the survey results and timings, and impact of the proposals, **I do not accept these views although I do not consider that the site is of sufficient value to provide a fundamental constraint**. The grassland ecology may have improved somewhat despite the recent grazing pressure given the cessation of the sports use of these areas and the change from regular maintenance to more natural grazing management, whilst the hedgerows would have continued to provide **ecological continuity and resource** throughout this period.

25. I acknowledge that some areas of the site – those most disturbed and modified such as areas of the caravan park, tennis courts etc. are of little or no intrinsic interest. I accept that any required protected species measures will be taken, although I consider the reptile survey to be unreliable. Reptiles can be re-surveyed by Condition, or the open grassland habitats increasingly shortened by cutting to reduce the potential for direct harm – at least if possible hibernation sites are not affected.

26. However, my **main concerns** relate to the following:

26.1 The grassland surveys do not properly reflect their character or local importance. However these have been recently assessed by Hertfordshire Ecology and are not considered to represent a significant value or fundamental constraint on development. However, **the impact of the grassland loss is certainly greater than implied**;

26.2 **Most of the hedgerows I consider to be Important under the Hedgerow Regulations**. No other data has been provided to indicate otherwise;

26.3 **The development impact will be substantial**, covering the majority of the site with buildings or hardstanding. Most of the existing hedgerows along Buncefield Lane

will also be removed to accommodate necessary highway improvements to facilitate access although some replacement planting is proposed;

26.4 Whilst welcome, the **landscaping is limited, lacks detail in places or is ecologically inappropriate and is relatively limited in respect of the development of the whole site**. Much of the extent of the **Green Infrastructure** resource shown on the landscaping plans **already exists** – although road boundary hedges will be partly replaced, with a loss of previous intrinsic ecological and historic value. Woodland and the amenity area habitat is already present. The principle new habitat is the SUDS feature although this may not provide a permanent pond.

26.5 The **boundary hedgerows** are significantly **smaller** than all of the internal hedgerows to be removed. The Buncefield Lane hedgerows will also be **fragmented** by the new road entrance compared to the existing position.

26.6 Given the removal of much of the existing habitat resource I consider there is clearly a **substantial net loss of biodiversity locally** which has **not been compensated** for, with no enhancement to provide any **net gain**, an expectation of development as outlined within the NPPF.

27. I am also mindful of the **local concerns regarding biodiversity**. I have no reason to dispute the claims that locally hedgehogs are present, whilst garden and other birds which benefit from the adjacent grasslands and hedgerows, scrub to be removed will be affected. I have already commented that no breeding bird survey was undertaken, but this may not have picked up all species present anyway. Species such as badger, fox, muntjac and possibly roe deer could well visit the site; the presence of reptiles also, although these were not found. Snakes can also be very mobile. Bats have been adequately assessed in respect of roosting, but no activity surveys undertaken – I agree that they are highly likely to be foraging across many areas of this site. It is disappointing that no formal records have been presented to demonstrate the presence of such species, although this is understandable given local residents obviously consider they know what is present. However this would have helped to formally raised the issue in any desk study.

28. Such sites will always support biodiversity which can survive or exploit the existing conditions. However, despite ecological losses and formal protection afforded by regulations and other legislation, **I am of the opinion this would not represent a justifiable reason to refuse the application**. Whilst collectively the wildlife resource would be heavily impacted and represent a considerable loss locally, I consider its importance is insufficient to outweigh what would be recognised as the economic value of the proposed development and its required nature. However it is disappointing **this has not been adequately considered in designing the development** to accommodate some of the existing features or if not possible, acknowledging the need for **compensation and enhancement**. That said, if the site was returned to formal sports use or continued to be heavily grazed, the ecological interest would remain degraded and probably damaged.

29. Although the site falls within the Maylands complex, it remains an area of **encapsulated countryside** providing a **soft, permeable edge to Hemel Hempstead**. Along with Woodwells Cemetery it lies adjacent to open countryside to the east, even though this is rather impoverished intensive arable land adjacent to the M1 motorway. **This resource will be lost.**

30. Given this impact there should be sufficient provisions to **retain and enhance local wildlife interest** within and adjacent to the site, even though this is likely to be impoverished compared to the more natural ecological resources currently present.

31. In this respect I note the **proposed landscaped amenity area** to the north-east of the industrial area. Although this will also require the loss of adjacent existing hedgerow, the replacement grasslands do include a thin edge of ecological grassland around an informal amenity area. This will provide a valuable recreational resource although again it will **impact upon a feature that already exists**, whatever ecological improvements are proposed. Nevertheless this area currently has **little ecological importance** and would not provide a constraint on the proposals. Whilst welcome, the ecological enhancements in the form of **wildflower grassland will not provide any significant ecological benefit** compared to the overall impact of the proposals.

