

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE - 6 DECEMBER 2018
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING
AND GOVERNANCE

6/2018/0171/MAJ

FORMER SHREDDED WHEAT FACTORY WELWYN GARDEN CITY AL8 6UN
CREATION OF A MIXED-USE QUARTER COMPRISING THE ERECTION OF UP
TO 1,340 RESIDENTIAL DWELLINGS INCLUDING 414 (31%) AFFORDABLE
DWELLINGS (USE CLASS C3); 114 EXTRA CARE HOMES (USE CLASS C2); THE
ERECTION OF A CIVIC BUILDING COMPRISING 497 M² OF HEALTH (USE
CLASS D1), 497 M² OF COMMUNITY USE (USE CLASS D1), 883 M² OF OFFICE
(USE CLASS B1) AND 590 M² OF RETAIL (CLASS A1/A2/A3/A4/A5);
ALTERATIONS, ADDITIONS AND CHANGE OF USE OF GRADE II LISTED
BUILDING AND RETAINED SILOS TO PROVIDE 5,279 M² OF FLEXIBLE
BUSINESS FLOORSPACE (USE CLASS B1), 270 M² COMBINED HEAT AND
POWER (SUI GENERIS), 2,057 M² INTERNATIONAL ART CENTRE (USE CLASS
D1), 1,235 M² GYMNASIUM (USE CLASS D2), 1,683 M² OF
RESTAURANT/COFFEE SHOP/BAR (USE CLASS A1/A3/A4/A5), CRECHE/DAY
NURSERY (USE CLASS D1) OF 671 M² AS WELL AS A NETWORK RAIL TOC
BUILDING (USE CLASS B1) OF 360 M²; PLUS ASSOCIATED CAR PARKING,
ACCESS, LANDSCAPING, PUBLIC ART AND OTHER SUPPORTING
INFRASTRUCTURE.

APPLICANT: THE WHEAT QUARTER LIMITED

(Peartree)

1. Background

- 1.1. This report sets out considerations in relation to the planning application of the former Shredded Wheat Factory at Welwyn Garden City. The application follows last year's approval of a residential led (850 units) mixed used scheme (DMC March 2017). This present application envisages a much denser scheme at 1,454 residential units and mixed use. The application is accompanied by a listed building consent application reference 6/2018/0960. Also for consideration is the Environmental Statement setting out an analysis of a range of environmental factors related to the proposed development of this site.

2. Site Description

Site Location and Description

- 2.1. The application site is located within a commercial area within the eastern part of Welwyn Garden City. The site itself, known as the former Shredded Wheat factory which includes other land occupied as a Polycell factory, lies within an area allocated for industry in the original Louis de Soissons garden city plan. The Shredded Wheat factory opened in 1926 becoming a major employer and breakfast cereal manufacturer until its closure in 2008 when production was moved to a new location in Wiltshire. The site contains a Grade II Listed Building - albeit parts of this have been removed following approval of a Listed Building Consent (Ref: N6/2015/0293/LB) last year.
- 2.2. Presently the site has undergone substantial clearance and demolition of a number of silos as well as administration and manufacturing buildings. The retained buildings are the production hall, grain and boiler houses and a section of the silos. The rest of the site is virtually clear and enclosed by hoardings. There are some trees and natural vegetation in and around the site. The applicant has established a site office/visitor centre a building off Hyde Way on the site.
- 2.3. The developable area is essentially the same as for the previous application although the site area is smaller. This is because: the application site does not include any public highway land around the site; nor does it include Hyde Way which runs centrally east–west; it also excludes the access road to the site occupied by PW Gates distribution in the south east corner (also known as the Pall Mall site).
- 2.4. The Pall Mall site is located alongside the application site (south west corner) and comprises a very large distribution warehouse (a footprint of approx. 175m by 50m) with space for external parking and loading for several HGVs on the north and west sides of the building. This site is accessed via a service road which runs along Bridge Road and rail line sides of the site also serving as access to operational rail land for maintenance purposes.
- 2.5. Immediately to the south is a residential development at a site known as the former Roche Factory site recently developed by Taylor Wimpey (approximately 200 units -N6/2010/1776/MA). The Roche Building, which is listed, is also undergoing conversion for 34 residential units (N6/2016/1882/FUL). To the north and east of the site is the largely commercial land comprising a mix of trade counters, storage and office uses. There is some new residential development in this area, for example, the corner unit known as Mercury House at the Bridge Road/ Broadwater Road junction.

3. The Proposal

3.1. The scheme's floorspace is broken down in the following table:

Residential (1340 dwellings) – Blocks 2, 3, 6, 7, 8, 9, 10, 11, 12 & 13 – heights range from 5 to 9 storeys.	
Flats (Use Class C3)	1340 The applicant proposes 414 - or 31% - of these would be affordable and broken down as: <ul style="list-style-type: none"> • 258 intermediate • 106 affordable rent and • 50 social rent (over 55s) Further discussion on the affordable element is given in the Analysis section.
Extra care homes (Use Class C2)	114
Commercial/Community (14,531 sq.m floorspace) – Blocks 1, 5 and 6 Train Operating Company (TOC) Office (B1) building	
Civic building (5 storey):	
health	- 494
community use	- 494
office	- 1,232
retail	- 646
	sq.m.
Grade II Listed Building:	
flexible business floorspace	- 5,096
combined heat and power	- 265
International art centre Gymnasium	- 2,494
Restaurant/coffee shop	- 1,226
bar (A1, A2, A3, A4, A5)	- 1,576
Creche/Day Nursery	- 644
	sq.m.
Train operating company (TOC) Office B1 building	364 sq.m.

3.2. The following extract from the Design and Access Statement (Collado Collins) shows the layout, position and phasing of blocks across the site. This will be in 3 phases with the listed building conversion, new square and community facilities provided first, followed by successive phases of residential completions.



Figure 1 Extract from Design and Access Statement Collado Collins

3.3. The following table gives a breakdown of the scheme by phase:

Phase 1 (374 units)	Phase 2 (455 units)	Phase 3 (625 units)
Bridge square and community facilities plus 26% of homes	Weave Central Spine and Four more (31%) residential and assisted living blocks	Provision of Mews and remaining (43%) blocks
Public realm: Goodman Square and Hyde Way	Eco Habitat adjacent to Block 3	Mews vehicular and pedestrian link alongside production hall entrance
Block 1: Louis de Soisson Civic Building Healthcare, community, office and café	Block 2C: 35 residential units	Block 6: 239 residential units
Blocks 2A&B: 114 residential units (identified as Use Class C2 (Assisted Living))	Block 3: 114 residential units	Block 7: 281 residential units
Block 4: Renovated former production hall Nursery, leisure, office and conference	The Weave: central spine park south site	Block 9 105 residential units
Block 5: Renovated Grain, silos, boiler house etc Art/museum, energy centre, restaurant/cafes	Block 10: 107 residential units	
Block 6E: 28 residential units	Block 12: 101 residential units	
Block 8: 131 residential units	Block 13: 98 residential units	
Block 11: 101 residential and inclusive of assisted living units		

Note: This information is indicative and a more detailed phasing plan is the subject of further approval by planning condition.

3.4. In addition to the above the application has been supplemented by a number of detailed supporting documents to aid the analysis of the scheme. These are listed below:

1. Design and Access Statement, Collado Collins
2. Transport Assessment, Entran
3. Framework Travel Plan, Entran
4. Landscape Masterplan, Bradley Murphy Design
5. Delivering the Wheat Quarter, Plutus Estates
6. Planning Statement, Icen Projects

7. Heritage Impact Assessment, KM Heritage
8. Community and Stakeholder Engagement, Marengo Communications
9. Sustainability Statement, Sol Environmental
10. Energy Statement, Sol Environmental
11. BREEAM Statement, Sol Environmental
12. Health Impact Assessment, Icen Projects
13. Financial Viability Assessment, Icen Projects
14. Environmental Statement, Entran

4. Reason for Committee Consideration

- 4.1. This application is presented to the Development Management Committee because this is a major application accompanied by an Environmental Statement. This committee has the proper authority conferred on it under the constitution for making decisions of this nature subject to any statutory notification or Secretary of State call-in. In this case the Council must notify the Secretary of State of its decision in accordance with the Environmental Impact Assessment Regulations 2017.

5. Relevant Planning History

- 5.1. The site's history goes right back to the 1920's and hence there are various schemes over the years relating to the evolution of the site in its life as a cereal manufacturer. More recent proposals for redevelopment following the site's closure in 2010 are noted below.
- 5.2. An application in 2010 (referenced N6/2010/2055/MA) comprised a mix of uses notably 14,000sq.m of office, 344 residential units and a new retail supermarket. This application was refused in Jan 2012 for a range of reasons including retail implications, design, inefficient use of site and failure to link in Pall Mall site and transport matters.
- 5.3. An application in 2015 (referenced N6/2015/0294/PP) sought outline permission for development with (part retention and part demolition) for 850 residential units and C 14,000 sq.m. of buildings hosting workspace, healthcare, hotel, shops and restaurants and community uses. This application was approved in Nov 2017 subject to planning conditions and with an accompanying legal agreement.

6. Planning Policy

National Planning Policy Framework

- 6.1. The National Planning Policy Framework (July, 2018) sets the context for plan making and decision making from the national perspective. Its overall content and principles are of relevance to this scheme. At its heart there is a presumption in favour of sustainable development. This means approving development proposals that accord with the development plan without delay (para 11).

- 6.2. Moreover, Paragraph 11D of the NPPF (and its footnote) set out that where a local planning authority cannot demonstrate a 5 year land supply of deliverable sites its plan is considered to be out of date and as such planning permission for schemes should be granted unless:

*“i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

Statutory Development Plans

- 6.3. The current planning policies for Welwyn Hatfield are set out in the statutory development plan which comprises: the saved policies of the Welwyn Hatfield District Plan adopted 2005, the Hertfordshire Waste Local Plan adopted 2012-2014 and the Hertfordshire Minerals Local Plan adopted 2007.
- 6.4. Welwyn Hatfield District Plan 2005 has development plan status in relation to S70 of the Town and Country Planning Act 1990. This obliges the local authority to have regard to its provisions unless material considerations indicate otherwise.
- 6.5. The Draft Local Plan August 2016 is at an advanced stage in the plan process having been submitted and been through a substantial part of the examination process. There are detailed policies relating to this site and weight can be given to these policies according to its stage in the process in line with para 48 of the NPPF.
- 6.6. The analysis at section 10 considers the principal policies relevant to determining this case. Although they may not be specifically referenced relevant policies and issues will have been given due consideration in the overall assessment process as well as in the framing of potential conditions and obligations on the scheme.

Other Planning Documents

- 6.7. Other planning documents that are relevant to the consideration of this application are listed below:
- Broadwater Road West Supplementary Planning Document 2008
 - Supplementary Design Guidance, February 2005
 - Supplementary Planning Guidance, Parking Standards, January 2004
 - Interim Policy for Car Parking Standards and Garage Sizes, August 2014
 - Planning Obligations, Supplementary Planning Document, February 2012

7. Site Designation

Site Designations and Constraints

- 7.1. The site lies within Welwyn Garden City Industrial Area EA1 (149ha) under the Welwyn Hatfield District Plan 2005. As stated above this industrial area has experienced change through emerging Local Plan designations and changes of use which follow the government's relaxation of planning laws around office to residential in particular.
- 7.2. The application lies within Broadwater Road West Opportunity Area for mixed use development as depicted in the extract at Figure 2. This designation is referenced in the existing and emerging local plans and the corresponding SPD.

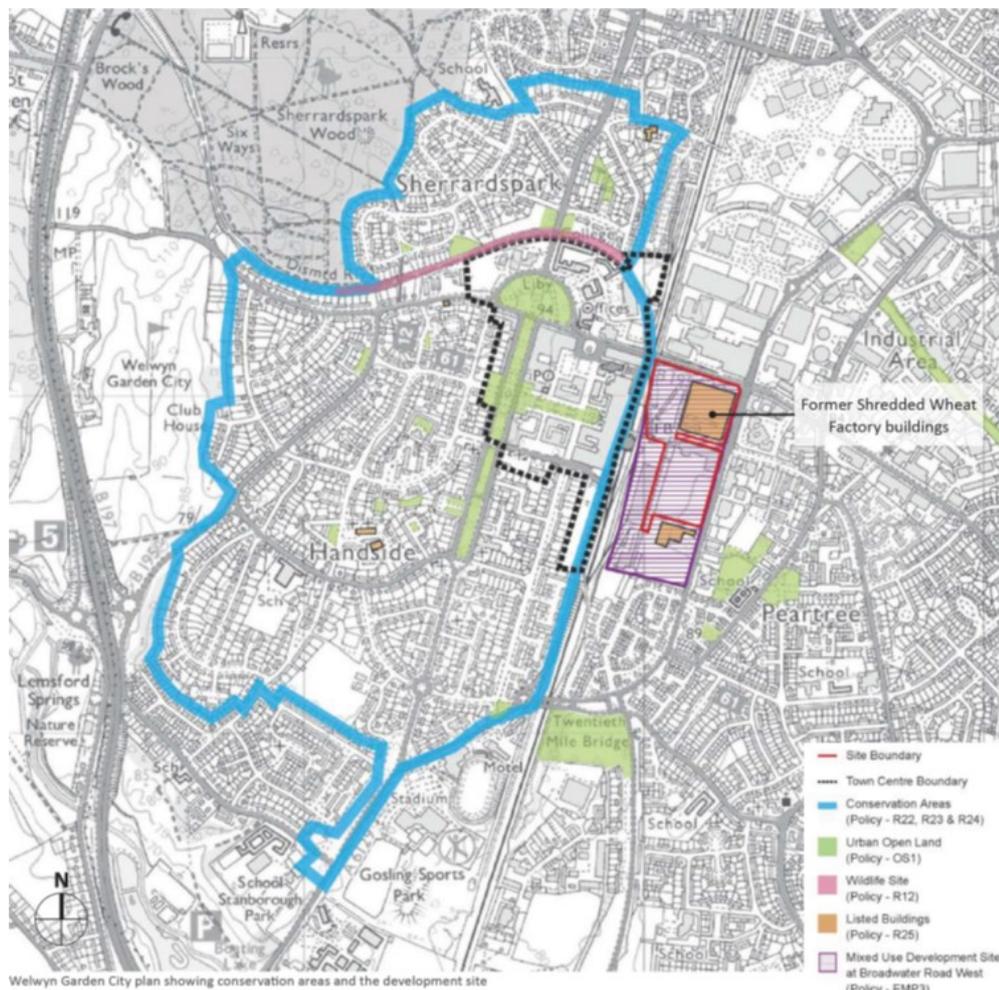


Figure 2 - Extract from DAS Collado Collins 2018 indicating the combination of Local Plan Designations in relation to the site.

- 7.3. *Other designations:* The site is within a surface water floodplain and a sand and gravel belt. It comprises a grade II listed building. An existing listed building consent (2015/0293) approved the removal buildings on the site retaining a portion of the silos, the boiler house, grain house and production hall.

8. Representations Received

8.1. The application was advertised by means of site notice, press notice and neighbour notification letters. All representations received are published in full on the Council website.

8.2. **Individual Responses** – below is breakdown of the response numbers:

Number of representations	
Support	89
Objection	44
Comment	32
Total	165

8.3. Below is a list of comments received split by support, objection and comment:

8.4. **Support:**

- Much needed housing for thousands of people on housing waiting list
- More jobs, more housing and more community facilities.
- This is a great proposal to help regenerate this area of WGC.
- Transformational impact on Welwyn Garden City
- Production Hall, Art Hub and Exhibition spaces look fantastic
- Much needed new homes for Welwyn Garden City 450 Affordable Rent and Shared Ownership homes (Tesco only offered 50!) The refurbishment of the Production Hall -to deliver state of the art, creative office space Art Hub, Exhibition and Museum spaces and a range of other facilities
- Exactly what the area needs and excited that it is close to being realised.
- I believe the regeneration of the old Weetabix (sic) area is an important step forward and will enhance the whole area bringing greater prosperity
- This development looks like being a really positive project for the town and the community of Welwyn Hatfield. From what I can see there will multiple improvements for the town, for residents, for business and for local charitable organisations.
- Fully support this application, these very exciting proposals and the affordable homes it will bring for the many young couples seeking to acquire their first homes and get on the housing ladder.
- I work in Welwyn garden City and have seen this site derelict for a number of years. Looking at the proposals I believe that it will be a positive development for the area and for Welwyn as a whole. I work with people with housing problems and believe that the area desperately needs more housing stock.
- Broadwater Road has changed massively over the last 15 years. My wife worked in one of the offices, now replaced. So this site has been essentially derelict for probably 10 years and developers are not

queuing up to take over and build on this site. So it will bring a lot of housing, retail and sports facilities and recreation.

- What's not to like if the current eyesore is changed into something elegant and productive. The number of houses is significant and the influx of people will bring revenue to the area. This in turn will bring employment across the educational spectrum. It is big enough to develop into a community of its own. So no objection here.
- Needs to have social housing on not for the well off
- I don't live in the area, but use services in WGC. I understand this development will provide services for the community, jobs and housing which I support
- I agree with the proposal as I believe we need more social housing in the local area
- It would be great to have a swimming pool in the plans.
- We need more social housing in the area.
- I do not live in WGC but I work there, I use public transport and this development looks like it will be a great asset to WGC, producing employment and new homes. I would definitely think about relocating here.
- I have lived in Welwyn Garden City all my life and also work here as well. My job involves working with the homeless in and around the borough. I feel these plans would really benefit the area and are a fantastic idea.
- This new development will be great for WGC and is exactly what's needed to bring the town into the 21st century.
- Excellent opportunity
- I am very impressed with the quality of this development. I believe it will give a much needed boost to the town and its communities, through its 21st century interpretation of the Garden City ethos.
- This is a fantastic, long overdue, proposal which will enhance the local area and make use of what was completely dead space. Sensible renovation of this area, in keeping with the town and respectful of its history has been a long time coming and I am very supportive.
- Even better that it incorporates the arts and leisure, reaching out to local communities. My only concern is that the residential properties are accompanied by sensible schooling proposals to accommodate new families.
- I have lived in WGC for 58 years and this building was a big part of our community when in use. It has been unused for a long while, and is like a dinosaur. It needs to be put to good use!
- The proposal will help WGC become a more vibrant town and make good use of the space.
- I would like to support this planning application. Welwyn Garden City is a deprived area with low employment and housing, with many residents who need support with alcohol and substance abuse. I travel to Welwyn Garden City as a commuter to volunteer in one of the local charities and I see how much needs to be done to give residents hope in their future.
- I hope this project creates jobs for local youth and give a boost in so many areas to local residents. It is a beautiful city but it saddens me to

see the lack of help and facilities that are so desperately needed to help local economy.

- Good for the town. Accommodation, places to visit etc.
- Great idea at last moving forward
- This is just what the town needs to revive it. Great development.
- This quarter will revitalise the town. It is much needed and will be a wonderful addition.
- Great idea and hopefully good for the town
- Looking forward to it
- Fantastic for the town
- I'm part of WGC FC and this is a great opportunity for the town.
- I think this will be a great development that will provide loss of fantastic services and entertainment for Welwyn Garden City
- Would be a great contribution to the town
- Brilliant should have been done 15 years ago
- I agree completely with the proposals but keeping the silos could be a big mistake.
- So excited about the whole scheme. Just what WGC needs including cultural events
- My husband hopes you take down the metal fence to allow easier access to PW Gates. Love the artwork

8.5. **Objections**

- Too dense resulting in an overcrowded feel
- (49%) of the 1340 residential dwellings will be 1-bedroom units which gives concerns as to what type of transient community
- The traffic is already congested at peak times in Broadwater road and the additional traffic from 1340 residential dwellings will be a severe problem
- Markets and events proposals are not suitable for a residential area, creating noise, litter, parking problems and overcrowding in an already dense development.
- The new high density accommodation is not in keeping with our GARDEN CITY.
- It should be stipulated that underground parking be provided instead of ground level placements.
- Absurd there should be less than one parking space per dwelling. Department of Transport indicate that average number of cars per household is 1.34.
- Details of railway bridge refurbishment should be provided.
- Design ethos should be set out and take into consideration the industrial setting
- The traffic lights at the junction of Bridge Road and Bessemer Road are often seriously congested at peak times and the development will only add to this. A traffic management plan should be required.
- Since some of the former Shredded Wheat silos and some of the factory buildings are to be retained, these iconic buildings should be visible from the railway line to maintain the Welwyn Garden City vista.

The current plan shows these largely hidden by the proposed development.

