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Head of Planning**

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13 November 2020

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS
2017**

Dear Mr Davey,

Application Reference: 6/2020/2211/EIA

Proposal: Request for a Scoping Opinion at the North Side of the Former Shredded Wheat Factory, Bridge Road, WGC.

Location: Former Shredded Wheat Factory Bridge Road Welwyn Garden City AL8 6UN

This letter documents the findings of a review of the Shredded Wheat Factory (North Side) Environmental Impact Assessment (EIA) Scoping Report (the 'EIA Scoping Report'), prepared by Entran Limited (Planning Ref. 6/2020/2211/EIA dated 20 August 2020). In formulating this Scoping Opinion the following has been taken into account:

- Environmental Impact Assessment Scoping Report, prepared by Entran Limited, dated 20 August 2020;
- The specific characteristics of the particular development;
- The specific characteristics of development of the type concerned; and;
- The environmental features likely to be significantly affected by the development.

The Site

The Site covers an area of approximately 4.5 hectares (ha) and falls within the administrative area of Welwyn Hatfield Borough Council (WHBC). The site is bound by, Broadwater Road (A1000) to the East, the East Coast Mainline railway to the West, Hydeway to the South and Bridge Road to the north.

The site is included as part of a larger land allocation, in the WHBC Proposed Submission Draft Local Plan 2016, for mixed use redevelopment. It is noted that the Local Plan is currently at public examination.

Full planning permission to redevelop the former Shredded Wheat Factory to accommodate up to 1,340 homes in a mix of tenures and a range of non-residential uses (ref: 6/2018/0171/MAJ) was granted in February 2019 and remains extant ('Extant Planning Permission'). The consented scheme was granted following consideration of the environmental impacts of the development and relevant cumulative developments presented within a single EIA for the whole site.

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The wider site benefits from a previous hybrid planning permission for a mixed use development (N6/2015/0294/PP) which was granted on 18th August 2017, together with an associated Listed Building Consent (N6/2015/0293/LB) and planning permission for footbridge improvements (6/2016/0457/FULL).

The Proposal

Based upon the information set out in the EIA Scoping Report, the hybrid planning application for the Proposed Development will comprise of full details for approximately 795 dwellings (a mix of Class C3 and C2 dwellings), a community and commercial hub comprising Class E and F1 floorspace, associated car parking and cycle hub; details of access, landscaping, public art and supporting infrastructure; outline details will be provided for approximately 415 residential dwellings (Class C3).

In due course, Wheat Quarter Limited (the 'Applicant') will be submitting a hybrid planning application in respect of the Proposed Development. The hybrid planning application will be submitted to and determined by WHBC.

Under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (as amended), (the 'EIA Regulations'), the Applicant recognises the need for the Proposed Development to follow the full EIA process, culminating with the preparation of an Environmental Statement (ES), which will be submitted in support of the hybrid planning application. Accordingly, the Applicant has commissioned Entran Limited as Lead EIA Consultant for the Proposed Development.

Consultation

Regulation 4(5) of the EIA Regulations 2017 states that *"the relevant planning authority or the Secretary of State must ensure that they have, or have access as necessary to, sufficient expertise to examine the environmental statement"*. The planning authority therefore instructed Waterman to review, undertake and advise on the Scoping Report.

As required by Regulation 2 (1) of the EIA Regulations 2017 the Scoping Report was sent to consultees. In addition, a number of other consultations were carried out at the Local Planning Authority's (LPA) discretion with various technical specialists. Copies of their responses will be shared directly with you and are also available on the council's website for your information. It is considered that sufficient information has been provided enable a scoping opinion.

Review of the overall approach to EIA

3.1 Review in context of EIA legislation

The Proposed Development constitutes 'EIA Development' given that it falls under the Schedule 2, Category 10b infrastructure projects: urban development projects, and exceeds the 150 dwellings threshold. However, no reference has been made to Schedule 3 – Selection Criteria for Screening a Schedule 2 development, and it is therefore understood that the Proposed Development shall be considered EIA development by virtue of the previous planning applications for the site, which were screened in.

Table 2 identifies whether the Scoping Report meets the requirements set out in Part 4, Regulation 15(2)(a) of the EIA Regulations.