32 Given that the current proposals will remove nearly all of the existing habitat, and given the limitations of the landscaping proposals within the site, **I consider the current proposals to be unacceptable given that they do not sufficiently recognise this impact or provide adequate landscaping resources within the site to compensate for or enhance the local ecology.** Whilst I recognise an application refusal is not justified on the merits of the existing interest alone, it nevertheless remains in the interests of the LPA, developer, local community and the environment to ensure that the development fully reflects its impact and delivers a scheme which is worthy of the Gateway position of the site. In respect of the natural environment I am unconvinced the proposals achieve this.

33. Notwithstanding the existing landscaping proposals, I consider this is a situation where the impact justifies some form of **Biodiversity Offsetting**. Whilst I have some concerns regarding the principle of its implementation generally, this approach:

- Is consistent with following the 'mitigation hierarchy';
- Seeks to deliver no net loss;
- Seeks to enhance ecology locally;
- Can improve the nature of a development
- Is consistent with the aims of NPPF

Where such an approach is **justified** and has a **reasonable chance of being delivered**, some form of Biodiversity Offsetting may provide an opportunity to **reduce the net impact** of the development.

34. If the proposals are considered otherwise acceptable within the context of the Industrial area, then I consider the **concerns raised above would still need to be addressed consistent with NPPF** expectations. Given there is little or no meaningful opportunity to compensate for these features and ecological resource within the site, the only option now currently available is to provide some form of additional compensation beyond the site - locally if possible.

35. If offsetting was not proposed – or it cannot be demonstrated that the existing compensation and enhancement is sufficient - then **if this proposal is not refused the LPA would have to accept that the NPPF has not been adequately followed in respect of its biodiversity expectations**. Such an approach is consistent with my previous comments on these proposals, when the full impact of the development had not been understood.

36. In the context of **offsetting**, the possibility of securing ecological management / enhancement of **an area of land immediately south of Breakspear Way** has been suggested. This area was formerly part of the original field that the road went through and is essentially of the same character of as the original grasslands to the north within the sports field. Abundant black knapweed has been observed from the road in this open, rank grassland which is consistent with Centaurea within the SE corner of the development field.

37. The area forms part of a larger Ecosite within the Herts Environmental Records centre database, '**Breakspear Way Open Space Ref. 66/050**'. The 'Compartment' is described as 'Breakspear way North of Balancing Tank'. It has encroaching scrub and was described as a weedy horse pasture. Species recorded included pignut, common sorrel, yarrow, meadow buttercup, red clover, oxeye daisy, common cat's-ear, black medick, crested dog's tail, germander speedwell. Although this includes 7 Local Wildlife Site indicator species, it was surveyed in 1992 and much has probably changed since. It does not appear to have been grazed for some years. It is believed that this area is owned by Dacorum Borough Council.

38. There is also a **small area of woodland** to the east, north of the Hotel which adds value to the site but is believed to be under different ownership – ultimately the successor to the Commission for New Towns. Described as mixed with oak, ash, hawthorn, beech and holly, the area is shown in 1879 as **an old chalk pit with trees** and part of the woodland now north of Breakspear Way. It was shown as a pit on the 1843 Tithe map and **a feature on the OS1806 map** (see Heritage Statement) so the feature and its woodland are of some antiquity. This would enhance the ecological value of the adjacent grassland. Secondary woodland appears to have encroached from here into the former open grassland, when the eastern end of the site was shown in 1992 as ruderal vegetation with adjacent hawthorn and ash scrub. Consequently a significant proportion of the former open grassland has already been lost. The area is also enhanced by the adjacent balancing pond open water feature immediately to the south, although this also dries out to leave a silt lagoon.

39. **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.

40. If a proposal is pursued to secure and enhance this area, this would require the agreement of the landowners. This is an issue with Offsetting in any event. However, if positive, the grasslands, scrub and adjacent woodland should be subject to a new **Phase 1 Habitat survey** to provide an up to date understanding of the sites and their wider wildlife potential. This would then form the basis of a **management plan**, which could take the form of an LNR brief management plan to ensure it was relatively simple but contains the relevant considerations.

41. **Any such plan would have to be to the satisfaction of the LPA (via a S106 if outside of the planning application boundary), and management subsequently secured through a S106 Management Agreement.** The production of a plan itself is insufficient as it will not ensure management is undertaken. The approach of **Biodiversity Offsetting** is for the developer to pay for the management of the site 'in perpetuity' which in practice is considered to be for a minimum of 25 years. This may require both capital and revenue works depending on what management is proposed, which would reflect the site's nature, condition and expected conservation objectives. Some limited horse or other grazing may be appropriate, although this itself may be at the expense of the grazier but at minimal rent as this would be a 'cost' of otherwise unattractive management. Without any form of grazing, a cut and lift regime would be needed, similar to Shrub Hill Common LNR in Hemel Hempstead.

