

Tracy Harvey
Head of Development Control

Reply To: address as below

Our Ref: N6/2010/2055/MA

Date: 2 December 2010

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Adam Gostling
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Dear Mr Gostling,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
(ENGLAND AND WALES) REGULATIONS 1999 – REGULATION 19
Planning Application N6/2010/2055/MA - Former Shredded Wheat Factory Complex
and Land Adjoining at Broadwater Road West, Welwyn Garden City

Further to my email to you (dated 9 November 2010) I am writing with regard to the aforementioned planning application which is accompanied by an Environmental Statement (ES), dated September 2010.

The Regulations define, (in Part 1 of Schedule 4), the minimum information required in an Environmental Statement (Part II), as that which is:

“reasonably required to assess the environmental effects of the development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile...”

The environmental information presented in an ES must be considered before the planning application is determined and therefore the Council as determining authority should satisfy themselves that the submitted ES addresses those topics and areas in which significant environmental effects may potentially occur, (and ultimately that the submitted ES fulfils the requirements of the attendant legislation).

You will be aware from our informal discussions and my email dated 9 November 2010 that the Council was likely to require additional information in respect of the Environmental Statement submitted in support of the above planning application, in order to assess the full range of environmental impacts. A preliminary audit of the statement has been undertaken and a number of queries have been raised.

The Council therefore gives formal notification under Regulation 19 of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 that additional information is requested to supplement the supporting documentation to the above referenced planning application in order to satisfy the Council that the requirements for an 'Environmental Statement' as defined or specified in or under Schedule 4 of the Regulations are complied with.

The additional information required is detailed in the attached schedule. To assist it may be useful to read this alongside the notes of the preliminary audit of the ES which are also attached. In addition, the matters raised by consultees that are relevant to the ES should also be addressed. Copies of the consultation responses are available online at www.welhat.gov.uk.

In any response that you make you should clearly indicate what 'further information' has been provided, appropriately cross referenced with the attached schedule and the original ES. Please also indicate what information has not been provided, and provide justification for not providing such information. For information not provided, could you please state whether such information will be submitted.

In accordance with the statutory processes, further information will be subject to re-consultation procedures in accordance with the regulations. Given the points listed in the attached schedule I suggest that a meeting to discuss any aspects of the further information required and the resultant programme for determining this application would be appropriate and useful and I will contact you shortly with some provisional dates.

I would also like to take this opportunity to confirm that if the Council does not consider that there is enough information to complete the Environmental Statement, the application can only be determined as a refusal (Regulation 3 of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999).

If you have any other queries with regard to this letter or the attached schedule please do not hesitate to contact Richard Aston or Anita Ward on 01707 357000.

Yours sincerely,

Tracy Harvey
Head of Development Control

Cc: Francis Russell, RPS
Lindsey Lucas, Herts County Council

**TOWN & COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESMENT)(ENGLAND &
WALES) REGULATIONS 1999**

REGULATION 19 - SCHEDULE OF FURTHER INFORMATION REQUIRED

BROADWATER ROAD WEST ENVIRONMENTAL STATEMENT, SEPTEMBER 2010

Issues and omissions which the applicant is formally requested to resolve by the submission of further information, in accordance with Regulation 19.

1. Description of the development

1.1 Confirmation is needed as to the description of the development which has been adopted as the basis for the Environmental Impact Assessment, as:-

- i. The parameters plans are not expressed to be part of the Environmental Statement (ES), and those that are included within the ES are incomplete, superseded and too small to be legible. The full set of parameters plans provided with the application should be submitted at a legible size and either contained within the ES or expressed to be a further volume of the ES.
- ii. The description of the development is incomplete at section 2.1 of the Environmental Statement. There are anomalies in the description of the development as set out in different sections of the ES, including the NTS and under different topic areas (for example the floor area of the Tesco store, the area and quantum / mix of different sizes of the residential units, the definition of the extra care home / sheltered accommodation, and the number of car and cycle spaces to be provided). The floor area of development also does not appear to match that stated on the application forms. The description of the development should be clearly re-stated in terms of the floor areas and number and type of residential units within each plot or block which have been used as the basis of the Environmental Impact Assessment. Confirmation should be provided as to whether the quantum of development has been adopted as the basis of all the topic area impact assessments contained within the Environmental Statement, in particular the Transportation Assessment. Cross reference should be made to the relevant parameters plans.
- iii. The basis of floor area measurements in the ES should be confirmed. The use of 'approximate' is not appropriate but floor areas could instead be quoted as anticipated maxima qualified by 'up to',, provided these figures have been used as the basis of the EIA.
- iv. The site area should be confirmed in the ES. At 1.1.1 there is a query remaining in square brackets.
- v. The description of the development should contain enough information to convey the nature of the development and its appearance without cross reference to planning documents which do not form part of the Environmental Statement.
- vi. The description of the development should confirm which existing buildings are to be retained and which are to be demolished with reference to a suitable plan.

- vii. The Transport Assessment, at section 1.3 states that Broadwater Road is to be widened by taking land from within the site. This is not mentioned in ES at section 2.1 despite being a major issue in setting the scene for the development and assessment of impacts. This should be confirmed in the description of the development.
- viii. The applicant should confirm whether any renewable energy sources are to be included within the development. If these are proposed for the part of the development subject to the detailed planning application, then an assessment of their environmental impacts, including visual impact, is required.
- ix. Confirmation is required of the required relocation of any existing services crossing the site, which may lead to on or off site environmental impacts.
- x. Confirmation needed of the proposed location of waste stores / recycling centre to serve the blocks within the detailed planning application.

1.2 The need for a robust master plan, description of development and level of detail required was established in the case of R vs. Rochdale Metropolitan Borough Council ex parte Tew, Milne and Garner, 1999. In the case of Berkeley v SSETR, 2000, it was held that the Environmental Statement should be 'a single and accessible compilation'. To make clear the description of the development, plans and reports that are to be read in conjunction with the Environmental Statement should therefore be contained within it. Other documents which have been submitted within the application pack but should form part of the Environmental Statement to avoid a 'Berkeley' situation are:-

- Townscape and Visual Impact Assessment
- PPS5 Statement

2. CHP unit

- 2.1 Confirmation is needed on the fuel type proposed for the CHP, and whether or not the CHP will serve the whole development. Confirmation is also needed as to whether the existing building and stack proposed to be re-used for this purpose will be adequate to house all of the plant required. Confirmation should be provided of the air quality, noise and visual impacts that will result from the CHP, as nearby residential units and other uses which may be adversely affected by the CHP lie within the area of the detailed application.
- 2.2 The scheme drawings appear to show a CHP within the Tesco store. Clarification should be provided of the CHP proposals for the development.

3. Construction impacts

- 3.1 There is no assessment of impacts that would arise during the construction period and no confirmation or commitment to mitigation measures. These should be provided, and should include, but not necessarily be limited to, traffic, noise and vibration, air quality and visual impacts.

4. Microclimate

- 4.1 Confirmation should be provided that appropriate daylight / sunlight levels can be provided to the southern part of the development covered by the outline application given the footprint and quantum of development proposed.

5. Socio economic

- 5.1 Confirmation is needed as to whether the development meets the NPFA standard as identified in the SPD (see section 6.1.1 of the ES), and also the Fields in Trust standard and the Welwyn Hatfield Borough standard (see Recreation and Amenity section).
- 5.2 The following have not been provided, and are required:-
- i. Assessment of employment creation in the construction and operational periods.
 - ii. A review of the existing provision of school places, assessment of the need for school places that would be generated by the proposed development, and identification of any resultant shortfall in education provision resulting from the development.
 - iii. A review of the existing provision of primary health care facilities and assessment of the need for primary health care facilities that would be generated by the development. Confirmation that the doctors surgery proposed to be provided is adequate to meet the need generated by the development.

6. Residential impacts

- 6.1 An assessment is required of the impact of the development on local residents, in terms of any visual, noise, air quality, traffic impacts etc. It is unclear whether local residents have been considered as possible receptors of environmental impact.

7. Accessibility and Traffic Impacts

- 7.1 Confirmation is needed from the County Highway Authority that they are content with the scope of the traffic modelling undertaken, in terms of its geographic scope, junctions affected, and the assumptions made in respect of the model. Advice to date from the County Highway Authority is to the effect that the figures in Table 6.11 for the traffic modelling scheme are not the same as the agreed figures that were fed into the Paramics modelling therefore it cannot be confirmed that modelling is a worst case assumption at this point in time.
- 7.2 Mitigation measures required in respect of the surrounding highway network need to be confirmed. At present the proposal to give consideration to 'future highways upgrades' based on continued monitoring of traffic levels in the town is thought too vague to be enforceable by condition or a section 106 agreement.
- 7.3 The proposed highway layout is subject to a Stage 1 Road Safety Audit by the county highway authority, which will be submitted subsequent to the application. The County Highway Authority should confirm whether this might lead to changes in the master plan or quantum of development.
- 7.4 Confirmation is required of the status of the Pall Mall site and whether this was occupied at the time of the traffic surveys in 2007. Confirmation is required as to whether the proposed junction designs will be adequate to serve the Pall Mall development.
- 7.5 Need to confirm with the County Highway Authority that they are content for the provision of bus services / contribution to their provision to be subject to discussion and that this can be covered by planning conditions / s 106 agreement, as no definite proposals have been put forward.
- 7.6 Confirmation is required that the traffic modelling is based on the finalised description of the development with regards to assessment of impact.

- 7.7 Confirmation should be provided that the MVM results of PARAMICS modelling are not 'Draft' as stated.
- 7.8 Construction traffic figures should be provided, together with an assessment of construction traffic impacts.
- 7.9 Confirmation should be sought from the County Highway Authority that they are content with the proposed internal road layout as it is understood that reservations were expressed at the quantum of development to be served by the internal spine road accessed from the southern junction and that a request had been made that the internal road layout should allow for all internal routes to be connected such that alternative access routes from the site were available should one become blocked.

8. Noise impacts

- 8.1 An assessment of construction noise, including construction traffic noise should be provided, including an assessment of impact to nearby residential and other sensitive receptors.
- 8.2 Whilst the Council's Environmental Health officer is content with the approach to the assessment of noise impacts during the operational period, the scheme design has been changed since the assessment was prepared, both in respect of the layout of proposed blocks and the turning movements permitted from the Tesco servicing yard onto / from Bridge Road. The assessment should therefore be updated to reflect the submitted scheme.
- 8.3 The noise report in the Appendix provides no detailed impact assessment provided for plant noise, but limiting noise criteria have been set for proposed plant. Given that this is a part of the detailed planning application further assessment of the impact of plant noise is required.
- 8.4 Confirmation should be obtained that the noise impact assessments, including the PPG24 assessment and the impact of noise from the store servicing area take account of proposed traffic generated by the development.
- 8.5 Confirmation should be provided of any potential noise impacts to residents in the surrounding area during the operational period of the development.

9. Air quality

- 9.1 Confirmation is required as to any potential air quality impacts on the wider area, beyond Broadwater Road and Bridge Road.
- 9.2 The predictions in respect of Air Quality are based on the Design Manual for Roads and Bridges. The Council's EHO officer has advised that full details of the inputs to the model should be provided. Local Air Quality Management Technical Guidance LAQM.TG(09) Section 6.32 requires that such models are verified by comparison between predicted and measured concentrations. The closest passive NO₂ sampling site operated by the Local Authority is in Parkway, Welwyn Garden City TL236131 which is not representative of the area under consideration. Details of a verification study should be agreed before any work is undertaken.

10. Surface and Ground Water Impacts

- 10.1 Confirmation is needed of surface water run off from the site and how the risk of flooding

from storm water run off will be mitigated. The water and drainage strategy presents a discussion of SUDs design options. The ES should identify the adopted solution and explain its design, whether and how it can be accommodated on site given the footprint of development proposed, and any impacts arising. Recommendations for mitigation measures in the ES are at present open ended and not confirmed. Confirmation of agreed discharge rates with the Environment Agency is also required.

- 10.2 The ES states that there is a risk of flooding from sewers, which are already at capacity, but no design of mitigation measures that would alleviate this risk is provided. The ES indicates that further flow monitoring by Thames Water is required before this issue can be properly addressed. The 4th paragraph under 5.2.4 of the Water and Drainage Strategy has a question mark which indicates uncertainty / incomplete text. Confirmation is required of the size and location of the holding tank and any pumping facilities, given the footprint of the development proposed, and any associated environmental impacts (such as noise and odour).
- 10.3 Confirmation is needed of the location of the existing Three Valleys live water main which crosses the site and whether this will pose a constraint to development.
- 10.4 Appendix A to the Water and Drainage Strategy and Appendices A to G inclusive of the Drainage Appraisal Report should be provided.

11. Heritage and archaeology

- 11.1 Assessment of impact to the setting of the Grade II listed Roche building which adjoins the site to the south should be provided.
- 11.2 English Heritage have advised that the information provided does not allow detailed assessment of the works to the historic buildings that are to be retained. Although the drawings are generously annotated explanatory material should be provided to justify proposed changes (e.g. windows are to be replaced but no account is given as to whether these are original or otherwise of interest or as to why they are to be replaced. Given the complexity of the works a brief statement on each alteration would be helpful (please note the council is still awaiting detailed comments from English Heritage which may elaborate on this point further).
- 11.3 HER Summary and OASIS forms should also be provided in respect of Archaeology

12. Ecology

- 12.1 The text of the assessment seems to indicate that the assessment of baseline conditions is incomplete. Notwithstanding the consultation response from Natural England dated 14 October 2010, the report as submitted is very basic and lacks detail, particularly specific species surveys. The Hertfordshire Biological Records Centre (HBRC) have commented that the data collected is already 16 months old and will be considered too old if there are protected species issues to be mitigated for in the proposed development. A full list of species and Phase 1 Habitat Map with Target notes should be provided, together with a report of the bat survey which has already been carried out. The Phase 1 Habitat Map should also show the extent of any Japanese Knotweed infestation.
- 12.2 The results of the bat survey which has already been carried out should be provided and HBRC advise that a full reptile survey should be carried out.

12.3 A statement at section 7.2 of the assessment indicates that plant communities on the site may provide habitats for numerous species of insects, but no invertebrate survey has been provided. A suitable invertebrate survey should be provided.

12.4 Confirmation should be provided of ecological mitigation measures and measures to enhance the site for biodiversity which have been identified and carried forward into the design of the scheme, including the landscape proposals. The consultation response from HBRC dated 1 December should be referred to in this respect.

13. Tree survey

13.1 The tree survey which has been omitted from Part C Appendix B3 should be provided. This should include a plan showing the locations of trees to be retained and removed as part of the proposed development.

14. Geotechnical and remediation

14.1 The ES notes that there has been contamination on the Polycell site and remediation of polluted ground water will continue by 'pump and treat' until early 2011. Ground water monitoring is continuing and is proposed to continue quarterly for a further 4 years and bi-annually for a further 2 years. The report (dated September 2010) records that the last ground water monitoring took place in September 2009. Confirmation is needed of monitoring undertaken between Sept 2009 and Sept 2010.

14.2 The Council's EHO and the Environment Agency need to be satisfied that the situation regarding contamination can be covered by suitable planning conditions, as the investigations across the entire application site are not yet complete.

14.3 Confirmation should be provided as to whether there has been a baseline assessment of the likelihood of asbestos in the Shredded Wheat complex - a building where significant amount demolition is proposed. The impact of asbestos removal during demolition and construction should be assessed. (please refer to paragraph 3.1 above).

15. Townscape and Visual Impact Assessment

15.1 Confirmation should be provided why, at Table 1-1, the definition of the impact assessment criteria includes the existing site.

15.2 The townscape / visual context of the surrounding area should be confirmed.

15.3 The assessment has been conducted with reference to 12 no views from and within the site itself. Views experienced by other receptors / from other viewpoints have not been mentioned, for example views for local residents in Peartree and other areas, views for users / employees within commercial premises in Broadwater Road, views from the railway. Presumably agreement of the photomontage views with WHBC was not intended to exclude consideration of other visual impacts that might arise. Confirmation should be provided of any other visual impacts that will arise as a result of the development which are not already identified in the TVIA.