Table 2: Review of the EIA Scoping Report in respect of the EIA Regulations

EIA Regulations requirement	Requirement met in the EIA Scoping Report?
i) a plan sufficient to identify the land;	Yes. A plan is provided as Figure 1 which identifies the site location. However, it is noted that this plan is of poor quality, whereby road names / building names / identifying features are illegible, nor is it at a scale which is suitable to

	identify the surrounding area. There is no key, scale or north arrow; it is only when reading paragraph 2.2 that it is made clear that Figure 1 shows the planning application boundary.
ii) a brief description of the nature and purpose of the development, including its location and technical capacity;	Yes. A description of the location of the Site and the surrounding area is provided within Section 2 of the Scoping Report. This is considered to meet the requirements of the EIA Regulations. No. A very brief description of the Proposed Development is provided within Section 3 of the Scoping Report; however, it lacks any detail other than approximate numbers of dwellings. In order to scope the EIA to be determined it would be expected that some description of the physical scale of the Proposed Development, such as maximum building heights / storeys should be set out. Section 1 refers to the extant permissions which apply to the site and wider site, but it is not clear which elements of these permissions will be extinguished as a result of the Proposed Development.
iii) an explanation of the likely significant effects of the development on the environment; and	Yes, likely significant effects of the Proposed Development are identified within each separate topic text within Sections 6 – 15 of the EIA Scoping Report. It should be noted that these are limited due to the inadequate description of the Proposed Development.
iv) such other information or representations as the person making the request may wish to provide or make.	Yes, these are provided, where necessary, throughout the Scoping Report.

3.2 Site and the surrounding area

The description of the site and its surrounding area, within Section 2 of the Scoping Report, is considered adequate for the purpose of EIA Scoping. However, a greater level of detail will be required within the forthcoming ES. It is recommended that the ES is supported by plans of a suitable scale and quality to identify the site and wider context of the surrounding area.

3.3 Description of the Proposed Development

The description of the Proposed Development, provided within Section 3 of the Scoping Report, provides insufficient information about the proposals. Whilst it is appreciated that the plans may still be evolving, it is recommended that for the purpose of EIA Scoping, the upper/maximum number of dwellings are presented, rather than approximate for the detailed and outline elements of the application. In addition, the description does not provide any indication of the likely floorspace, proposed for the community and commercial hub uses. Section 7 'Wind Analysis and Pedestrian Comfort' of the Scoping Report suggests that there will be tall buildings, however the description of the Proposed Development, within Section 3 omits any information with regard to maximum building heights and this should have been provided. Without this detail it is not possible to determine in the scope for the technical assessments is appropriate, and indeed whether further technical assessments should be scoped in.

It should be noted that in Part 5, Regulation 18 (4)(a) of the EIA Regulations, the ES must be based upon the most recent Scoping Opinion, so far as proposals remain materially the same as the Proposed Development within the Scoping Report; therefore any material changes to this may be subject to further scoping. Without a more robust description it is not possible to determine if the proposals have materially changed from that set out in the Scoping Report and whether the scope of the EIA continues to be appropriate.

The site is covered by a series of planning consents, however, it is unclear from the Scoping Report, what aspects of those planning permissions will be extinguished as a result of the Proposed Development. The planning history and changes to the permissions should be set out in the forthcoming ES.

3.4 Proposed approach to the EIA

It is noted that each environmental topic will have its own methodology, which should be detailed within the forthcoming ES. The general approach to the EIA within Section 4 of the Scoping Report is generally deemed reasonable, with the following points noted.

3.4.1 Competent experts

It is noted that the EIA Regulations state that “*the developer must ensure that the environmental statement is prepared by competent experts*” and “*the environmental statement must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts*”. It would have been helpful if details were provided within the EIA Scoping Report of the organisations or competent experts that have provided input to the document; such details should be provided within the forthcoming ES.

3.4.2 Residual effects and mitigation

It is noted that as the assessment progresses, and where significant adverse impacts arise, mitigation may be ‘in-built / inherent’ to the design as it evolves. Therefore, the impact assessments and residual effects would be considered against a ‘mitigated’ scheme. It would be helpful if each environmental topic could indicate, at the start of their respective Chapter, what specific measures have been included in the design to mitigate potential impacts. Any additional measures, required to mitigate any residual effects, which cannot be ‘built-in’ or are subject to further works, should be included within the mitigation section as normal.

3.4.3 Cumulative development

Whilst EIA Scoping considers the combined effects arising from the Proposed Development in conjunction with other developments (Type 2) is considered adequate, the Scoping Report lacks any reference to the assessment of combined or in-combination effects of individual effects from the Proposed Development upon an individual or set of defined sensitive receptors (Type 1).

3.4.4 Monitoring

It is noted that there is no provision of a section within the ES summarising monitoring. Reasonable justification should be provided if this is not to be included within the forthcoming ES.

