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**Environment  
Agency**

Mr Richard Aston  
Welwyn-Hatfield District Council  
Development Control  
The Campus  
Welwyn Garden City  
Hertfordshire  
AL8 6AE

**Our ref:** NE/2010/110462/03-L01  
**LPA ref:** N6/2010/2055/MA  
**Date:** 15 July 2011

Dear Richard

**Former Shredded Wheat Factory Complex and Land adjoining at  
Broadwater Road West, Welwyn Garden City, Hertfordshire.**

**Revised EIA - Full planning permission for part demolition, repair,  
restoration, extension and conversion of the former shredded wheat factory  
complex to provide retail, business, heritage centre and energy centre.  
Associated alterations to existing vehicular and pedestrian access and  
highway layout within and around the site, including the creation of two  
vehicular access ramps to basement parking, hard and soft landscaping,  
the provision of a civic square, park, public and private open space,  
pedestrian walkways to include the upgrade of the existing pedestrian  
footpath over the railway line and associated enabling works.**

Thank you for your email dated 26 July and email from David Telford dated 12  
July which included letter (REF GLA0201), Figure 3, 3a and 3b (which is from the  
W&D strategy).

From the above information, Flood Risk Assessment (FRA), dated February  
2011, Issue 02, reference 00201, and the Water and Drainage Strategy, dated  
July 2011, Issue 04, reference 00201, we are in a position to remove our  
objection. Providing that that the following conditions are imposed on any  
planning permission granted:

**Condition 1:**

The development permitted by this planning permission shall only be carried out  
in accordance with the approved: Flood Risk Assessment (FRA), dated February  
2011, Issue 02, reference 00201, prepared by hurleypalmerflatt; Water and  
Drainage Strategy, dated July 2011, Issue 04, reference 00201, prepared by  
hurleypalmerflatt; and Letter from hurleypalmerflatt to the Environment Agency,  
dated 12 July 2011, reference GLA0201 and the following mitigation measures  
detailed within the FRA:

- Limiting the surface water run-off from the site to a rate not exceeding the greenfield runoff rate of 8.58 litres/second/hectare.
- Attenuating the surface water runoff on the site up to the 100 year critical storm.
- Maximising the use of SuDS on the site, as illustrated in figure 3 enclosed with hurleypalmerflatt's letter to the Environment Agency, dated 12 July 2011.

Environment Agency, Apollo Court, 2 Bishops Square Business Park, St Albans Road  
West, Hatfield, AL10 9EX



**Reason**

- To prevent flooding by ensuring the satisfactory disposal of surface water from the site.
- To prevent flooding elsewhere by ensuring that surface water is attenuated on the site.
- To prevent flooding by ensuring the satisfactory storage of surface water.

**Condition 2:**

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

**Reason:**

To protect controlled waters as the site is known to be historically contaminated.

**Condition 3:**

Prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

**Reason:**

To protect controlled waters as the site is known to be historically contaminated.

**Condition 4:**

Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted

to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

**Reason:**

To protect controlled waters as the site is known to be historically contaminated.

**Condition 5:**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

**Reason:**

To protect controlled waters as the site is known to be historically contaminated.

**Condition 6:**

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**Reason**

To protect the water environment, the site is located on the principle Chalk aquifer in a Source Protection Zone 3 for drinking water.

**Condition 7:**

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason:**

To protect the water environment, the site is located on the principle Chalk aquifer in a Source Protection Zone 3 for drinking water.

**Advice for applicant/agent**

1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2) Refer to our Guidance on Principles for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.

Large underground structures constructed below the water table may act as an obstruction to groundwater flows. Consequently, a building-up of groundwater levels may occur on the up-gradient side of such structures. Any drainage systems proposed for such structures should also be capable of allowing groundwater flows to bypass the structure without any unacceptable change in

groundwater levels, or flow in groundwater-fed streams, ditches or springs.

We had a meeting with Delta Simons on 15th October 2009, during which the on-going remediation and risk assessment was discussed. To date there is no record that the 'Quantitative Risk Assessment' has been accepted.

### **Informative**

The recovery, treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an Environmental Permit. Treatment of contaminated soil by mobile plant requires a mobile treatment permit. Soil may be re-used on-site as part of a soil recovery operation by registering an exemption with us or by obtaining an Environmental Permit.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, we should be contacted for advice at an early stage to avoid any delays.

Under the terms of the Water Resources Act 1991 as amended by the Water Act 2003, an abstraction licence will normally be required from us for the abstraction (removal) of water (even temporarily) from any inland waters (rivers, streams, ditches, lakes, etc.) or underground strata (e.g. from a well, borehole or catchpit). The granting of a licence will be dependent on the availability of water resources locally and on the acceptability of any resulting impact on the environment and existing protected rights.

Please find attached information on the above recommend conditions. If you have any queries please contact me.

Yours sincerely

**Miss Dawn Lloyd**  
**Planning Liaison Officer**  
Direct dial 01707 632405  
Direct e-mail [hbplanning@environment-agency.gov.uk](mailto:hbplanning@environment-agency.gov.uk)

cc DP9



**Advice on conditions for N6/2010/2055/MA - Full**

*Condition 1*

At the detailed design phase, in order for us to discharge the above planning condition, we will need the following information in order to check that the proposed stormwater system meets our requirements:

- a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and other SUDS features. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- b) Confirmation of the critical storm duration.
- c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
- d) Where on site attenuation is achieved through attenuation ponds or similar, calculations showing the volume of these are also required.
- e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- f) Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event, with an appropriate allowance for climate change in line with PPS25. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.
- g) Information to demonstrate that sufficient attenuation can be provided for each SUDS cell during the construction phase.
- h) The following information relating to the specific green roof element of the design:
  - Substrate thickness (mm)
  - Dry weight substrate ( $\text{kg}/\text{m}^3$ )
  - Maximum water capacity (%)
  - Amount of water substrate can retain ( $\text{m}^3$ )
  - Water retention capacity for 100mm thick substrate ( $\text{kg}/\text{m}^2$ )
  - Volume of water ( $\text{m}^3/\text{m}^2$ )
  - Interception storage (mm)
  - Roof area (e.g. 100m X 100m)
  - Interception storage ( $\text{m}^3$ )
  - With discharge rate 7l/s, and 95% runoff coefficient need attenuation storage of: ( $\text{m}^3$ )
  - Attenuation storage ( $\text{m}^3$ )
  - Volume of storage in greenroof ( $\text{m}^3$ )
  - Volume of storage in elsewhere on site ( $\text{m}^3$ )



### *Condition 2*

The 'Environmental Statement' makes reference to site investigation reports and risk assessment. Going through the appendices on the council website we could only find an incomplete copy of the 'Quantitative Risk Assessment' (project no.23542-06), not the actual site investigation reports.

The Environment Agency has been involved with the voluntary on-going clean up of soils and groundwater contamination of the former Polycell site. We could not find records of our involvement with the 'Shredded Wheat' and other parts of the site. Therefore we would expect that all parts of the above condition should be addressed for the whole of the site.

### *Condition 3*

The monitoring strategy has to be reviewed in context of the site investigation, risk assessment and verification reports.

### *Condition 4*

The 'Environmental Statement' makes reference to long-term monitoring. This condition allows separate discharge of conditions relating to verification and monitoring.

### *Condition 7*

The 'Environmental Statement' has considered this to some extent, however since the extent of contamination is unclear some additional measures may be necessary, such as groundwater monitoring.

This condition has been recommended as the Environment Agency is satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing.