

Examination of the Welwyn Hatfield Local Plan

Council's Statement - Stage 8 Hearing session

Southern Settlements

Settlement: Brookmans Park

Policy Number: SADM31

Site References: HS22 (BrP4)

Matter number: 1

Issues: Environmental considerations

Question Numbers: Q67-84



Brookmans Park

Policy SADM 31, Site HS22 (BrP4), Land west of Brookman's Park Railway Station

Matter 1 – Environmental Considerations

At paragraph 100, the National Planning Policy Framework (NPPF) says that Local Plans should develop policies to manage flood risk from all sources. It also points out at para. 109 that the planning system should prevent new and existing developments from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water or noise pollution. At paragraph 123 it further points out that planning policies should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. There is significant representation against this site in the context of the possible contribution its development could make to off-site flooding.

67) How would the surface water at this site be managed?

Welwyn Hatfield Response:

- a) Table 15 of the submitted Local Plan sets out the site specific considerations for development proposals in BrP4 to adopt a flood risk sequential approach to site layout and incorporate SuDs to address surface water flood risk to, within and from the site. In addition, Policy **SADM14** Flood Risk and Surface Water Management provides clear guiding principles for SUDs for all major development proposals, and all proposals in areas identified as being at risk of surface water flooding.
- b) Results from the initial site screening undertaken for the Strategic Flood Risk Assessment in 2019¹ demonstrate that risk of surface water flooding on site can be managed and the chances of surface water flooding on site is minimal (30yr: 4%, 100yr: 6%; 1,000yr: 12%) and located along the southern boundary of the site in the vicinity.
- c) Of the fluvial flood risk. An overland flow route is shown to cut through the eastern part of the site.
- d) Surface water flood risk within the site could be suitably managed using sustainable drainage systems (SuDS). Overland flow pathways for more extreme storm events will also need to be identified and the layout of the development parcels orientated so that properties and people are not at risk from flood waters.

¹ The 2019 SFRA Update (site screening) reviewed sites proposed for allocation in the Draft Plan as well as potential new sites. BrP4 was also assessed in the SRFA 2015/16 (ENV/10) as part of plan preparation.

- e) Given the site's location within an Inner Ground Source Protection Zone, SuDS for runoff from roads, car parking and public or amenity areas should be suitably designed and the requisite number of treatment stages incorporated to prevent groundwater pollution.
- f) The site promoter, as part of their 2015 LPC submission have provided further detail on surface water management, (**lpc1162**²AECOM, A New Neighbourhood at Brookmans Park - Site BrP4 March 2015 page.24). This proposes that SuDS features would be located at the lower parts of the site in the south along Ray Brook.
- g) However, at the planning application stage, a site-specific FRA will be required to provide further detail and this will be considered in light of detailed proposals for the site at that time. It is considered that surface water issues can be suitably managed and the site is suitable for residential development. No statutory/technical consultees have raised objections to the allocation of this site for housing. .

68) Has a flood risk assessment been carried out?

Welwyn Hatfield Response:

- a) Yes. The site has been assessed as part of the Council's Strategic Flood Risk Assessment Level 1 and 2, which was undertaken by JBA Planning and published in December 2015 (amended to include an updated Appendix A - Level 2 Assessment of site (BrP4) in June 2016, examination library ref: **ENV/10**). An updated SFRA was carried out in 2019 with similar results.
- b) The results of the flood modelling assessment for BrP4 demonstrate that the majority of the site falls within Flood Zone 1 (95%), with remainder in FZ2 (5%) and FZ3a (5%) FZ3b (4%). As the site is predominately in Flood Zone 1, future development can be restricted to FZ1, and if necessary FZ1 and FZ2, following a sequential approach to layout. As such, the surface water can be managed adequately as the site passes the Sequential Exceptional Test in both 2016 and latest 2019 test (Council ref: ENV/13).

² AECOM, lpc 2015 comments - https://welhat-consult.objective.co.uk/common/search/advanced_search.jsp?id=898000&eventId=24328&sortMode=response_date&lookingFor=representations&tab=list

69) Are there any on or off-site ramifications for flood risk that would result from the implementation of the proposed development?

Welwyn Hatfield Response:

- a) Please refer to the Council's response to Question 68.
- b) BrP4 is assessed to be at medium risk of flooding from groundwater as the precise groundwater level is unknown. However, the site is currently greenfield and it is assumed there are no formal drainage systems onsite.
- c) The SFRA demonstrates that 94.8% of the site falls within Flood Zone 1 and that any areas within Flood Zones 2 and 3 will be excluded from development using the sequential approach.
- d) The Council is not aware of any off-site ramifications to flood risk that would suggest the site is unsuitable for development. As a precautionary measure, the Council's consultant would advise that development should be avoided along the southern boundary of the site and [measures are taken so that] the surface water flow path is not exacerbated.
- e) Development Management Policy SADM14 of the Draft Plan (Flood Risk and Surface Water Management) requires proposals to be informed and consistent with relevant guidance. Flood Risk Assessments will be required (at a planning application stage). Any existing overland flow routes should be managed and all major development proposals will be required to manage surface water run-off via the use of Sustainable Drainage Systems.
- f) A detailed hydraulic model of the Ray Brook may also be required (at planning application stage) to demonstrate the flood risk posed to the development and to help establish a sequential approach to the overall site layout.

70) If so how are they to be mitigated?

Welwyn Hatfield Response:

Please refer to the Council's response to Questions 67 to 69.

71) Would the site's development require a balancing pond?

Welwyn Hatfield Response:

- g) At this stage in the plan-making process, no requirement has been identified to include a balancing pond within the site. However, if at the planning application stage, and in light of the FRA and drainage strategy accompanying the planning application, a need for a balancing pond is identified, it is considered that the site would be able to accommodate such a measure without impacting on the estimated dwelling capacity in the Draft Plan. (This is a large site and the HELAA 2016 notes that 300 dwellings, on an estimated developable area of 18.2ha would result in a low density of 16.5dph).

72) If so, how extensive would this be and where would it be located?

Welwyn Hatfield Response:

Please refer to the Council's response to Question 71.

73) How would foul drainage be dealt with?

Welwyn Hatfield Response:

- a) The evidence submitted by the site promoter during the 2015 LP consultation (ref: LPC1162, AECOM report 'A New Neighbourhood for Brookmans Park BrP4', pg.24), suggests that there is an existing foul water sewer that runs along the southern site boundary. This sewer eventually discharges to Blackbirds WwTW. It should be noted that there will be an approximately 10.6m wide (5m on either side of the sewer) easement corridor along the existing DN525 sewer on which no development will be allowed without prior consultation with Thames Water (TW). It is considered that a master plan which is sympathetic to the existing sewer and any TW "build over" requirements can easily be developed.
- b) In preparing the Draft Plan, Thames Water was consulted as part of the Council's assessment of site suitability. The HELAA 2016 (**HOU/19**) notes that whilst Thames Water had no concerns (at that time) about waste water infrastructure if this site came forward in isolation, this may need to be reviewed on a more holistic basis if other larger sites also come forward for development at Brookmans Park.
- c) Thames Water has raised no objection at the plan-making stage to the allocation of sites at Brookmans Park but should wastewater upgrades be required, these may take between 18 months to 3 years to design and implement.

74) Are there any foul drainage constraints that would impede the implementation of any development?

Welwyn Hatfield Response:

- a) No constraints that the Council is aware of.
- b) As noted above, should Thames Water consider that at the detailed planning application stage, and in light of the overall quantum of development planned for at Brookmans Park, upgrades to waste-water infrastructure are required, then these may take between 18 months to 3 years to design and implement. This has been taken into account in the deliverability estimates for this site.
- c) Table 15 of the Draft Plan notes the need to secure upgrades (if they are deemed to be necessary) at the time of an application.

75) Have the ramifications of any noise pollution from the adjacent railway on the potential living conditions at this site been fully considered?

Welwyn Hatfield Response:

- a) Yes, part of the site is likely to be affected by levels of noise pollution, given the close proximity to the railway and this has been taken into account in assessing the site's suitability for development. Environmental Health were consulted as part of the assessment of site suitability and raised no in principle objection to the allocation of this site for residential development. It is considered that appropriate mitigation can be provided, particularly given the size of the site, which will allow for a buffer zone to be provided between the railway and any residential development without impacting on dwelling capacity. .
- b) At the planning application stage, a noise survey and report would be required to demonstrate that appropriate mitigation measures relating to a specific residential development with a healthy internal and external environment that satisfies the requirements of the local planning authority.
- c) The requirement to mitigate noise from the railway is set out in Table 15 which accompanies Policy SADM31.

76) If so what mitigation (if any) would be required?

Welwyn Hatfield Response:

- a) This will depend on the specific proposals brought forward at the planning application stage, at which stage the Council's Environmental Health team would require a noise survey (based on up to date readings) to be undertaken and a report submitted to demonstrate that healthy internal and external environments can be delivered for future residents.
- b) A satisfactory scheme will need to include careful design and layout. The configuration, orientation and design of buildings within the site and the use of appropriate barriers, should demonstrate (at a detailed planning application stage) that the fewest possible number of habitable rooms are exposed to the identified noise source.
- c) The Council's Environmental Health team would require that internal noise levels will need to meet relevant (BS) standards, if opening windows raises the internal noise levels above the standards, then mechanical ventilation will need to be provided.
- d) It is considered that implications of noise impact has been appropriately considered at the plan-making stage and this will be considered further at the planning application stage in light of detailed proposals pertaining at that time.

77) What impact would the proposal have on the wider landscape?