- Views from the railway line is one of the main reasons it was imperative the silos were saved. Hiding this view is akin to building flats in front of the Tower of London along the Thames Embankment. The blocks will be up to 8 storeys high. WGC is a garden city, and one of the defining and distinguishing features of WGC compared to other towns has been the absence of tower blocks anywhere.
- There is hardly any greenery in the plan. I emphasise we are supposed to be a GARDEN CITY, one of the main points of this is trees, verges and green spaces, not a concrete jungle!! Far too many properties are being crammed into this space, no doubt to make large profits for the developer at the expense of the community as a whole.
- I am extremely disappointed with the quality of the submission in respect of appearance, design, aesthetics, green space, heritage aspects etc. I was expecting a design and layout that represented a step forward in the design of high density housing and that in some way marked a way forward in such housing schemes: not copying WGC design, but reflecting its attention to detail with some nice reflective echoes. The submission lacks greenness - it looks barren. The architecture is very run of the mill and can be found on housing estates anywhere. Commuters on the train would think that they were nearing Kings Cross.
- At a time when even the Government is asking for a move away from uninspiring house design, surely a garden city must do better. It is possible to build exciting housing blocks. One only has to go to look at some modern university housing to see what can be done by top architects. Take a look at the Garden Building at St. John's College, Oxford for example.
- This current development was a wonderful opportunity to put down a marker for future high density developments that reflected the ethos laid down in the original garden cities. It has failed miserably. Singapore and other cities with high density housing has been adopting designs to green up high rise buildings and their environment. If they can do this why cannot Welwyn Garden City?
- A very large number of people know Welwyn Garden City from a view of the Shredded Wheat Factory as they pass the town on the railway to and from Kings Cross and from the iconic view on the side of their old Shredded Wheat packet. The current plans show that these views will be essentially removed. The factory will be surrounded by six tower blocks – five to the west between the factory and the railway and the sixth cutting off the view from Hunters Bridge. The view of the silos from the top of Howardsgate by the fountain will also be lost.
- I consider that these current views are iconic and as such should be preserved as part of the development. By removing the top three floors of the six blocks much of the building will be exposed again and the view of the site made more acceptable. I further think that the height of blocks to the east of the silos could be increased in height to partially compensate for the loss of flats.

- The number of properties has increased by 58% from 850 to 1,340. All of these will be flats rather than houses. Previously it was a range of properties and complemented the Taylor Wimpey adjacent development.
- The south site contains 472 dwellings that are affordable housing. Why place them alongside the adjacent development? I oppose that our side is considered the acceptable side to place these.
- There is no social housing element in either north or south. How can a development that vast not accommodate this?
- There is less than one parking space per property. This will create more parking on my development.
- The south site will have a range of blocks up to 7 storeys high. This will overlook my flat (Salvisberg Court) we are only 3 storeys and block light.
- The plans say that the railway footbridge will be refurbished but there are no plans or details. With more proposed residents this is a necessity.
- Broadwater Road is a very busy road, how will the traffic be managed?
- This scheme appears to represent a dormitory for commuters
- The scheme is reminiscent of highly concentrated student accommodation which is borne out by the large number of 1 and 2 bed units
- Parking will be a major issue as it is elsewhere in Broadwater Road. A 2 bed 4 person flat might have 4 vehicles.
- The overall design of the individual buildings is unmeritorious and it is a struggle to find anything to commend it. This is bitterly disappointing
- The scheme appears to reduce the width of Broadwater Road. Cyclists already use the pavement unchallenged because the road is too dangerous. There will be an impact from the opening of the new Aldi store too.
- Whilst the railway bridge access is noted in the documents there was nothing specific about construction.
- The current and latest proposals for this vital central area of this town is in my opinion grossly over densely developed in respect of the dwellings, to the extent that nobody living in the area or on the Borough Council will have any real experience of any development remotely similar. So first get the Developer to give the location of any existing development of a similar density that can be visited, even if this is in central London.
- The unallocated car parking provision on this present scheme for residents, visitors and car club is inadequate and inevitably would lead to road and parking extension into the green spaces, quite apart from the need for delivery vehicles etc. to get near to every building's main entry, and of course to meet the firefighting needs. How many vans or similar as kept by residents can be accommodated full time?
- Whom are these new dwellings being provided, and how many are for 2 or more bedrooms aimed for families where two or more cars may become desirable? Residents could end up looking for anywhere within a mile to park, never mind those from the car owning Borough wishing to attend one of the many other interesting buildings on the Northern

Area - which could require much more car parking. All the open access car parking would need some constant control and penalty systems to prevent misuse etc.

- Car Parking - Nowhere near enough vehicle parking for a development with so many homes and public spaces
- Public and private roads in the area are already being abused for station parking. This development will worsen the problem, as so any flats won't come with parking, and because the planned parking won't be enough accommodate events run in the new centre
- Railway Bridge - No indication of how long this bridge will be closed for
- Accessibility is still unclear. Will there be a lift? Will it operate at all hours?
- 1 Bed Flats - We can expect the majority of flats that aren't reserved for shared ownership to be sold to buy to let investors
- We've already seen this with the 1 bedroom flats at the adjacent 'Mirage' development. Will there be restrictions on how many of these properties can be purchased to let, to ensure first time buyers who will not be dependent on the questionable shared ownership schemes will still have a truly fair chance to buy?
- I do not want to object but to be reassured there will be parallel plans by the council to ensure there is enough GP and school place capacity for this big and sudden influx of people.
- There is no social housing in this plan and, also, the number of dwellings has increased from the proposer's draft, with a reduction in the amount of greenery that was promised. We might end up with a concrete jungle, full of properties that rich people, only, can afford. Part of the site includes the silos, some of them, anyway, of the old Shredded Wheat factory, which are iconic, but these will be dwarfed by the new buildings and that proposal ought to be reconsidered.
- The design of the new housing estate will be as far removed as possible from the current design & space standards of Welwyn Garden City, and the estate will be more typical of the most congested and overcrowded parts of inner London. Do we, as a community in WGC, really wish to create such an estate in our town – a town that is meant to be recognised nationally and internationally as a garden city, or do we have a duty to update the traditions of garden city and design a more balanced estate for the site, fit for the 21st century?
- Views of the original Shredded Wheat buildings from the Railway side of the development has been iconic for Welwyn Garden City. The proposed high blocks of flats will block the view of the Listed Buildings.
- The proposed level of parking is totally inadequate
- The developers are providing only the railway bridge for quick pedestrian access from the estate into town. As the railway bridge is narrow, it is limited in the number of people it can carry, and it will literally take a very long time for a couple of thousand additional people to pass over the bridge and get into town. The foot-bridge will not be adequate.
- Where is all the green space which is characteristic of Welwyn Garden City? Why aren't we seeing any vertical gardens and spacious greenery on the plans?

- I object to the quantity of up to 1340 dwellings. Welwyn Garden City is already congested during peak times and, being so close to the railway station, one can assume these will be yet more properties bought by either greedy landlords or people who work and shop in London.
- 414 'affordable homes' is adequate, providing they are affordable and not in excess of £200k We need lots more social housing and affordable properties for local residents.
- Not enough provision for primary and secondary schools 1300 flats, is at least 700 more people going on the trains. There is only standing room as it is, local infrastructure won't cope Peartree surgery is already impossible to get an appointment I was in favour when 800 homes, 1300 is too much. WGC needs houses not densely populated flats. It'll only attract people out of London and not help the local community that is already struggling for people to find houses Traffic in the morning is already grid locked on Broadwater Road, how will it cope with this many more cars?
- Not enough provisions for the current children ie primary and secondary schools. Children already not getting schools in Welwyn as overcrowded. Unless a full plan with additional schooling and doctors plus hospital care are given this will just ensure Welwyn Garden City children are pushed further out their own town.
- I think this massively overcrowded development goes completely against the nature of the garden city. It is too dense and should contain only half of the residents and buildings as per the initial housing application. It will ruin the heart of our garden city.
- Who had the great idea to agree with this project, it goes against the fundamental principles and ethos of a garden city, where are the houses with gardens, the green spaces (not the patch of grass in the middle of all the concrete). Welwyn garden is meant to have a mix of
- housing, flats, houses, bungalows etc, also mix of types, private, social housing (not affordable housing, which isn't affordable in reality). This project looks like the failed concrete jungles in London of yesteryear. This project is great for people coming out of London, but doesn't add or help the local people and town.
- Objection to the graffiti art on the two cylinders: The choice of artwork is poor and has negative connotations. It's also a very worrying indication of the calibre of art that will be chosen to feature elsewhere on the new site.
- I object to the amount of tower blocks that will be between 4 to 8 stories high, this will ruin the aesthetic of Welwyn Garden City also the overcrowding and possible new crime
- increase we have seen tower blocks built in areas such as Hatfield and Stevenage and the undesirable elements they have brought to the area with the influx of new residents is horrible
- The residential buildings are much higher than the original plan and will dwarf the Howard Centre and buildings on the other side of the railway line. The design of the buildings is also box like and could be more in line with the original design of WGC houses and flats. There needs to be a safeguard on who the dwellings are sold to, otherwise there will not be a community spirit as 'help to buy' seems to help would-be

landlords rather than first time buyers. It looks like the developers have now majored on making as much money on this project as possible which is disingenuous looking at their statements.

- There are far too many apartments too close together and no family homes with gardens. I fear the outdoor spaces which are mainly paved encourage youths to congregate at night and ride cycles and skateboard and become a general nuisance. Roads around the area are already heavily congested and would not cope with that many more cars.

8.6. **Comment**

- I do not see any provision for play areas, e.g. small playgrounds for young children near their flats, and a skate board park for older children, which I think was mentioned before.
- I support the idea of NHS services, but not for private health provision for which there is already plenty in the area. The view of the Shredded Wheat silos should be maintained from the station.
- It is disappointing that there are no houses with gardens. I think the overall plan of a massive estate of flats does nothing to enhance the garden city.
- The density of the development is higher than we think desirable to retain the feel of a real garden city. Clearly the 12 per acres of the original design is completely wrong for a high rise development such as is needed on this site but we feel the proposals have gone slightly too far. Possibly some reduction in the heights of a few blocks could be acceptable thus allowing some more interesting sight lines through the complex as well as reducing the density
- A key feature of the designs of Louis de Soissons is that so many look at first sight to be identical but have small differences while retaining the overall symmetry of the buildings. Our concern is that the blocks appear to be identical other than in size and we would like to see the introduction of some of the subtleties evident in existing designs.
- Green spaces and trees that are so characteristic of Welwyn Garden City are noticeable by their absence. One of the special features of Louis de Soissons designs are the occasional small green spaces that suddenly appear or are tucked away behind houses. Provided almost certainly for young children they are also a restful space for adults to relax. As far as can be seen nothing like these exist in the proposed layout of the residential areas other than relatively large 'play' areas. We urge the architects to revisit their plans and to find a few small spaces near all the residential blocks where a mother could sit with her children and be within a short distance of her home.
- The artist's impression of the site is more 'major city' than garden city and thus detracts from the garden city vision of Sir Ebenezer Howard so cleverly realised by Louis de Soissons in Welwyn Garden City. The designs seem to have just been dropped in as the sort of building 'we always put into a new development'. The initial design of the Sainsbury store in Parkway/Church Road was proposed in much the same manner but was transformed when it was made clear it was

unacceptable. More time spent to refine the design of the buildings with the aim of bringing them into line with the quality of those that grace the town today is needed.

- I will only accept the proposal if they are going to build a GP surgery as the current ones in Welwyn Garden City are already bulging I'm having to wait weeks for daughter to even been seen by a doctor. If you are building all these dwellings you're bringing in more people so it's going to put a lot of pressure on schools/nurseries/GPS in the local area. Apart from that I am supportive of the plans but of course only if a GP surgery is built.
- Are there sufficient parking spaces to cover BOTH residents and those using the facilities available. Also how do they intend to ensure that people shopping in the town or more importantly the train station will not park there all day
- Free workout spaces with fixed gym equipment, more places for musicians and artists to practice and perform
- Would like a leisure centre and more skate parks, youth centres and gyms.
- Will enjoy visiting once completed

8.7. Councillor Steve Roberts states that he "is very much in favour of the development providing the percentage of affordable homes and the other social infrastructure (much needed) remains more or less unchanged. Good to see a developer prepared to go the extra mile when it comes to community facilities. Please do not move from this position."

8.8. **The following responses were received from local and interest groups:**

8.9. Digswell Arts Trust - supports the proposals which seek to create a strong sense of place and community with facilities for the arts creative businesses and community activities.

8.10. The Gardening for Disabled Trust - Ebenezer Howard promoted Welwyn Garden City as a utopian city in which people live harmoniously together with nature. We are delighted to see the developer's proposal embrace these principals so successfully. The inclusion of a sensory garden within the scheme will provide a great shared space for everyone to enjoy. Support the civic building and the community uses which together with the art hub and museum sit incredibly well with members of the community.

8.11. Welwyn Garden City Society have the following comments:

- Tower blocks too similar around the De Soissons original building. Those between the silos and Howardsgate are too high and this view would be lost
- Lack of greenery on the site needs to align with WHBC tree strategy and garden city image.
- Exterior should match the current brick colours used in WGC and a determined effort to link the two sides of the town.

- Regarding the role of the Estate Management Company the society query how new revenue streams would be used
 - Regarding the reference to security guards and CCTV the society query who will pay, the existence of other measures, and how this fits with low levels of crime locally.
 - Queries relating to the nature of the jobs e.g. fair pay and conditions
 - Queries the scope, delivery and partnership arrangements for the centre
 - Influences of Le Corbusier and Beaux Arts felt to be out of place and inappropriate
 - This does not appear to be substantiated as having a link with the area. Moreover the car events need greater justification
 - No social rent being provided only affordable rent and shared ownership. What's on offer to reduce the WHBC housing waiting list.
 - Issue of secure cycle parking
- 8.12. The applicant has set up a website www.thewheatquarter.co.uk to assist with communication around their proposals. Moreover, they have run a number of events as detailed in their Statement of Community Involvement. Prepaid business reply cards have been distributed locally and at events encouraging people to give their views.
- 8.13. Representations of local people and groups are of course a consideration as set out National Planning Practice Guidance which indicates:

“Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid material planning reasons.”

9 Consultations Received

Comments from Organisations and Statutory Consultees

9.1 The following responses have been received from consultees.

Cadent Gas Limited	Apparatus exists on site that may need diversion. Construction traffic may also have an impact. The applicant is advised to contact Cadent's Plant Protection Team to resolve. This information has been shared with the applicant and an appropriate informative has been included.
Community Partnerships WHBC	Community Partnerships have considered a range of sports in relation to this development and locality and concluded it is appropriate to seek funding in relation to changing/club facilities in relation to cricket, football and rugby in Welwyn Garden City.
Environment Agency	Require the imposition of specific conditions covering: land contamination, SUDs, ground penetration. A concurrent

	<p>submission is being considered looking at providing details of groundwater contamination analysis and mitigation.</p>
Environmental Services	<p>Costs of bins and recycling to be met by the developer. A planning condition is proposed to cover detailed access and management arrangements.</p>
Hertfordshire Constabulary	<p>Acknowledges there a range of risks and challenges from the crime prevention perspective. Concludes that the applicant's assurances on obtaining Secure by Design accreditation allows Herts Constabulary to support the application.</p>
Hertfordshire County Council	<p>Hertfordshire County Council seek appropriate provision for education, nursery, childcare provision, youth services, library services, adult care/special needs plus fire hydrants provision in order to minimise the impact of development on services for the local community. This is covered in more detail in the analysis.</p>
Hertfordshire County Council Highways	<p>The County Council have no objection subject to a S106 agreement to ensure that associated highway works are carried out. More details comments are picked up in the report analysis.</p>
Hertfordshire County Council – Lead Local Flood Authority.	<p>An initial objection was lodged due to absence of details namely: phasing/sub-catchments, storage, surface water modelling, drainage plan, exceedance flow paths and maintenance requirements. Following the provision of additional information the flood authority have no objection in principle on flood risk grounds. The proposed drainage strategy for the development is the subject of a number of proposed planning conditions.</p>
Herts Ecology	<p>The proposals highlight a wide range of ecological enhancement proposals associated with what open spaces and other features will exist and are suitable. These are scattered throughout the site but are particularly concentrated on the western edges where disturbance will be less. Whilst not all will meet the target species aspirations (e.g. stag beetles which prefer large deadwood locations), these will still principally provide dwelling areas for wildlife within a wholly redeveloped site, and as such are to be supported. As such this approach will represent a beneficial contribution to biodiversity within the scheme as a whole.</p>
Herts Fire & Rescue Service	<p>All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure firefighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the</p>

developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking. Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

Highways England	Highways England is interested in the potential impact that the development might have upon the A1(M), in particular junction 4, 5 and 6, and any adverse safety implications or material increase in queues and delays on the strategic road network during construction and operation. Having examined the relevant traffic modelling work they have no objections.
Historic England	In light of the demolition of all the buildings on the site other than the listed buildings, and the other works that are underway in relation to the consented scheme, Historic England are satisfied that the current, revised scheme would not cause additional harm to the significance of the listed buildings as a result of the impact on their setting.
Natural England	Sherrardspark Wood SSSI is situated about 1.1km from the application site and is sensitive to changes in groundwater abstraction. Tewinbury SSSI is situated about 2.5km from the application site. This site is sensitive to any discharge of water or liquid waste of more than 5m ³ /day to ground (i.e. to seep away) or to surface water, such as a beck or stream (Note that this does not include discharges to mains sewer which are unlikely to pose a risk at this location). Natural England are satisfied with the planning conditions relating to surface water discharge in this regard.
Network Rail	Network Rail's view is that the footbridge link through the station forms an integral part of the Council's transport planning strategy for Welwyn and the scheme, through its design, seeks to maximise the use of the footbridge to accord with Council policy. Therefore a scheme that would be unable to secure footbridge improvements and future bridge maintenance and access arrangements would not accord with Council policy and potentially would need to be refused.
NHS England/East & North Herts Clinical Commissioning Group	The proposed development will have a significant impact on statutory health care provision and a S106 agreement is sought to allow for additional GP resources to be made available to accommodate the population increase. NHSE will not be commissioning any NHS patient Primary Healthcare services on the site.

Place Services, Essex County Council	Although Place Services indicate that the proposals would have a negative impact on the listed building and conservation area it is acknowledged that this harm should be weighed against the public benefits of the scheme or securing the optimum viable use of the heritage asset. If permission is to be granted conditions relating to materials, construction details and landscaping would be required.
Sport England	Outdoor provision not possible on site therefore off site contribution. Contribution over and above the £150 k for the WGC Rugby Club sought - commensurate with scale of the scheme and Sport England calculator. Indoor provision relates to an on-site private leisure facility. Reference is also made to the Council's Indoor Facilities Strategy which may be helpful in informing priority projects. Comments also indicate rugby, cricket and football (and gymnastics) as possible recipient of S106 requirements.
Thames Water	Drainage strategy condition proposed and other informatives relating to groundwater and other operational requirements.
WHBC Environmental Health	<p>Plant and equipment if tonal will need to be 10dB below the background noise level at the nearest sensitive receptors, rather than at the background noise level. A suitable condition is recommended.</p> <p>Some concerns in relation to noise levels in external amenity areas are noted and suitable conditions have therefore been recommended.</p> <p>Details of land contamination show relatively low levels of risk and mitigation required is minimal.</p> <p>Air quality covered within the environmental statement makes it clear that the overall changes to air quality due to the development, both during the construction and operational phases will be negligible. During the construction phase, this will require the adherence to a number of mitigation measures, such as dampening down of stockpiles of building material. Suitable conditions have therefore been included.</p>

10. Analysis

10.1. The main planning issues to be considered in the determination of this application are:

1. **The nature of the proposed development.** This is about the principle of a mixed use development on this site bearing in mind site

designations together with the nature, quantum and balance of that mix. Specific considerations are the nature of employment uses, the adequacy of housing provision and suitability of retail/leisure elements of the proposals.

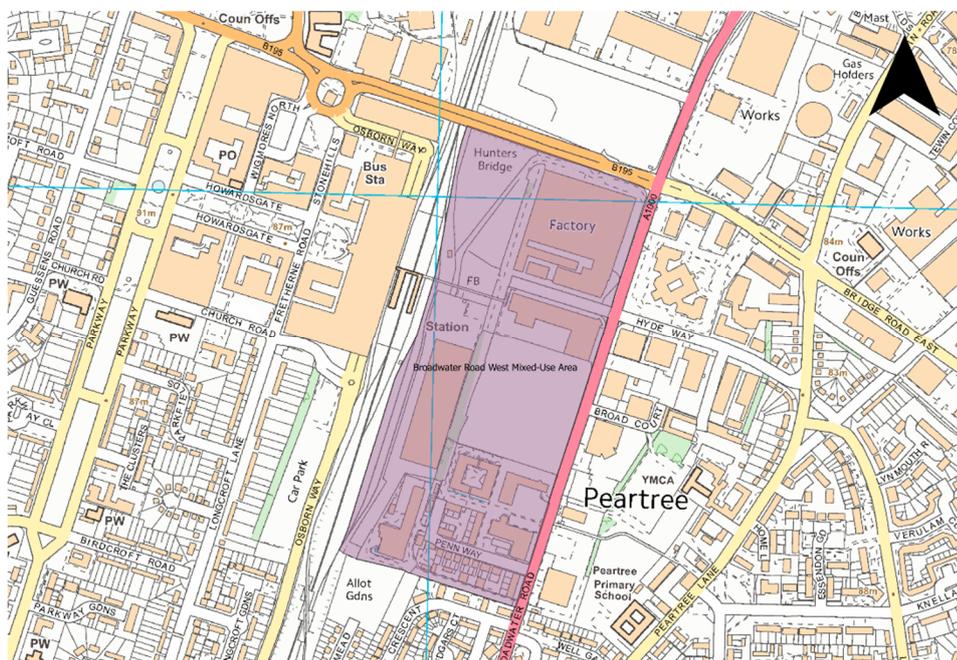
2. **The overall design and heritage** paying regard to overall quantum, density, juxtaposition of uses, legibility and appearance – including landscaping. A related consideration is the impact on heritage and in particular the scheme's alignment with garden city principles. Conservation area and listed building impacts will also be considered under the Council's statutory duties under Sections 16 and 73 of the Listed Building and Conservation Areas Act and having regard to para 196 of the NPPF.
 3. **Transport matters** and specifically the impact of the scheme on the local highway network, local connectivity and the adequacy of access, parking and transport choices for users of the proposed development.
 4. **The environmental impacts of the scheme:** ecology, pollution (land, noise air quality, etc). Sustainability matters will also be considered. Although there is some analysis of specific environmental issues in other sections of the report Section 4 of the analysis specifically considers the Environmental Statement under the Environmental Impact Assessment Regulations 2017.
 5. **The adequacy of supporting facilities** for the scheme notably services, community, health and education. There is some overlap with item 1.
- 10.2. Planning approval already exists for this site for a mixed used scheme as described under the planning history above. It would be reasonable to expect consistency in the way these applications are assessed subject to the obvious differences between the two schemes. In any event Council policy will be the starting point for assessment.

Section 1: Nature of the proposed development

- 10.3. The nature of the proposed development in terms of land use is to be determined with reference to relevant thematic policies in relation to housing, employment etc as well as specific site allocation policies.

Principle of mixed use

- 10.4. Policies EMP3 Adopted Local Plan and SADM10, SADM 21 and SP17 of the draft Local Plan and a corresponding SPD relate to the principle of mixed use on the development site at Broadwater Road West. The references to the mixed use development site refer to the site allocation shown below encompassing the application site and neighbouring sites (notably the Roche and Pall Mall sites):



- 10.5. Policy EMP3 of the adopted plan identifies the above development site for “mixed use development comprising primarily employment, housing, leisure and rail related uses”. Other provisos are that the site complies with policy EMP2 (acceptable uses in employment areas) and a development brief setting a minimum quantum of business class floorspace. The supporting text also notes that a “significant portion of this highly accessible site, which is close to Welwyn Garden City town centre, has become disused”.
- 10.6. The SPD states:

“It is fundamental that, in order for development of this site to result in a sustainable community, it should incorporate a mix of uses. This use should primarily address the needs of people living on the sites but

may also support the wider existing areas of housing nearby in Peartree Ward.”

- 10.7. Policies SADM10 and SADM21 of the draft plan both recognise this as a mixed use site seeking that it caters for B Class (Planning - Use Classes Order) employment uses; and in turn housing. SP17 (mixed use development site at Broadwater Road West) deals with two contiguous sites and specifically with the Shredded Wheat site referenced SDS3. It identifies key principles as: appropriate mix and density of uses for this central location; strong connections east and west; wide mix of housing types and tenures; using the industrial heritage as cue for form character and identity; urban design guidance (SPD); large scale uses best located near a town centre; open space as per SPD; 6,400 sq.m of Class B1 floorspace; 1020 dwellings (including 30% affordable); supporting facilities (community, leisure, retail – 570 sq.m); school provision, upgraded wastewater infrastructure, noise mitigation and resolution of contaminated land matters. Fig 10 indicates broad urban design principles applying to the mixed use allocation.



- 10.8. Para 7.35 of the adopted District Plan indicates that diversity in design is about providing variety and choice to the user. Development should promote a fine grained mix of uses, users and forms that serve to create important sustainable places. It states:

“Mixed use development can be particularly good in higher density and more accessible locations and can help provide choice and variety.”

- 10.9. As can be seen from the scheme breakdown there is a mix of employment, community, retail, housing and other uses. These can be broadly welcomed subject to the impacts considered below

Employment

- 10.10. *SP8 The Local Economy* indicates that the Council will support economic prosperity, encourage inward investment and the creation of a range of jobs. The policy sets out a protective approach to existing employment land and identified key growth sectors. Supporting text (Para 10.4) indicates:

“In accordance with the Broadwater Road West Supplementary Planning Document, taking into account the extension of the BioPark building, 17,650 sqm of new Class 1 B1 floorspace (the remainder of the 19,000 requirement in the SPD following the extension of the BioPark building) will also be provided at Broadwater Road West (SDS3/Pea02b and SDS4/Pea02c).”

- 10.11. *SP17 Mixed Use Development Site at Broadwater Road West* elaborates on this indicating that SDS3 should provide a minimum of 6,400 sq.m of Class B1 employment floorspace.
- 10.12. *SADM10 Employment Development*: This indicates the application site specifically links with the corresponding site on the Policies Map as a mixed use site which will incorporate land for Class B employment uses with use class B1 indicated in the accompanying table.
- 10.13. *Policy EMP11*: This policy looks to secure local employment for large scale schemes. This has been raised with the applicant and the following points have been made.
- 10.14. The proposals would provide 1,232 sq.m of office floorspace in the Louis de Soisson building and 5,096 sq.m of as flexible business floorspace. At 6,328 sq.m this is close to the level of B1 provision (6,400 sq.m) sought by Policy SP17 and therefore a small shortfall would exist.
- 10.15. The socio-economic study provided by the applicant indicates the jobs breakdown across the site as follows:

Table 16.6 Gross Direct FTE Employment Generation from the Completed Development

Use class	Proposed Area NIA or GIA (m2)	Employment Density (m2 per FTE)	Gross FTE jobs
A1 – Retail Use	1051	20	53
A3 / A4 / A5 - Restaurant / Cafés and Bars / Pubs	1162	20	58
B1 - Office	4723	12	394
D1 - Community space, health centre, and crèche	2680	36	74
D2 - Gym / Dance / Fitness Studio	2976	65 (midmarket)	46
Total			625

- 10.16. Thus theoretically 625 jobs (gross full time equivalent) would be provided on site. These figures are derived from standard benchmarking provided from Homes and Community Agency and should be regarded as an indicator of potential employment numbers rather than actual provision.
- 10.17. It is concluded that in relation to the employment policies and the mixed use allocation the application provides an acceptable and satisfactory response to this. Conditions are proposed in relation to hours of use, delivery and the scope of use as well as securing a local labour agreement around in particular construction jobs. The Council will also need to secure against office to residential conversions to ensure adequate standards and support business/employment policies.

Housing

- 10.18. Policy H7 seeks the provision of affordable housing on sites above 1 ha or with 25 or more units with a minimum of 30% subsidised housing. The proportion type and mix will be based on the latest housing needs survey.
- 10.19. Policy H8 expects new residential developments to incorporate a range of dwelling types and sizes where appropriate. The Council will expect a mix of dwelling types in developments to reflect the shortfall of flats, bedsits and one and two bedroom properties in the district. Dwellings of tenure should be mixed on the site to avoid the creation of large areas of housing of similar characteristics.
- 10.20. Policy H9 indicates that the Council will grant permission for schemes which provide special needs accommodation particularly in the town centres or in areas which area close to community facilities and services.

Incorporation of special needs housing schemes in residential development in central areas will be encouraged.

- 10.21. Policy H10 accessible housing in all residential developments involving 5 or more dwellings the Council will seek a proportion of dwellings to be built to lifetime homes standard. In each instance dwelling type site location and topography will be taken into account.
- 10.22. Policy SP7 of the draft borough Local Plan provides comprehensive policy covering a range of matters as follows:
1. *Housing mix*: proposals for 11 or more new dwellings should demonstrate how the mix of tenure, type and size of housing proposed on sites will reflect the Council's latest evidence of housing need and market demand and contribute towards meeting the varied needs of different households including single person households, couples, families with children, older people, people with disabilities, and people wishing to build their own homes. For larger sites there should be a greater opportunity to deliver a broader mix.
 2. *Affordable housing*: the application site falling within a mixed use allocation within Welwyn Garden City is identified as needing to supply 30% affordable housing. The priority is for that housing to be delivered on site to meet the requirement for mixed communities.
 3. *Housing for older people*: As part of the overall housing target a net increase of around 715 dwellings will be supported to help meet the varied housing needs of an aging population. This would be through a range of housing options such as sheltered housing, extra care, assisted living etc. provided such developments are in accessible locations. Around 5% of all new housing delivered at Strategic Development Sites should be specifically designed for older people.
 4. *Specialist housing*: In addition to the overall housing target a net increase of around 330 bed spaces to help meet the accommodation needs of those who need specialist residential or nursing care (use class C2) will be supported in the boroughs towns.
 5. *Accessible and adaptable housing*: At least 20% of all new dwellings on sites involving 5 or more new dwellings will be required to meet standards for accessible and adaptable dwellings (Building Regs Part M4(2)) (across tenure). This proportion may be varied where a proportion of the dwellings proposed meet the wheelchair standard M4(3) of the building regs.

10.23. Policy SP17 states:

“iii. To provide a wide mix of housing types, sizes and tenures, including a minimum of 30% of all units as affordable housing unless it can be

robustly demonstrated that such a proportion would not be viable; housing for older people;”

Affordable Housing

10.24. The applicant proposes 414 affordable housing units as follows:

Tenure	Dwelling Mix				
	1-bed	2-bed	3-bed	4-bed	Total
Shared Ownership	105	126	27	0	258
Affordable Rent	37	47	22	0	106
Over 55 Social Rent	27	23	0	0	50

10.25. The conventional and best way of securing affordable housing is via a S106 planning agreement. This allows the affordable housing to be fully and comprehensively secured in perpetuity. The applicant will not enter into such an agreement and it is understood that this is because such an arrangement would jeopardise grant funding from Homes England.

10.26. The Council has taken advice on this matter from legal Counsel and has been advised that a condition securing the affordable housing is a valid means of ensuring its provision. Moreover, the advice confirms that without a means to secure the affordable housing as part of the planning permission the Council can only give its inclusion in the scheme limited weight in the planning balance. Since the Council has not been able to agree with the applicant on a suitable wording for a condition, weight given to the affordable housing is therefore limited.

10.27. The applicant has submitted an Affordable Housing statement and its most recent addendum states:

2.1 [Metropolitan Housing Trust] MHT is a Homes England Investment Partner, and is contracted with Homes England through its Shared Ownership and Affordable Homes Programme 2016-21 (SOAHP 16-21).

2.2 MHT has been discussing in detail with Homes England the prospect of using housing grant to help fund affordable housing on this development, on the basis that the provision of affordable housing without grant is not financially viable.

2.3 If planning permission is granted for the development, MHT will submit a formal bid for grant, and will expect to be formally notified of the outcome, within 6 weeks.

- 10.28. The applicant has also submitted plans specifically identifying the location of the affordable housing. A condition will be imposed on implementation, but this does not secure the provision of affordable homes in the same way as a S106 agreement or a suitably worded condition linking completion and delivery to the occupation of the market units.
- 10.29. The position regarding affordable housing in this case is very much bound up with the question of viability. The applicant's financial consultant Icen Projects has submitted a viability appraisal setting out a full analysis of the costs, values and other financial considerations in relation to the proposed scheme. A summary of the Viability Appraisal is at Appendix 2.
- 10.30. The appraisal indicates that when a fixed land cost of zero is applied the development generates a surplus of £22,700,000, which reflects 4.5% of costs or 4.3% of value. A residual appraisal based upon fixed market profit indicated a negative land value of £64,300,000.
- 10.31. The Council appointed BNP Paribas to conduct an independent appraisal of this work. It is their view that a profit on cost of 4.5% is not a sufficient market return for a development of this nature. Current market conditions suggests a 20% return would be a realistic expectation.
- 10.32. Thus the proposed development generates a profit well below what would be required for a scheme of this nature; or, looked at another way, results in a significant negative land value.
- 10.33. Bearing this in mind were the applicant to have proposed no affordable housing the scheme would still be compliant with affordable housing policy since the requirement is "subject to viability". Any affordable housing provided therefore should be seen as beneficial even if in this case it is not adequately secured. It is considered that an affordable housing requirement in a S106 agreement (as set out in the Council's Heads of Terms in Section 11) is the Council's preferred approach to securing its provision. Its absence means that we can only give limited weight to its inclusion within the assessment of the proposals.
- 10.34. Members should also note that the recent appeal decision at Entech House Woolmer Green for 72 dwellings, commercial and retail units has implications for decisions for new housing. The key point that emerged from the Inspector's report is as follows:

"34. I conclude that the Ipa cannot show a 5-year supply of deliverable housing sites and that the scale of its supply falls considerably well short of 5 years."

10.35. The significance of this is that under Para 11 of the National Planning Policy Framework this is taken to mean that the Council's current local plan is out of date and a more permissive approach would therefore apply. The point being that the materiality of housing undersupply must be given greater weight in decisions. The delivery of general housing remains an important objective in keeping pace with household growth and meeting housing targets. Officer's overall conclusion on tenure is that the scheme is in any event compliant with policy as the affordable housing proposed has been demonstrated to not be commercially viable.

Older People Housing

10.36. The scheme includes fifty over 55 units in block 11 (south site) which are also identified as social housing – a shortfall of 12 units against the 67 sought. At 3.7% this is below the 5% target indicated in the draft Borough Plan. Although not fully in line with draft policy this is still regarded as a positive contribution towards an identified need.

Specialist Housing

10.37. It is understood that Block 3 incorporates 114 units classed as C2 Residential Institution and specifically "assisted living". The nature of such a use is described in the following extract from the Use Classes order.

"Class C2. Residential institutions

Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)).

Use as a hospital or nursing home.

Use as a residential school, college or training centre."

10.38. The layout of all of the units is in the form of individual flats rather than as a conventional care home. Block 3A has a café, activity room and lounge which would be accessed externally; block 3B has a communal gym, hydro pool and treatment rooms on the ground floor (also accessed externally). Although the applicant has been asked to elaborate on the nature of the use it is understood that a suitable provider is being sought and such details are dependent on their operational requirements.

10.39. On that basis a planning condition is therefore suggested limiting the use of blocks 3A and 3B to use class C2 and that details of final layout, levels of provision of care, staffing, management and supporting facilities are provided. There are no particular issues with this part of the site being used as a care home or nursing home. In accordance with Policy H9 of the adopted plan use for "those with physical disabilities, those with mental health problems, those with learning difficulties and young people at risk" (also within the scope of Use Class C2) would also be possible, subject to the Council first agreeing those details.

10.40. Furthermore it is considered that use as a residential school, college or training centre should not be permitted (these are also within the scope of

Use Class C2) on the basis of need for consistency with Policy H9, potential traffic impact and negative effects on the residential environment. Such exclusion would be necessary to consider the impacts of such proposals including adequacy of management arrangements before concluding on its acceptability. Thus a separate approval would be necessary should these be subsequently proposed.

Wheelchair and Accessible Housing

10.41. As things stand the applicant has commented as follows:

“The Welwyn Garden City scheme was designed to comply with Part M cat 2 (89% of units with only few exceptions that comply with Cat 1). With 10% of the wheelchair units comply with Part M cat 3. In the case of private wheelchair units they comply with Cat 3a, in the case of the affordable ones the compliance is with Part M cat 3b”

10.42. This is actually higher than the draft Policy requirement. For any approval it would be appropriate to include condition for further details and to specifically identify the wheelchair units so that can be linked with households in need.

Retail and Leisure

10.43. The retail and leisure is as follows:

Block 1: Ground Floor Restaurant	615 sq.m
Blocks 2 and 3: Ground floor A1-A5 Retail	436 sq.m
Blocks 4 and 5:	
<i>Ground</i> Leisure	1,149 sq.m
Art and Museum Hub	822 sq.m.
Restaurant Café Bar	386 sq.m.
<i>First</i> Art centre	298 sq.m.
<i>Second</i> Art Museum Hub	312 sq.m.
<i>Third</i> Art Museum Hub Bar/Restaurant	43 sq.m. 285 sq.m
Blocks 6 and 7: Ground floor A1-A5	491 sq.m.

Blocks 8 – 13: These blocks are entirely residential	No retail
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10.44. Policy EMP3 - Mixed use development site at Broadwater Road West accepts the principle of retail as part of a mixed use development on the site.

10.45. TCR1 - Retail Development in Town Centres and Edge of Town Centres. This policy recognises the national planning policy position of prioritising town centre development and the sequential approach to site suitability. The Local Plan identifies Welwyn Garden City as a minor sub regional centre in the retail hierarchy Para 13.10.

10.46. Policy SP5 Quantity and location of retail development of the draft Borough Plan echoes the current policy in relation to hierarchy and town centre. Specifically it states:

“Any retail proposals (including extensions) on sites outside centres in the retail hierarchy will be required to demonstrate compliance with the sequential approach to site selection. For those proposals exceeding 500 sq.m gross floorspace, it will have to be demonstrated that the proposal will not have an unacceptable impact on existing town centres. For those proposals exceeding 300sq.m gross floorspace, it will have to be demonstrated that the proposal will not have an unacceptable impact on existing neighbourhood and village centres.”

10.47. The National Planning Policy Framework states:

When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace).

10.48. The Broadwater Road SPD supports mixed use including retail and leisure use. It states:

“It is fundamental that, in order for the development of this site to result in sustainable community, it should incorporate a mix of uses. This mix should primarily address the needs of people living on the site, but may also support the wider existing areas of housing nearby in Peartree Ward.” Para 5.33

10.49. It further indicates:

“The site has potential to accommodate a limited amount of leisure uses. The type of leisure provided should be informed by the market and any technical studies/evidence prepared by the Council and its partners. The land use strategy allocates c. 9,000 sq. m. for leisure

uses. The south eastern corner building of the Cereal Partners block could present an attractive option for refurbishment. Whilst, under current conditions, little operator interest has been identified in such facilities, it is important that the potential to retain a capability to accommodate such a facility is maintained in the masterplan.” Para 5.37

- 10.50. The level of retail and its distribution is of an appropriate scale to the site and to avoid any significant impact on the nearby town centre. It focuses such uses in the central area of Goodman Square and the principle routes of Hyde Way and Reiss Walk. This adds animation and activity in the right places and helps to create a sense of neighbourhood to the residential areas around. With regard to leisure use the scheme concentrates such activity within the converted listed buildings (buildings 4 and 5 Production Hall) and within the Grain House and Silos an Art and Museum Hub would be established. This would incorporate the renovation of some of the existing machinery as a reminder of the history of the building.

Section 2: Overall Design and Heritage Matters

- 10.51. Policies D1 to D11 Adopted District Plan 2005 deal with detailed aspects of design for the application. Policy SP9 of the Draft Submission Borough Plan 2016 deals with place making and high quality design and Policy SADM11 amenity and layout. The Council has several policies devoted to this subject together with a Supplementary Planning Document. The applicant has supplied a Design and Access Statement, Landscape and Design Access Statement and Heritage Statement. These matters are also pertinent to the analysis of the Environmental Statement below under Section 4. The National Planning Policy Framework also indicates the requirement to consider heritage matters as follows:

192. In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 10.52. In exercising its planning functions the local planning authority has a general duty with regard to listed buildings. Section 66(1) of the Planning Listed Buildings and Conservations Areas Act 1990 states:

66.—(1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local

respects listed planning authority or, as the case may be, the Secretary of State shall have buildings in special regard to the desirability of preserving the building or its setting or exercise of any features of special architectural or historic interest which it possesses.

- 10.53. Section 72 of the Planning Listed Buildings and Conservations Areas Act 1990 states:

In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned respects in subsection (2), special attention shall be paid to the desirability of conservation preserving or enhancing the character or appearance of that area.

- 10.54. The Broadwater Road West SPD sets out the Council's vision for the area as:

To deliver an energetic and pioneering scheme of development which integrated the spirit of the garden city with the very best of high quality 21st Century design, seizing the opportunity to enhance the local environment and create a sustainable, supported neighbourhood of an appropriate scale, which successfully integrates with the local community.

- 10.55. The Table at Par 3.3. of this report gives a breakdown of content of each block by phase. The site is divided into two halves. The Design and Access statement describes (at Section 6.3) this as follows:

“The character that defines the north part of the site is defined by the post-industrial nature of the former Shredded Wheat Factory, which the proposed scheme seeks to respond to in both layout, public realm and landscape terms.

The south site character, in contrast to the north, is less formal in layout, architecture and landscape terms. The central park known as the Weave is proposed as an undulating, naturalistic environment.”

- 10.56. The Council commissioned an independent critique of the design from Tibbalds. It is clear that the scheme has been through a design evolution from the design and access statement and an addendum was supplied to that document to respond to the more recent issues raised by Tibbalds.
- 10.57. Having weighed up the scheme it is concluded that this is a well-designed development that puts place-making at its heart, optimises the site's attributes and makes very effective use of the land. The residential net density: 201 units per hectare; the residential gross density: 177 units per hectare. Whilst density is high it is not out of place being one of the most accessible parts of the borough and a location which because of its size, existence of buildings of height (e.g. the silos) and low impact on

residential neighbours provides a high quality design response to the demands of the site.

- 10.58. The renovation of all of the remaining listed structures (the Silos, Grain Hall and Production Hall) are considered to provide a balance between preserving and enhancing the character of the area and listed building whilst providing a positive setting in the design of surrounding buildings and spaces.
- 10.59. It is considered that the scheme has many significant qualities that help to create a new part of Welwyn Garden City. Whilst not all views are able to be protected the scheme does offer important glimpses through the site and the preservation of the iconic character of the retained Shredded Wheat Buildings, in a new setting. The development is taller and denser than the previous scheme but the overall design and feel of the scheme does not overwhelm or negatively impact on its surroundings. It is considered the scheme provides an attractive new townscape. It makes the most of the site and will bring new vibrancy to the area. Residents will be less car reliant because the site will make use of its location. It is for these reasons that it is considered that the proposals will not detract from or harm the character or appearance of the nearby Welwyn Garden City conservation area.
- 10.60. The scheme does not presently provide a clear access point into the adjoining Pall Mall site which is part of the regeneration area. This would be important to facilitate the development of that site. A condition is recommended securing details and implementation of this.
- 10.61. Policy R27 relates to the demolition of listed buildings (partial or complete) under listed building consent which is being considered as a separate application (ref 6/2018/0960/LB) the majority of which already has consent under listed building consent ref N6/2015/0293/LB. Applicants have already gained approval (ref/2016/2018/COND) to record details of the building where demolition/alteration is granted.