16. Sustainability Statement

16.1 Appendix A, the response to the WHBC Sustainability checklist indicates a range of

mitigation measures to be implemented but the detail of these is not confirmed in the design or in the ES, e.g. noise suppressing enclosures, lighting schemes designed to prevent light pollution, stack filtering of plant emissions, attenuation measures to water and sewerage systems, water efficient features and rainwater storage and re-use will be implemented 'where appropriate'. Confirmation is required of the mitigation measures that will be incorporated in the development.

16.2 In the scoping opinion the Environment Agency had advised that water efficiency /water saving measures should be confirmed. Very general mitigation only is indicated but not confirmed at section 7 of Appendix A to the Sustainability Statement. In Appendix A to the CCoP (Appendix F), Tesco's mixed use sustainability policy is provided. This sets out policies re water usage which are not mentioned in the Sustainability Statement. Are there commitments to these measures, or are they only aims?

17. Appendix E – Site wide sustainability strategy

17.1 Appendix A to Appendix E appears to be the same as Appendix B to Appendix D (with slightly different formatting). Should Appendix B to Appendix D instead be Sustainability Targets for Site Wide Plan, as per the contents page to Appendix D? Please confirm and provide any appropriate additional documentation.

PRELIMINARY AUDIT NOTES OF ENVIRONMENTAL STATEMENT SUBMITTED IN SUPPORT OF PLANNING APPLICATION N6/2010/2055/FP

Non Technical Summary (Part A)

The floor area of the residential component does not match that stated at section 2.1 of Part B of the ES.

Part B – Section 1 – Introduction and Methodology

Section 1.1.4 summarises the results of consultations, but these are not reproduced in full in the ES. (e.g. the requirement for a flood risk assessment for the site is not explained. Which Zone of probability for flooding does the site lie within?) It would be helpful if consultation responses including data were provided in the ES.

The criteria for magnitude of impact are set out but these are not defined.

The criteria for assessment of impact significance are set out at 1.1.5 (b) – e.g. substantial, medium or small – but other terms are in addition used in the text (e.g. negligible and minor at 6.12 and 6.13).

Cumulative impacts are discussed at 1.1.5(d) without confirmation of the other developments which may have been taken into account. This could have been usefully stated here to set the context of the assessment. On review of the ES, the only assessment of cumulative impacts evident is traffic flows in combination with other consented developments.

This section contains details of consultations / data collection which are not necessarily repeated in the topic area text, where this would be usefully provided. The ES is difficult to understand on a topic by topic basis due to the separation of the consultation / baseline / assessment sections, with more detailed assessment provided in Part C, the Appendices. The lack of plans, maps and diagrams make it difficult to understand the assessment in Part B without reference to the Appendices in Part C.

Copies of letters and data provided by statutory and other consultees are not provided in the ES.

Mitigation measures need to be confirmed throughout and residual impacts assessed. In many cases the mitigation is yet to be defined.

Part B – Section 2 - Description of the development

The ES main text is not clear on the description of the development and facts regarding the development and development mix can only be gleaned from reading through the technical appendices. In particular, note:-

- At 1.1.1 there is a query remaining in square brackets as to the site area. The site area is defined by the planning application forms as being 4.1 ha for the area of the outline application and 6.3ha for the detailed application area. This is shown on the Site Location Plan as including surrounding roads. It is assumed that these account for the difference between the 10.4ha total and the 8.6 ha stated as the site area at para 1 of section 2.1. Nevertheless, the description in the first sentence of 2.1 is confusing.
- At 3rd para of 2.1, it is stated that a significant proportion of the site has become disused – does this mean that some of it is still in use (or are the buildings extant but vacant?).

- Some floor areas at 2.1 are stated as 'approx'. These should be expressed as 'up to' if they are used as the basis for the assessment. States approx 37,000m² gross residential floor space to be developed at section 2.3.4, which conflicts with floor space given elsewhere (section 6.9).
- The number of car parking spaces for the development is stated incorrectly. It would appear from Appendix B9 that 200 cycle spaces have been shown as car parking spaces. (It should be noted that there are already 100-120 existing cycle spaces at this location, so only some of these are new.)
- The number of residential units defined at section 2.1 of the ES is 344 units (elsewhere these are stated as a mix of units, which would be provided within Plots J-Q). At Appendix B9, the mix of 344 residential units is given in Table 5.1 (page 28). The ES also states there will be 72 units of sheltered accommodation (called a care home in the description of the development). However, the application plans and Design and Access Statement show that there are also 36 no residential units in the detailed application area, within Plot K. So the quantum of development may have been inaccurately defined for the purposes of the Environmental Impact Assessment.
- No information on the types of residential units assumed in the description of the development is provided except at section 2.3.4 which relates to car parking, which indicates the types of units to be provided but not the numbers. (Assumptions on the numbers of different types of residential units are stated at Appendix B9, the Transport Assessment.)
- The net sales area of the supermarket is stated at section 2.1 as 8,027sqm, whereas in the Retail Impact Assessment elsewhere this is stated at 4646m², with the remainder presumably being 'back of house' uses. Table 5.2 appears to have a different floor area for food store (6968m² GFA).
- The care home is also described in the TA (Appendix B9) as 'sheltered accommodation'. The nature of the occupancy needs to be confirmed as this may have an impact on trip generation.
- In general the description of the development is hard to follow and is not fully explained at section 2.1. The proposals are hard to understand from the ES as insufficient plans are provided. The parameters plans need to be included in the Environmental Statement. Figures 2.1 and 2.2 are based on the parameters plans although it is noted that Figure 2.2 is an earlier incomplete version of that in the planning application pack. A table could usefully be added to section 2 to explain which elements of the proposed development are proposed in which plots on the site. The phasing details at section 2.7 give some information on the location of uses but not their floor areas in those plots / phases.
- The Transport Assessment, at section 1.3 states that Broadwater Road is to be widened by taking land from within the site. This is not mentioned in ES at section 2.1 despite being a major issue in setting the scene for the development and assessment of impacts.
- The lack of description / parameters plans in the ES means that the following are not clear in the description of the development: location of network of cycle routes; landscape treatment / tree planting; heights of buildings, either existing or proposed; location of Network Rail Service Yard; location of Bessemer Road; what buildings / uses are on the Pall Mall site.
- The text at 2.3.1 makes it sound as though Hyde Way has already been widened.

- There are no cross sections / basement plans within section 2 of the ES which would assist with understanding the locations of the basement car parks. The location of accesses to basement car parks is not clear.
- **Note** the proposed floor areas of the development do not seem to tie up between the Design and Access Statement and the planning application forms.
- Terminology in the ES changes from Plot to Block to Building, which is confusing.
- The explanation of what elements lie within the detailed and outline applications at 2.8.1 is confusing particularly as some outline elements of the development are discussed under the heading of the detailed applications.
- The last para of section 2.8.1 cross refers to the Design and Access Statement and the Landscape Design Statement but these are not part of the ES. The ES should contain sufficient information to explain the proposed development.
- The uses described under section 2.10.2 do not match those described elsewhere in the document or other application documents. For example, Building C is described as 'studio-workshops' but elsewhere as offices. Building J also has a care home and other uses, not just a doctor's surgery. No mention is made at section 2.8.2 or 2.10.2 of the retail units and residential uses in Block J.
- Recycling is proposed 'by collecting waste at a central point in the servicing yard of major development uplift, which will also provide space for a civic amenity centres for bring centre for recycling of glass and paper'. A recycling centre does not appear to be shown on the detailed drawings. It is not clear if recycling from all commercial buildings is expected to be accommodated in the service yard of Block D. Waste from Blocks C, E and F is all proposed to be stored in Block C, but there appears to be no external or level access to the waste store in Block C. (See 2.10.2 and Logistics, Appendix B11.)
- Confirmation is needed that a CHP will be provided and will serve whole scheme – confusion is caused by mention of a CHP to serve part scheme only at 5.1.
- It is not clear which buildings and structures are to be demolished and which are to be retained.

Other queries on section 2 of Part B

- The phasing of construction is given in outline only.
- It is unclear what the 'consideration of elements of historic importance' will entail (section 2.7, Enabling Works). Surely this process should involve the County Archaeologist / English Heritage ?
- The CHP is mentioned at section 2.9.2 but there is no confirmation of the fuel source. Will this be biomass? (since this would have an impact on traffic movements).
- Section 2.9.3 mentions a range of renewable energy sources which will be installed but there is no confirmation as to what these are. These will affect the appearance of the development and may have a visual impact / impact to the settings of the listed buildings.

Part B Section 3 – Baseline Environment

3.2.1 – There is no information on the capacity of the existing infrastructure for expansion. No figure to show where existing infrastructure is located, including the Three Valleys live water main which may pose a constraint to development.

More plans and improved description would assist understanding of the context of the area, which is hard to understand from the text and few plans provided. There is no location map to show the wider context of the area (Figure 3.2 is the nearest equivalent). Figure 2.3 in Section 2 could be used, but lacks a key to colours used and labels). For the lay reader / non-resident, it is not apparent where all of the features mentioned in the text are located. There is no plan to show the location of existing services crossing the site. (note - relocation of these could lead to off site impacts.)

3.4 – Provides the first mention of townscape analysis. It would be useful to have details of which buildings are listed (or a key plan), and a plan to show the extent of the nearby Conservation Area. The retained silos lie within views from the Conservation Area. It is noted that the extent and nature of archaeological deposits on the site cannot be confirmed but that extensive ground works to provide basements etc are proposed. The description provided at 3.4 does not convey the townscape character of the surrounding area.

At 3.7, there is no mention of the existing (commercial) car park on the site.

At 3.10, there is no detail provided on the extent of Japanese Knotweed infestation.

At 3.10, there is no assessment of the likelihood of asbestos in the Shredded Wheat buildings/complex.

At 3.11, mention is made of a number of buildings within the Shredded Wheat complex. It would be helpful to have a plan identifying their location.

At 3.12, there is no description of the listed Roche Building to the south, or its setting.

It is noted that the extent and nature of archaeological deposits on the site cannot be confirmed but that extensive ground works to provide basements etc are proposed.

At 3.13 the retention of some existing trees is recommended but there is no plan to show where these are, or confirmation of how many are to be removed or retained. (The tree survey referred to at Part C Appendix B3 has not been provided.) See Townshend drawing TOWN423(08)5002 which shows locations of 7 no trees to be retained within the site, and the locations of others to be retained around the Bridge Road / Broadwater Road junction (but this is not part of the ES). However, no tree survey is provided.

At section 3.15, no mention is made of the silos with regards to potential wind effects across the site, only in relation to shading.

Part B Section 4 –Wider context for development proposals

Policy context for the development and the design development of the scheme outlined. Graphics would greatly assist understanding of the scheme development and generation of options.

Part B Section 5 – Construction Phase Impacts and Mitigation

At section 5.1, there is repetition of text on Enabling Works including consideration of retained elements of historic importance (from 2.7).

Cross reference to the CCoP earlier in the section would be helpful.

At section 5.2, a plan would help to explain which buildings are to be demolished and which are to be retained. This is not clear from the text and figures provided in the ES.

At 5.2, the SCMMMP needs to be defined.

It is noted that concrete crushing is proposed on site, but there is no assessment of the noise impact that may result from this. If there is no on site crushing, then presumably HGV movements would increase for export of demolition arisings.

At 5.3, it is noted that piling rigs may be required. CFA piling is likely. Piling rig types will be selected to minimise environmental impacts, but there is no detailed impact assessment.

At 5.6, it is stated that the number of HGV's resulting from the demolition and construction phase is not yet known. However, indication is that 1000 vehicle movements over a 20 week period may result, with trips for removal of excavation spoil in addition (not clear if this includes demolition arisings and export of any material found to be contaminated – see Appendix B5). A construction Traffic Management Plan will be developed (but has not been yet). There is no stated route for construction traffic.

5.7 – there is no assessment of jobs created during the construction period.

5.11 – it is noted that no assessment of the impact of construction noise is provided, but consent under section 61 of the Control of Pollution Act will be sought. An assessment will be made in accordance with BS5228. Piling and concrete crushers are to be brought on site – can these works be carried out in accordance with BS5228. If this is not acceptable then further lorry trips may be required.

5.16 – it is noted that potential construction impacts to be mitigated by limiting hours of site works. Potential impact of construction lighting mentioned in passing. Will need to confirm sensitivity in relation to operation of railway line.

The construction section does not provide any quantified assessment of impacts but general comments and a list of mitigation measures. It is not clear in all cases if the assessment of impacts is pre or post mitigation. In general, there is a lack of commitment to mitigation. Cross reference made to a CCoP (see comments below).

Part B Section 6 – Permanent Impacts and mitigation

As a general note, the tables summarising the findings of the assessment do not make clear what the assessment of impacts is before and after mitigation measures (i.e. what are the confirmed residual impacts?).

The introduction to section 6 does not make it clear that the assessment of impacts set out here are mainly summaries of more detailed text in the Appendices. The text in the sub sections is too brief to be fully informative.

6.2 – Socio economic

It is not confirmed whether the development meets the NPFA standard as identified in the SPD (6.1.1).

The socio economic assessment does not:-

- Assess employment creation, either in the construction or operational period.
- Review the existing provision or assess the need for school places that would be generated by the proposed development.
- Review the existing provision or assess the need for primary care facilities that would be generated by the development. A doctors surgery is to be provided, but is this adequate to meet need?

A retail impact assessment is at Appendix B8b of Part C.

6.3 – Retail impacts

Provides a short summary of the findings of the retail impact assessment set out in Appendix B8b.

6.4 – Urban Design and Architectural Assessment

Summary of these issues provided.

6.5 – Public Realm and Landscape

Very general summary of issues

6.6 – Energy usage

Here it is noted that the CHP will be adopted for the entire site.

6.7 – Impact of Flora and Fauna

The text refers to an ecology assessment with cross reference to Part C (see further notes below). It also refers to a tree survey, which is not provided.

6.8 – Community impacts

Re-states findings of socio economic assessment and makes very general comments about the impact on local retail facilities which are not really substantiated by the PPS4 assessment.

6.9 – Residential impacts

Text here is concerned with housing tenure and housing market changes, which could have been covered in the socio economic assessment. There is no assessment of the impact of the development on local residents, in terms of any visual, noise, air quality, traffic impacts etc.

States that 33,000m² of new residential floor space would be created (contradicting the description in Section 2 of Part B).

6.10 – Microclimate

Wind effects have been considered by desktop assessment. The assessment states that sheltering by existing and proposed built form, and tree planting, will prevent adverse wind effects. (No consideration of potential turbulence effects in new piazza / at the base of the silos.)

Notes that there will be some shadowing caused by the grain silos.

Overall effects assessed as minor positive but it is not clear how this conclusion has been reached.

6.11 – Accessibility and Traffic Impacts

Comments to be read in conjunction with those in respect of Appendix B9 which has the full text of TA.

Mitigation measures are not all confirmed – ‘consideration given to limited future highway upgrades...continued monitoring of traffic levels in town to identify where future highway upgrades are most needed’.

Impacts summarised as adverse in respect of increased in vehicular traffic but beneficial increase in access and accessibility (presumably referring to – increased pedestrian and cycle access across the site?) Future access to Pall Mall site unclear.

6.12 – Noise impacts

6.12.4 states that noise emission levels have been calculated for mechanical plant, including the CHP. (The noise report in the Appendix provides no detailed impact assessment provided for plant noise, but limiting noise criteria have been set for proposed plant).

The text in the Appendix also indicates that the location for the CHP was not fixed at the time of the assessment. There is no assessment of potential noise from the CHP although it is noted that these can be particularly noisy.

The text indicates that noise mitigation measures are to be installed if necessary....

6.13 – Air quality

Not enough information here for it to be understandable without reference to the Appendix at Part C.

The text states that the air quality impacts from increase in vehicular traffic and emissions from buildings have been included.

