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18 November 2020

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

Dear Ms E Campbell,

**Application Reference:** 6/2020/2354/EIA

**Proposal:** Request for a screening opinion to determine whether an Environmental Statement is required for a proposed redevelopment of BioPark, Broadwater Road, Welwyn Garden City, AL7 3AX

**Location:** Biopark Broadwater Road, Welwyn Garden City, AL7 3AX

Thank you for your letter dated 11<sup>th</sup> September, requesting a Screening Opinion from the Local Planning Authority for the proposed development at the former BioPark Broadwater Road Welwyn Garden City.

I have attached the Local Planning Authority's Positive Screening Opinion adopted on 18 November 2020, which concludes that the Authority does consider the above development requires an Environmental Impact Assessment.

In accordance with Regulations (5) and (6) of Part 2 of the EIA Regulations, the accompanying screening opinion provides the reasons for this conclusion.

Yours faithfully,



Sarah Smith  
Development Management Service Manager

## **WELWYN HATFIELD BOROUGH COUNCIL**

### **ENVIRONMENT AND COMMUNITY SERVICES, PLANNING AND TRANSPORT – DEVELOPMENT MANAGEMENT (PLANNING)**

#### **FORMAL EIA SCREENING OPINION**

**SITE: FORMER BIOPARK, BROADWATER ROAD, WELWYN GARDEN CITY**

**PROPOSED DEVELOPMENT: DEMOLITION OF ALL THE EXISTING BUILDINGS AND STRUCTURES; UP TO 300 RESIDENTIAL DWELLINGS IN BUILDINGS OF UP TO NINE STOREYS; A COMMUNITY HUB SPACE OF UP TO 100SQM;**

#### **The EIA Screening Approach:**

The project is proposed under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 regime.

#### **The EIA Regulations Threshold:**

A screening exercise has been undertaken in accordance with Regulation 5 and 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations). The Local Planning Authority (LPA) has had regard to the above regulations in addition to National Planning Practice Guidance (NPPG) when undertaking the screening exercise.

The EIA Regulations define ‘*EIA Development*’ in Regulation 2(1) as either:

- Schedule 1 development; or
- Schedule 2 development likely to have a significant effect on the environment by virtue of its size, nature or location.

The development is not a Schedule 1 development.

I can confirm the LPA is of the view that the proposed development would be an Urban Development Project as defined in Schedule 2, Part 10 (B) of the EIA Regulations. The site is not within a ‘sensitive area’ and therefore the thresholds have been applied. The applicable thresholds and criteria of urban development projects, as outlined in Schedule 2 are:

- i. The development includes more than 1 hectare of urban development which is not dwellinghouse development;
- ii. The development includes more than 150 dwellings; or
- iii. The overall area of the development exceeds 5 hectares

The NPPG sets out an indicative threshold, advising:

1. EIAs are unlikely to be required for the redevelopment of land unless:
  - the new development is on a significantly greater scale than the previous use, or
  - the types of impact are of a markedly different nature or there is a high level of contamination.
2. Sites which have not previously been intensively developed:
  - area of the scheme is more than 5 hectares; or
  - it would provide a total of more than 10,000 m<sup>2</sup> of new commercial floorspace; or
  - the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).

The site identified in the Screening Report is 1.22 hectares (ha) and would comprise of up to 100 square metres (sqm) of urban development which is not dwellinghouse development. The proposed development does however includes up to 300 dwellings, therefore the proposed scheme constitutes 'Schedule 2 development' for the purpose of the EIA Regulations and the proposal needs to be screened to determine whether the Proposed Development is likely to have significant effects on the environment, and hence whether an Environmental Impact Assessment is required.

The proposed development has the following project quantities (Table 1), which confirms the **development falls above Schedule 2 threshold, but below the indicative threshold.**

**Table 1: Project Quantities**

|   | Schedule 2 threshold | Indicative thresholds | Proposed scheme |
|---|----------------------|-----------------------|-----------------|
| Development includes more than 1 hectare of urban development which is not dwellinghouse development; | 1ha                  | 10,000sqm             | Up to 100sqm    |
| The development includes more than 150 dwellings; or  | 150                  | 1000                  | Up to 300       |
| The overall area of the development exceeds 5 hectares  | 5ha                  | 5ha                   | 1.22ha          |

**In summary:**

- The development is not within a sensitive area
- The development exceeds criteria (ii) of the Schedule 2
- The development is Schedule 2 development.
- The development does not exceed the indicative thresholds.

Notwithstanding the above, the NPPG states, *"it should not be presumed that developments...falling below these thresholds could never give rise to significant effects, especially where the development is in an environmentally sensitive location. Each development will need to be considered on its merits"*. Therefore, a high-level assessment has been undertaken to ensure that the site context and specific nature of the development are given full consideration in reaching a final conclusion.

When screening Schedule 2 projects, the LPA must take account of the selection criteria in Schedule 3 of the EIA Regulations:

- Characteristics of development
- Location of development
- Types and characteristic of the potential impact

Before undertaking the above assessment, in line with Schedule 3, consideration is given towards Regulation 6 of the EIA Regulations.