42. Clearly the details of such a proposal will need to be worked up to provide for a satisfactory outcome, but I consider it is **justified** given the impact of the proposals. They would provide for an **improved response** to the impact of the development, **enhance the Gateway** by positive management for an otherwise effectively redundant piece of land and **reduce the ecological concerns** that have been raised above.

43. If the application is approved, as a **Condition** measures should also be presented which demonstrate **how any potential reptiles are going to be dealt with**, by virtue of habitat management measures. If this is not provided, further surveys undertaken at the optimum time should be undertaken to demonstrate they are not present. I consider this would be most appropriate within the former caravan park area although elsewhere if longer grass areas are allowed to develop across the site during this summer.

44. I also consider **further landscaping details** are also required regarding the **species mixes for grasslands, shrubs and hedgerows** where the LPA considers

these should contribute to the local ecological resource within the site. In some places the species proposed should also be modified to reflect the original character of the area. These would best be along the external edges which still retain an interface with wider habitat resources, rather than the internal landscaping of the main and highly modified built environment.

45. I would be happy to discuss further options and detail regarding the Offsetting approach outlined above to ensure that a satisfactory and timely outcome can be achieved.

Further comments received on 01.06.2017 in response to revisions:

The response appears to be fine, although I am not clear as to the reference to a hedgerow all along Buncefield La as this clearly isn't the case, at least on the western side where there will be several road / path breaks where the landscaping of a line of trees, thin hedges or grass take precedent. Clearly, there is still going to be significant change in character of much of this lane – it will effectively be destroyed. However I don't think we are going to get any further given the basic layout of the scheme and lack of other guidance which may have established a Masterplan for the site to take account of these features. When I surveyed the site in 2012 there were no plans, just a 'what if' scenario, which I was just about able to deal with in respect of grassland loss, but this didn't anticipate levelling the whole site. The landscaping will no doubt do its best but of the current hedgerows, at least 3/4 will be lost and their replacement will not, for the most part, replicate the existing character or extent of the resource, as is clear from the plans. Much of the replacement ones - whatever their species make-up – are very thin and will be regularly cut to a metre or so in height next to the footpaths adjacent to the car parks etc. Only the southern end of Buncefield La appears to remain less disturbed.

That said, I don't think we are likely to get any significant modifications to the design – which is disappointing and a reflection of a failure to recognise the existing nature and character of the site or ascribe any importance to it. Even they acknowledge the new character will be consistent with the existing character of Maylands – which they will say is, after all, what the purpose of the development is, so we are stuck with it. However I can't see why the Buncefield Lane grass verges cannot be of a wildflower mix instead of an amenity mix, which otherwise will be ecologically sterile. This Lane will be hedged and provide some amenity and ecological continuity on the edge of the site (not within the site) so I can't see why this should not benefit from a few wildflowers as well. This should be considered by the applicant.

However on balance I don't think it's worth making any more of a fuss over – and it appears they have made changes. The impact has been used to flag up the site to the south, and in this respect has done some good so we need to focus on that.

Presumably there will still be some form of landscape management plan to support the landscaping proposals? This would describe the proposed management and it is important that this is provided to the satisfaction of the LPA to ensure that where possible the features provide a robust and prominent landscape feature in the longer

term rather than areas of green on a plan which in practice may be insignificant visually or ecologically if heavily trimmed. The plans are all we have at present I believe. A landscape management plan could be provided as a Condition of Approval.

However, other than the Buncefield lane wildflower verges, I think what has been provided will be acceptable – the species mixes have been listed or described and these are acceptable, which essentially deals with para 44.

Comments received from Hertfordshire Fire and Rescue Services:

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

ACCESS AND FACILITIES

1. Access for fire fighting vehicles should be in accordance with The Building Regulations 2000 Approved Document B (ADB), section B5, sub-section 16.
2. Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 18 tonnes.
3. Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle designed on the basis of Diagram 50 in section B5 of The Building Regulations 2000 Approved Document B (ADB).

WATER SUPPLIES

4. Water supplies should be provided in accordance with BS 9999.
5. This authority would consider the following hydrant provision adequate:
 - Not more than 60m from an entry to any building on the site.
 - Not more than 120m apart for residential developments or 90m apart for commercial developments.
 - Preferably immediately adjacent to roadways or hard-standing facilities provided for fire service appliances.
 - Not less than 6m from the building or risk so that they remain usable during a fire.
 - Hydrants should be provided in accordance with BS 750 and be capable of providing an appropriate flow in accordance with National Guidance documents.
 - Where no piped water is available, or there is insufficient pressure and flow in the water main, or an alternative arrangement is proposed, the alternative source of supply should be provided in accordance with ADB Vol 2, Section B5, Sub section 15.8.
6. In addition, buildings fitted with fire mains must have a suitable hydrant sited within 18m of the hard standing facility provided for the fire service pumping appliance

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).