3.5 Proposed scope of the ES

This briefly outlines the approach to the scoping request. The proposed assessment to be included within the ES as outlined in Section 6 - 15 of the Scoping Report is accepted, with the following points noted. The proposed assessments to be included within the ES (air quality; wind analysis and pedestrian comfort; noise and vibration; townscape and visual; biodiversity and nature conservation; water quality, hydrology and flood risk; soils, geology and contamination; and transport and access) are accepted, however, these should be reviewed in light of a further more detailed description of the Proposed Development. In addition to this, if there are any topics that needs to expand or be explained further within the ES or through the submission of separate assessments this is raised below.

Please note this assessment must be read in conjunction with the consultee responses received and subsequently shared with you. This assessment is based on the details as submitted, advice received from Waterman Infrastructure & Environment Limited as commissioned by WHBC and the responses received from consultees within the timeframe for scoping this ES. These responses received have been shared with you directly via email.

3.5.1 Overview of Scoping for Environmental Topics

Air Quality

It is agreed that the ES should include a chapter dealing with air quality. The site is located in an area of the town that is subject to significant vehicular traffic flows, in particular along Broadwater Road and Bridge Road. There are a number of sensitive receptors within the vicinity of the site, in particular residential development to the south (phase 1 consented Shredded Wheat scheme being built out; former Roche factory site), east (Peartree) and west (Stonehills, beyond the Howard Centre). There is the potential for air quality impacts to result from both the construction and operational phases of the development, due to the generation of dust during demolition and construction, and additional vehicular traffic once the development becomes operational.

The Council's Public Health and Protection Officer advised that any air quality impact assessment submitted should evaluate and assess the following pollutants, PM10, PM2.5 and Nitrogen Dioxide. The report should also demonstrate potential effects on future residents from current pollution levels and the resultant effect the Proposed Development will have on local pollution levels. If the report demonstrates that there will be an increase/impact on pollution levels then mitigation will be required in the form of electric vehicle charging points and the promotion of green travel such as cycling facilities.

Further to the above, Hertfordshire County Council (HCC) Public Health Officer advises that no air quality assessments are undertaken until the layout of the scheme has been agreed. This is particularly important for the location of care homes. All populations are sensitive receptors, but the effects of exposure to poor air quality are greater for children, older adults and people experiencing poor health. As such, HCC Public Health Officer recommends regard is given for the National Institute for Health and Care Excellence (NICE) 2017 Guidance on Outdoor Air Pollution, as well as the 2019 Quality Standard (QS181) which covers road-traffic-related air pollution and its impact on health. The Quality Standard describes high-quality actions in priority areas for improvement, with Quality Statement 2 focussed on planning applications.

In addition to the above matters regarding waste, Environment Agency (EA) has commented that following construction, the air quality at the development site may also be affected by the British Lead Mill (BLM) site, which lies 150m from the Proposed Development. This site operates under an Environmental Permit from EA. The BLM site includes a stack emitting substances at a similar elevation to the upper flats. Due to the proximity between the development and the emission of potentially harmful substances, the plumes may not have space to disperse and may create atmospheres in the flats which are detrimental to health. As the developer is the "agent of change" they are responsible for the assessment and re-modelling of emissions from the stack and should contact BLM to acquire emissions and modelling data to make this assessment.

Wind Analysis and Pedestrian Comfort

It is agreed that the ES should include a chapter considering this topic. It is noted that the scoping report suggests that buildings of up to 10 storeys high may be included in the development. Due to the proposed height, there is potential for significant impacts on the flow of wind around the site and this should be taken into account in the design of the scheme to ensure that a comfortable pedestrian-level wind environment is achieved.

Noise and Vibration

It is agreed that the ES should include a chapter considering this topic. It is agreed that the proposal has the potential to have significant effects with regard to noise and vibration during both the construction and occupation phases.

The Council's Public Health and Protection Officer has provided detailed comments with regard to noise and vibration in response to the Scoping Report. These comments have been shared with you but are summarised here. You are encouraged to engage directly with the Council on this matter.

In terms of sound insulation, you should ensure the indoor ambient noise levels in living rooms and bedrooms meet the standards within BS 8233:2014. Relaxed noise levels in BS 8233:2014 will not be accepted in living rooms and bedrooms. Internal L_{Amax} levels should not exceed 45dB more than ten times a night in bedrooms. Where opening windows raises the internal noise levels above those within BS8233, the mechanical ventilation will need to be installed, with ventilation rates required to meet those found within The Noise Insulation Regulations 1975.

Alternative methods (such as passive systems) and rates can be considered, however, evidence that overheating will not occur will need to be provided in the form of a SAP assessment conducted with windows closed, curtains/blinds not being used, showing the required ventilation rates to ensure that the medium risk category is not exceeded. Details must be provided of the ventilation system to be installed and to demonstrate that it will provide the ventilation rates shown in the SAP Assessment. Outdoor amenity areas will need to meet the 55dB WHO Community Noise Guideline Level.

You also need to consider and assess the impact of new plant and equipment in accordance with BS4142:2014. When noise sources show signs of tonality noise levels should be 10dB below background noise level at the nearest receptor location. In instances where the noise source presents no tonality the noise level should be 5dB below the background noise level at the nearest receptor location.

Townscape and Visual Impacts

It is agreed that the ES should include a chapter considering this topic. It will be important that the Townscape and Visual Impact Assessment (TVIA), and the associated chapter of the ES relates to the chapter addressing Heritage Impacts as it is considered that the two are inherently linked.

Notwithstanding this, due to the height of the buildings proposed, and the topography of the surrounding area, there is the potential for significant townscape and visual impacts to result. Your reference to the 2016 and 2019 TVIA, for the previous planning applications, is noted as is the list of viewpoints to be updated and assessed as part of the 2020 TVIA. I advise you also include viewpoints from Hatfield Registered Parks and Gardens.

Historic England commented that the assessment proposes to include an updated Landscape and Visual Impact Assessment following those carried out in 2016 and 2019 for the respective consented schemes on the site. Historic England consider this to be a prerequisite in light of the substantial height and scale of the proposed buildings. I advise you discuss and agree the list of viewpoints with Historic England.

Biodiversity and Nature Conservation

It is agreed that the ES should include a chapter considering this topic. The scoping request is for a proposal that does not appear, from the information provided, to affect any nationally designated geological or ecological sites (Ramsar, SPA, SAC, SSSI, NNR) or landscapes (National Parks, AONBs, Heritage Coasts, National Trails), or have significant impacts on the protection of soils (particularly of sites over 20ha of best or most versatile land), nor is the development for a mineral or waste site of over 5ha. The methodology set out in your Scoping Report is supported and you are advised to consider the advice set out by Natural England in their representation to this scoping opinion, presented in annex to their letter.

HCC Ecology Advisor agrees with the ecological assessment methodology as proposed in the accompanying Scoping Report. You should ensure you give careful consideration towards the potential presence of peregrine falcons. HCC Ecology Advisor continued stating that, notwithstanding the above, the application must embrace the requirements of existing and emerging policy and legislation to deliver a biodiversity net gain. Whilst a 10% gain is not yet mandatory, it is quite possible it could be by the time any formal application is determined. All landscaping proposals should ideally be accompanied by a fully populated, contemporary, biodiversity metric supported by an adequately detailed statement that explains how particular scores have been determined. The 'enhancement' proposals as described in the 2017 report are not now considered acceptable.

In addition, consideration needs to be given towards the recreational impacts on Sherrardspark SSSI/LNR/LWS and the nearby 'Dismantled Railway East of Sherrardspark Wood Local Wildlife Site (LWS). Whilst it is not suggested that there is a need for visitor surveys, potential impacts should be addressed. Given the distance to Wormley-Hoddesdon Park Woods SSSI/SAC, harmful effects are considered unlikely and Natural England doubt there will be a requirement for a Habitats Regulations Assessment. However, this specific point must be explored in future applications.

It should be noted that reliance is placed on ageing evidence with the Phase 1 survey dating from 2017 and 2015. Whilst acceptable for the purposes of this scoping opinion, it would not be adequate to support planning applications. All information used to inform specific applications must be up to date to conform to best practice as indicated in this Scoping Opinion.

Water Quality, Hydrology and Flood Risk

It is agreed that the ES should include a chapter considering this topic. Having reviewed the sections of the report relevant to protection of groundwater, EA have commented that the main issues have been identified and set out sufficient steps to address them. EA continue discussing groundwater protection, adding that they are pleased to see the Scoping Report identifies drainage and piling as key risks.

The Lead Local Flood Authority (LLFA) also reviewed the Scoping Opinion and their full comments can be read within HCC Growth & Infrastructure Unit's written response, which I have shared directly with you. Within the letter, the LLFA advise that a surface water drainage assessment should be carried out to demonstrate that the Proposed Development does not create an increased risk of flooding from surface water to the development site and the surrounding area. It is noted that you intend to submit a Flood Risk Assessment (FRA), which is advised. Paragraph 11.8 of the report is also welcomed, where you intend to consult the LLFA to confirm the scope of the FRA and to identify any key issues in relation to flood risk will be carried out.