Section 3: Transport Matters

- 10.62. This section considers transport matters and specifically the impact of the scheme on the local highway network, local connectivity and the adequacy of access, parking and transport choices for users of the proposed development. It is also recognised as a factor scoped within the Environmental Statement considered under Section 4 of this analysis.
- 10.63. Relevant policies from the adopted district plan are M1 movement, M2 transport assessments, M3 green transport plans, M5, M6, M8 and M9 covering sustainable/alternative modes of travel and M14 parking standards for new development.

- 10.64. Relevant policies from the draft borough plan are: SP4 transport and travel; SADM2 highway network and safety, SADM3 sustainable travel for all, SADM12 parking servicing and refuse.
- 10.65. Transport is also considered in Chapter 6 of the Environmental Statement put together by Entran on behalf of the applicants.
- 10.66. SADM12 specifically notes:
- Type and quantum of parking to be informed by Councils parking standards taking account of:
 - Site's location and accessibility to public transport, services and facilities
 - Nature and degree of parking demand likely to be associated with the development and opportunities for shared parking
 - The need to support more sustainable modes of travel
 - It also mentions the need for charging points.
- 10.67. Broadwater Road West SPD indicates (Pg 68) parking should not exceed standards; should be designed in on street parking bays, basement or undercroft; consideration of safety; layout should reflect prioritisation of walking/cycling; no parking for station use; use of residents permits and encouragement of use of car clubs.
- 10.68. The car parking standards (2004) operate as guidelines for parking provision rather than as maximums. It takes a zonal approach to car parking restraint. For Zone 2, which this site falls within, car parking would be within 25-50% of the maximum demand based standard. All parking would be expected to be provided on site. In very broad terms parking provision for residential equates to 0.7 spaces per unit across the site. The average parking guideline for a Zone 2 site is 0.9 spaces per unit (1-3 bed units). The applicant's transport consultant has applied a 40% reduction from the parking standards and then added 10% visitor and 6% car club spaces. Resident parking would operate on an unallocated permit basis i.e. homes would have a permit to access parking area but not have a specific space allocated.
- 10.69. The **south site** (643 units) provides 369 permit spaces, 64 visitor spaces and 39 car club spaces. So the total provision is 472 spaces equating to 0.73 spaces per dwelling.
- 10.70. The **north site** provision is detailed below:
- Residential – on this part of the site comprises 811 flats. Associated with this are 426 permit spaces, 81 visitor spaces and 49 car club vehicles. The total is 556 spaces which is 0.69 spaces per dwelling. It should be noted that the (Use Class C2) residential care units have been included in this calculation. Care establishments would normally have a much lower parking ratio.

Commercial – 142 car spaces are provided for the community and commercial uses on the site. 107 are dedicated spaces and 35 of these are dual use available for residential uses outside of peak hours.

- 10.71. The transport consultant for the applicant Entran have stated that car club spaces reduce the need for car parking spaces and estimates that this could be the equivalent of 6 (or more) spaces (citing sources for this conclusion). Entran further state that E Car, a low emission car club, have confirmed that the number of car club spaces proposed is appropriate for the scale of development (6%). The initial approach is that 3% car club spaces would be provided to be scaled up to 6% following monitoring take up of the scheme. In the interim the residue of spaces would be used for residential permit parking.
- 10.72. The scheme parking provision has been devised on the basis this is a highly accessible location. It is clear that residents would benefit from access to facilities and transport on their doorstep and are therefore less reliant on a car. It remains important that adequate parking is provided to satisfy the need for access to a choice of modes and to avoid negative impacts on the surrounding area in terms of highway safety.
- 10.73. Although the possibility of displacement of parking would not of itself constitute planning grounds to withhold planning permission it would be desirable to look at trying to manage such impacts on surrounding streets by a process of monitoring (surveys) and if necessary implementing a Controlled Parking Zone. Surrounding roads are well provisioned with parking restrictions so it is less likely that this development will result in parking problems in the locality. The managing of parking on site is also an issue of concern and it will be necessary to secure a parking management strategy to ensure that it runs efficiently and does not lead to queuing or safety issues on nearby public highways particularly on Hyde Way. On-site parking will be managed by a private management company.

Electric car charging

- 10.74. Electric car charging points will be fully incorporated into the layout. Details are required by planning condition.

Commercial Parking

- 10.75. 142 car spaces are provided across the North site. Of these 107 are dedicated commercial/community use parking spaces and 35 are dual use spaces available for residential visitors outside peak commercial operating hours (as mentioned above). Parking Strategy Technical Note 4 supplied by Entran indicates that this level aligns with the parking demand at 25% of the maximum standard. A car parking management strategy is required by planning condition detailing measures to ensure the efficient use of this space.

Cycle Parking

- 10.76. The cycle parking provided in the vicinity of Hydeway, where it meets the bridge to Howard Centre and Railway Station has been historically well used. It is important the any provision is 'future proofed' to allow further expansion. It may be possible to include an intervention in the Travel Plan to cover this point.
- 10.77. Further cycle parking across the site, either residential or visitor will be agreed as a result of further work covered by a planning condition.

Highways

- 10.78. Herts County Council indicate that trip generation for the proposal was agreed with the highway authority in relation to the extant permission. It should be noted that significant work relating to trip rates has been carried out over recent years which started with the initial SPD. The applicant has demonstrated that where previous trip generation methodology is applied to the proposal it will generate similar level of trips. However, the applicant has also tested the current proposal using industry standard TRICS assessment. The result of applying a TRICS assessment is a prediction of significantly fewer trips across the network. Therefore, in conjunction with the measures previously agreed as part of the extant permission, the highway authority does not wish to object to the proposal in relation to highway capacity.

Strategic Road Network

- 10.79. Highways England is the highway authority for the strategic road network and in the case of this proposed site is interested in the potential impact that the development might have upon the A1(M), in particular Junctions 4, 5 and 6. They have specific concerns as to whether there would be any adverse safety implications or material increase in queues and delays on the strategic road network. Modelling work provided by the applicant has satisfied Highways England that these issues would not arise and therefore have no objections to the proposals.
- 10.80. Herts County Council indicate that the Transport Assessment includes a new junction layout at Hydeway junction with Broadwater Road. The applicants have been able to demonstrate through supporting modelling work that the development can be accommodated satisfactorily subject to full details being secured via planning condition and a suitable legal agreement under the Highways Act.

Broadwater Road/Bridge Road junction.

- 10.81. Similar to the extant permission, as part of the off-site highway works it is intended to replace the existing signalised Broadwater Road/Bridge Road/Bessemer Road junction with a shared surface style roundabout. The

proposal forms part of a wider scheme for Broadwater Road and Bridge Road which is intended to enhance the environment and overall connectivity for pedestrians and cyclists. The proposals at this strategic level are considered satisfactory and the highway authority seeks a condition (and suitable legal agreement) covering the detailed design and implementation of the scheme.

Off-site highway works

10.82. There are a number of specific junction improvements proposed:

- The Stanborough Road arm of the Broadwater Road/Osborn Way/Stanborough Road roundabout.
- The Broadwater Road and A1000 Chequers arm of the Broadwater Road/Broadwater Crescent/A1000 Chequers roundabout
- Broadwater Road (pedestrian and cyclist improvements)
- Northern access between blocks 6 and 7
- Hydeway
- Middle Access - between blocks 8 and 9
- Fourth Access – between blocks 9 and 10
- Southern Access
- Broadwater Crescent and Holywell Road junctions

10.83. The modelling work from the consultants and the analysis from Herts County Council indicates sufficient confidence in the workability of such proposals and subject to relevant conditions and requirements under the Highways Act.

Footbridge

10.84. The application originally included a link between the Civic Building (Building 1) and the footbridge leading to Welwyn Garden City station and the Howard Centre. This application was also accompanied by another application for the refurbishment of the footbridge and the replacement of the staircase. This application was withdrawn in July 2018. The applicant is offering £750,000 towards the refurbishment of the footbridge - significantly greater than the £150,000 offered for the previous planning application.

10.85. The footbridge is the responsibility of Network Rail and is not part of the planning application. It remains unchanged in terms of capacity and Herts County Council have raised no objections to the scheme in relation to pedestrian movement. On that basis Network Rail's planning objections are not supported.

10.86. Notwithstanding this, it is acknowledged that there is a wider issue of concern regarding the condition of the footbridge and its longevity. An initial meeting facilitated by the Chief Executive, the Head of Planning and Grant Shapps MP with Herts County Council and Network Rail was held in October to agree arrangements over the future of the footbridge and its

upgrade. A follow up meeting in November looked at options for upgrade and funding. It is considered at this stage that the current layout does not prejudice any of these options and allows scope for alternative, evolving options to be considered.

Section 4: Environmental Impact Assessment and Environmental Factors

- 10.87. The proposals have been screened and scoped under the Environmental Impact Assessment (EIA) Regulations and an Environmental Statement has been submitted with this application setting out key impacts and mitigations measures. A formal scoping opinion was provided in December 2017. The matters agreed as within the scope of the assessment and therefore reported in the ES are:
- Transport and Access;
 - Air Quality
 - Wind Analysis and Pedestrian Comfort
 - Noise and Vibration
 - Townscape and Visual Amenity
 - Ecology and Nature Conservation
 - Water Quality, Hydrology & Flood Risk
 - Soils, Geology and Contaminated Land
 - Heritage
 - Socio-economics
- 10.88. An assessment of cumulative effects and alternatives are also factors to be considered under the regulations. Although this section of the report focuses on the environmental aspects of the development it does draw conclusions on all of the matters set out in the Environmental Statement in accordance with the EIA Regulations.
- 10.89. Relevant policies from the adopted district plan under this heading are SD1 sustainable development, R2 contaminated land, R3 energy efficiency, R5 waste management, R7 protection of ground and surface water, R10 water conservation measures, R11 biodiversity and development R17 trees woodland and hedgerows, R18 air quality, R19 noise and vibration pollution, and R20 light pollution.
- 10.90. The draft local plan has the following policies of relevance SP1 delivering sustainable development, SP10 sustainable design and construction, SADM13 sustainability requirements, SADM14 flood risk and surface water management, SP11 protection and enhancement of critical environmental assets, SP12 strategic green infrastructure, SADM 16 ecology and landscape, SADM18 environmental pollution.
- 10.91. Transport and Access are considered in Section 3 of this analysis, Heritage, Townscape and Visual Amenity under Section 2 and Socio-economic factors under Sections 1 and 4.

Air Quality

- 10.92. Chapter 7 of the Environmental Statement considers air quality and is informed by an Air Quality Assessment. No significant adverse effects are predicted for the completed development in terms of its own emissions or its exposure. The more significant effects are identified in relation to construction phases where dust nuisance and traffic emissions would require controls via planning conditions securing a construction management plan. The Environmental Health Team note that the environmental statement makes it clear that the overall changes to air quality due to the development, both during the construction and operational phases will be negligible. During the construction phase, this will require the adherence to a number of mitigation measures, such as dampening down of stockpiles of building material. A suitable condition is recommended in this regard.

Wind and Pedestrian Comfort

- 10.93. Chapter 8 of the Environmental Statement considers wind and pedestrian comfort. The scale of development is such that there is the potential for impact but this has been carefully analysed across the site and the overall conclusion is that this would fall within relevant tolerances. It is acknowledged that the planting scheme will help with mitigation and pedestrian comfort. No specific conditions are proposed in this regard.

Noise

- 10.94. Chapter 9 of the Environmental Statement - the appraisal of noise and vibration levels associated with the construction phases show that noise impacts associated with ground-works and concreting activities are likely to occur during those times when activities are being undertaken in close proximity to existing residential receptors. However, whilst such impacts will be significant, they will be of a temporary and intermittent nature. There will be no other significant noise or vibration impacts associated with the construction works. Places along the road network will experience a small increase from additional vehicle movements. Conditions will be needed to secure a construction management plan and to manage the noise in relation to any mechanical plant. Clearly the development lying to the south on the former Roche site will need specific measures to ensure protection.
- 10.95. Plant and equipment if tonal will need to be 10dB below the background noise level at the nearest sensitive receptors, rather than at the background noise level. A condition is proposed to ensure where those areas around the site are exposed to noise that appropriate mitigation is included.

Ground Conditions and Contamination

- 10.96. Chapter 13 of the Environmental Statement discusses the assessment of ground conditions and contamination which has been undertaken using the

findings of a desk-based study and intrusive site investigation undertaken at the site over many years.

- 10.97. The site investigation identified significant contamination of the groundwater underlying the site and localised soil contamination around the former Polycell Factory (now demolished). Remediation measures were therefore used to address this former source of contamination and groundwater testing has established that levels of contamination have significantly decreased within groundwater as a result. Widespread, or significant contamination has not been identified elsewhere within the site.
- 10.98. A Foundation Works Risk Assessment (FWRA) should be prepared in consultation with the Environment Agency to establish the appropriate piling methodology to minimise further groundwater contamination. In addition, several measures for good site management have been recommended to minimise exposure of workers and the public to potentially harmful substances during construction. An appropriate condition is provided for this.
- 10.99. In addition to any specific remediation measures, the provision of building footprint and hardstanding across most of the site and the provision of clean topsoil in areas of soft landscaping would result in a very low risk of harm to human health and the wider environment following completion of the proposed development and the Council's Environmental Health Team have no objection on this matter.
- 10.100. The overall effect of the scheme is generally positive and will bring about effective land remediation and prevent further leaching/mobilisation of residual soil and groundwater contamination.

Hydrology and Water

- 10.101. Hertfordshire County Council (LLFA) had an initial objection due to absence of details namely: phasing/sub-catchments, storage, surface water modelling, drainage plan, exceedance flow paths and maintenance requirements. Further details have been provided and a series of conditions are recommended to ensure that adequate sustainable drainage features are included in the design and implementation of the scheme.

Ecology

- 10.102. Related to both Ecology and Hydrology and Water Natural England have indicated their concerns about the impacts of surface water discharge and abstraction impacting on nearby SSSIs. Whilst this site is unlikely to impact on those areas Natural England have stated that they would be satisfied with the proposed surface water conditions proposed to ensure any potential harmful effect is avoided.
- 10.103. The Environmental Statement indicates that the nature of the site is such that it has limited ecological value. This position is confirmed by

Hertfordshire Ecology who confirm that measures to deal with biodiversity issues on site are acceptable. A mitigation strategy is proposed and a supporting condition would be appropriate.

Alternatives and Cumulative Impacts

10.104. The Environmental Statement has considered various alternatives in terms of the scheme's design evolution, alternative sites as well as a do nothing option. The application scheme is favourably regarded against these comparisons. In addition the cumulative impacts are not considered to result in any significant harm bearing in mind scale and mitigation proposed.

Environmental Impact Assessment

10.105. It is considered that all of the scoping topics have been properly addressed and the report has been independently reviewed by White Young Green on behalf of the Council who confirm that the proposals are consistent with the relevant regulation requirements.

10.106. Finally in this section of the report, it is considered best practice to set out the likely significant effects that have been identified, along with proposed mitigation, the mechanism for securing this and the responsible party. This is set out in the following table.

Mitigation to address effects during Demolition and Construction

Effect	Mitigation Measure	Mechanism for Securing	Responsibility for Implementing
Townscape and Visual Amenity: effect on local townscape character, local views and landscape	Provision of hoarding around the site and protection of retained trees in accordance with British Standards	Planning Conditions	Applicant
Heritage: Loss of 1930s and 1950s additions to the former Shredded Wheat Factory	Preserve by record through building recording prior to conversion works	A Planning Condition has already been discharged on this matter	Applicant

Effect	Mitigation Measure	Mechanism for Securing	Responsibility for Implementing
Ecology: Effects on roosting bats	Visual inspection of trees with bat roost potential and watching brief of other trees and buildings during demolition/felling	Planning Condition	Applicant
Ground Conditions and Contamination: Effects on human health and controlled waters	Site investigation, remediation and validation, measures to minimise contamination effects on controlled waters	Planning Conditions	Applicant
Ground Conditions and Contamination: Effects on human health from dissolution features	Site investigation, design and construction mitigation and/or remediation	Planning Condition	Applicant.
Noise and Vibration: Noise nuisance and human disturbance from vibration during piling	Noise control measures to minimise noise and vibration	Planning Condition	Applicant
Air Quality: Dust nuisance and construction traffic emissions to air	Dust control measures and measures to minimise construction traffic emissions	Planning Condition	Applicant

Mitigation to address effects for the Completed Development

Effect	Mitigation Measure	Mechanism for Securing	Responsibility for Implementing
Socio-economics: Effect on capacity of education facilities	Financial contribution towards education facilities	Section 106 Agreement	Applicant and Hertfordshire County Council
Ground Conditions and Contamination: Effects on human health from ground gas/vapours	Site investigation, remediation, validation and, if necessary ground gas/vapour design measures	Planning Condition	Applicant
Ground Conditions and Contamination: Effects on human health from dissolution features	Site investigation, design and construction mitigation and/or remediation	Planning Conditions	Applicant
Wind: No resultant effect. The proposed development will have a positive impact on wind microclimate	None required		

Section 5: Supporting Facilities

10.107. Herts County Council has a planning obligations toolkit used to identify the scale of need and where relevant financial contribution to support growth and development across the County. It was adopted in 2008. Comments from the County are considered below.

Education

- 10.108. The County Council has a duty to secure sufficient Free Early Education places for eligible families of two year olds and all parents of three and four year olds who require a free early education place. The County Council works with the private, voluntary and independent sector as well as maintained schools to ensure sufficient childcare and free early education places.
- 10.109. Early Education facilities (Nursery) will be required for 2 - 4 year olds arising from this proposal. In instances where new primary school provision is required (such as at the re-provided Peartree School), the equivalent nursery provision will be provided at the new school. This will form part of the primary education cost.
- 10.110. Based on current information the County Council seeks a proportionate contribution towards the re-provision of Peartree School, and additional provision as deemed necessary.
- 10.111. A financial contribution is sought towards secondary education based on the table below (index linked to PUBSEC 175) towards a project to expand Stanborough School to 8 forms of entry.
- 10.112. The applicant has offered a financial contribution which is referred to in the Heads of Terms below. Although the figure is slightly lower than sought it is considered that this still would provide support to education provision arising out of this development.

Childcare Services

- 10.113. In addition to Nursery (free early education) provision the County has a statutory duty to ensure there is sufficient childcare for working parents, this duty covers 0 – 14 year olds (19 for children with S.E.N.D.). Childcare can take place in preschools, day nurseries, childminders and out of school provision such as holiday clubs and after school clubs depending on the age of the child and therefore can take place in school buildings or community use buildings. New schools should be designed to be able to offer childcare to all children (aged 2 years upwards).
- 10.114. The applicant has offered a suitable financial contribution in this regard.

Youth

- 10.115. A financial contribution has been offered towards the provision of IT and associated refurbishment at the Monks Walk Youth Wing at Monks Walk School. This is considered to be acceptable.

Library Provision

- 10.116. A suitable financial contribution has been agreed towards library provision in Welwyn Garden City.

Fire and Rescue Services

- 10.117. The Fire and Rescue Service would urge and encourage the installation of residential sprinkler systems to reduce the impact of this development on both the residents and the increase in calls that will come from a development of this size. They indicate that all dwellings must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire-fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants by the developer, through standard clauses set out in a legal agreement. These are matters that are normally outside of normal planning controls (as covered by other legislation) but it is understood that Herts County often will secure Fire Hydrants as part of a S106 planning obligation.

Health

- 10.118. National Health Service England indicate that the proposed development will have a significant impact on statutory health care provision and a S106 agreement is sought to allow for additional GP resources to be made available to accommodate the population increase. NHSE has indicated that it will not be commissioning any NHS patient Primary Healthcare services on the site. NHSE have sought a significant uplift in the level of S106 funding sought for GP, Community and Mental Health provision. The Council has been mindful of the tests in the National Planning Policy Framework and believes that a proportionate uplift to figures previously agreed would be appropriate (see obligations below).

11. Planning Obligations and Delivery

- 11.1. The applicant is proceeding with a S106 unilateral undertaking to secure obligations in the absence of a requirement securing the delivery of affordable housing. Below are the heads of terms sought by the Council and broadly agreed with the applicant. An update on the Unilateral Undertaking will be provided at the committee meeting.
- 11.2. Planning obligations sought are as set out in the following Heads of Terms table summary.

Details	Trigger	Value (if applicable)	Notes
Monitoring Fee	Completion of Deed	£5,000.00	

Details	Trigger	Value (if applicable)	Notes
<p>General Medical Care</p> <p>Extension and modification of the buildings at the Parkway Clinic, Welwyn Garden City</p>	Pre-Occupation	£535,730.00	
<p>Community and Mental Health</p> <p>Reconfiguration of Rosanne House, Welwyn Garden City to increase capacity for community and mental health care.</p>	Pre-Occupation	£156,000.00	
<p>Rail Bridge Contribution</p> <p>A scheme of improvement works to the pedestrian rail bridge that connects the Application Site to the centre of Welwyn Garden City</p>	Pre-Commencement and deliverable to the timetable set by WHBC and partners as part of the project	£750,000.00	
<p>Car Parking Survey Contribution</p> <p>The carrying out of car parking surveys in the locality</p>	Pre-Occupation of 200 th Dwelling	£20,000.00	
<p>Controlled Parking</p> <p>The consultation on and design and implementation of a controlled parking zone scheme in the locality.</p>	Pre-Occupation of 200 th Dwelling	£30,000.00	
<p>Travel Plan</p> <p>Evaluating, supporting and monitoring the Travel Plan</p>	Pre-Commencement	£6,000.00	

Details	Trigger	Value (if applicable)	Notes
Childcare On-site childcare provision	Pre-Commencement	£13,000.00	
Library Contribution Welwyn Garden City Central Library - the reconfiguration of space on the ground floor to create a new internal layout for the delivery of events and activities which would include new flexible shelving, furniture and equipment.	Pre-Commencement	£132,362.00	
Youth The development of the Monks Walk Youth Wing at Monks Walk School.	Pre-Commencement	£11,864.00	
Primary Education The re-provision of Peartree Primary School	Staged payments £1,969,082 linked to pre-occupation of 100 th , 300 th and 500 th dwelling (excl. C2)	£5,907,246.00	
Secondary Contribution The expansion of Stanborough Secondary School up to 7 forms of entry	Pre Occupation of 200 th Dwelling (excluding class C2 dwellings)	£399,031.00	
Outdoor Sports Upgrading the changing and clubhouse facilities at Welwyn Garden City Rugby Club, Football Club and Cricket Club	Pre-Occupation of 200 th Dwelling	£250,000.00	

Details	Trigger	Value (if applicable)	Notes
<p>Waste and Recycling Provision</p> <p>The provision of household bins</p>	Pre-Occupation	£70,890	Each 1,100 litre container costs £390.00 Each Mini Recycling Centre costs £560.00
11 SUDS SUDS Management Scheme for each block	12 Pre-Commencement of each Phase	13	14
<p>Highways</p> <p>A Highway Agreement for the completion of the Highway Works.</p>	Pre-Commencement/ [Pre-Occupation]		
<p>Open Space, Play Space, Sensory Garden and Skate Park</p> <p>Open Space Scheme, Open Space Programme and Open Space Management Scheme.</p>	Pre-Commencement of each Phase		
Hyde Way Parking Management Strategy	Pre-Commencement		
<p>Monitoring</p> <p>Notification of commencement of each block to the Council</p>	Pre-Commencement of each block		
<p>Healthcare</p> <p>Reimbursement of expenditure on Parkway Clinic and Roseanne House</p>			
<p>Listed Building</p> <p>Completion of works</p>	Pre occupation of 400 th Open Market Dwelling		
<p>Civic Building</p> <p>Completion of works</p>	Pre occupation of 400 th Open Market Dwelling		

Details	Trigger	Value (if applicable)	Notes
Verification RICS accredited independent verification of works.	On completion of each block		
Indexation As appropriate.			

- 11.3 Affordable housing is not included in the above list but has been the subject of considerable discussion throughout the processing of the planning application. Officers have taken legal advice in relation to the issues presented by this grant dependent scheme. A conventional affordable housing S106 agreement (or condition properly securing delivery) would be preferred but this has not been agreed with the developer. For completeness, the Council's preferred heads of terms is set out at Appendix 1 of this report. It should be noted that this is not agreed with the applicant and is not the basis on which the recommendation in this report is made.

Planning Conditions

- 11.4 Planning Practice Guidance Policy governs the use of conditions in planning and the power to impose conditions when granting planning permission is very wide. If used properly, conditions can enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. The objectives of planning, however, are best served when that power is exercised in such a way that conditions are clearly seen to be fair, reasonable and practicable. Conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted. In considering whether a particular condition is necessary, both officers and members should ask themselves whether planning permission would have to be refused if that condition were not to be imposed. If it would not, then the condition needs special and precise justification.
- 11.5 Given the nature of this application, it is perhaps inevitable that a considerable number of planning conditions are proposed. Some of these are required to mitigate specific matters that are identified in the Environmental Statement, and others to control other aspects of the scheme and to ensure the delivery of an acceptable scheme in planning terms.

12 Conclusion

- 12.1 The redevelopment of the whole of the Broadwater Road West site has been an ambition of the Council since the adoption of the District Plan in 2005. This ambition was turned into a vision with the production of the Broadwater Road West Supplementary Planning Document in 2008.

- 12.2 Since that time there has been a planning application for the redevelopment of the site for a retail led mixed use scheme which was refused (Jan 2012) and subsequently a mixed use scheme comprising 850 units approved (Nov 2018).
- 12.3 The scheme represents a comprehensive redevelopment of a key regeneration site in the borough. It would secure the restoration of iconic listed buildings whilst facilitating a much needed boost to the borough's housing supply. This has become vitally more important given recent national policy developments and the Council's position in relation to the 5 year land supply which was rehearsed in some depth at a recent public inquiry.
- 12.4 Although the affordable housing provision can be given little weight some confidence can be taken in the track record of Metropolitan Housing Trust in delivering affordable homes in the borough in partnership with Homes England with one of the more recent examples being Times Square not far to the north of the site.
- 12.5 Parking, whilst understandably a matter for careful consideration, does present the Council with a challenge to accept development in sustainable locations and secure good management of the space whilst using technologies such as car clubs and supporting the use of electric vehicles as well as of course walking and cycling.
- 12.6 The vision that the Council holds for the site, and was set out earlier in this report, is:
- “To deliver an energetic and pioneering development which integrates the spirit of the garden city with the very best of high quality 21st Century design, seizing the opportunity to enhance the local environment and create a sustainable, supported neighbourhood of an appropriate scale, which successfully integrates with the local community”*
- 12.7 Overall it is considered this scheme will secure a positive regeneration of the site consistent with this objective.

13 Recommendation

- 13.1** It is recommended that planning permission be approved subject the satisfactory completion of a supplementary Section 106 obligation securing those matters set out under paragraph 11.2 and the agreement of any necessary extensions to the statutory determination period subject to complete this agreement, and;
- a) the following conditions;
 - b) notification of this decision to the Secretary of State in relation to the Environmental Impact Assessment Regulations 2017.

Planning Conditions

1 Previously Unidentified Contamination: If, during the development of any phase or block, 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 a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site, in line with paragraph 109 of NPPF. This is also in line with policy R2 and R7 of the Welwyn and Hatfield Local Plan.

2 SUDs infiltration of surface water into ground: No infiltration of surface water drainage into the ground at the former Shredded Wheat factory 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 of any phase or block shall not be carried out otherwise than in accordance with the approved plans.

REASON: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants in line with paragraph 109 of the NPPF. This is also in line with policy R2 and R7 of the Welwyn and Hatfield Local Plan.

3. Piling / boreholes /tunnel shafts / ground source heating and cooling systems: Piling, investigation boreholes, tunnel shafts and ground source heating and cooling systems using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development of any phase or block shall not be carried out otherwise than in accordance with the approved plans.

REASON: To ensure that the proposed deep intrusive ground works does not harm groundwater resources, in line with paragraph 109 of the NPPF. This is also in line with policy R2 and R7 of the Welwyn and Hatfield Local Plan.

4. Decommission of investigative boreholes: A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of each phase of development.

REASON: The Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact of contamination by various organic chemicals which are highly likely to be present within the soil and groundwater beneath the site could result in the deterioration of the chemical status of the groundwater within the Upper Lee Chalk WFD groundwater body. It is also to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 109 of the NPPF. This is also in line with policy R2 and R7 of the Welwyn and Hatfield Local Plan.

5. Agreement for Discharge Rates and Connection Locations for Future Sub-Catchments and Phasing Arrangements

No development of any phase or block shall take place until confirmation of the final surface water discharge rates and connection points into the surface water sewer for that phase or block have been submitted to, and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

This shall include the following:

1. Surface water discharge rates and connection points into the public surface water sewer for each future sub-catchment included within the entire development site.
2. Confirmation of the capacity study results and agreement for the proposed discharge rates and connection points from each future sub-catchment for surface water sewer network undertaken in line with Thames Water recommendations.
3. Limiting the surface water run-off generated by the critical storm events so that it will not exceed surface water Greenfield run-off rates (or as close as possible rates) for the relevant rainfall events for the 1 in 1 year event, the 1 in 30 year event and the 1 in 100 year event including plus 40% of climate change allowance. If Greenfield run-off rates cannot be achieved, strong technical justification should be provided. As a minimum 50% betterment in run-off rates for each sub-catchment should be provided following the relevant rainfall events including the 1 in 1 year event, the 1 in 30 year event and the 1 in 100 year event including plus 40% of climate change allowance. No increase of the risk of flooding off-site should be identified.
4. Confirmation of attenuation volumes required for each phase identified within the development proposal. Final results should be appropriately split between future sub-catchments identified within the drainage strategy.

REASON:

1. To ensure the facilitation of required attenuation volumes in line with the prior agreed discharge rates.
2. To prevent the increased risk of flooding, both on and off site.

6. Detailed Design Code for all Future Sub-Catchments

No development of any phase or block shall take place until the design of the drainage scheme for that phase or block has been submitted to, and approved in writing by the Local Planning Authority. The drainage system for future sub-catchment shall include a restriction in run-off and surface water storage on site based on the sub-catchment approach of the strategic system. The scheme shall subsequently follow the agreements described in Condition 5 – Agreement for Discharge Rates and Connection Locations for Future Sub-Catchments and Phasing Arrangements, and shall be implemented in accordance with the approved details before the development is completed.

Detailed drainage design for each sub-catchment shall include the following principles:

1. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year including plus 40% for climate change event and details as how this is to be achieved.
2. Detailed calculations to demonstrate how the system operates during up to and including the 1 in 100 year critical duration storm event including drain down times for all storage features included within the drainage proposal.
3. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage.
4. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The 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. Total storage volumes provided within each future sub-catchment should be identified.
5. Where an outfall discharge control device is to be used such as a hydrobrake or orifice, this should be shown on the plan with the rate of discharge stated.
6. Silt traps for protection for any residual tanked elements.
7. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
8. Full details of any required mitigation/ management measures of any identified source of flooding.
9. Details of final exceedance routes, including those for an event which exceeds to 1:100 rainfall event including climate change event.

REASON: To prevent the increased risk of flooding, both on and off site.

7. Implementation of Strategic System North Site

The development permitted by this planning permission for the north site shall be carried out in accordance with the principles of the approved drainage strategy, subject to prior approval of details of Condition 5 – Agreement for Discharge Rates and Connection Locations for Future Sub-Catchments and Phasing Arrangements, and Condition 6 – Detailed Design Code for all Future Sub-Catchments.

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed surface water Greenfield run-off rates (or as close as possible rates) for the relevant rainfall events for the 1 in 1 year event, the 1 in 30 year event and the 1 in 100 year event including plus 40% of climate change allowance. As a minimum 50% betterment in run-off rates for each sub-catchment should be provided following the relevant rainfall events including the 1 in 1 year event, the 1 in 30 year event and the 1 in 100 year event including plus 40% of climate change allowance.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year plus 40% for climate change event providing storage volumes in above ground SuDS features, and if necessary in underground features.
3. Discharge of surface water from the private drainage network into the public surface water sewer served by Thames Water.

The mitigation measures pursuant to each sub-catchment area shall be fully implemented prior to occupation of each phase or block and subsequently in accordance with the timing / phasing arrangements within the agreed scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

8. Implementation of Strategic System for the South Site

The development permitted by this planning permission for the south site shall be carried out in accordance with the principles of the approved drainage strategy, subject to prior approval of details of Condition 1 – Agreement for Discharge Rates and Connection Locations for Future Sub-Catchments and Phasing Arrangements, and Condition 2 – Detailed Design Code for all Future Sub-Catchments.

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed surface water Greenfield run-off rates (or as close as possible rates) for the relevant rainfall events for the 1 in 1 year event, the 1 in 30 year event and the 1 in 100 year event including plus 40% of climate change allowance. As a minimum 50% betterment in run-off rates for each sub-catchment should be provided following the relevant rainfall events including the 1 in 1 year event, the 1 in 30 year event and the 1 in 100 year event including plus 40% of climate change allowance.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year plus 40% for climate

change event providing storage volumes in above ground SuDS features, and if necessary in underground features.

3. Discharge of surface water from the private drainage network into the public surface water sewer served by Thames Water.

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

REASON:

1. To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future occupants.

9. Upon Completion Condition for Maintenance

Upon completion of the drainage works for each sub-catchment included within the final drainage proposal, in accordance with the final phasing arrangements, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority.

The management and maintenance plan shall include;

1. Provision of complete set of as built drawings including the final drainage layout for site drainage network.
2. Maintenance and operational activities for the lifetime of the development.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

REASON:

1. To prevent flooding by ensuring the satisfactory maintenance of surface water network on site.
2. To reduce the risk of flooding to the proposed development and future occupants.

10. Construction Management Strategy

Construction of the north site or south site of the development hereby approved shall not commence until a Construction Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The construction management strategy shall set a framework for construction management plans for individual component phases or blocks and shall include principles covering:

1. Management of Construction vehicle numbers, type, routing;
2. Traffic management requirements;
3. Construction and storage compounds (including areas designated for car parking);

4. Management of site entrances, site tracks and the adjacent public highway;
5. Timing of construction activities
6. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
7. Provision of hoarding around the site
8. Provision of measures to protect retained trees
9. Noise control measures to minimise noise and vibration
10. Dust control measures

REASON: In order to protect highway safety and the amenity of other users of the public highway and rights of way and the amenity and living conditions of the wider public in accordance with the mitigation measures set out in the Environmental Statement.

11. Construction Management Plans

No development of any phase or block shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority for the relevant phase or block. The construction of the development shall not be carried out otherwise than in accordance with the approved Plan. The Construction Management Plan shall include details of:

1. Construction vehicle numbers, type, routing;
2. Traffic management requirements;
3. Construction and storage compounds (including areas designated for car parking);
4. Siting and details of wheel washing facilities;
5. Cleaning of site entrances, site tracks and the adjacent public highway;
6. Timing of construction activities;
7. Provision of sufficient on-site parking prior to commencement of construction activities;
8. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
9. Provision of hoarding around the site
10. Provision of measures to protect retained trees
11. Noise control measures to minimise noise and vibration
12. Dust control measures

REASON: In order to protect highway safety and the amenity of other users of the public highway and rights of way and the amenity and living conditions of the wider public in accordance with the mitigation measures set out in the Environmental Statement.

12. Ecology

Not to occupy any dwellings in a block until the mitigation and enhancement measures set out in the Environmental Statement Appendix 12 Ecology and Nature has been implemented in accordance with that document relevant to that block. A verification report confirming that the mitigation and enhancement measures set out that

statement have been fully implemented must be submitted on practical completion of each phase or to a timetable agreed with the Local Planning Authority in relation to this condition.

REASON: To ensure that the development has a positive impact on the ecological value of the site, in accordance with Policy R11 of the Welwyn Hatfield District Plan 2005.

13. Roads, access and servicing

No development of any phase or block shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following infrastructure for that phase or block: -

- i) Roads, footways, cycleways, foul and on-site water drainage.
- ii) Roads and footway.
- iii) Foul and surface water drainage.
- iv) Visibility splays.
- v) Access and servicing arrangements.
- vi) Parking provision in accordance with adopted standard.
- vii) Loading areas.
- viii) Turning areas.

For each block no dwelling or premises shall be occupied until the necessary part of that the approved scheme for that block has been completed.

REASON: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard

14. Junction Capacity Analysis

No development shall commence until detailed junction capacity analyses of the junctions of Hydeway/Broadwater Road and Bridge Road/Broadwater Road have been submitted to and approved in writing by the Local Planning Authority. The junction capacity analyses shall assess junction design options which maximise operational capacity for vehicular traffic and ensure priority is incorporated in designs for pedestrians and cyclists.

REASON: In order to inform the design of any off-site highway improvement works

15. Off-site highway improvement works – Octabout

a) No occupation of any block shall occur until a detailed scheme for the off-site highway improvement works as indicated in Appendix N of the Transport Assessment on TPA drawing titled, Octabout Design Proposals Option A, numbered TPA Drawing 1309-14 PL129 has been submitted to and been approved in writing by the Local Planning Authority.

b) Prior to the occupation of the 500th dwelling of the development hereby permitted the approved off-site highway improvement works must be completed in accordance with the details approved under this condition.

REASON: To ensure that the highway improvement works are designed to an appropriate standard in the interest highway safety, to protect the environment of the local highway corridor and to ensure that does not have an unacceptable impact on safe and free flow of the pedestrian and highway network.

16. Broadwater Road - Off-site highway works

a) Notwithstanding the details indicated on the submitted drawings no occupation of any block shall occur on site until a detailed scheme for the off-site highway improvement works as indicated in Appendix N of the Transport Assessment incorporating TPA drawing titled, Broadwater Road Proposed Improvements with Centre Line, numbered TPA Drawing 1309-14 PL137 , Drawing 1309-14 PL108 and Drawing 1309-14 PL120, has been submitted to and approved in writing by the Local Planning Authority.

b) Prior to the occupation of the 500th dwelling, the development hereby permitted (or Prior to the commencement of the use hereby permitted) the off-site highway improvement works referred to in Part a of this condition shall be completed to the written satisfaction of the Local Planning Authority

REASON: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety, to protect the environment of the local highway corridor and to ensure that the development does not have an unacceptable impact on safe and free flow of the pedestrian and highway network.

17. Hydeway Off-site highway works

No occupation of blocks 1, 4, 5, 7 and 8 shall occur on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works at Hydeway has been submitted to and approved in writing by the Local Planning Authority and completed.

REASON: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety, to protect the environment of the local highway corridor and to ensure that the development does not have an unacceptable impact on safe and free flow of the pedestrian and highway network.

18. Management and maintenance of streets

A North Site. No development on the north site shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets on the north or south site respectively have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

B South Site. No development on the south site shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets on the north or south site respectively have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

REASON: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.

19. Travel Plan

a) No phase or block of the development hereby permitted shall be occupied until an Overarching Travel Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority for the relevant part of the site (north or south) such Travel Plan shall accord with Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance'

b) No phase or block of the development hereby permitted shall be occupied prior to the approval of the Overarching Travel Plan and the approval of the relevant Plot Travel Plans and the implementation of those parts identified in the approved Overarching Travel Plan referred to in Part a of this condition as capable of being implemented prior to occupation. Those parts of the approved Overall Travel Plan and the Plot Travel Plans implemented in accordance with the timetable contained therein shall continue to be implemented as long as any part of the development is occupied.

REASON: To ensure that the development is sustainable in accordance with Policy M3 (Green Travel Plans) of the Welwyn Hatfield District Plan 2005 and SADM3 (Sustainable Travel for All) of the Welwyn Hatfield Draft Local Plan Proposed Submission August 2016.

20. Public Cycle Parking

Notwithstanding the approved plans, no phase or block of the development shall be occupied until details of additional, publicly available, cycle parking have been submitted to and agreed in writing by the Local Planning Authority. Such details shall include information on the implementation of the cycle parking so as to ensure continuous provision of publicly available cycle parking. The cycle parking shall thereafter be retained in perpetuity.

REASON: To ensure that adequate and managed public cycle parking is available in the vicinity of the railway station bridge.

21. Secure Cycle Storage

No occupation of any phase or block above ground level shall commence until a scheme for the provision of secure cycle parking for that phase or block of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme must include details of the implementation of these facilities in time to serve the blocks and uses they are serving. The development shall not be carried out other than in accordance with the approved scheme.

REASON: In order to ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance Policies M6 and M8 of the Welwyn Hatfield District Plan 2005.

22. Car Parking (and charging points for Electric Cars)

The areas set aside for car parking shall be laid out surfaced and marked out, in accordance with approved drawings before the relevant phase or block of the development hereby permitted is first occupied and shall be retained permanently thereafter for the parking of vehicles for residents/occupiers of the development and shall not be used for any other purpose. Details identifying locations of electric car charging points will be provided prior to the construction of each block or phase. The electric car charging points will be installed as approved prior to the occupation of that block or phase.

REASON: To ensure that the spaces are provided in the interests of highway safety in accordance with the National Planning Policy Framework.

23. Car Club

A) prior to the occupation of any phase or block of the development hereby approved, the provision of designated parking spaces for a car club on the north or south site respectively shall be made in accordance with detailed drawings to be submitted to and approved in writing by the local planning authority, such drawings

to show size, position, method of delineation and signing of such a space, and this space shall at no time be used for any other purpose.

B) A car club management and implementation scheme for each phase or block setting out the methods of operation, timing of provision, availability, maintenance and management of car club spaces must be submitted to and approved by the local planning authority before the first occupation of any residential units on site on the north or south site. The scheme will be carried out in accordance with these approved details.

REASON: To protect the amenities of local residents and road users and to support sustainable and efficient transport modes for the development

24. Car Parking Management Plan

A. North Site. No development of any phase or block on the north site shall commence until details of a Car Parking Management Plan have been submitted to and approved in writing by the Local Planning Authority for the relevant phase or block. The Car Parking Management Plan must include details of parking allocations and permitting, waiting restrictions and hours of operation, and on-site parking enforcement. The development shall not be carried out other than in accordance with the approved plan.

B. South Site. No development of any phase or block on the south site shall commence until details of a Car Parking Management Plan have been submitted to and approved in writing by the Local Planning Authority for the relevant phase or block. The Car Parking Management Plan must include details of parking allocations and permitting, waiting restrictions and hours of operation, and on-site parking enforcement. The development shall not be carried out other than in accordance with the approved plan.

REASON: In order to ensure satisfactory controls to protect highway safety and operation, and residential amenity.

25. Delivery and Servicing Plan

No development of any phase or block shall commence until details of a Delivery and Servicing Plan have been submitted to and approved in writing by the Local Planning Authority for the relevant phase or block. The Delivery and Servicing Plan must include details of on-site service vehicle management, vehicle types and numbers, hours of delivery and route management. The development shall not be carried out other than in accordance with the approved plan.

REASON: In order to ensure satisfactory controls to protect highway safety and operation, and residential amenity.

26. Noise Attenuation

No development of any phase or block shall commence, other than ground and site preparation works, until the applicant has submitted to, for approval in writing by the

Local Planning Authority, a detailed scheme to protect the proposed development of that phase or block from traffic noise, railway noise and noise associated with other uses on the site. The scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms meet the standards in BS 8233:2014 and the ventilation standards within Approved Document F of the Building Regulations. The mechanical ventilation system shall provide a ventilation rate of at least the purge rate within Approved Document F (4 air changes per hour) when required to maintain thermal comfort. Where required, dwellings shall be ventilated with MVHR as per System 4 in Building Regulations Part F to help minimise the reliance on openable windows for the control of overheating. No part of the development shall be occupied or used until the approved scheme has been implemented.

REASON: To protect the occupants of the new development from noise disturbance in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005.

27. Sound Insulation

No part of the **commercial development** shall commence until the applicant has submitted to, for approval in writing by, the local planning authority a scheme of sound insulation for **the commercial** buildings. The buildings shall not be occupied until the approved scheme has been fully implemented and thereafter the sound insulation measures shall be retained in perpetuity in accordance with the approved scheme.

REASON: To protect the occupants of nearby residential properties from noise disturbance, in accordance with policy R19 of the Welwyn Hatfield District Plan 2005.

28. Plant & Equipment

Prior to the installation of any plant and equipment on any phase or block, the applicant shall submit to, for approval in writing by the local planning authority, details relating to noise from plant and equipment to be installed at the premises for that phase or block, with evidence in the form of an acoustic report showing that noise emissions from plant and equipment will be 10dB (LAeq) below the background noise level (LA90) at the nearest residential properties (proposed and existing) (using the methodology outlined within BS4142:2014). No plant and equipment shall be installed otherwise than in accordance with the approved details.

REASON: To protect the amenity of the residents and other nearby residential properties, in accordance with policy R19 of the Welwyn Hatfield District Plan 2005

29. Lighting

Prior to the installation of any lighting in any phase or block, the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to the external lighting scheme (including vertical lux diagrams) for that particular phase or block. This scheme must meet the requirements within the Institution of Lighting

Engineers guidance notes for the reduction of obtrusive lighting. No lighting shall be installed otherwise than in accordance with the approved scheme.

REASON: To protect the amenity of the future residents of the site and existing residential properties in the near vicinity to the development, in accordance with policy R20 of the Welwyn Hatfield District Plan 2005.

30. Hours of Delivery

Deliveries to the commercial units are to not take place outside the hours of 7am and 9pm on Monday to Saturday and 10am to 2pm on Sundays.

REASON: To protect the amenity of nearby residential properties, in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005.

31. Extract systems

A scheme of odour control for the premises within Use Classes A3, A4, D1 and D2 uses with kitchen extract systems shall be submitted to and approved in writing by the Local Planning Authority at least six months prior to installation. The buildings shall not be occupied until the approved scheme has been fully implemented and thereafter retained.

REASON: To protect the amenity of nearby residential properties (existing and proposed) in accordance with Policy R18 of the Welwyn Hatfield District Plan 2005.

32. Materials Samples

No development above ground level in any block of the development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. Development shall not be implemented other than in accordance with the approved materials and in accordance with the approved drawings and associated details.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005..

33. Landscaping of Blocks

Notwithstanding the submitted Landscaping Scheme and Landscaping Plans, no development of any block or phase above ground level shall take place unless and until the applicant has submitted and had approved in writing by the local planning authority a phased landscaping delivery plan for each block or phase in the relevant part of the site. The delivery plans will identify a programme for the implementation of strategic landscaping for The Weave in the south site landscaping delivery plan, Goodmans Square in the north site landscaping delivery plan, any other areas of landscaping not linked to specific blocks. The approved plan shall be implemented in

full prior to the end of the first planting season following the first occupation of each block.

REASON: In order to ensure the delivery of an acceptable scheme of landscaping in accordance with policy D8 of the Welwyn Hatfield District Plan 2005.

34. Means of enclosure

For each block no development shall commence above ground level until the applicant has submitted to and approved by the local planning authority details of means of enclosure. For each block no premises or dwelling shall be occupied until the approved means of enclosure has been implemented.

REASON: In the interest of maintaining a high quality design environment, in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

35. Opening hours for Restaurant, Pub, Community and Leisure Uses

Premises falling within Use Classes A3, A4, D1 and D2 hereby approved shall only be open to the public between 07:00 hrs and 23:00 hrs. Any members of public remaining in the buildings or outdoor seating areas must have left the premises by 23:30 hours.

REASON: In order to protect the living conditions of local residents, in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005.

36. Accessible Housing

A scheme setting out the arrangements for the delivery of accessible housing for each phase or block will be supplied to the council in accordance with the following requirements:

- a) No development of residential **development** above ground level shall take place until a schedule of units, together with appropriate plans and drawings, **has** been submitted to and approved by the local planning authority setting out details of the number, layout and location of all units that will comply with Part M4(2) and M4(3)(2)(a) and M4(3)(2)(b) of the Building Regulations 2010.
- b) At least 20% of all new dwellings will meet Building Regulations Part M4(2) standards for 'accessible and adaptable dwellings' the delivery of which should be distributed across market and affordable tenures.
- c) For each block all units specified as M4(2) and M4(3)(2)(a) and M4(3)(2)(b) in the agreed schedule and plans shall be implemented in accordance with that

approval for that block and in compliance with the corresponding part of the Building Regulations in that regard.

- d) The person carrying out the building work must inform the building control body which requirements apply prior to any development above ground level for that block.
- e) Written verification of implementation of units in para c) will be supplied to the local planning authority within 30 days of the practical completion of the block it forms part of.

REASON: To ensure that suitable housing is provided to households in need of accessible or wheelchair housing in accordance with Policies D1, H10 of the Welwyn Hatfield District Plan 2005 and SP7 of the Draft Local Plan Proposed Submission (August 2016)

37. Use of Blocks 3A and 3B as Use Class C2 Residential Institution

Blocks 3A and 3B shall not be used otherwise than for purposes within Use Class C2 of the Town and Country Planning Use Classes Order 1987 (as amended) and shall not be used as student accommodation, or as residential accommodation for a school, college or training centre. Commencement of development of these blocks shall not occur until details of final layout, levels of provision of care, staffing, management and supporting facilities have been submitted to and approved by the Local Planning Authority. Each block shall not be occupied other than in accordance with these details.

REASON: To ensure that specialist housing needs for are catered for in accordance with Policy H9 of the Welwyn Hatfield District Plan 2005 and in accordance with Policy SP7 of the Welwyn Hatfield Draft Local Plan Proposed Submission (August 2016) and to avoid any negative effects on vehicle movement and highway safety on and off the site

38. Access to Pall Mall Site

The applicant shall facilitate the formation of a suitable vehicle access point between points A and B on Plan BWR1 designed to permit access to a residential and B1 development on the adjoining Pall Mall site for purposes falling with Class C3 and/or Class B1 of the Town and Country Planning Use Classes Order 1987 (as amended). Drawings showing the location and configuration of this vehicle access point shall be approved prior to the construction of roads on the South Site and thereafter implemented in accordance with those details prior to any occupation of Block 13. The agreed route shall not be for construction traffic. The approved access must be permanently retained thereafter.

REASON: To facilitate and optimise the development of the mixed use development site at the Broadwater Road West Site as referred to in policy SP17 of the Draft Local Plan Proposed Submission 2016 and Policy EMP3 of the Welwyn Hatfield District Plan 2005.

39. Retention and Protection of Trees and Shrubs for the Duration of Development

(a) No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree or shrub be pruned other than in accordance with the approved plans and particulars hereby approved. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:2010 (Tree Work).

(b) If any retained tree or shrub is removed, uprooted or destroyed or dies, an equivalent tree or shrub shall replace it within the next planting season. This condition will cease to have effect on the date 5 years from the date of work commencing on site

REASON: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

40. Implementation of Landscape Planting

Landscaping in respect of each phase or block shall be carried out in the first planting and seeding seasons following the occupation of each phase or block, and any plants which within a period of 2 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

41. Construction Site Waste Management Plan

No development of any phase or block shall commence until a Site Waste Management Plan for that phase or block has been submitted to and approved in writing by the Local Planning Authority. The Management Plan as approved shall be implemented throughout the demolition and construction period.

REASON: To ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Hertfordshire Waste Core Strategy and Development Management Policies DPD 2012.

42. Change of Use Restriction Dwellinghouse to Houses in Multiple Occupation

The flats hereby permitted shall not be used for otherwise than for purposes falling within Class C3 of the Town and Country Planning Use Classes Order 1987 (as amended) only, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification).

REASON: To fully consider the effects of development normally permitted, specifically from Use Class C3 to C4, in order to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity in accordance with the Houses in Multiple Occupation Supplementary Planning Document 2012 and Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

43. Change of Use Restriction Offices to Dwellinghouse

Notwithstanding the provisions of Article 3 of the Town and Country Planning Use Classes Order 1987 and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any orders revoking or re-enacting these Orders) this permission shall only permit the use of the approved offices on the site as Use Class B1(a) (Offices) and for no other use or purpose. The change of use from Use Class B1(a) (Offices) to Use Class C3 (dwelling houses) of the Town and Country Planning Use Classes Order 1987 (as amended) is not permitted.

REASON: To ensure an appropriate mix of uses is provided to an adequate standard in line with Policy SD1 (Sustainable Development) and EMP3 (Mixed Use Development Site at Broadwater Road West) of the Welwyn Hatfield District Plan 2005 and SP7 (Type and Mix of Housing) the Welwyn Hatfield Draft Local Plan Proposed Submission August 2016.

44. Residential Restriction of Permitted Development

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 no satellite dishes, fencing or other external structures shall be installed or erected on the site other than in accordance with the approved plans or in relation to plans approved pursuant to conditions of this permission.

REASON: changes do not result in harm to the character and design of the development.

45. Phasing

Not to commence construction above ground level of any phase or phases, until details of the such a phase or phases have been submitted to and approved by the Local Planning Authority. The phasing details shall illustrate both the sequence and duration of each phase and indicate the start and completion periods for each block. The phasing details will also indicate the programme of delivery of highway works in relation to the development phases. The development shall be implemented in accordance with approved details.

REASON: To ensure that the development is sequenced in an appropriate manner and that supporting infrastructure is delivered in time for the occupation or use of the development.

46 Public Art

Details of a scheme for public art must be submitted to and approved by the Council before its implementation. The public art scheme shall be implemented in accordance with those details.

REASON: To ensure that the details are appropriate in relation to the overall design of the development.

47. Skate Park

No occupation of Block 6 shall take place until details of the proposed skate park have been submitted to and approved by the Local Planning Authority. The skate park shall be implemented in accordance with these approved details and retained in this form thereafter.

REASON: To ensure that adequate supporting facilities are available for the occupants of the development.

48. Broadband Connectivity

Development of any particular phase or block shall not commence until details have been submitted to the local planning authority of a scheme of open access ducting for fibre optic cable to serve a range of Next Generation Access compatible telecommunication services to multi point destinations and all buildings including residential, commercial and community across the development hereby approved. This shall provide sufficient capacity, including duct sizing to cater for the development with sufficient flexibility to meet the needs of existing and future residents. Units or premises in the blocks being served by this infrastructure shall not be occupied until the infrastructure has been laid out in accordance with the approved details.

REASON: To make adequate provision for the information technology requirements of homes and businesses in the interests of local amenity.

49. Completion of Block 1 Civic Building, Block 4 Production Hall, Block 5 Grain Silos

Prior to the final 25% of the C3 open market housing being occupied, Blocks 1, 4 and 5 must be practically completed.

REASON: To ensure the availability of community and leisure facilities for the development and to secure the restoration of the retained listed buildings.

50. Housing on the South Site

The housing on the south site must be carried out in accordance with the approved plans listed below unless otherwise agreed in writing by the Local Planning Authority:

1. Ground Floor Tenure Plan 16037 CCA-00 DR-A TN.100 Revision P1
2. First Floor Tenure Plan 16037 CCA-00 DR-A TN.101 Revision P1
3. Second Floor Tenure Plan 16037 CCA-00 DR-A TN.102 Revision P1

4. Third Floor Tenure Plan 16037 CCA-00 DR-A TN.103 Revision P1
5. Fourth Floor Tenure Plan 16037 CCA-00 DR-A TN.104 Revision P1
6. Fifth Floor Tenure Plan 16037 CC-00 DR-A TN.105 Revision P1
7. Sixth Floor Tenure Plan 16037 CCA-00 DR-A TN.106 Revision P1
8. Seventh Floor Tenure Plan 16037 CCA-00 DR-A TN.107 Revision P1

REASON: To ensure a suitable balance of housing in accordance with Policy H7 of the Welwyn Hatfield District Plan 2005 and Policy SP17 of the Welwyn Hatfield draft Local Plan 2016.

51. Local Labour

No development shall commence above ground level on site until a local labour strategy has been submitted to and approved in writing by the local planning authority. The strategy shall set out how it will implement the recruitment of a proportion of local people and demonstrate how it will support training and apprenticeships.

REASON: To meet the economic and employment objectives of Policy EMP11 of the Welwyn Hatfield District Plan 2005.

52. Bin Storage

No development above ground level in any block of the development shall take place until details of bin storage arrangements (including management, access and servicing) have been submitted to and approved in writing by the Local Planning Authority; and thereafter implemented in accordance with these details.

REASON: To ensure that each block is adequately serviced and the area does not suffer any detriment from the storage arrangements for waste.

53. Site investigation and Remediation Strategy: No development approved by this planning permission shall commence until a site investigation and remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - a. All previous uses;
 - b. Potential contaminants associated with those uses;
 - c. A conceptual model of the site indicating sources, pathways and receptors; and
 - d. 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 results of the site investigation and the detailed risk assessment referred to in (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 the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

REASON: The Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact of contamination present could result in deterioration of groundwater quality within the Upper Lee Chalk WFD groundwater body. This is also in line with policy R2 and R7 of the Welwyn and Hatfield Local Plan.

54. Verification Report: Prior to each phase of development being occupied/ brought into use a verification report demonstrating the completion of 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.

REASON: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete, in line with paragraph 109 of the NPPF. This is also in line with policy R2 and R7 of the Welwyn and Hatfield Local Plan.

55. Long Term Monitoring: Each phase of the development hereby permitted may not commence until a monitoring and maintenance plan in respect of contamination, including a timetable for the monitoring and submission of monitoring reports has been submitted to, and approved in writing by, the local planning authority. Monitoring reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority in accordance with the approved timetable and any such contingency action identified in the approved reports shall be implemented in full.

REASON: To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures, in line with paragraph 109 of the NPPF. This is also in line with policy R2 and R7 of the Welwyn and Hatfield Local Plan.

56 .Time Limit for Commencement of Development

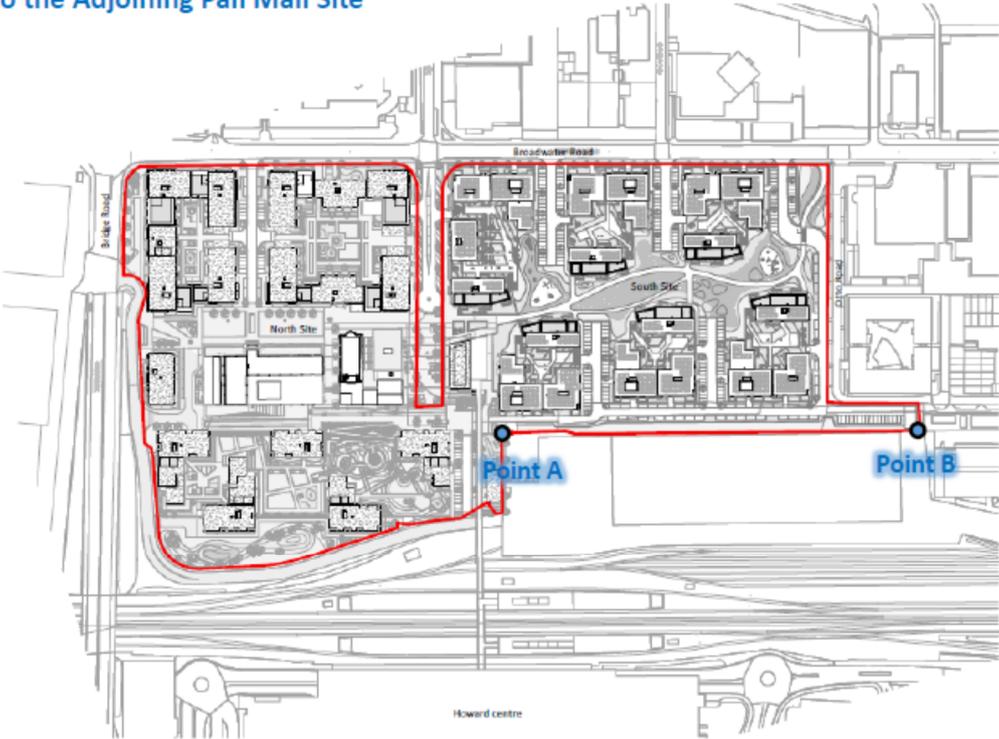
MasterGov (2.4)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

Plan BWR1:

Access to the Adjoining Pall Mall Site



1 Location Plan
1:1250 ©A1

Extract from Collado Collins Drawing Location Plan— 16037 P0-000 P2

DRAWING NUMBERS

54. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
P0(S)-107	P4	Seventh Floor Plan	25 June 2018
2455-T-00-0034-ZXX	05	Existing Building A - East And West Elevations	17 January 2018
2455-T-00-0031-Z05	05	Existing Building A - Fifth Floor Demolition	17 January 2018
2455-T-00-0027-Z01	05	Existing Building A - First Floor Demolition	17 January 2018
2455-T-00-0030-Z04	05	Existing Building A - Fourth Floor Demolition	17 January 2018
2455-T-00-0026-Z00	05	Existing Building A - Ground Floor Demolition	17 January 2018
2455-T-00-0033-ZXX	05	Existing Building A - North And South Elevations	17 January 2018
2455-T-00-0028-Z02	05	Existing Building A - Second Floor Demolition	17 January 2018
2455-T-00-0029-Z03	05	Existing Building A - Third Floor Demolition	17 January 2018
2455-T-00-0025-ZXX	03	Site Plan Demolition	17 January 2018
P0-001	2	Site Masterplan (Ground)	17 January 2018
P0-002	P2	Site Masterplan (First)	17 January 2018
P0-010	P2	Site Phasing Plan	17 January 2018
P0(N)-099	P2	Basement Floor Plan	17 January 2018
P0(N)-100	P3	Ground Floor Plan	3 July 2018
P0(N)-101	P2	First Floor Plan	17 January 2018
P0(N)-102	P2	Second Floor Plan	17 January 2018
P0(N)-103	P2	Third Floor Plan	17 January 2018
P0(N)-104	P2	Fourth Floor Plan	17 January 2018
P0(N)-105	P2	Fifth Floor Plan	17 January 2018
P0(N)-106	P2	Sixth Floor Plan	17 January 2018
P0(N)-107	P2	Seventh Floor Plan	17 January 2018
P0(N)-108	P2	Eighth Floor Plan	17 January 2018
P0(N)-109	P2	Roof Plan	17 January 2018
P0(N)-200	P2	Site Sections 1	17 January 2018
P0(N)-201	P2	Site Sections 2	17 January 2018
P0(N)-202	P2	Site Sections 3	17 January 2018
P0(N)-300	P2	Site Elevations 1	17 January 2018
P0(N)-301	P2	Site Elevations 2	17 January 2018
P1(N-02)-100	P2	Block 02A - Ground And First Floor Plan	17 January 2018

Plan Number	Revision Number	Details	Received Date
P1(N-02)-101	P2	Block 02A - Typ Upper And Top Floor Plan	17 January 2018
P1(N-02)-102	P2	Block 02A - Roof Plan	17 January 2018
P1(N-02)-103	P2	Block 02B - Ground And First Floor Plan	17 January 2018
P1(N-02)-104	P2	Block 02C - Ground And First Floor Plan	17 January 2018
P1(N-02)-105	P2	Block 02C - Typ Upper And Roof Plan	17 January 2018
P1(N-03)-100	P2	Block 03A - Ground And First Floor Plan	17 January 2018
P1(N-03)-101	P2	Block 03A - Typ Upper And Top Floor Plan	17 January 2018
P1(N-03)-102	P2	Block 03A - Roof Plan	17 January 2018
P1(N-03)-100 - Duplicate	P2	P1(n 03) 100p2 Block 03a Ground And First Floor Plan(1)	17 January 2018
P1(N-03)-105	P2	Block 03B - Roof Plan	17 January 2018
P1(N-06)-100	P2	Block 06B - Ground And Typ Upper Floor Plan	17 January 2018
P1(N-06)-101	P2	Block 06A - Typ Top Floor And Roof Plan	17 January 2018
P1(N-06)-102	P2	Block 06D - Ground And First Floor Plan	17 January 2018
P1(N-06)-103	P2	Block 06D - Typ Top Floor And Roof Plan	17 January 2018
P1(N-06)-104	P2	Block 06E - Ground And First Floor Plan	17 January 2018
P1(N-06)-105	P2	Block 06E - Roof Plan	17 January 2018
P1(N-06)-106	P2	Block 06F - Ground And First Floor Plan	17 January 2018
P1(N-07)-100	P2	Block 07A - Ground And First Floor Plan	17 January 2018
P1(N-07)-101	P2	Block 07A - Typ Top Floor And Roof Plan	17 January 2018
P1(N-07)-102	P2	Block 07B - Ground And First Floor Plan	17 January 2018
P1(N-07)-103	P2	Block 07B - Roof Plan	17 January 2018
P1(N-07)-104	P2	Block 07C - Ground Floor Plan	17 January 2018
P1(N-07)-105	P2	Block 07E - Ground Floor Plan	17 January 2018

Plan Number	Revision Number	Details	Received Date
P1(N-07)-106	P3	Block 07F - Ground Floor Plan	3 July 2018
P3(N-02)-100	P2	Block 02A - North And South Elevations	17 January 2018
P3(N-02)-101	P2	Block 02A - East And West Elevations	17 January 2018
P3(N-02)-102	P2	Block 02C - North And South Elevations	17 January 2018
P3(N-02)-103	P2	Block 02C - East And West Elevation	17 January 2018
P3(N-03)-100	P2	Block 03B - North Elevations	17 January 2018
P3(N-03)-101	P2	Block 03B - South Elevation	17 January 2018
P3(N-03)-102	P3	Block 03B - East & West Elevations	3 July 2018
P3(N-06)-100	P2	Block 06 - Elevations 1	17 January 2018
P3(N-06)-101	P2	Block 06 - Elevations 2	17 January 2018
P3(N-06)-102	P2	Block 06 - Elevations 3	17 January 2018
P3(N-06)-103	P2	Block 06 - Elevations 4	17 January 2018
P3(N-03)-101	P2	Block 06 - Elevations 5	17 January 2018
P3(N-06)-105	P2	Block 06 - Courtyard Elevations 1	17 January 2018
P3(N-06)-106	P2	Block 06 - Courtyard Elevations 2	17 January 2018
P3(N-06)-107	P2	Block 06 - Courtyard Elevations 3	17 January 2018
P3(N-06)-108	P2	Block 06E - North And South Elevations	17 January 2018
P3(N-06)-109	P2	Block 06E - East And West Elevations	17 January 2018
P3(N-07)-100	P2	Block 07 - Elevations 1	17 January 2018
P3(N-07)-101	P3	Block 07 - Elevations 2	3 July 2018
P3(N-07)-102	P2	Block 07 - Elevations 3	17 January 2018
P3(N-07)-103	P2	Block 07 - Elevations 4	17 January 2018
P3(N-07)-104	P3	Block 07 - Elevations 5	3 July 2018

Plan Number	Revision Number	Details	Received Date
P3(N-07)-105	P3	Block 07 - Elevations 6	3 July 2018
P3(N-07)-106	P3	Block 07 - Courtyard Elevations 1	3 July 2018
P3(N-07)-107	P2	Block 07 - Courtyard Elevations 2	17 January 2018
P3(N-07)-108	P3	Block 07 - Courtyard Elevations 3	3 July 2018
P3(N-07)-109	P2	Block 07 -Courtyard Elevations	17 January 2018
P0(S)-100	P4	Ground Floor Plan	25 June 2018
P0(S)-101	P4	First Floor Plan	25 June 2018
P0(S)-102	P4	Second Floor Plan	25 June 2018
P0(S)-103	P4	Third Floor Plan	25 June 2018
P0(S)-104	P4	Fourth Floor Plan	25 June 2018
P0(S)-105	P4	Fifth Floor Plan	25 June 2018
P0(S)-106	P4	Sixth Floor Plan	25 June 2018
P0(S)-108	P4	Roof Level Plan	25 June 2018
P0(S)-200		Sections - Elevations A,B,C	25 June 2018
P0(S)-201	P2	Sections - Elevations D E F	17 January 2018
P0(S)-202	P2	Sections - Elevations G H I	17 January 2018
P0(S)-203		Sections - Elevations J,K	25 June 2018
P1(S)-080	P2	Block 8 - A B Ground Floor Plan	17 January 2018
P1(S)-080.1	P2	Block 8 - C D Ground Floor Plan	17 January 2018
P1(S)-081	P2	Block 8 - A B First Floor Plan	17 January 2018
P1(S)-081.1	P2	Block 8 - C D First Floor Plan	17 January 2018
P1(S)-082	P2	Block 8 - A B Typical Floor Plan	17 January 2018
P1(S)-082.1	P2	Block 8 - C D Typical Floor Plan	17 January 2018
P1(S)-083	P2	Block 8 - A B Fourth Floor Plan	17 January 2018
P1(S)-083.1	P2	Block 8 - C D Top Floor Plan	17 January 2018
P1(S)-083.1 - Duplicate	P2	Block 8 - C D Top Floor Plan	17 January 2018
P1(S)-084	P2	Block 8 - A B Fifth Floor Plan	17 January 2018
P1(S)-085	P2	Block 8 - A B Top Floor Plan	17 January 2018

Plan Number	Revision Number	Details	Received Date
P1(S)-090	P2	Block 09 - A B Ground Floor Plan	17 January 2018
P1(S)-091	P2	Block 09 - A B First Floor Plan	17 January 2018
P1(S)-092	P2	Block 09 - A B Typical Floor Plan	17 January 2018
P1(S)-093	P2	Block 09 - A B Fourth Floor Plan	17 January 2018
P1(S)-094	P2	Block 09 - A B Fifth Floor Plan	17 January 2018
P1(S)-095	P2	Block 09 - A B Top Floor Plan	17 January 2018
P1(S)-120	P2	Block 12 - A B Ground Floor Plan	17 January 2018
P1(S)-091	P2	Block 09 - A B First Floor Plan	17 January 2018
P1(S)-122	P2	Block 12 - A B Typical Floor Plan	17 January 2018
P1(S)-123	P2	Block 12 - A B Fourth Floor Plan	17 January 2018
P1(S)-124	P2	Block 12 - A B Fifth Floor Plan	17 January 2018
P1(S)-125	P2	Block 12 - A B Top Floor Plan	17 January 2018
P3(S)-100	P2	1 100 Elevations Block 8 Ext	17 January 2018
P3(S)-101	P2	1 100 Elevations Block 8 Ext	17 January 2018
P3(S)-103	P2	1 100 Elevations Block 8 Ext	17 January 2018
P3(S)-102	P2	1 100 Elevations Block 8 Ext	17 January 2018
P3(S)-104	P2	1 100 Elevations Block 8 Ext	17 January 2018
P3(S)-105	P2	1 100 Elevations Block 8 Int	17 January 2018
P3(S)-106	P2	1 100 Elevations Block 8 Int	17 January 2018
P3(S)-107	P2	1 100 Elevations Block 8 Int	17 January 2018
P3(S)-109	P2	1 100 Elevations Block 9 Ext	17 January 2018
P3(S)-110	P2	1 100 Elevations Block 9 Ext	17 January 2018
P3(S)-108	P2	1 100 Elevations Block 9 Ext	17 January 2018

Plan Number	Revision Number	Details	Received Date
P3(S)-112	P2	1 100 Elevations Block 9 Int	17 January 2018
P3(S)-111	P2	1 100 Elevations Block 9 Int	17 January 2018
P3(S)-113	P2	1 100 Elevations Block 9 Int	17 January 2018
P3(S)-115	P2	1 100 Elevations Block 12 Ext	17 January 2018
P3(S)-116	P2	1 100 Elevations Block 12 Ext	17 January 2018
P3(S)-114	P2	1 100 Elevations Block 12 Ext	17 January 2018
P3(S)-119	P2	1 100 Elevation Block 12 Int	17 January 2018
P3(S)-117	P2	1 100 Elevations Block 12 Int	17 January 2018
P3(S)-118	P2	1 100 Elevations Block 12 Int	17 January 2018
E0-001	P2	Location Plan Existing	13 February 2018
P0-000	P2	Location Plan	13 February 2018
BMD.17.02 3.DR.P001	C	Illustrative Landscape Masterplan	1 October 2018
BMD.17.02 3.DR.P308		Vertical Planting Plans 2 Of 2	17 January 2018
BMD.17.02 3.DR.P307		Vertical Planting Plans 1 Of 2	17 January 2018
BMD.17.02 3.DR.P401		Detailed Sections 001 & 002	17 January 2018
BMD.17.02 3.DR.P402		Detailed Sections 003 & 004	17 January 2018
BMD.17.02 3.DR.P405		Detailed Sections 009 & 010	17 January 2018
BMD.17.02 3.DR.P406		Detailed Sections 011 & 012	17 January 2018
BMD.17.02 3.DR.P403		Detailed Sections 005 & 006	17 January 2018
BMD.17.02 3.DR.P404		Detailed Sections 007 & 008	17 January 2018
BMD.17.02 3.DR.P407		Detailed Sections 013	17 January 2018
BMD.17.02 3.DR.P409		Detailed Sections 017 & 018	17 January 2018
BMD.17.02 3.DR.P408		Detailed Sections 014, 015 & 016	17 January 2018
BMD.17.02 3.DR.P410		Detailed Sections 019 & 020	17 January 2018

Plan Number	Revision Number	Details	Received Date
BMD.17.02 3.DR.P412		Detailed Sections 023 & 024	17 January 2018
BMD.17.02 3.DR.P413		Detailed Sections 025 & 026	17 January 2018
BMD.17.02 3.DR.P414		Detailed Sections 027 & 028	17 January 2018
BMD.17.02 3.DR.P416		Detailed Sections 031 & 032	17 January 2018
BMD.17.02 3.DR.P415		Detailed Sections 029 & 030	17 January 2018
BMD.17.02 3.DR.P417		Detailed Sections 033 & 034	17 January 2018
BMD.17.02 3.DR.P411		Detailed Sections 021 & 022	17 January 2018
BMD.17.02 3.DR.P101	A	Detailed General Arrangement 1 Of 6	1 October 2018
BMD.17.02 3.DR.P102	A	Detailed General Arrangement 2 Of 6	1 October 2018
BMD.17.02 3.DR.P103	A	Detailed General Arrangement 3 Of 6	1 October 2018
BMD.17.02 3.DR.P104	A	Detailed General Arrangement 4 Of 6	1 October 2018
BMD.17.02 3.DR.P106	A	Detailed General Arrangement 6 Of 6	1 October 2018
BMD.17.02 3.DR.P105	A	Detailed General Arrangement 5 Of 6	1 October 2018
BMD.17.02 3.DR.P306	B	Planting Plan 6 Of 6	1 October 2018
BMD.17.02 3.DR.P303	B	Planting Plan - Sheet 3 of 6	1 October 2018
BMD.17.02 3.DR.P302	B	Planting Plan 2 Of 6	1 October 2018
BMD.17.02 3.DR.P301	B	Planting Plan 1 Of 6	1 October 2018
BMD.17.02 3.DR.P305	B	Planting Plan 5 Of 6	1 October 2018
BMD.17.02 3.DR.P304	B	Planting Plan 4 Of 6	1 October 2018
P1(N-04/05)-100	P2	Block 04/05 - Ground Floor Plan	17 January 2018
P1(N-04/05)-101	P2	Block 04/05 - First Floor Plan	17 January 2018
P1(N-04/05)-102	P2	Block 04/05 - Second Floor Plan	17 January 2018
P1(N-04/05)-103	P2	Block 04/05 - Third Floor Plan	17 January 2018

Plan Number	Revision Number	Details	Received Date
P1(N-04/05)-105	P2	Block 04 05 - Fifth Floor Plan	17 January 2018
P2(N-04/05)-100	P2	Block 04 05 - Sections	17 January 2018
P3(N-04)-100	P2	Block 04 - North And South Elevations	17 January 2018
P3(N-04/05)-100	P2	Block 04 - East And West Elevations	17 January 2018
P3(N-05)-100	P2	Block 05 - North And South Elevations 1	17 January 2018
P3(N-05)-101	P2	Block 05 - North And South Elevations 2	17 January 2018
16037 P0-003 rev	P1	Site Masterplan (Roof)	31 May 2018
P-102	P3	LDS_P-102 Block 1 Second-Third floor_revP3	8 October 2018
P-104	P3	Block 1 Proposed Fourth and Roof Plan	8 October 2018
P-100	P3	LDS_P-100 Block 1 Ground floor_RevP3	8 October 2018
P-101	P3	LDS_P-101 Block 1 First floor_RevP3	8 October 2018
P-303	P3	Block 1 Proposed East Elevation	8 October 2018
P-304	P3	Block 1 Proposed South Elevation	8 October 2018
P-201		Block 1 Proposed Section	30 May 2018
P-301	P3	LDS_P-301 Block 1 West Elevation	8 October 2018
P-302	P3	Block 1 Proposed North Elevation	8 October 2018
P1(S)-110	P4	Block 11 A-B Ground Floor Plan	25 June 2018
P1(S)-111	P4	Block 11 A-B First Floor Plan	25 June 2018
P1(S)-113	P4	Block 11 A-B Fourth Floor Plan	25 June 2018
P1(S)-114	P4	Block 11 A-B Fifth Floor Plan	25 June 2018
P1(S)-115	P4	Block 11 A-B Top Floor Plan	25 June 2018
P3(S)-121 - 1-100	P4	Elevations Block 11 Ext	25 June 2018
P3(S)-122 - 1-100	P4	Elevations Block 11 Ext	25 June 2018
P3(S)-123 - 1-100	P4	Elevations Block 11 Int	25 June 2018

Plan Number	Revision Number	Details	Received Date
P3(S)-124 - 1-100	P4	Elevations Block 11 Int	25 June 2018
P3(S)-125 - 1-100	P4	Elevations Block 11 Int	25 June 2018
P1(N- TOC)-100	P3	TOC Plans and Section	3 July 2018
LDS P-304	P3	Block 1 South Elevation	19 September 2018
16037- CCA-00- DR-A- TN.101	P1	First Floor Tenure Plan	30 October 2018
16037- CCA-00- DR-A- TN.100	P1	Ground Floor Tenure Plan	30 October 2018
16037- CCA-00- DR-A- TN.102	P1	Second Floor Tenure Plan	30 October 2018
16037- CCA-00- DR-A- TN.103	P1	Third Floor Tenure Plan	30 October 2018
16037- CCA-00- DR-A- TN.104	P1	Fourth Floor Tenure Plan	30 October 2018
16037- CCA-00- DR-A- TN.105	P1	Fifth Floor Tenure Plan	30 October 2018
16037- CCA-00- DR-A- TN.106	P1	Sixth Floor Tenure Plan	30 October 2018
16037- CCA-00- DR-A- TN.107	P1	Seventh Floor Tenure Plan	30 October 2018
P-104	P3	Block 1 Fourth Floor and Roof Plan	28 November 2018
P1(S)-121	P2	Block 12 First Floor Plan	28 November 2018
P3(N-06)- 104	P2	Block 06 - West Elevations	28 November 2018
P1(N-03)- 103	P2	Block 03B-Ground Floor Plan	28 November 2018

Plan Number	Revision Number	Details	Received Date
P1(S)-112	P4	Block 11 A-B Typical Floor Plan	28 November 2018
P3(S)-120	P3	Block 11 South Elevation A	28 November 2018

Informatives

Environment Agency Informatives

Site investigation and Remediation

The submitted Entran Environmental Statement has identified that the site has been subject to contamination caused by the historic uses. It makes a series of recommendations for further site investigation to establish the current baseline conditions, along with an assessment of the risks posed and the identification of any remedial activities required, which the Environment Agency is in general agreement with.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved. The remediation strategy should be carried out by a competent person in line with paragraph 121 of the NPPF. The Planning Practice Guidance defines a "Competent Person (to prepare site investigation information): A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation."
(<http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/annex-2-glossary/>).

SUDs

In certain conditions, the discharge of anything other than clean roof water to ground may require an environmental permit.

Where SUDs are proposed; infiltration SUDs should not be located in unsuitable and unstable ground conditions such as land affected by contamination or solution features. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater. For the immediate drainage catchment areas used for handling and storage of chemicals and fuel, handling and storage of waste and lorry, bus and coach parking or turning areas, infiltration SuDS are not permitted without an environmental permit. Further advice is available in the updated CIRIA SUDs manual

http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx

Decommission of investigative boreholes

The submitted planning application indicates that boreholes will need to be installed at the development site to investigate groundwater resources. If these boreholes are not decommissioned correctly they can provide preferential pathways for contaminant movement which poses a risk to groundwater quality. Groundwater is particularly sensitive in this location because the proposed development site is within Source Protection Zone 3.

Piling

Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment and appropriate mitigation measures should be submitted with consideration of the EA guidance.

During piling works (especially if the piles extend to the Chalk within SPZ1 saturated zone) due to the proximity of nearby potable abstractions the weekly groundwater monitoring for insitu parameters and turbidity should be considered.

<http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0202bisw-e-e.pdf>

Best Practice

Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed. Refer to the contaminated land pages on GOV.UK for more information. 4) We expect the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination. E.g. British Standards when investigating potentially contaminated sites and groundwater, and references with these documents:

1. BS5930:2015 Code of practice for site investigations;
2. BS 10175:2011+A1:2013 Code of practice for investigation of potentially contaminated sites;
3. BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;
4. BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)
5. Use MCERTS accredited methods for testing contaminated soils at the site. A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out. This increased provision of information by the applicant reflects the potentially greater risk to the water environment. The DQRA report should be prepared by a "Competent person" E.g. a suitably qualified hydrogeologist. In the absence of any applicable on-site data, a range of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment.
6. GP3 version 1.1 August 2013 provided further guidance on setting compliance points in DQRAs.
7. Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50m. Where leaching tests are used it is strongly recommended that BS ISO 18772:2008

is followed as a logical process to aid the selection and justification of appropriate tests based on a conceptual understanding of soil and contaminant properties, likely and worst-case exposure conditions, leaching mechanisms, and study objectives. During risk assessment one should characterise the leaching behaviour of contaminated soils using an appropriate suite of tests. As a minimum these tests should be:

8. upflow percolation column test, run to LS 2 – to derive kappa values;
9. pH dependence test if pH shifts are realistically predicted with regard to soil properties and exposure scenario; and
10. LS 2 batch test – to benchmark results of a simple compliance test against the final step of the column test.
11. Following the DQRA, a Remediation Options Appraisal to determine the Remediation Strategy in accordance with CRL11.
12. The verification plan should include proposals for a groundwater-monitoring programme to encompass regular monitoring for a period before, during and after ground works. E.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period).

Cadent Gas Limited Informative

Apparatus exists on site and may need diversion. Construction traffic may also have an impact. The applicant is advised to contact Cadent's Plant Protection Team to resolve.

Lead Local Flood Authority (Herts County Council) Informatives

We would not expect the use of below ground attenuation features only. Oversized concrete pumps have been proposed to provide underground storage. Above ground storage features should be considered throughout the development. Measures such as blue roofs, permeable paving, swales etc. could be used within the proposed development site. Prioritising above ground methods and providing source control measures can ensure that surface water run-off can be treated in a sustainable manner and reduce the requirement for maintenance of underground features. We would advise the applicant that prior to undertaking detailed modelling and design and providing it to the LPA, the applicant should obtain agreements with Thames Water for the proposed discharge rates from each future sub-catchment and for the proposed connection points.

Therefore, we would advise the applicant that prior to discharge of Condition 2, the Local Planning Authority should approve in full in writing Condition 1. [Note: these are the conditions as set out in letter dated 11th October 2018 from Julia Puton, SuDS Officer, Hertfordshire County Council.