6.14 – Surface and Ground Water Impacts

Refers to water and sewer services but not to the flood risk assessment? (note - a flood risk assessment is referred to later under 6.16.8, Cumulative impacts, but not cross referenced here).

Need confirmation of the size of the holding tank to be provided. The text states that a holding tank and pumping facility of sufficient capacity have been included in the design proposals, but these do not appear to be shown on the parameters plans or other drawings submitted with the application – location and impacts need to be confirmed in the ES.

Where are details of surface water drainage / SUDS design? These do not appear to be included with the application. The location, design and impacts need to be confirmed in the ES.

Appendices – Part 1

Appendix B1 – Air quality

Operational impact – traffic impact based on Table 6.1 – flows on Broadwater Road and Bridge Road only shown. Assume these are based on Arup data? Will there be an effect on the wider area not covered by the PARAMICS model?

6.1 - CHP emissions. No details of the size of boilers is given. There is a statement that NOx emissions at full capacity would be 0.85g/s. How has this been calculated, should emissions over a set period be calculated? Has the effect been fully quantified – what does 'imperceptible to small mean'? NB scheme drawings also appear to show a CHP within the Tesco store area?

Demolition and construction period – assumes 8 no construction vehicles per day – this is unrealistic. No quantitative assessment of air quality impacts from construction traffic impacts is provided.

Figures at Appendix A show a superseded layout.

B2 – Heritage and archaeology

Section 3.2 does not mention Policy R27 of Welwyn Hatfield District Plan 2005.

4.1.3 – two Areas of Archaeological Significance within 1km radius, and one Locally Registered Park and Garden (Welwyn Garden City) within 200m.

Section 6.2 describes previous ground investigations carried out in 2000, 2001 and 2005, but it does not appear that the archaeologist was present. Archaeological site visit made August 2009.

7.2.5 – Notes that there have already been significant excavations on site which may have removed archaeological deposits.

7.3.2 – Notes the depth of potential archaeological deposits and extent of made ground is not known and archaeological deposits made remain below levels of modern ground / outside footprints of 20th century impact (Could these be impacted by proposed basements?) Section 7.3 outlines the potential for below ground archaeology – which is for low to medium potential. Any archaeology is likely to be of local significance.

Note - the County Archaeologist will need to confirm that they are content that the potential for further archaeological deposits can be covered by monitoring of any planned geotechnical on site investigations to establish the likelihood of archaeological survival within the site, and a planning condition that will cover any archaeological investigation thought necessary. A condition of this type would not be appropriate if there likely to be anything that may require to be retained in situ, which would affect the proposed master plan and quantum of development.

Noted that the appendix contains a location plan, but some of the figures (3b and 4) have no key or labels. Figure 5 shows the extent of Welwyn Garden City Conservation Area.

PPS5 Statement by Robert Tavernor Consultancy

This document is not expressed as part of the Environmental Statement – Berkeley issue. States at 2.15 that viable uses for the Grain House, Boiler House and silos are still being explored – this appears to be in contradiction of the master plan. At 2.25, it mentions anticipated uses for grain house and boiler house – makes the master plan look uncertain. Uses appear to be confirmed at 2.3.2.

2.22 – explains exploration of the feasibility of reusing buildings on the site – and cross refers to the Design and Access Statement which is not part of the ES. – Berkeley point again

2.29 – cross refers to the Townscape and Visual Assessment – which is also not part of the ES - Berkeley point again.

(Note – the description of works is not always easy to follow- see A.43 - new office building will extend from north side of supermarket... cross refers to application drawings, but these are not part of ES.)

PPS 5 Statement refers to Appendix B12, 'Visual Amenity and Architecture' which considers the scheme in its context and concludes no harm to the settings of the retained heritage assets. (Cross refer to comments on Appendix B12 and the separate Townscape and Visual Impact Assessment.)

B3 Ecology

5.1- Results of a tree survey by Aspect Arboriculture are referred to but not included in full. The results are summarised in section 8.2, but the original survey is not included and there is no plan to show which trees are referred to. The only plans showing trees to be removed/retained are the landscape proposals submitted with the application and there is no cross reference to species or condition. The tree survey should comprise part of the ES, with an annotated drawing to show which trees are proposed to be retained and removed.

At 5.2, limitations of the survey are noted. '...the ecological survey of this site has not produced the complete list of plants and animals.' This suggests that the survey is incomplete. There is no reason why the results of the ecological assessment should be limited by lack of seasonal survey information. A full list of birds present has not been provided. A full list of plants has not been provided.

At 7.2 cross reference is made to a Phase 1 Habitats Map with Target notes. This is not provided in the ES.

There is no general location map to show the site setting or location of the SSSI or the County Wildlife Sites. There is no information on the reason for designation of the CWS's, aside from text at section 8.3 on Twentieth Mile Bridge Allotments. This would assist understanding of the text under section 8.3, Adjacent Land.

Some text under section 8 appears to relate to baseline survey rather than impact assessment.

Overall, the survey information provided does not give confidence that the baseline has been fully recorded and that all potential impacts to flora and fauna have been identified. There is no mention of the potential for protected species (other than reptiles and bats) to be present. A bat survey has been carried out but the survey methodology and report has not been provided. Ecological advice is needed as to whether the potential for reptiles on the site has been correctly assessed.

There is no confirmation of mitigation measures that will be implemented, they are qualified by the use of the words 'can be partially compensated'...'should be incorporated' and so forth. There is no confirmation of which trees will be retained and removed as part of the master plan, only recommendations.

The assessment does not confirm which category the site falls within in terms of the criteria in Appendix 2.

Appendix 3 appears to have text in square brackets which is not finalised.

B4 Flood risk assessment

3.3 – notes that the site is flat and level – should refer to survey, levels AOD.

It would be helpful to include the Environment Agency Flood map to confirm the flood zone, and copy correspondence from Environment Agency.

5.2.3 – no information is provided on how the risk of flooding from storm water run off will be prevented. SUDs measures are referred to in general terms, but there are no calculations of storm water run off and there is no SUDs design. There is no certainty that SUDs measures can be accommodated on the site given the quantum of development proposed in the master plan.

5.2.4 – There is a risk of flooding from sewers, which are already at capacity, but no design of mitigation measures that would alleviate this risk. The text indicates that further flow monitoring by Thames Water is required before this issue can be properly addressed. The 4th para under 5.2.4 has a question mark which indicates uncertainty / incomplete text.

The FRA concludes that a SUDs scheme and sewerage holding tank and pumping station will be needed within the scheme to alleviate the risk of surface water flooding and flooding from the foul system. However, there is no assessment to confirm the design of these features, and no confirmation of their location on the master plan / parameters plans. There is therefore no certainty that they can be included on the site given the quantum of development proposed. The extent of any excavation required for the holding tank may also be of relevance with regards to impacts to archaeological features on site.

There is also no consideration of potential cumulative impacts with the TW development in this regard. There is no discussion of capacity at the local sewerage treatment works.

Appendix B10 contains a drainage statement. Could this have been incorporated within the FRA? Again there is the problem of information in more than one location in the ES, and not being able to locate some information, whilst other text is repeated. The drainage statement contains details of consultations on sewerage.

B5 – Geotechnical and remediation

3.0 – notes that further investigation will be needed in the CPUK site when access is available (so the assessment is not complete). There may be hot spots of contamination and there is also Japanese Knotweed.

It is not yet clear how much contaminated material may need to be taken off site. This would impact on traffic flows during the demolition and construction period.

4.0 – notes that there has been contamination on the Polycell site and remediation of polluted ground water will continue by 'pump and treat' until early 2011. Ground water monitoring is continuing and is proposed to continue quarterly for a further 4 years and bi-annually for a further 2 years. The report (dated September 2010) records that the last ground water monitoring took place in September 2009. Confirmation is needed of results of monitoring undertaken between Sept 2009 and Sept 2010 as this links particularly with remediation.

Some references in the Risk Assessment are to the effect that the levels of pollutants are not recorded in excess of guidance values for a commercial or industrial facility. Need to confirm that levels of pollutants post mitigation are acceptable for proposed residential uses, including proposed

garden land.

The EHO / EA need to be satisfied that the situation regarding contamination can be covered by suitable planning conditions, as the investigations are not yet complete.

B6 – Noise and vibration

Good site description at 2.0 (more useful than that in ES Volume 1) The description gives locations of nearest residential properties – Longcroft Lane, 160m to west, and Hyde Way, 230m to east. To north, Blakemere Road, 400m away. (This information not provided elsewhere).

It appears that the scheme design has been changed since the chapter was prepared- see section 4.3, second para. The latest layout has not been assessed – ‘At the appropriate design stage the new scheme shall be re-assessed to determine final façade sound insulation requirements’. This introduces uncertainty into the assessment. Can satisfactory conditions be imposed / satisfactory noise environment be achieved by the proposed master plan?

4.4 is headed Assessment of Façade Noise Exposure Data due to existing noise sources. Does the assessment take into account the noise from traffic generated by the development? Traffic flow data does not appear to have been used – a model has been built using existing noise measurements collected from survey locations around the site.

5.0 – Assumption made that the store will be serviced only between 0700 and 2300 (does this include Sundays?). This may need to be conditioned.

5.4 – the servicing arrangements and turning movements to / from Bridge Road into the servicing area for the store do not seem to match those described elsewhere in the assessment. Tesco delivery vehicles will not be able to approach the service yard from either direction on Bridge Road – only one direction. Will this affect the extent of turning movements and vehicle noise on / off site?

It is not clear whether the effect of reversing sirens have been taken into account in the assessment. It is also not clear whether the assessment of overall noise impacts from the service yard takes into account the cumulative impact with traffic noise on Bridge Road.

There is no detailed impact assessment provided for plant noise, but limiting noise criteria have been set for proposed plant.

The text indicates that the location for the CHP was not fixed at the time of the assessment. There is no assessment of potential noise from the CHP although it is noted in the text of the assessment that these can be particularly noisy.

Changes in traffic noise levels are shown in section 8 but the impact is not related to any particular receptor, and it is not clear whether these future noise levels are reflected in the PPG24 assessment. Changes are limited to Bridge Road and Broadwater Road only – there is no indication of potential impacts, for example to residents, which may occur over a wider area. These also appear to be for the operational period only, not the construction period.

Confirmation needed of the potential noise impacts, if any, at nearest off site residential receptors. Broadwater Crescent to the south appears to be the nearest.

There is no detailed assessment of construction traffic noise, or construction noise generally e.g. from crushing demolition materials on site. It is not clear how construction noise will be limited to avoid nuisance to nearby receptors. The text states that ‘The noise levels set out in the above

Table (11.4) are not aimed at providing noise limits for construction activities, but are proposed as criteria for the assessment of the significance of noise impacts associated with the construction programme'. So it would appear that the assessment is incomplete. There is no noise criteria proposed for limiting noise nuisance from construction activities on site. Mention is made of the utilisation of "Best Practicable Means" as defined in Section 72 of the Control of Pollution Act but no commitment is made regarding noise levels during the demolition and construction period.

B7 – Recreation and amenity

The conclusions of the assessment are rather vague. It is accepted that it is difficult to evaluate all of the outcomes of the assessment. However, certain standards are referred to e.g. the Fields in Trust (Six Acre) standard and the Welwyn Hatfield Borough standard, but there is no confirmation that the development will meet these standards. Presumably the development will only benefit the wider community if a surplus capacity is provided, over and above that demand generated by the development.

At 3.7.1, the condition of the existing footbridge over the railway is described and deemed to be unsatisfactory. It is not clear to what extent, if at all, the development will remedy this situation. Reference to the description of the development in the main ES text at 2.1.1 notes that improvements to the access at the eastern end of the footbridge are included in the scheme, but does not mention improvements to the bridge itself.

Text at top of page B7/10 is incomplete – square brackets and question mark.

B8 – Socio economic and retail impact

2.2.2 – the last paragraph appears to contain unsubstantiated subjective judgements.

At 2.3.2 it is stated that 84% of residents were satisfied with daytime medical facilities available, but there is no assessment of any existing shortfall of services in this respect and no quantification of the demand for such services which would be generated by the development and whether these would be met by existing / proposed provision.

2.3.3 – the comment regarding 'education help for 15—18year olds would be beneficial' is rather vague.

5.1 – indicates that 33,000m² of new residential floor space will be created – this conflicts with 37,000m² quoted elsewhere in the ES. On page 16, the report states that scale appears capable of accommodating 1170 new residents – cross refers to employment density schedule – is this relevant / correct? There seems to be no break down in the Appendix of the number of different house types, so it is not clear how 1170 residents has been calculated. The demand for school places etc will not be capable of assessment on this basis.

5.4 – employment creation – a table would assist to confirm the total number of jobs that could be created. Jobs created during the construction period do not appear to have been calculated.

5.6 – the assessment of the impact of the development has been left to the local education authority. No attempt has been made to calculate the demand for the number of school places that may be generated by the development. The report makes very general comments about education provision and demand that are unsubstantiated.

In conclusion, the assessment needs to quantify the number of school places at all levels that will result from construction of the development. Confirmation is needed that the doctors' surgery to be

provided in the development is adequate to serve the development.

The number of jobs to be created, during the construction and operational period of the development, needs to be confirmed.

PPS4 Retail impact assessment

Note - the assessment is of the impact of providing the Tesco store – 4646m² net (the smaller shop units are not included – see section 5.1).

Retail impact assessment states there will be 476 car spaces for the store (of which 49 are for staff, 427 are for shoppers). This conflicts with the number of car parking spaces listed elsewhere in the assessment.

NB – the ordering of the material in the ES is incorrect – the appendices to the Retail Impact assessment appear before the text – very confusing!

A map showing the location and extent of other stores discussed would have been useful.

B9 – Transport Assessment

Note – still awaiting full comments on submitted TA from County Council. Have only received interim comments.

1.3 – Contains description of development including access. Broadwater Road is to be widened by taking land from within the site. **This is not mentioned in ES at section 2.1.**

Confirms car parking totals for the development 1,108 spaces, 950 cycle parking spaces proposed.

1.4 sets out mitigation measures in respect of the surrounding highway network but these include consideration given to ‘future highways upgrades’ (which are not defined) and continued monitoring of traffic levels in the town to determine where highway upgrades are needed. Therefore there seems to be a lack of certainty regarding the impact of the development and mitigation measures are not fully determined.

The proposed highway layout is subject to a Stage 1 Road Safety Audit by Herts County Council, which will be submitted subsequent to the application. Although the Interim Road Safety Audit report does highlight a number of issues with the proposed layout which may lead to minor changes in layout, it is unlikely that the changes would result in a change in the quantum of development. However until the findings of the Interim RSA have been discussed with the applicant, the details of any changes are uncertain. (See also section 8.2)

The Pall Mall warehouse is 10,000m² and is at present empty. NB was this property occupied at the time of the traffic surveys? Will the junctions which are part of the development be adequate to serve the Pall Mall development also? The County Council had previously raised concerns regarding the future access into the Pall Mall site and the whether the additional traffic can be accommodated within the junctions and it is understood that Arup were asked to make an allowance for this in the modelling work.

Section 4, Existing Conditions, gives no indication of the current capacity of bus and train services. Although predicted increases in loading may be a small percentage of current use, if the service is already over capacity there may be a need for mitigation.

Table 5.1 (page 28) states the mix of uses and gives a breakdown of 344 no residential units.

Please note that the application forms indicate an additional 34 no residential units in Block K, and these do not appear to have been taken into account in the TA. The TA also states there will be 72 units of sheltered accommodation (called a care home in the description of the development). Need to confirm that correct trip generation figures have been used for the sheltered accommodation / care home. The County Council have advised that the question of whether a care home or sheltered accommodation is proposed was previously raised with Arup during the process of agreeing trip rates. Arup stated that it was sheltered accommodation. As it is described as a care home elsewhere this does need to be clarified.

5.4.3 states that discussion on the provision of new or diverted bus services are ongoing and will be agreed as part of the planning conditions. No definite proposals have been put forward and the County Council has confirmed that there are outstanding issues relating to location of bus stops and levels of services that have not been agreed as yet.

Internal roads will be privately owned and operated by the developer– with the exception of the Network Rail road. What will happen to the Pall Mall access? This appears to have been changed unilaterally by the applicant. The access formerly used would no longer be available to the site, although the site is adjacent to the new access road within the development. The County Council has confirmed that it is not clear from any of the plans how the Pall Mall site will be accessed.

Table 5.2 appears to have different floor area for food store (6968m² GFA).

Residential car parking spaces set out in Table 5.3 do not seem to match the description of the development at section 2.1 (5.3 gives 382 spaces total, but 2.1 states 302.)

6.4 – states that traffic modelling is a worst case assumption, based on land use schedule at Table 6.10. (This states actual size of Tesco store 6,968m², which again does not match the description of the development elsewhere in the application documents). The County Council has also advised that the figures in Table 6.11 for the traffic modelling scheme are not the same as the agreed figures that were fed into the Paramics modelling therefore it cannot be confirmed that modelling is a worst case assumption at this point in time.

The sheltered housing element is called sheltered housing in respect of trip generation but a care home in respect of car parking requirement (query whether trip generation differs between the two types of accommodation).

7.2.1 – Noted that traffic surveys carried out in December 2007.

7.3.1 – The PARAMICS model includes development commitments for the Sainsbury's expansion, the Waitrose expansion and the Broadwater Road redevelopment, based on the approved SPD proposals.

7.3.2 – States that scope of traffic modelling agreed 4/3/2010.

7.5.3 – Mitigation strategy is not fully defined and further monitoring and modelling may be needed. More assessment is needed to determine the potential impacts. At present the proposal for further studies is too vague to be controlled by condition.

County Council needs to confirm they are content with the scope of the TA in terms of area and junctions affected, and the assumptions made in respect of the model.

At 9.1.2 states that there will be approx 100 bicycle stands in Hyde Way (elsewhere states 120)

Section 10 notes that some details of Travel Plan will be agreed post application in s.106

agreement. Furthermore, the County Council has advised that the Travel Plan is not sufficiently detailed to be acceptable.

Note that MVA results of PARAMICS modelling are stated as 'Draft'.

The site wide Travel Plan does not cover construction period (which will be developed by lead construction contractor). No details of construction traffic figures given.

The Travel Plan notes that road within the development will not be adopted. Measures will be implemented to prevent commuter car parking. Contributions to enhancement of bus services along Broadwater Road for 3 years (from when –implementation of the development will be phased?). Improvements to services have yet to be agreed. Indicative s 106 measures are contained in Appendix A to the Travel Plan. This includes reference to a Draft Construction Travel Plan to which the Council can specify 'reasonable amendments'.

B10 Drainage Statement

See also Appendix B4 – Flood Risk Assessment, the Water and Drainage Strategy and the Drainage Appraisal Report. There is a considerable amount of cross over / duplication between these sections of the ES which is confusing.

This appendix indicates that the sewerage storage tank is likely to be in the region of 1000m³. Further sewer network analysis needed by Thames Water. Several pump station installations may be needed to serve the development. (The locations of these are not fixed on the master plan or parameters plan. There is no assessment of their visual impact, noise or odour that may result).

Section 3.0 notes that likely surface water storage volume is 3063m³. Design of surface water storage not finalised – 'Below ground storage could be provided...'. Mitigation measures are not confirmed.

The text states that it may be possible to use soakaways depending on soils investigation results (but see Water and Drainage Strategy that follows – states that soakaways will not be viable due to past contamination). Text states that the final location of storage and attenuation measures is dependent on the master plan and available connections to Thames Water sewers. However, these details should be fixed to enable full assessment of impact of scheme. There should be confirmation that suitable storm water and sewerage design can be accommodated within the proposed development.

Appendix A to the Water and Drainage Strategy (referred to in text) does not appear to have been provided. At 4.1, there is an outstanding query in bold.

Appendices A to G inclusive of the Drainage Appraisal Report have not been provided.

Water and drainage strategy

This report is intended to identify most practical SUDs option, support the detailed planning application, advise the design teams of available options, and input to the Sustainability Statement.

There appears to be a discussion of design options. Instead, the ES should identify the adopted solution and explain its design, how it will be accommodated on site and impacts arising. The 'Recommendation' is open ended and not conclusive as to the way forward.

Drainage appraisal report

This is marked 'Draft' throughout.

The conclusions at section 5 indicate that further work is required before the mitigation measures for surface water and foul water can be fixed and included within the design. The report concludes that for surface water drainage more detailed analysis is needed to identify areas where SUDs measures might be included. Also identifies a risk that the Environment Agency may require reduced discharge rates over the existing. For foul water, it is not possible to confirm conclusions for discharging foul water off site. Further flow modelling by Thames Water is required. The report is dated Feb 2009 and states that there would be a time implication for the required modelling of at least 2 months. It is not confirmed in the ES whether this additional work was ever carried out.

B11 – Logistics

Could this be incorporated in the TA / Appendix to the TA?

B12 – Visual amenity and architecture

The report is called 'Architectural Assessment of the Shredded What Factory, Broadwater Road.' Groundwork for the assessment prepared in 2009 was used to inform the design process in relation to the listed building.

B12 provides an architectural assessment and history of the site, historic and current photographs.

An annotated plan showing the locations of the various buildings and structures referred to in the text would aid understanding.

Townscape and Visual Impact Assessment

This is contained in a separate document – it is not clear why this does not form part of the ES.

The TVIA is to be read in conjunction with the Design and Access Statement, the Environmental Statement, the PPS5 Statement and the Architectural Assessment. All information relating to townscape and visual impacts should be contained within the ES – Berkeley issue.

At 2.13, it is suggested that the Landscape Institute / IEMA Guidelines relate to rural schemes only, this is not the case (see para 2.17 on page 13 of the Guidelines). In Table 1-1, it is not clear why the definition of the impact assessment criteria includes the existing site.

Paragraph 2.4 of the assessment refers to the assessment taking into account the sensitivity of the resource affected. This does not seem to be followed through into Sections 6 and 7 of the assessment (at least not explicitly). The assessment has been conducted with reference to 12 no views from and within the site itself. Views experienced by other receptors have not been mentioned, for example views for local residents in Peartree and other areas, views for users / employees within commercial premises in Broadwater Road, views from the railway. This is despite the subheading after section 7.9, which is headed 'Impacts on Local Views and Views from Surrounding Sensitive Receptors'.

The text at section 6.1 appears to pre-determine the findings of the assessment.

The assessment of impact to all of the 12 views assessed is major, beneficial. This is the case even where existing views of the listed buildings / structures which are to be retained are partially obscured (Views 3, 4, 9, 10 and 12). The impact to view 10 is expressed to be mitigated by the additional visibility of the buildings in View 8. (It is not usual to alter the impact to one view based on the impact to another- a more balanced approach would be to describe the overall effect to

views from Broadwater Road). To assess the impact to all viewpoints as the same gives the impression of bias in the assessment.

It is clear from the photomontages / wirelines that the development will result in the loss of some mature trees, particularly along Broadwater Road, which will contribute to the change in character of the road. This is not acknowledged in the assessment.

In section 4.25, reference is made to a key view in the WGC Conservation Area Appraisal. It would have been useful to see a photograph of this key view in the assessment. The assessment of impact to this view appears under section 4, History of the Site, rather than with the rest of the assessment.

At section 7.15, it is stated that, based on the Views Assessment and the PPS5 Statement, the likely impact significance in heritage assets will '...range between negligible to major significance, and this is judged to be entirely beneficial'. However, all of the views assessed in the report are deemed to be subject to major beneficial impact as a result of the development.

B13- Microclimate

Wind speed assessment is qualitative. The assessment indicates this would not be an issue with regards to prevailing winds etc. Potential issue of high winds at base of silo not addressed.

The solar shading assessment is for buildings for which detailed consent is applied – A-G. Building K is not yet in the model, nor the residential development to the south. There remains the possible need for further assessment at a later date – but the quantum of development will be approved by then. Confirmation is needed before consent is granted that daylight levels will be satisfactory for the residential development proposed in the outline as well as the detail.