As expressed within LLFA's response, SuDS treatment stages should be provided to manage any potential contaminants from surface water run-off from car parking areas and access roads. It is recommended that within any highway design, space is incorporated for SuDS in order to achieve adequate management and treatment of road run off. Additional management and treatment will be required for larger spur roads discharging into a Main River. You should also ensure details of required maintenance of any SuDS features and structures and who will be adopting these features for the lifetime of the development is provided. LLFA's comments provide more detail on matters relating to water quality, hydrology and floor risk. You should ensure you address all the points raised within the LLFA's response, which I have shared with you.

Thames Water advise that the following issues should be considered and covered in either the ES or planning application submission; the developments demand for Sewage Treatment and network infrastructure both on and off site and can it be met; the surface water drainage requirements and flood risk of the development both on and off site and can it be met; build-out/ phasing details to ensure infrastructure can be delivered ahead of occupation; and any piling methodology and whether it will adversely affect neighbouring utility services.

Soils, Geology and Contamination

It is agreed that the ES should include a chapter considering this topic. The site has been subject to extensive testing and monitoring work over recent years and is known to be contaminated in parts. Having regard to the sensitivity of the water environment in the locality there is the potential for negative impacts to result from the historic contamination at the site. The methodology for considering these issues set out in your scoping report is supported.

Heritage

It is agreed that the ES should include a chapter considering this topic. The development relates directly to the Former Shredded Wheat Factory (Grade II Listed), within the site and directly affected. The site is also surrounded by other heritage assets, including but not exclusive, the within the site and directly affected, Former Roche Products Factory Office Block (Grade II), abutting the southern

boundary of the site and affecting its setting, Welwyn Garden City Conservation Area, close to the western boundary and affecting its setting and Hatfield House and Park and Garden (Grade I listed/Registered) approximately 4km to the south of the site and affecting its setting.

The scoping down of the heritage assessment, within Section 13 of the Scoping Report, is considered to be generally acceptable. Historic England add that the assessment should clearly demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by this development have been included and can be properly assessed. It is important that the assessment is designed to ensure that all impacts are fully understood. Section drawings and techniques such as photomontages are a useful part of this. Further justification is also required regarding the scoping out of the assessment of the development effects on the Peartree Conservation Area; the justification refers to the distance, but this distance is not stated within Section 13.

In terms of archaeological implications the Scoping Report states that the effect on buried heritage is considered to be insignificant and is scoped out of the EIA. However, due to the lack of archaeological evaluation on site, the effect on buried heritage cannot be known at this time. Notwithstanding this, the potential for buried heritage to be impacted by development is comparatively low due to the probably effects of 20th Century construction. On advice from the County Council Archaeologist, it is agreed that the archaeology may be scoped out of the EIA and are likely to advise that archaeological investigation should take place as a condition on any planning consent.

Socio-economics

It is agreed that an ES should include a socio-economic section. Paragraphs 14.2 and 14.3 of the report are also welcomed, and agreed with, in that the development would increase the demand for early years childcare, primary school and secondary school places being identified as a potential impact which the socio-economic assessment would examine. It is unclear whether the library and youth service provision is included under the potential impacts on leisure and community facilities in paragraph 14.3 of the report. You are advised to provide an assessment of library and youth service provision.

There is a need to facilitate the provision of accessible homes for the elderly and persons with disabilities, as well as potentially, special needs housing and housing for the frail elderly. It is unclear what phase of the development this would be developed. The special needs accommodation which often needs to be affordable and socially rented may already be being provided in phase 1 of the extant planning permission. It should be noted that along with the assessment of the provision of new homes, local evidence of need can be prepared with the Adult Care Services Department (ACS) of the County Council.

As an additional point, any transport infrastructure improvements that are designed to assist with reducing negative socio-economic impacts and adding socio-economic benefits and will be assessed in the ES should consider alternatives means of transport to the private car. This is in line with The Local Transport Plan (LTP4). You should ensure you address all the points raised within HCC Growth & Infrastructure Unit's response, which I have shared with you.

Furthermore, the scope of the socio-economic assessment, within Section 14 of the Scoping Report, makes no reference to the proposed commercial hub element of the Proposed Development and the potential for creating jobs and worker spending during operation; the creation of jobs seems focused on construction, and the spending from workers during this period, and spending by residents only during operation. Nor does it make any reference to the assessment of health impacts. A human health assessment is not included in the scope of the Socio-economics, Population and Human Health Chapter, nor has it been scoped out or otherwise 'signposted' within the proposed ES structure. This omission should be addressed, prior to adopting a Scoping Opinion.