**Regulation 6 of the EIA Regulations**

In order for the LPA to undertake a Screening Opinion Regulation 6 (2) sets out the necessary information the person making a Screening Opinion request must provide. Table 2 shows the conformity with these requirements, followed by a discussion of each requirement.

**Table 2: Screening Opinion submission requirements**

| Regulation 6 requirements  | Conformity  |
|--|---|
| (a) a plan sufficient to identify the land;  | Yes   |
| (b) a description of the development, including in particular—<br>i. a description of the physical characteristics of the development and, where relevant, of demolition works;<br>ii. a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;        | Yes   |
| (c) a description of the aspects of the environment likely to be significantly affected by the development;  | Yes   |
| (d) to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from—<br>i. the expected residues and emissions and the production of waste, where relevant; and<br>ii. the use of natural resources, in particular soil, land, water and biodiversity; and | Yes   |
| (e) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.  | Yes - The EIA Screening Request enclosed a Heritage Townscape and Visual Impact Assessment (Annex C), and Preliminary Ecological Appraisal (Annex D). Further information was received comprising of i-Transport's EIA Screening Update Note (Annexe A) |

a) Identify the site

The site (as shown in the image below) is approximately 1.22ha and is located to the south east of Welwyn Garden City Town Centre. The site is located to the south east of the town centre and railway station of Welwyn Garden City. The site is bound to the north by the Pall Mall distribution warehouse, to the east lies residential development, to the south are allotments and private residential properties and to the west is a lorry trailer loading/storage area and the mainline railway is sighted beyond that. Vehicular access to the Site is provided via BioPark Drive, a private road which joins Broadwater Road.

The site is currently occupied by a complex of industrial buildings ranging from 2 to 5 industrial storeys with extensive roof plant (which measures at 35m and is the equivalent of approx. 11 residential storeys), which until 2019 were occupied by the University of Hertfordshire for research and development. The complex included chemistry and biology laboratories, specialist facilities, office accommodation and conference facilities.



^ Site Aerial View



^ Site Aerial View

- b) (i) a description of the development, including in particular (i) a description of the physical characteristics of the development and, where relevant, of demolition works;

Demolition: All existing buildings and structures within the site boundary.

Proposed Development: Up to 300 residential dwellings in buildings of up to nine storeys and a community hub space of up to 100sqm; up to 340 car park spaces (including blue badge spaces), the majority of which will be contained within a basement; cycle parking will be provided in line with planning policy requirements; existing access will be retained and enhanced, and; areas of public green space and private amenity spaces.

- b) (ii) a description of the development, including in particular (ii) a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;

The application site does not fall within a Conservation Area and there are no listed buildings on site. There are however two Grade II listed buildings located within approximately 100m (Roche Products office block) and 400m (Nanisco Shredded Wheat Factory) from the Site. Over four kilometres to the south is the Grade I listed Hatfield House and the Grade I listed Hatfield House Park and Garden. Welwyn Garden City town centre Conservation Area lies to the west of the site on the opposite side of the railway line. In addition to the south east is the Peartree Conservation Area. These are all designated heritage assets and the site falls within these buildings' respective wider and extended settings.

There are two statutory sites within 2km of the Site: Sherrardspark Wood is a Site of Special Scientific Interest (SSSI) lies approximately 1.1km from the Site and the Commons Local Nature Reserve (LNR) lies approximately 2km from the Site. One Herts and Middlesex Wildlife Trust Nature Reserved lies within 2km of the Site. There are two Local Wildlife Sites (LWS) within 1km which include the Twentieth Mile Bridge Allotments which lies adjacent to the Site and the Dismantled Railway E. of Sherrardspark which lies approximately 0.9km from the Site.

- c) a description of the aspects of the environment likely to be significantly affected by the development and  
 d) to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from

*i. the expected residues and emissions and the production of waste, where relevant; and*

ii. the use of natural resources, in particular soil, land, water and biodiversity; and

**Summarised in Table 4: Environmental sensitivities and effects expressed within the information submitted by the person making a request for the screening opinion**

| <b>The Site and its environmental sensitivity and aspects of the environment likely to be significantly affected</b> | <b>Description of Likely Environmental Effects</b>  |
|--|---|
| Air Quality  | <ul style="list-style-type: none"> <li>• Demolition and construction</li> <li>• Dust particles</li> <li>• Emissions</li> <li>• Operational phase – traffic, emissions, mechanical plant, including cumulative schemes</li> <li>• Railway potentially affecting air quality</li> </ul>   |
| Landscape/Arboriculture  | <ul style="list-style-type: none"> <li>• Impact on trees during demolition, construction and decommissioning.</li> </ul>  |
| Archaeology  | <ul style="list-style-type: none"> <li>• Disturbance of archaeological remains, particularly due to piled foundations</li> </ul>  |
| Heritage and Townscape   | <ul style="list-style-type: none"> <li>• effects upon the view from the Grade I listed Hatfield House and Registered Park and Gardens, Grade II listed Roche Products and Grade II listed Nanisco Shredded Wheat.</li> <li>• Changes to the townscape character of the site;</li> <li>• Effects upon key local views within the vicinity of the Site once the development is completed</li> </ul>   |
| Microclimate   | <ul style="list-style-type: none"> <li>• Wind speeds, patterns and pedestrian comfort levels around the proposed buildings</li> <li>• consideration of cumulative impact</li> </ul>   |
| Contamination  | <ul style="list-style-type: none"> <li>• Pollutants released during demolition and construction;</li> <li>• Health and safety risks to workers during demolition and construction from contaminated soils and groundwater</li> </ul>  |
| Daylight/sunlight and overshadowing  | <ul style="list-style-type: none"> <li>• Impact on existing and future sensitive receptors</li> </ul>   |
| Ecology  | <ul style="list-style-type: none"> <li>• effects on bats through the loss of potential bat roosts within buildings and trees as a result of site clearance and demolition works;</li> <li>• effects on mammals, such as hedgehogs, and nesting birds during site clearance works;</li> <li>• effects on bats through change and distribution of habitats;</li> <li>• non-native and invasive plant species;</li> <li>• long-term change in habitat value on the site once the Proposed Development is completed and operational.</li> </ul> |
| Flood risk, drainage and water environment   | <ul style="list-style-type: none"> <li>• Increase in flooding</li> <li>• Surface runoff rates</li> </ul>  |

|                               |  |
|-------------------------------|--|
|                               | <ul style="list-style-type: none"> <li>• Potential cumulative floor risk</li> </ul>  |
| Major Accidents and Disasters | <ul style="list-style-type: none"> <li>• Industrial Accident / Biological Hazard</li> <li>• Natural Disaster (severe weather, flood)</li> <li>• Transport Accident</li> </ul>  |
| Noise & Vibration             | <ul style="list-style-type: none"> <li>• New residential receptors and activities</li> <li>• Vibration</li> <li>• Noise created from the railway and the Pall Mall distribution centre</li> <li>• Road traffic noise with and without proposed development.</li> <li>• Noise associated to construction and decommissioning development, including the cumulative impact</li> </ul>  |
| Socio-economics               | <ul style="list-style-type: none"> <li>• Accidents during construction</li> <li>• The direct and indirect generation of employment opportunities during construction;</li> <li>• Increased local spending from the Proposed Development;</li> <li>• The provision of new homes, affordability and the contribution provided to local housing targets;</li> <li>• Increased demand for early years childcare, primary school and secondary school places;</li> <li>• Increased demand for healthcare facilities, in particular primary care services;</li> <li>• Increased demand for leisure and community facilities</li> </ul> |
| Transport and Access          | <ul style="list-style-type: none"> <li>• Impacts during demolition, construction and decommissioning.</li> <li>• Disruption to road users, due to construction and operational phase vehicle activity;</li> <li>• Traffic from residual car driver trips;</li> <li>• Site service and delivery activity;</li> <li>• Additional public transport use</li> <li>• Additional walking/cycling activity</li> </ul>  |
| Waste                         | <ul style="list-style-type: none"> <li>• Waste production</li> <li>• Dust, noise and traffic associated to waste removal</li> </ul>  |

- e) Such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

A Heritage Townscape and Visual Impact Assessment (Annex C), and Preliminary Ecological Appraisal (Annex D) accompanied this application. On the 16<sup>th</sup> October 2020 I outlined within a letter the need for additional information regarding the cumulative impact of the proposed development in terms of air quality and traffic impacts. In response to this you shared further information comprising of a cover letter and i-Transport EIA Screening Update

Note (Annexe A). Within the information above submitted they included measures anticipated to mitigate likely significant environmental effects.

## **SCREENING OPINION**

Regulation 5(4) of the Regulations and NPPG require the LPA to consider the screening criteria set out in Schedule 3 of the Regulations:

- 1. Characteristics of development*
- 2. Location of development*
- 3. Type and characteristics of the potential impact*

To aid LPA's to determine whether a project is likely to have significant environmental effects, the NPPG sets out an indication of the types of impact that are most likely to be significant for particular types of development. Of relevance to this development are:

- Physical scale,
- Potential increase in traffic and emissions.

Whilst any development will have an impact on the environment, which will be considered against the Development Plans and guidance as and when an application is submitted, for the purpose of this Screening Opinion, consideration is given to whether the development is likely to give rise to significant impacts in context of the EIA Regulations.

### **(1) Characteristics of the Development**

#### **a) The characteristics of development must be considered with particular regard to the size and design of the whole development**

The application site covers an area of approximately 1.22ha. The site presently comprises a complex of industrial buildings ranging from 2 to 5 storeys, with extensive roof plant, which measures approximately 35 metre-high. The building footprint within the site is large scale, building in height towards the railway. Additional height is created in the surroundings through the chimneys which abut the tower building to the north. The chimneys and plant work to the roof highlight the overwhelmingly utilitarian and incidental appearance of the site. Glimpses of these elements are the main way the site is experienced from the majority of the surroundings. Consequently the utilitarian character of the site is the most far reaching. The site also includes surface level car parking and basement car parking levels to the north end of the site access via a ramp. The majority of the site is made up of either buildings or hardstanding. Vehicular access to the Site is provided via BioPark Drive, a private road which joins Broadwater Road.