Hertfordshire County Council - Highway Informatives

It is recommended that the following advisory is included in planning permission documentation to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1. To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the public highway. All works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication "Roads in Hertfordshire - A Guide for New Developments". Before proceeding with the proposed development, the applicant should contact the HCC at, <http://www.hertfordshire.gov.uk/services/transtreets/highways/highwaysinfo/hiservice sforbus/devmanagment/dmhwaysec278>

AN2) The applicant is advised that all new roads, unless subject to a S38 agreement secured as part of detailed design associated with this development will remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN3) applicant is advised that if it is the intention to request that Hertfordshire County Council as Highway Authority adopt any part of the highways included as part of this application as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways, together with all the necessary highway and drainage arrangements, including run off calculations must be submitted to the Highway Authority. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. The applicant is further advised that the County Council will only consider roads for adoption where a wider public benefit can be demonstrated. The extent of adoption as public highway must be clearly illustrated on a plan. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN4) The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN5) It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN6) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047

OR

In the event that the applicant fails to agree any necessary extensions to the Statutory determination period that powers are delegated to the Head of Planning to refuse planning permission on the basis of absence of the completed S106 Obligation for the following reason:

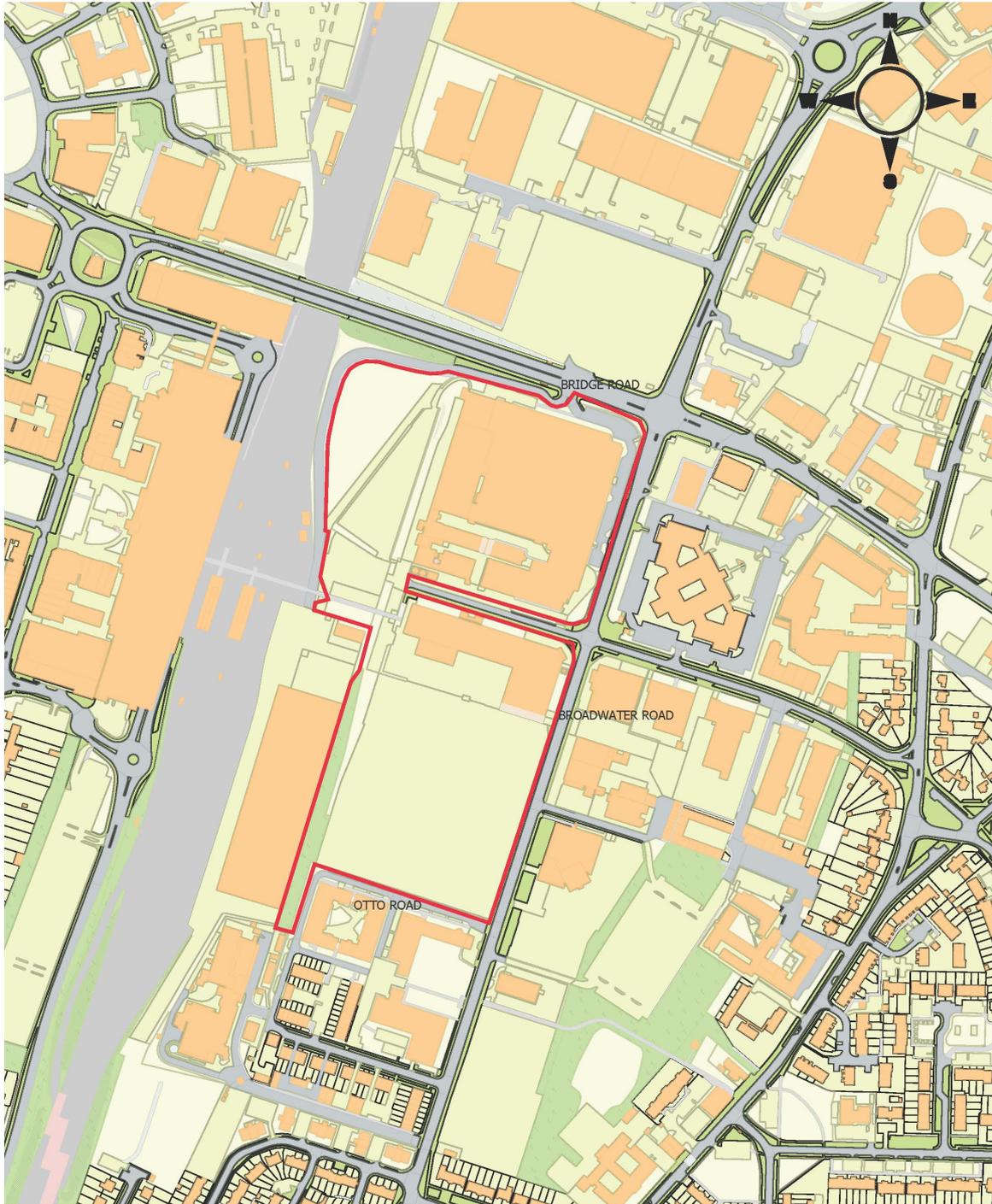
The applicant has failed to satisfy the sustainability aims of the plan and to secure the proper planning of the area by failing to ensure that the development proposed would provide a sustainable form of development in mitigating the impact on local infrastructure and services which directly relate to the proposal and which is necessary for the grant of planning permission. The applicant has failed to provide a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). The Local Planning Authority considers that it would be inappropriate to secure the required financial and non-financial contributions by any method other than a legal agreement and the proposal is, therefore, contrary to Policy IM2 of the Welwyn Hatfield District Plan 2005.

Positive and Proactive Statement

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

Gerry Ansell
Principal Major Development Officer

28 November 2018



 <p>WELWYN HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL9 6AE</p>	Title: Former Shredded Wheat Factory Welwyn Garden City		Scale: DNS
	Project: DMC Committee		Date: 2018
	Drawing Number: 6/2018/0960/MAJ		Drawn: Ida Moesner
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Appendix 1 Heads of Terms

This appendix sets out the Council's preferred heads of terms. It should be noted that this is not agreed with the applicant. The agreed heads of terms is set out in the committee report from paragraph 11.2 onwards.

Details	Trigger	Value (if applicable)	Notes
<p>Monitoring Fee The payment of five thousand pounds (£5,000) towards the Council's reasonable and proper administrative costs of monitoring compliance with the provisions of the s.106 Agreement prior to completion of the agreement.</p>	Completion of Deed	£5,000.00	
<p>Healthcare GMS</p> <p>To pay the General Medical Services Contribution to the Council prior to first Occupation of the first Dwelling;</p> <p>Not to first Occupy the first Dwelling or to cause or permit first Occupation of the first Dwelling until the General Medical Services Contribution has been paid to the Council;</p> <p>Definition: General Medical Services Contribution means the sum of £535,730 (subject to Indexation) towards the extension and modification of the buildings at the Parkway Clinic, Welwyn Garden City to increase general medical services capacity serving the Development The sum may be used as direct funding or as a reimbursement of expenditure for this purpose.</p>	Pre-Occupation	£535,730.00	<p>NHS/CCG seek £776k figure based on build cost for services for 2,625 new patients generated by the development. Previous application figure agreed was £412,100. A proportionate increase on this would be £535,730.</p> <p>The practice identified is local to the development. Note: Entran's population figures indicate that the 850 unit scheme would result in a population of 2023 residents whereas this</p>

Details	Trigger	Value (if applicable)	Notes
			current scheme (with a larger proportion of small units) would have a population of 2625 units. This would mean a 30% increase in population between the two.
<p>Healthcare To pay the Rosanne House Contribution to the Council prior to first Occupation of the first Dwelling;</p> <p>Not to first Occupy the first Dwelling or to cause or permit first Occupation of the first Dwelling until the Rosanne House Contribution has been paid to the Council.</p> <p>Definition: Rosanne House Contribution means the sum of £156,000 (subject to Indexation) towards the reconfiguration of Rosanne House, Welwyn Garden City to increase capacity for community and mental health care.</p> <p>The sum may be used as direct funding or as a reimbursement of expenditure for this purpose.</p>	Pre-Occupation	£156,000.00	Based on recent cost impact forecasting calculations, the potential cost impact of these developments going ahead on community and mental healthcare could be as follows: Mental Health costs: 1500 units x £194.46 = £291,690 Community healthcare costs: 1500 units x £182.03 = £273,045 Total mental health and community costs requested for development = £564,735 The previous scheme this figure was £120,000. A proportionate increase

Details	Trigger	Value (if applicable)	Notes
			would be £156,000
<p>Rail Bridge Contribution To pay the Rail Bridge Contribution to the Council prior to Commencement of the Development;</p> <p>Not to Commence the Development or to cause or permit Commencement of the Development until the Rail Bridge Contribution has been paid to the Council;</p> <p>Definition: "Rail Bridge Contribution" means the sum of seven hundred and fifty thousand pounds (£750,000) (subject to Indexation) towards the purposes of a scheme of improvement works to the pedestrian rail bridge that connects the Application Site to the centre of Welwyn Garden City</p>	Pre-Commencement and deliverable to the timetable set by WHBC and partners as part of the project	£750,000.00	WHBC are committed to delivering this project and are in the process of organising a high level meeting to secure delivery
<p>Car Parking Survey Contribution To pay to the Council the Car Parking Survey Contribution prior to the Occupation of more than 199 Dwellings.</p> <p>Not to first Occupy or cause or permit the first Occupation of more than 199 Dwellings until the Car Parking Survey Contribution has been paid to the Council.</p> <p>Definition: "Car Parking Survey Contribution" means a contribution towards the carrying out of car parking surveys in the locality of (but not within) the Development in the sum of twenty thousand pounds (£20,000) (subject to Indexation)</p>	Pre-Occupation of 200 th Dwelling	£20,000.00	
<p>Car Parking To pay to the Council the CPZ Implementation Contribution prior to the first Occupation of more than 199 Dwellings.</p> <p>Not to first Occupy or cause or permit the first Occupation of more than 199</p>	Pre-Occupation of 200 th Dwelling	£30,000.00	

Details	Trigger	Value (if applicable)	Notes
<p>Dwellings until the CPZ Implementation Contribution has been paid to the Council.</p> <p>Definition: "CPZ Implementation Contribution" means a contribution towards the consultation on and design and implementation of a controlled parking zone scheme in the locality of (but not within) the Development in the sum of £30,000 (subject to Indexation)</p>			
<p>Travel Plan To pay the Travel Plan Evaluation and Support Contribution to the County prior to the Commencement of the Development;</p> <p>Not to Commence nor permit Commencement of the Development until the Travel Plan Evaluation and Support Contribution has been paid to the Council;</p> <p>Definition: "Travel Plan Evaluation and Support Contribution" means the sum of £6,000.00 (index linked). which shall be applied towards the costs of evaluating supporting and monitoring the Travel Plan</p>	Pre-Commencement	£6,000.00	
<p>Childcare To pay the Childcare Contribution to the County Council prior to the Commencement of the Development;</p> <p>Not to Commence nor permit Commencement of the Development until the Childcare Contribution has been paid to the County Council.</p> <p>Definition: "Childcare Contribution" means the sum of £13,000 (subject to Indexation) towards the cost of on-site childcare provision</p>	Pre-Commencement	£13,000.00	
<p>Library Contribution To pay the Library Contribution to the</p>	Pre-Commencement	£132,362.00	

Details	Trigger	Value (if applicable)	Notes
<p>County Council prior to the Commencement of the Development;</p> <p>Not to Commence nor permit Commencement of the Development until the Library Contribution has been paid to the County Council.</p> <p>"Library Contribution" means the sum of £132,362 (subject to Indexation) towards the cost of configuration of the first floor at Welwyn Garden City Central Library Creatorspace</p>			
<p>Youth</p> <p>To pay the Youth Contribution to the County Council prior to the Commencement of the Development;</p> <p>Not to Commence nor permit Commencement of the Development until the Youth Contribution has been paid to the County Council.</p> <p>Definition: "Youth Contribution" means the sum of £11,864 (subject to Indexation) towards the cost of the development of the Monks Walk Youth Wing at Monks Walk School.</p>	Pre-Commencement	£11,864.00	
<p>Primary Education</p> <p>To pay the First Primary Education Contribution to the County Council prior to the first Occupation of more than 99 Dwellings;</p> <p>Not to first Occupy or cause or permit the first Occupation of more than 99 Dwellings until the First Primary Education Contribution has been paid to the County Council</p> <p>To pay the Second Primary Education Contribution to the County Council prior to the first Occupation of more than 299 Dwellings;</p> <p>Not to first Occupy or cause or permit the first Occupation of more than 299 Dwellings until the Second Primary</p>	<p>Staged payments linked to commencement of relevant phase:</p> <p>Pre-occupation of 100th Dwelling (excluding class C2 dwellings): £1,969,082</p> <p>Pre-occupation of the 300th Dwelling (excluding class C2 dwellings): £1,969,082</p>	£5,907,246.00	

Details	Trigger	Value (if applicable)	Notes
<p>Education Contribution has been paid to the County Council</p> <p>To pay the Third Primary Education Contribution to the County Council prior to the first Occupation of more than 499 Dwellings;</p> <p>Not to first Occupy or cause or permit the first Occupation of more than 499 Dwellings until the Third Primary Education Contribution has been paid to the County Council</p> <p>Definition: “the First Primary Education Contribution” means the sum of £1,969,082 payable towards reprovision of Peartree Primary School; “the Second Primary Education Contribution” means the sum of £1,969,082 payable towards reprovision of Peartree Primary School; “the Third Primary Education Contribution” means the sum of £1,969,082 payable towards reprovision of Peartree Primary School</p>	<p>Pre-occupation of the 500th Dwelling (excluding class C2 dwellings): £1,969,082</p>		
<p>Secondary Contribution To pay the Secondary Education Contribution to the County Council prior to the first Occupation of more than 199 Dwellings;</p> <p>Not to first Occupy or cause or permit the first Occupation of more than 199 Dwellings until the Secondary Education Contribution has been paid to the County Council</p> <p>"Secondary Education Contribution" means the sum of £399,031 (subject to Indexation) towards the cost of expansion of Stanborough Secondary School up to 7 forms of entry</p>	<p>Pre Occupation of 200th Dwelling (excluding class C2 dwellings)</p>	<p>£399,031.00</p>	
<p>Outdoor Sports To pay to the Council the Outdoor Sports Contribution prior to first</p>	<p>Pre-Occupation of 200th Dwelling</p>	<p>£250,000.00</p>	

Details	Trigger	Value (if applicable)	Notes
<p>Occupation of more than 199 Dwellings.</p> <p>Not to first Occupy or cause or permit the first Occupation of more than 199 Dwellings until the Outdoor Sports Contribution has been paid to the Council.</p> <p>Definition: "Outdoor Sports Contribution" means a contribution in the sum of £250,000 (subject to Indexation) towards the cost of upgrading the changing and clubhouse facilities at Welwyn Garden City Rugby Club, Football Club and Cricket Club within the Council's administrative area as follows: £150,000 for Rugby Club £80,000 for Football Club £20,000 for Cricket Club</p>			
<p>Waste and Recycling Provision To pay to the Council the Waste and Recycling Contribution prior to first Occupation of the first Dwelling.</p> <p>Definition: "Waste and Recycling Contribution" means a contribution in the sum of £[X] (subject to Indexation) for the provision of a household waste bin, compost bin and recycling bin for each of the Dwellings</p>	Pre-Occupation	£70,980	Each 1,100 litre container costs £390.00 Each Mini Recycling Centre costs £560.00
<p>SUDS To submit to the Council for approval the SUDS Management Scheme for each block prior to the Commencement of Development of the relevant block</p> <p>Not to Commence the Development of a Phase until the SUDS Management Scheme for that Phase has been submitted to and approved by the Council in writing.</p>	Pre-Commencement of each Phase		

Details	Trigger	Value (if applicable)	Notes
<p>To implement the approved SUDS Management Scheme on each Phase.</p> <p>Definition: "SUDS Management Scheme" means a written scheme submitted to the Council for the ongoing management and maintenance of the SUDS and SUDS Land at the Development (including comprehensive arrangements for financing by means of a financial contribution and/or revenue stream the long term management and maintenance of the SUDS and SUDS Land to the standard set out in the said scheme); "SUDS" means sustainable urban drainage measures, systems, areas and apparatus; "SUDS Land" means the land required for the SUDS identified on the approved detailed drainage plans to be submitted pursuant to the conditions attached to the Planning Permission;</p>			
<p>Highways Not to Commence the Development until a Highway Agreement has been entered into for the completion of the Highway Works.</p> <p>Not to first Occupy or cause or permit the [first Occupation] of the Development until the Highway Works have been completed.</p> <p>Definition: "Highway Agreement" means an agreement under sections 38 and/or 278 of the Highways Act 1980 in respect of the Highway Works; " Highway Works" means [DETAILS]</p>	Pre-Commencement/ [Pre-Occupation]		
<p>Open Space, Play Space, Sensory Garden and Skate Park To submit to the Council for written approval the Open Space Scheme, Open Space Programme and Open Space Management Scheme for that</p>	Pre-Commencement of each Phase		

Details	Trigger	Value (if applicable)	Notes
<p>Phase prior to the Commencement of Development of the relevant Phase.</p> <p>Not to Commence the Development of a Phase until the Open Space Scheme, Open Space Programme and Open Space Management Scheme for that Phase have been submitted to and approved by the Council in writing.</p> <p>To implement the approved Open Space Scheme, Open Space Programme and Open Space Management Scheme on each Phase.</p> <p>Definition: "Open Space Scheme" means a written scheme submitted to the Council for the provision of Open Space, Play Space, Sensory Garden and Skate Park at the Development;</p> <p>"Open Space Programme" means a phasing programme for the provision of Open Space, Play Space and Allotments at the Development in;</p> <p>"Open Space Management Scheme" means a written scheme submitted to the Council for the ongoing management and maintenance of Open Space, Play Space and Sensory Garden of the Development (including comprehensive arrangements for financing by means of a financial contribution and/or revenue stream the long term management and maintenance of the Open Space, Play Space and Sensory Garden to the standard set out in the said scheme) and which written scheme shall apply a consistent approach and standard to any such scheme relating to any other Phase</p>			
<p>Hyde Way Parking Management Strategy To submit to the Council for written approval the Hyde Way Parking</p>	<p>Pre-Commencement</p>		

Details	Trigger	Value (if applicable)	Notes
<p>Management Strategy prior to the Commencement of the Development</p> <p>Not to Commence the Development until the Hyde Way Parking Management Strategy has been submitted to and approved by the Council.</p> <p>To implement the approved Hyde Way Parking Management Strategy throughout the lifetime of the Development.</p> <p>Definition: "Hyde Way Parking Management Strategy" means a management strategy which: (a) ensures the effective management of parking controls on Hyde Way; (b) specifies details of the management body or organisation which will be appointed to manage the parking controls on Hyde Way; and (c) specifies details of the sources of funding for the future maintenance and management of parking controls on Hyde Way.</p>			
<p>Monitoring Prior to the Commencement of each block the developer shall notify the Council in writing of the total number of Dwellings to be comprised within the block due to be Commenced including details of the type, size and tenure of such Dwellings;</p> <p>Not to Commence nor cause nor permit Commencement of any block until it has served the notice referred to above.</p>	<p>Pre-Commencement of each block</p>		
<p>Healthcare If prior to the receipt of any of the Parkway Clinic Rosanne House Contribution the relevant third party incurs expenditure towards reconfiguration of Rosanne House, Welwyn Garden City to increase</p>			

Details	Trigger	Value (if applicable)	Notes
<p>capacity then the relevant third party may immediately following receipt of such contributions deduct from it such expenditure incurred.</p>			
<p>Listed Building Not to first Occupy or cause or permit the first Occupation of more than 399 Dwellings until the Listed Building Works have been completed.</p>	<p>Pre occupation of 400th Open Market Dwelling</p>		
<p>Civic Building Not to first Occupy or cause or permit the first Occupation of more than 399 Dwellings until the Civic Building Works have been completed.</p>	<p>Pre occupation of 400th Open Market Dwelling</p>		
<p>Verification 1. Prior to the first Occupation of each block comprising part of the Development to submit an independent verification report to the Local Planning Authority confirming that such block has been substantially completed in accordance with the approved drawings detailed at condition [X] to the Planning Permission such report to be compiled by a chartered surveyor (RICS) following their inspection of the relevant block together with any necessary soundness testing to verify completeness of the works in accordance with the approved drawings detailed at condition [X] to the Planning Permission. The report will detail to the Local Planning Authority's satisfaction the status of groundworks, materials and finishing of all external building surfaces and ground coverage (including parking), means of enclosure, door, windows and external detailing of buildings.</p> <p>2. Not to Occupy any block comprising part of the Development unless and until an independent verification report has been submitted to the Local Planning Authority in accordance with obligation 1 above and approved by the Local Planning</p>	<p>On completion of each block</p>		

Details	Trigger	Value (if applicable)	Notes
<p>Authority confirming that such block has been substantially completed in accordance with the approved drawings detailed at condition [X] to the Planning Permission.</p>			
<p>Indexation All contributions to be index linked from the relevant figure identified below to the latest figure published at the date of actual payment by reference to changes in the following indices:</p> <p>General Medical Services Contribution – PUBSEC 178 Rosanne House Contribution – PUBSEC 178 Rail Bridge Contribution – SPONS [Index from July 2006] Car Parking Survey Contribution – RPI 239.9 CPZ Implementation Contribution – RPI 239.9 Travel Plan Evaluation and Support Contribution – SPONS [Index from July 2006] Childcare Contribution – PUBSEC 175 Library Contribution – PUBSEC 175 Youth Contribution – PUBSEC 175 Primary Education Contributions – PUBSEC 175 Outdoor Sports Contribution – PUBSEC 178 Waste and Recycling Contribution - PUBSEC 178</p>			

Affordable Housing

<p>Affordable Housing</p> <p>To submit an Affordable Housing Scheme to the Council for approval prior to Commencement of Development.</p> <p>Not to Commence the Development until the Affordable Housing Scheme has been approved by the Council in writing.</p> <p>The Affordable Housing Scheme shall contain details of the location, and distribution of the</p>	<p>Various</p>		
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Affordable Housing Units and the form of Shared Ownership Lease to be used for any disposals of any Shared Ownership Units (if applicable).

The Affordable Housing Units shall be provided as follows unless otherwise agreed with the Council:

A total of at least 414 units including the following:

- Affordable Rent tenure – 106 units comprising 32 x 1-bedroom units, 52 x 2-bedroom units and 22 x 3-bedroom units;
- Over 55 Social Rent tenure – 50 units comprising 14 x 1-bedroom units, 25 x 2-bedroom units and 11 x 3-bedroom units;
- Intermediate tenure – 258 units comprising 105 x 1-bedroom units, 126 x 2-bedroom units and 27 x 3-bedroom units

The Affordable Units shall be retained and Occupied in accordance with the approved Affordable Housing Scheme in perpetuity.

Not to first Occupy or cause or permit the first Occupation of more than 299 Open Market Dwellings until 100 Affordable Housing Units have been constructed.

Not to first Occupy or cause or permit the first Occupation of more than 599 Open Market Dwellings until 300 Affordable Housing Units have been constructed.

Not to first Occupy or cause or permit the first Occupation of more than 899 Open Market Dwellings until 414 Affordable Housing Units have been constructed.

Not to let or Occupy or cause or permit the Occupation of Affordable Housing Units other than as Affordable Housing by Eligible Households in accordance with the Council's Nominations Agreement.

Not to let or Occupy or cause or permit the Occupation of Affordable Rented Units other than as Affordable Rented Housing.

Not to let or Occupy or cause or permit the Occupation of Over 55 Affordable Rented Units

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other than as Over 55 Affordable Rented Housing. Not to let or Occupy or cause or permit the Occupation of Intermediate Units other than as Intermediate Housing.			
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