In short, the County Council as Public Health Authority supports the undertaking of a separate Health Impact Assessment (HIA) to assess the population and human health impacts of Proposed Development. Public Health consider a HIA to be a tool that can assist development applications in meeting the human health requirements, demonstrating both the positives of the proposal as well as identifying any unintended consequences. HCC has adopted a HIA Position Statement, which sets

out the recommended frameworks to use for each stage of the HIA process. You should refer to their consultation response, which provides further detail on this matter.

Transport and Access

It is agreed that the ES should include a chapter considering this topic and that a Transport Assessment (TA) and a Travel Plan should be prepared. With respect to Transport and Access, the inclusion could be reconsidered to deliver a more proportionate scope, as the environmental impacts could readily be considered in the other technical assessments. Regardless a TA would be required to support the application and should contain information on all transport related effects including noise, vibration and air quality.

Highways England have commented on the Scoping Report and have asked that particular consideration is given to the trip generation and consequent effects on Junctions 4, 5 and 6 of the A1 (M). In particular whether there would be any adverse safety implications or material increase in queues and delays on the strategic road network during either construction or operation of the development. Highways England also recommend that tangible targets are identified within the Travel Plan which will allow progress to be monitored during the lifetime of the development and assess if the measurements put in place are sufficient. You should refer to Highways England's comments as they expand on what should be included within the Travel Plan.

3.5.2 Scoped out topics

Waste

It is noted that waste arising from the Proposed Development is to be scoped out of the ES. However, due to the scale of the development, it is considered that waste arising during the construction phase is likely to be significant and therefore waste matters should be scoped and assessed within the ES. This view is shared with both HCC and the EA.

The ES should outline how construction and demolition waste will be managed, as the development has the potential to give rise to a very large amount of construction, demolition and excavation waste. Given the significant capacity gap in this area, it is important that every effort is made to reuse and recycle as much of this waste on site as possible with a target of 95% diversion from landfill.

In addition, regard should be given to the design of new housing development to ensure waste collection vehicles can gain access for the collection of household waste and recyclables.

It is welcomed in paragraph 16.3 of the report that a Site Waste Management Plan (SWMP) would be prepared for the proposed development prior to demolition and construction works commencing. You should ensure information is included outlining the quantum of storage proposed together with the arrangements for movement and collection once the Proposed Development is complete and operational. You should ensure you read and action the comments relating to waste made by HCC Growth and Infrastructure Unit and the EA. Both sets of comments have been shared directly with you.

“Section 12- 12 Soils, Geology and Contamination” confirms stockpiles of demolition waste are currently present on site, and that this waste may contain hazardous substances. Therefore, this waste may pose a risk to the environment and human health. As controlled waste this must be disposed of in line with waste legislation.

You should ensure you read and action the comments relating to waste made by HCC Growth and Infrastructure Unit and the EA. Both sets of comments have been shared directly with you.

Major Accidents and Disasters

It is agreed that major accidents and disasters can be scoped out of the EIA (Section 16 of the EIA Scoping Report) as a topic specific ES chapter. Whilst we agree with the approach, the assessment of transport impacts does not seem appropriate in the context of major accidents and disasters.

Further consideration should be given to Transport and Access as set out in Section 3.5.1 of this report.

3.5.3 Topics neither scoped in or out

Climate change and greenhouse gas emissions

Whilst Section 18 of the Scoping Report indicates that the impacts of climate change will be assessed within individual chapters, where relevant; those chapters and the proposed methodology need to be identified in the Scoping Report to ensure that the appropriate assessment can be agreed in the Scoping Opinion. IEMA’s EIA guidance on Climate Change Resilience and Adaptation should be taken into account in the ES. The guidance recommends the following emissions scenario should be used, RCP 8.5 in the latest UKCP18 projections at the 50th percentile, for the 2080s timelines, unless a substantiated case can be made for not doing this.

There is no reference to the assessment of greenhouse gas emissions within the EIA Scoping Report. The UK has legally binding greenhouse gas (GHG) reduction targets. Assessment of GHG emissions is absent from the EIA Scoping Report, with no justification provided to scope it out of the EIA. An agreed scope for the assessment of the greenhouse gas emissions resulting from the Proposed Development should be agreed and set out in the ES.