The development proposes the demolition of all existing buildings and structures; up to 300 residential dwellings, up to 9 storeys in height; a community hub space of up to 100sqm; Up to 340 car park spaces (including blue badge spaces), the majority of which will be contained within a basement; cycle parking; the existing access will be retained and enhanced; areas of public green space and private amenity spaces.

The development within the local context is transitioning from being an employment area, with an industrial characteristic, to a more residential urban area. Whilst it is noted that the proposed development would not be taller than the existing property, this development would introduce tall residential flat buildings, within an area where most buildings, in particular residential, are smaller in height. The development is therefore deemed to be significant in physical scale with regard to buildings within the local context, namely those of



a similar use, thus being residential. The development is therefore likely to give rise to significant visual effect on the local environment in terms of townscape and local character; and result in a marked intensification of the site in a residential characteristics, leading to significant environment effects, including traffic and air quality.

**b) The characteristics of development must be considered with particular regard to the cumulation with other existing developments and/or approved development**

Regard is given to the cumulative effects of the proposed development would other existing and approved development. The new evidence provided was still based on the previous use of the site (Use B1c) without reference to neighbouring developments, even though there are approximately 2,500 new residential units, most of which have associated car parking, plus related commercial development (hotel, offices, pub, crèche, gym etc) which are either being built or will be built on the former Shredded Wheat site, the adjacent former Roche Products site and on Broadwater Road. The proposed development consists of 300 residential units plus 340 car parking spaces and a community hub space of up to 100sqm and would contribute towards the intensification of traffic congestion and air quality within this local area. In providing a Screening Opinion the LPA needs to be confident that a degree of rigour and methodology has been applied by the applicant. In this instance further information was requested to address the LPA's concerns that the development, along with cumulative development, would result in a significant effect in terms of transport and air quality in the local area. On receipt of the further information the LPA are not confident that the development would not give rise to an increase in traffic and emission, with particular regard to the cumulation with other existing and/or approved development. It is therefore considered that the EIA Screening Report has not satisfactorily considered the potential cumulative impact with other developments.

Please note, that in addition to the existing and/or approved development you have listed within your Screening Request, you should also take into account the developments below,

- 6/2018/2472/MAJ - Removal of roof and addition of three new floors of residential accommodation comprising 24 x 1 bed flats and 1 x 2 bed flat - Accord House 28 Bridge Road East Welwyn Garden City AL7 1HX - Approved
- 6/2020/2268/MAJ - Erection of two new buildings comprising 111 residential apartments, 73 Bridge Road East, Welwyn Garden City, – Pending Decision
- 6/2018/2387/MAJ – Construction of 22 x 2 beds and 2 x 3 bed apartment with 26 car parking space - 37 Broadwater Road Welwyn Garden City AL7 3AX – Approved

**c) The characteristics of development must be considered with particular regard to the use of natural resources, in particular land, soil, water and biodiversity**

Land and Natural Resources:

The site is within an urban area, on brownfield land and is also proposed as a site allocation for residential development in the emerging Local Plan, due to be inspected at the EiP. Whilst the existing building on site would be demolished and the existing basement car parking potentially extended, the physical appearance of the natural features of the area of land is unlikely to change. The screening request has also been confirmed that the development would not result in the significant loss of resources considered to be scarce and that the development would be energy efficient in line with local and national policy and

legal requirement. Whilst land and natural resources will be utilised, given the nature of the proposed use and the scale of development, it would not result in a significant use of natural resources. In addition, to this it is expected that the planning application would include the submission of a topographical survey; landscaping plan; biodiversity phase 1 habitat survey; and energy statement. The effects are not considered to be significant within the context of EIA Regulations.

#### Contaminated Land:

A Contaminated Land Assessment would be expected to be submitted with the planning application. A Phase I and Phase II Geoenvironmental Assessment has been carried out by Symbiotic Solutions Ltd. Site investigation works involved a 23 soil samples submitted for testing did not identify significant levels of contamination. No significant risks to human health, controlled waters, buried services, ground gas or hazardous vapour risks, were identified and the investigation do not identify any significantly elevated potential contaminants. It is accepted that there is some potential for contamination hotspots it is considered that these are unlikely to significantly affect the overall risk assessment.

The information provided states that no TPH, BTEX, VOC or SVOC concentrations were detected. The site itself is unlikely to be a source of fuel, oil, solvent or other organic chemical contamination; and it appears that potential TPH / VOC contamination arising from the Polycell site to the north / north-east is not affecting the groundwater quality at the subject site. Within the planning process mitigation measures should be outlined within a DCEMP where necessary. A planning condition could then be applied, if it meets the tests, in relation to contamination. For this reason, at this stage the development is considered to be unlikely to lead to risks of contamination of land or water.

#### Surface Water and Flooding:

The application site falls within Flood Zone 1 and is considered to be at low risk of fluvial flooding from significant watercourses. The Environment Agency's surface water flood map shows a small part of the north and south of the site has up to high to medium surface water flood risk; therefore, appropriate consideration will need to be given to the management of flood risk through carrying out a Flood Risk Assessment (FRA) including a detailed surface water drainage strategy.

The potential impacts during the construction phase are considered to be the protection of groundwater quality and the possibility that foundations may encounter groundwater. The potential impacts during the operational phase are the control of surface water runoff, the protection of water quality in routine site runoff and from accidental or process discharges and minimising drinking water and foul drainage demand for the development. The submission confirms, in line with National Planning Policy Framework (NPPF) requirements that a FRA will be carried out as the site is over 1ha. A strategy will be submitted on managing surface runoff. It is also understood that the proposed design and construction methods will take into account the possibility of shallow groundwater and include sustainable urban drainage systems restricting the runoff rate and include 40% buffer to account for future climate change.

The cumulative effects of new development on water resources and foul drainage provision are managed at the regional level by the appropriate water companies in consultation with statutory bodies such as the Lead Local Flood Authority and the Environment Agency. The cumulative effect of increases in mains water and foul drainage demand should offset by sustainable design and water efficiency measures and infrastructure contributions for sewage treatment works, where necessary. These measures should collectively ensure that the cumulative effects on regional water resources and treatment performance are controlled

to an acceptable level. The development is therefore considered not to have adverse harm upon the water environment.

The development would therefore be unlikely to affect water resources or on the site. If necessary, mitigation measures could be sought through planning condition to ensure the scheme does not give rise to surface water or flood risk.

#### Biodiversity:

The existing site falls within a designated employment area and currently comprises of several buildings and a significant amount of hard surfacing, with formal landscaping covering approximately 50sqm. There are also few trees onsite, with a wedge of ornamental trees with self-sown Sycamores present along with small patches of overgrown grass and weeds. The site therefore has limited formal landscaping. A soft and hard landscaping plan would be expected to be submitted with the planning application and mitigation measures could be controlled through condition.

The site is not subject to any statutory or non-statutory nature conservation designations. There are two statutory sites within 2km of the Site: Sherrardspark Wood is a Site of Special Scientific Interest (SSSI) lies approximately 1.1km from the site and the Commons Local Nature Reserve (LNR) lies 2km from the site. One Herts and Middlesex Wildlife Trust Nature Reserved also lies 2km from the site. There are two Local Wildlife Sites (LWS) within 1km which include the Twentieth Mile Bridge Allotments which lies adjacent to the site and the Dismantled Railway E. of Sherrardspark which lies approximately 0.9km from the site.

A Preliminary Ecological Appraisal (PEA) and Preliminary Bat Roost Assessment (PBRA) has been submitted. The PBRA was undertaken on 17<sup>th</sup> August 2020 and concluded that no evidence of bat roost utilisation of buildings or trees was found. Furthermore, none of the buildings or trees were considered to hold roost suitability and therefore do not require further investigation. The PBRA continues stating that despite the lack of evidence of roosting bats, the site lies within the surrounding landscape context that supports typical urban bat populations and the mature trees and hedgerows along the southern boundaries are likely to provide features conducive to foraging and commuting. The PBRA therefore advises enhancement opportunities should be sought to improve roosting opportunities for bats, as the site

The PEA report concluded that the site is considered unsuitable to support Great Crested Newts; Dormice; Water Voles/ Otters; Badgers; Reptiles; or Hedgehogs. The site is therefore considered to be of limited value for wildlife and there is no evidence for potential to support protected or notable species.

Furthermore the PEA found that the development will not impact statutory or non-statutory wildlife sites within the surrounding 2km radius. The development has the potential to provide opportunities for increased foraging, nesting and connectivity for wildlife with landscaping resulting in a marginal net gain in biodiversity on the Site. Within the PEA it advises mitigation measures, including but not exclusive, biodiversity gain through new landscape planting; bird boxes; and bat roosting opportunities.

It is considered that the above mitigation measures, in conjunction with mitigation measures that should be included within the DCEMP, Flood Risk Assessment; and Surface Water Strategy should prevent the development having a significant detrimental impact upon biodiversity within the site and surrounding area.

**d) The characteristics of development must be considered with particular regard to the production of waste**

During the construction the use of natural resources is considered to be fairly typical for an urban development project such as that proposed, as will the production and management of waste. Nevertheless, the development would by its very nature generate waste, associated with the construction, demolition of existing buildings and excavation of the basement area. This is not deemed to be significant and effects can be controlled / mitigated by:

- Pre-demolition audit – providing details on materials that can be reclaimed and recycled and assist in waste segregation recommendations.
- Effective water suppression during demolition
- Buildings soft stripped inside before the demolition process commences.
- Construction traffic route information / agreement
- Investigation to see if construction materials can be used efficiently on-site and that all re-useable wastes recovered, re-used or recycled wherever possible.
- Approval and implementation of a Waste Management Plan and DCMP that follows the waste management hierarchy (reduce, reuse and recycle).

During the operation phase a Waste Management Strategy that deals with operational waste and informs the design process (to also include appropriate refuse and recycling facilities) will be expected to be submitted with the planning application. You should however consider the production of waste with regard to cumulative development, as I am aware recent Scoping Opinions for the Shredded Wheat North and South have determined that waste should be scoped in, due to the amount of cumulative development within this area.

**e) The characteristics of development must be considered with particular regard to pollution and nuisance**

During the construction phase the noise and vibration generated during the demolition and construction phases could have some negative effects within the surrounding area / receptors. However, it is deemed typical industry standard noise mitigation measures and should be set out in DCMP, along with a piling methodology which could be secured via condition, and implemented to reduce and minimise potential effects.

During the operation phase there is potential for a change in noise and vibration, both for existing and future receptors. The submission recommends the development will be designed with appropriate noise attenuation measures such as specified glazing to mitigate any impact from railway noise and the operation of the Pall Mall distribution centre. The Council agrees with such mitigation measures and recommends this informs the design. Conditions can be imposed to ensure noise and vibration do not cause significant effects, for example: hours of uses; noise limits for mechanical plant; anti-vibration equipment, noise insulation etc.

As for the cumulative impact, due to the amount of development within the surrounding area, this site is likely to result in an intensification in traffic congestion, particularly during peak times. This would consequently result in potential impacts upon air quality within the local area. It is noted that the site does not fall within an Air Quality Management Zone. However, from the information submitted the LPA is not confident that the development would not result in significant effects on local air quality due to the increase in traffic congestion when considering the development with cumulative development.

*Light pollution:*

The submission does not consider the effects on light pollution directly, other than within the PEA. Both construction and the development have the potential to cause light pollution. During works, it is recommended a DCEMP is secured (either at time of submission or by condition) that addresses the impact of light pollution and how this will be minimised. The mitigation measures proposed within the PEA are supported, for example,

- New column-mounted luminaires, lighting bollards and wall-mounted luminaires should be selected, sited and angled such that they do not spill unnecessary light on to areas where illumination is not required so that there is no significant increased light trespass on to existing nocturnally dark habitats where bats forage and commute.
- Ensure new LED luminaires have dimming capability, a warm white spectrum (ideally less than 2700, but below 3500 Kelvin) with peak wavelengths higher than 550 nm and with no UV output.
- Where security lamps are used these should use a trigger to illuminate them (e.g. passive infra-red detector) and switch off after a short period (ideally 1 minute), rather than remaining on all night and generally lights should be switched off when not required.

In addition to this, mitigation measures such as,

- Keeping construction lighting (amount, level and hours) to an absolute minimum;
- Sensitive lighting design to prevent spillage onto features including the trees; and
- A lighting assessment including a lighting strategy to ensure no negative effects on ecology.

It is recommended that a Lighting Assessment is submitted, these mitigation measures inform the design, and safeguarding conditions can be secured to ensure there are no significant effects.

#### *Land / soil contamination:*

During the construction phase there is a potential for pollutants to be released into the ground or into surface water during demolition and construction. However, it is deemed this could be suitably addressed through mitigation measures:

- DCEMP (to include the storage, use and handling of substances and materials, refuelling and fuel/oil storage);
- Procedures for surface water management.

Once the development is occupied any potential impacts on existing receptors surrounding the Site and future receptors, can be suitably controlled through a Phase 1 Land Contamination Desk Study Report, including a preliminary risk assessment, and conditions to ensue any recommendations / further site investigations and remediation and validation reports are submitted, implemented and verified.

#### *Climate Change and Greenhouse Gas Emissions*

During demolition and construction, different types of materials will be required, and the generation of greenhouse gases associated with the production of such materials is acknowledged. In addition to this, construction traffic also has the potential for pollutants to be released into the air. During operation the development would result in vehicular traffic associated to residential properties, which would generate greenhouse gases.

It is considered that the EIA Screening Report is fairly light on its consideration of the cumulative impact of the proposed development in terms of air quality and traffic impacts; particularly given the number of residential units with car parking spaces which will be coming forward within a similar time frame.

While there is acknowledgement that the construction phase may generate potentially significant noise and air pollution, given that it could overlap with the build-out of other developments in the vicinity, the proposed mitigation is the use of a DCEMP to control the noise, dust, vehicle emissions, and an assumption that all other nearby developments will be similarly controlled.

The Screening Request does not however, identify any cumulative impacts in terms of vehicle movements and air quality impacts during the life of the development and yet the developer has proposed that there will be an overall reduction in two-way trips across the day, based on the TRICS database.

While the site is not in an Air Quality Management Area, so the air quality impacts and traffic management issues may be less significant, there is no explanation as to what former use the TRICS data is based upon, and nor is there any consideration of the cumulative effect of the various developments coming forward in the vicinity, a number of which entail a significant increase in residential units with car parking.

Given the relatively dense development of the site, and the cumulative development within the surrounding context, the evidence to support the applicant's conclusion is not clear and consequently I am not convinced that the impact from this development with the cumulation with other existing/approved developments would not give rise to significant impacts.

**f) The characteristics of development must be considered with particular regard to the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge;**

The nature of the development is not deemed to result in the potential for major accidents and disaster events to occur, however for proportionality, the evaluation process of such major accidents and/or disasters has been considered. Within the submission it confirms a Transport Assessment, Contaminated Land Assessment, FRA and Drainage Strategy will be provided. These should demonstrate any risk and propose mitigation measures, including the use of appropriate design solutions, drainage measures (including climate change) and management procedures. Mitigation measures shall inform the design, and safeguarding conditions can be secured to ensure there are no significant effects

**g) The characteristics of development must be considered with particular regard to the risks to human health (for example, due to water contamination or air pollution).**

At construction stage, as with any development there is the risk that accidents could occur. However, it is deemed that this can be controlled / mitigated through; health and safety legislation; good site management procedures and remediation strategy. Likewise at operation stage, a remediation would be a condition of any consent granted to ensure contamination does not risk existing and future residential receptors. In addition, the FRA and Drainage Strategy will investigate flooding and demonstrate flood risk is mitigated both on site and around.

Having said that above, the introduction to the new evidence promised further information on the cumulative impact of the proposed development on operational air quality, but in fact simply concluded that as there will be a net reduction of vehicle movements (based on the potentially-challengeable assumptions outlined above), the proposed development will have "a negligible or beneficial impact on air quality" and "the inclusion of road traffic associated with cumulative developments will not alter this conclusion". No evidence is provided to

support these statements. Limited information has been presented, which takes sufficient account of the cumulative impact on local traffic and air quality, which may result in potential risk to human health.

**Summary – On the basis of the information provided, having regard to the criteria set out in (1) of Schedule 3, in particular ‘the size of the development’ (a), which is significantly greater than the surrounding land uses of the site; the cumulative effect with other developments within the surrounding area (b); traffic pollution and air quality (e) and the risk to human health (g), it is considered the proposed development, with the cumulative development, could potentially have significant effects on the environments.**

## **(2) Location of Development**

### **a) The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard, to the existing and proposed land use**

The site is within an urbanised area close to the town centre and would be in a residential use, with less than 100sqm of non-residential floor space. Surrounding the site are similar uses, including residential. The current building on site is for research and development use, so the proposed development would result in a different land use. The development is likely to have significant environmental effects on surrounding road networks, due to an increase in vehicular movement, particularly when considering the cumulative development. In turn, this may result in significant effects on air quality. The increase in scale, namely with height, may also result in a significant effect upon heritage assets and the townscape.

### **b) The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard to the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground and;**

The site is within Flood zone 1; is not within a Groundwater Protection Zone; therefore, subject to Flood Risk Assessments and Drainage Strategies, the proposed development is not deemed to result in significant environment effects.

### **c) The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard, to the absorption capacity of the natural environment, paying particular attention to the following areas**

#### Wetlands, riparian areas, river mouths;

The proposed development footprint is not within or directly connected to wetlands, riparian areas or river mouths.

#### Coastal zones and the marine environment

The proposed development is not located within a coastal zone or marine environment. The site is not located within or directly adjacent to any special areas of conservation and special protection area.

#### Natural reserves and parks

The proposed development is not within or directly connected to any nature reserves or parks. There is no known direct pathway between the site and nature reserves or parks.

European sites and other areas classified or protected under national legislation; areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;

The site is not known to be located within or connected to such an area.

Densely populated areas:

The site is surrounded by residential and commercial uses, along with an allotment, and the development has the potential to cause impacts on such receptors, particularly in terms of:

- Noise, vibration
- Emissions, dust during construction
- Noise and light pollution from proposed use
- Visual impacts through construction and the development
- Pressure on local infrastructure through additional residential uses
- Changes in lighting conditions
- Flood risk and contamination
- Traffic impact

The above matters have been discussed elsewhere in this report. Expanding upon the points above, the effects of noise pollution during construction are not likely to be significant; the size of the proposed development is likely to give rise to visual effects on the townscape and character of the site and local area, in particular upon the heritage assets. The site would also be accessed off Broadwater Road (A1000). It is considered this development, along with the cumulative development in the area, is likely to give rise in significant effects on the local road network, particularly when the use is in operation. The effects of air quality are likely to give rise to significant effects, due to immediate roads surrounding the site becoming congested at peak times, especially when considering the cumulative impact of other developments.

Landscapes and sites of historical, cultural or archaeological significance:

The buildings on site have not been identified as designated or non-designated heritage assets, nor are they located within a Conservation Area or lies on an area identified as Archaeological Significance.

The site is however near other heritage assets, such as Welwyn Garden City Conservation Area, Peartree Conservation Area, the Grade II listed former Shredded Wheat Factory and the Grade II listed former office block of the Roche Factory. Further afield is the Grade I listed, over four kilometres to the south, is the Grade I listed Hatfield House and the Grade I listed Hatfield Registered Gardens and Parks.

A Heritage, Townscape and Visual Impact Assessment (HTVIA) has been prepared by Bidwells as part of this application. Due to the proximity to a number of designated heritage assets, the HTVIA assesses the potential impacts of the proposed development upon the historic environment and surrounding townscape. The HTVIA found the proposal of two - nine storeys to be a neutral introduction to the setting of the nearby heritage assets and townscape character areas, posing no harm to their significance as well as the overall townscape character. However, due to the scale of the development, namely the height, in contrast to existing development within the area, it is considered that there may be potential that the development could give rise to significant effects upon historic assets.



**Summary – The site does not lie within or adjacent to a ‘sensitive area’ as defined in Part 1 of the EIA Regulations, however the surrounding area to the site, when minded of cumulative development, is relatively densely populated. The development would result in a change of use for residential units and 100sqm of non-residential use. As such, it would inevitably comprise a physical change to the locality, given the scale, land use and nature of the development and environmental context of the area, the magnitude, intensity and duration of any impacts on the environmental sensitivities of the area, are therefore deemed to be significant. The proposed development is deemed to give rise to significant environmental effects, namely from the heritage, townscape and visual impact arising from the development; and the effects through construction and operation with regard to traffic and air quality.**

**(3) Type and characteristics of the potential impact: The likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 above, with regard to the impact of the development on the factors specified in regulation 4(2), taking into account—**

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);**
- (b) the nature of the impact;**
- (c) the transboundary nature of the impact;**
- (d) the intensity and complexity of the impact;**
- (e) the probability of the impact;**
- (f) the expected onset, duration, frequency and reversibility of the impact;**
- (g) the cumulation of the impact with the impact of other existing and/or approved development;**
- (h) the possibility of effectively reducing the impact.**

Firstly, the site comprises an area of 1.22 ha and involves the development of up to 300 residential dwellings and up to 100sqm of non-residential floor space. The residential apartments would be up to 9 storeys in height, which would be significantly taller than other existing residential developments within the wider area.

Due to the scale of the proposed development it is likely to result in a significant impact upon heritage, townscapes and visual impacts. The height of the development would result in it becoming visible from the Grade I Hatfield House and Registered Parks and Gardens. The irreversible and permanent harm arising from the development due to its height would therefore have a greater spatial extent and would not result in just a localised impact.

As for the intensity and complexity of the impact, the site is currently previously developed land within an urban setting. Within the immediate surrounding area there is residential development. The introduction of residential development on this site would result in different vehicle movements, compared to the existing B1c use. Therefore, whilst the Transport Assessment has compared vehicle movements at peak times between 7am and 7pm during the week, it has not taken into account vehicle movement during the evening and weekend journeys from the proposed residential use, particularly as there is currently no bus service available in the evenings or at weekends. Further to this, the Transport Assessment concludes that as there will be a net reduction of vehicle movements the proposed development will have "a negligible or beneficial impact on air quality" and "the inclusion of road traffic associated with cumulative developments will not alter this conclusion". No evidence is provided to support these statements. The intensity and complexity of this site, should be considered with the cumulative impacts on local traffic and air quality of the wider development area.

Given the characteristics of the existing land use and characteristics of the development, the probability of the impact is highly likely. The expected onset, duration, frequency and reversibility of the impact the environmental impacts may be temporary during construction and not significant to some receptors subject to appropriate mitigation and legislation. The construction phase will however generate considerable noise and disturbance, and the duration may be in excess of a year. Nevertheless, the impacts from the construction phase would be temperamental.

The significant harm would become permanent and irreversible once the development is occupied, unless the site is redeveloped in the future. As discussed earlier, the likely effects from noise, light pollution, ecology and waste are permanent, but could be managed through mitigation measures. Concern arises with the permanent impact of the development upon traffic, air quality and heritage assets. Likewise, the permanent impact upon the heritage assets and townscape would be significant due to the scale of the development, in comparison to that existing within the wider area. The evidence provided on these topics has not given the LPA confidence that the development would not result in a significant impact. Further to this, the evidence presented does not take sufficient account of the cumulative impacts on local traffic and air quality of the wider development area, and nor is it robust enough in concluding that vehicle movements will be reduced once the proposed development is operational.

As for the possibility of effectively reducing the impact, the concern regarding traffic, air quality and impact upon the heritage assets and townscape, when considering cumulative development, is deemed difficult to avoid, reduce or compensate for the effect.

Having regard to the above factors, the development (construction and operation) could have a significant impact upon a number of areas of acknowledged interest. Broadly speaking these would include, but are not exclusive to, socio-economic, biodiversity, noise, visual impact (local character, townscape and heritage assets) traffic generation and air quality. Some of these impacts, namely transport, air quality and heritage townscape and visual impacts would not be reversible, would not be limited to the immediate locality thereby potentially affecting a significant number of people and receptors, and deemed difficult to reduce, avoid or compensate.

### Conclusion

On the basis of what has been submitted with this screening request and having completed the screening exercise, I cannot conclude that the proposed development will have insignificant effects on the environment on account of its size, nature or location. For this reason, in accordance with Regulation 6 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, it is considered that the proposed development would be likely to have significant effects on the environment and that the proposed development does require an Environmental Impact Assessment to accompany any future planning application, under the terms of the Town and County Planning (Environmental Impact Assessment) Regulations 2017. As a result, a positive Screening Opinion is appropriate in order to ensure that an Environmental Statement (ES) will be submitted with the Application. The ES should address the cumulative impacts on traffic and air quality specifically, as well as the potential significant impact regarding heritage, townscape and visual impacts.

I strongly advise you request a Scoping Opinion to determine the extent of issues to be considered in the assessment and reported in the Environmental Statement. This will give you the opportunity to ask the LPA for its opinion on what information needs to be included.

Within the Scoping Opinion I also advise you address why specific chapters are scoped out and scoped in because in line with Regulation 15(4) an authority must not adopt a scoping opinion in response to a request under paragraph (1) until it has consulted the consultation bodies.

Yours sincerely,

A black rectangular box redacting the signature of Sarah Smith.

Sarah Smith  
Development Management Service Manager