Labels on Figure 2.1 would assist understanding.

Appendix C- Energy Strategy

It is indicated that gas condensing boilers will be used in the CHP. There is an analysis of Phase 1 of the CHP, further analysis and options to be explored for the CHP for the future phases.

Query whether there is enough information on the CHP to be sure that the existing boiler house will be sufficient size, and that the existing stack will be large enough (see discussion at section 5.1). Otherwise further environmental impact assessment may be needed for later stages of the development.

Query also that there is insufficient information on the proposed CHP to assess future noise and air quality impacts which may result to residents in Block K which is the part of the detailed planning application.

Table 13 (and Appendix E to the Energy Strategy) considers renewable energy technologies that could be considered for integration into the development. Of these, solar photovoltaic technology is (along with gas CHP) deemed feasible for incorporation into the development. However, the impact of providing these (e.g. visual impact of installing solar panels) has not been taken into account in the EIA.

Table 13 also mentions the possibility of bio fuel CHP in the future, although no traffic movements associated with this have been included in the TA.

Appendix D – Sustainability Statement

The Statement provides information on the aims and objectives of the development but makes few commitments on what actually will be provided.

One of the objectives is to achieve BREEAM 'Very Good' rating on the Tesco store. It is not clear if this exercise has been undertaken on the store design – no details are provided, although detailed consent is applied for. (At section 6.3, it indicates that this will be provided post construction).

Appendix A, the response to the WHBC Sustainability checklist indicates a range of mitigation measures to be implemented but the detail of these is not confirmed in the design or in the ES, e.g. noise suppressing enclosures, lighting schemes designed to prevent light pollution, stack filtering of plant emissions, attenuation measures to water and sewerage systems, water efficient features and rainwater storage and re-use will be implemented 'where appropriate'.

NB in the scoping opinion the Environment Agency had advised that water efficiency /water saving measures should be confirmed. Very general mitigation only is indicated but not confirmed at section 7 of Appendix A to the Sustainability Statement. In Appendix A to the CCoP (Appendix F), Tesco's mixed use sustainability policy is provided. This sets out policies re water usage which are not mentioned in the Sustainability Statement. Are there commitments to these measures, or are they only aims?

Section 16 of section B of Appendix A states that the landscape design will be planned in consultation with an ecologist to ensure no net loss of species. It is not clear if this has been the case, although the Design and Access Statement – Landscape and Public Realm does mention plants providing food for birds and insects. However, there is no specific list of particular plants that will ensure no net loss of species / ecological mitigation. At section 17, mention is made of the Tree Survey at ES Appendix B3b – but this has not been included in the ES.

Section 23a mentions the provision of educational facilities where appropriate. The ES has not considered the need for school places arising as a result of the development. Provision of a heritage centre is instead mentioned.

Section 30 mentions refurbishment of the rail link and pedestrian walkway but it is not clear what this refurbishment will include and the western sections of the bridge are outside the control of the applicant.

Appendix B to Appendix D gives 'Sustainability Targets for Site Wide Sustainability Strategy'. Target 3 still has text in square brackets in second column. Various acronyms are not explained.

Appendix E – Site wide sustainability strategy

Section 3.2 notes that BREEAM Design Assessment will be part of the detailed design sign off (despite the detailed design for the store already being completed).

Appendix A to Appendix E appears to be the same as Appendix B to Appendix D (with slightly different formatting). Should Appendix B to Appendix D instead be Sustainability Targets for Site Wide Plan, as per the contents page to Appendix D?

Appendix F – Construction Code of Practice

Section 1.5 contains a review of site constraints and considerations which are already outlined elsewhere in the ES.

1.5.3 – Indicates that for further information on the construction drainage strategy, refer to services engineers reports. These do not appear to be provided.

1.6.1 sets out anticipated hours of operation but states that these are yet to be agreed.

2.2.2 mentions crushing of demolition material on site to reduce lorry movements but provides no assessment of the noise impact of this operation on site.

2.3.2.2 – states that where practicable, all site accommodation and welfare facilities will be within the site boundary. If it is not within the site, then the impact of the development may extend to areas not considered in the EIA.

Throughout the CCoP, there is a lack of commitment to mitigation measures and lack of certainty as to how the works will be implemented. Words such as ‘where practicable’, ‘as far as practicable’, ‘consideration will also be given to...’ where possible’, ‘all reasonable precautions’, ‘consider opportunities for...(mitigation measures). The location of compounds is not determined. There is no assessment of construction traffic movements, no assessment of construction noise. At 3.4, it is noted that through ‘adoption of best practice...effects are likely to be reduced to minor adverse...’ in respect of air quality.

With regard to protection of existing trees to be retained, there is some text at 3.6, but no mention of the relevant British Standard.

It is noted that the piling system is not yet designed; again general mitigation measures are described in connection with the choice of piling system at 3.7.1.2. Presumably noise impacts to the surrounding environment would also be a consideration?

There is no calculation of employment during the construction period (which would benefit the local economy but also give rise to traffic / car parking issues).

Appendix D to the CCoP confirms that a piled retaining wall will be needed adjacent to Bridge Road.

‘Berkeley’ issues and the ‘paper chase’

The Environmental Statement does not contain sufficient information to fully define the description of the development. The parameters plans appear to have been prepared for this purpose, but the majority of them are not physically contained within, or expressed to be, part of the Environmental Statement. The two that are included are reproduced at such small size that they are not legible. There are a further 11 parameters plans which are not included within the ES at section 2. These are needed to define the development in terms of proposed uses and their locations within the site, maximum footprints, heights etc. They also do not appear to be referred to in the text of the Environmental Statement. Without these plans, the description of the development for the purposes of the EIA is incomplete.

The need for a robust master plan, description of development and level of detail required was established in the case of R vs. Rochdale Metropolitan Borough Council ex parte Tew, Milne and Garner, 1999. In the case of Berkeley v Secretary of State for the Environment and ors, 2000, it was held that the Environmental Statement should be ‘a single and accessible compilation’. To

make clear the description of the development, plans and reports that are to be read in conjunction with the Environmental Statement should therefore be contained within it.

Other documents which have been submitted and should form part of the Environmental Statement (but are not expressed to be) are:-

- Townscape and Visual Impact Assessment
- PPS5 Statement

There is duplication or contradiction in relation to information provided in relation to drainage / sewerage / Suds due to the number of different reports included which have similar information. Need to refer to ES Part B (6.14), FRA at Appendix B4, and 3 separate drainage reports at Appendix B10.

Information relating to archaeology / townscape is contained at Part B 6.4 and 6.5, Appendix B2, the PPS5 Statement and the Townscape and Visual Impact Assessment. It is difficult to reach conclusions when the information is in so many separate locations.

The logistics report, if required, could have formed part of the TA, or at least be adjacent to it.

Ease of reference

It is difficult to find information in the ES due to lack of an overall contents page in Part B which would show where information is contained. Tabs or coloured divider pages would assist. The Supporting Appendices are contained in two volumes, but the contents page only outlines the contents. Not all the content is detailed, and the information is split between the two volumes without any reference to which volume contains which Appendices.

There is no glossary and not all technical terms and acronyms are explained within the text.

Other general comments

The ES contains a lot of repetition, particularly on the (unquantified) benefits of the development. The description of the development is repeated in many sections / appendices, sometimes with slight variations in floor areas etc. Also, planning policies are outlined in several places within the planning documents.

Part B of the ES summarises the impacts of the development without providing the full text of the topic area assessments, which are in Part C. This is not immediately apparent to the reader and is rather confusing as the assessment appears to be missing information or have reached unsubstantiated conclusions.

There is a summary of temporary and permanent impacts and residual impacts at section 7 of Part B. The description of impacts is not expressed as adverse or beneficial, and the nature of residual impacts is not expressed in terms of the criteria set out in the methodology at section 1.1.5. Some of the mitigation claimed has not been incorporated in the design of the proposed scheme (e.g. provision of sewerage attenuation and implementation of SUDS systems). Overall, the impression given by the ES and the conclusions at section 7.3 is that the EIA lacks rigour.