Daylight, Sunlight, Overshadowing and Solar Glare

No reference is made to the requirements for a Daylight, Sunlight, Overshadowing and Solar Glare assessment. Given that a wind microclimate is scoped in, it is considered that as a minimum further information should be provided to demonstrate why these issues, or a number of them, have been scoped out, or in. As well as the impact on existing receptors, those introduced by the Proposed Development and other cumulative schemes should be considered. Furthermore, the proximity of the railway may require consideration with respect to solar glare.

3.5.4 Cumulative Effects

How the cumulative effects are presented should also be considered. As set out in paragraph 4.18 of the EIA Scoping Report, it is currently proposed that inter-development (Type 2) cumulative effects are assessed and presented in each technical chapter. However, there is no mention of the assessment of intra-development (Type 1) cumulative / in-combination effects in either Section 4 or 17 of the EIA Scoping Report. Whilst cumulative schemes have been identified in Section 17 of the EIA Scoping Report, it is unclear what criteria have been applied to identify them, therefore, it is difficult to determine if the selection methodology is appropriate for the Proposed Development. You are recommended to check that the criteria is agreed and included in the Scoping Opinion.

In addition to the above, it is essential that all elements of the ES address the potential environmental impacts in terms of the cumulative effects of this proposal and other existing and committed development in the area and with respect to the emerging Local Plan. This question will need to be addressed in the ES and planning statement. To assist you with this please see below a table comprising of existing and committed development in the area that should be considered in addition to those outlined at paragraph 17.4 in Table 2 of your Scoping Opinion.

Table 1: Existing and Cumulative Development in the Area.

Site Name	Location	Description
Accord House 28 Bridge Road East Welwyn Garden City AL7 1HX	524364, 212967	Removal of roof and addition of three new floors of residential accommodation comprising 24 x 1 bed flats and 1 x 2 bed flat. Details available on Welwyn Hatfield Borough Council online planning portal 6/2018/2472/MAJ

73 Bridge Road East, Welwyn Garden City, AL7 1UT	524760, 212826	Erection of two new buildings comprising 111 residential apartments. Details available on Welwyn Hatfield Borough Council online planning portal 6/2020/2268/MAJ
37 Broadwater Road Welwyn Garden City AL7	524210, 212550	Construction of 22 x 2 beds and 2 x 3 bed apartment with 26 car parking space. Details available on Welwyn Hatfield Borough Council online planning portal 6/2018/2387/MAJ
Former Roche Building, Broadwater Road, Welwyn Garden City, Hertfordshire, AL7 3AY	524098, 212527	Erection of 209 dwellings and the retention and alteration of the existing listed building for community uses, together with associated open space, landscaping, car parking and new access arrangements Details available on Welwyn Hatfield Borough Council online planning portal N6/2010/1776/MA Change of use of former Roche Products Factory (Class B offices, research and manufacturing) to provide 34 residential units (Class C3) across basement, ground and first to third floors, with associated external alterations including excavation to the rear lightwell of southern elevation, additional and altered fenestration to the northern and southern elevations, creation of additional car parking and associated landscaping, together with internal alterations including the subdivision and reconfiguration of floorspace, the introduction of 5 new spiral staircases and provision of servicing within the building. Details available on Welwyn Hatfield Borough Council online planning portal 6/2016/1882/MA
29 Broadwater Road Welwyn Garden City AL7 3BQ	524248, 212650	Demolition of office building and erection of 128 flats with associated car parking, landscaping, amenity space, bin and cycle storage, with alterations to existing and formation of new access on Broadwater Road and alterations to the existing access on Broad Court. Details available on Welwyn Hatfield Borough Council online planning portal 6/2019/3024/MAJ
37 Broadwater Road Welwyn Garden City AL7 3AX	524210, 212550	Construction of new build of 22 x 2 Bedroom and 2 x 3 Bedroom residential apartments with balconies and a roof garden. Layout of 26 car parking spaces, cycle parking, refuse store, internal access routes, landscaping and supporting infrastructure. Details available on Welwyn Hatfield Borough Council online planning portal 6/2018/2387/MAJ

In terms of the wider strategic site, permission was granted in February 2019 for the redevelopment of the former Shredded Wheat Factory (North and South sides) to accommodate up to 1,340 homes in a mix of tenures and a range of non-residential uses (ref: 6/2018/0171/MAJ).

Since permission was granted the site has been divided in two with yourselves having control and ownership of the North side and Metropolitan Thames Valley Housing (MTVH) having control and ownership on the South side.

Both landowners are intending to submit planning application in the near future. At the Councillor Briefing on the 13th October 2020 both landowners presented their proposals for forthcoming planning applications. You intend to propose approximately 795 dwellings (a mix of Class C3 and C2 dwellings), a community and commercial hub comprising Class E and F1 floorspace, associated car

parking and cycle hub; details of access, landscaping, public art and supporting infrastructure; outline details will be provided for approximately 415 residential dwellings (Class C3).

As for the South Side, you would have been made aware at the Councillor Briefing that MTVH are committed to delivering Phase 1 of the South Side, which includes the construction of 208 residential dwellings. In addition to this they are proposing to submit a full planning application for the erection of 310 homes and outline planning application (appearance, landscaping, layout and scale reserved) for erection of up to 440 homes, inclusive of associated infrastructure including car and cycle parking and open space.

Going forward the strategic site would be considered as two developments, or potentially three developments given that Phase 1 of the extant planning permission is being built out. As Phase 1 was part of the consented EIA development, and both the forthcoming proposals on the North and South side are EIA developments, each EIA development being proposed will need to consider the others cumulatively. This approach is likely to be considered acceptable, as there is due assessment of the wider impacts. However, as I have previously mentioned within pre-application discussions, you should ensure you engage with landowners of the South of the site and continue to appoint the same EIA consultant as this would assist with this.

The Phase 1 element of the extant permission as cumulative development is possibly more challenging, it would be more appropriate to consider this as part of the South Side '*EIA Development*', or potentially as a future baseline. You are strongly advised to seek appropriate legal advice on this matter to minimise the potential risk of a juridical review in the future.

I also want to bring your attention to the public consultation currently being undertaken by the landowners at the existing Biopark Site (<https://broadwatergardens.co.uk>). The scheme includes the proposal of 289 residential units, comprising of one to four bedroom apartments and townhouses, a community hub, gym and café, following the demolition of all existing buildings on the site. Whilst a planning application has yet been submitted for this scheme, it is anticipated that it will be in the near future. I strongly advise you contact the landowner for further information regarding the scheme and likely date of submission to assist you in whether it should be included when considering cumulative development in the ES.

Indeed, given that Entran Limited has prepared the EIA Scoping Opinion for the Shredded Wheat (South Side) and Shredded Wheat (North Side), it is essential that the applications for each of these developments are considered in the respective forthcoming EIAs.

3.5.5 Alternatives

With respect to the assessment of main alternatives, Schedule 4 of the Regulations, 'Information for inclusion in environmental statements', it is agreed that the ES should include a chapter which outlines the main alternatives studied and an indication of the main reasons for the choice made, taking account of the environmental effects.

3.6 ES Format

Please ensure that all elements of the ES are presented as document(s) separate from the planning application itself. A stand-alone non-technical summary (NTS) should also be provided. Within the ES, you should highlight the costs for any person who may wish to purchase a hard copy of the full submission, the NTS or a CD ROM and where they can be purchased from.

3.7 Conclusion

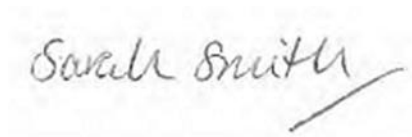
To conclude, the provisional contents list for the ES, set out on page 13 of your scoping report, has been discussed in this opinion. In adopting this Scoping Opinion, regard has been given to the advice in Planning Practice Guidance that the breadth of information to be included in an ES should be proportionate. Having considered the specific characteristics of the development, the main environmental features likely to be affected and the various consultee responses, I concur that the following key environmental topics or elements should be scoped in as part of the EIA and therefore reported in the ES:

- Transport and Access;
- Air Quality
- Wind Analysis and Pedestrian Comfort
- Noise and Vibration
- Townscape and Visual Amenity
- Ecology and Nature Conservation
- Water Quality, Hydrology & Flood Risk
- Soils, Geology and Contaminated Land
- Heritage
- Socio-economics
- Waste
- Climate Change and Greenhouse Gas Emissions
- Daylight, Sunlight, Overshadowing and Solar Glare

This letter therefore provides a positive screening opinion and in accordance with Regulation 15 of the above EIA Regulations, the above Scoping Opinion provides clear and precise reasons for this conclusion.

For the avoidance of doubt, this opinion should not be construed as the Council's agreement with any statements relating to aspects of the proposal that fall to be considered as part of a formal planning application process. Should a planning application be submitted, an assessment of the proposal will need to be considered in the normal manner in the context of the Development Plan.

Yours sincerely,

A handwritten signature in cursive script that reads "Sarah Smith". The signature is written in dark ink and includes a long, sweeping horizontal stroke at the end.

Sarah Smith
Development Management Service Manager