Welwyn Hatfield Response:

- a) In compliance with the NPPF (Para 81, 109), the Council has given consideration to the need for the proposed allocations to protect and enhance the landscape of the area, throughout the Plan making process. It should be noted that there are no landscapes within the borough of national importance or value, which have the highest status of protection (para 115, NPPF).
- b) The Plan has been informed by the Landscape Sensitivity and Capacity Study 2012 - 16³. This site formed part of a broad location H West of Brookmans Park which was assessed in 2012 (**ENV/5**). This Study was produced by Welwyn Hatfield Borough Council with the aim of assessing the ability of the landscape to accommodate future growth in Green Belt and safeguarded land locations in the borough. Specifically, the study provides an assessment of the ability of the landscape to accommodate housing and associated development.
- c) The site falls within a larger landscape parcel area WBP1: Area containing Brick Kiln Woods and was identified as having low capacity to accommodate development. It suggests that development would have to be sensitively and appropriately designed to account for the Ancient Woodland and County Wildlife Site in the centre of the area and to protect long distance views.
- d) The HELAA 2016 (HOU/19) identified that the site lies within Landscape Character Area 29 (Mimms Valley) and that the site, and its immediate surroundings, demonstrate the key characteristics of this LCA, e.g. an organic field pattern with small woodland blocks, fenced pasture land, mixed farming, with water and urban influences.
- e) More recently, external consultants were commissioned to undertake a Landscape Sensitivity Assessment (2019) to inform the ongoing Local Plan process. This concluded that, *“the site is agricultural, bound by trees and hedgerows, sloping down to river. Railway to the east with Brookmans Park beyond; River and open fields to the south; woodland to the west with open fields and Water End beyond; open fields to the north with Welham Green beyond. The site adjoins Brick Kiln Wood Local Wildlife site (WS144) and ancient woodland (1964) and TPO Wood 86 which would need to be buffered; within 400m of Water End SSSI; potential for habitat creation.”*
- f) Key findings from the 2019 Landscape Sensitivity Assessment for the proposed allocations on the edge of Brookmans Park (29c) are outlined below:

The area contains no development except for the Grade II house and walled gardens at Potterells. Although close to two urban settlements the area has a rural, wooded, enclosed character and therefore an important role in maintaining distinct settlement settings. Any development crossing the railway line would mark a significant change in the form of Brookmans Park. These factors result in moderate-high sensitivity to residential development.

Key sensitivities and mitigation potential on the edge of Brookmans Park (29c).

³ https://www.welhat.gov.uk/media/6203/Landscape-Sensitivity-and-Capacity-Study-October-2012/pdf/Landscape_Sensitivity_and_Capacity_Study_October_2012.pdf?m=635459394330270000

To minimise adverse impact on landscape and visual character, development proposals should:

- *Maintain the enclosed, rural character of the area.*
- *Conserve and manage the strong hedgerow boundaries.*

g) The promoter submitted a masterplan in 2015⁴, indicating that development could be concentrated in the north eastern portion of the site. This allows for a green park to wrap around the development, incorporating the southern valley edge. Next to Brick Kiln Wood, a landscape buffer edge is proposed.

78) If this is likely to be adverse, to what extent can it be overcome through mitigation?

Welwyn Hatfield Response:

Council response to Q.77 above.

79) What is the potential impact on the Water End Site of Special Scientific Interest?

Welwyn Hatfield Response:

- a) The site lies within an SSSI Impact Zone and development in excess of 50 dwellings in this location would trigger a consultation with Natural England at planning application stage. The Water End SSSI is located within 500m of the site and between the site and the SSSI lies Brick Kiln Wood.
- b) The Water End Swallow Holes Site of SSI has geological interest as designated by Natural England as the only major sink holes in chalk which are a major feature of the landscape comprising a group of more than 15 sinkholes.⁵

80) If there is any potential unacceptable impact? Can it be satisfactorily mitigated?

Welwyn Hatfield Response:

- a) No unacceptable impact has been identified at the plan-making stage. As noted above, Natural England has raised no objections to the allocation of this site and the body would necessarily be consulted further at the planning application stage.

⁴ Ipc 1162, A new neighbourhood at Brookmans Park BrP4, https://welhat-consult.objective.co.uk/common/search/advanced_search.jsp?id=898000&eventId=24328&sortMode=response_date&lookingFor=representations&tab=list

⁵ Natural England designated sites view <https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1002507>

81) What is the potential impact on the nearby woodland?

Welwyn Hatfield Response:

- a) In line with Natural England's guidance, Brick Kiln Ancient Woodland (which is also a wildlife site and covered by a TPO) would need a minimum 15m buffer. This would mitigate any potential impact on the nearby woodland. This is also set out in Table 15, which accompanies Policy SADM31 that any development would require at least a minimum buffer distance of 15m buffer to Brick Kiln Wood and preferably wider to avoid and mitigate any harm to the ecology of the ancient woodland.

82) If there is any potential unacceptable impact? Can it be satisfactorily mitigated?

Welwyn Hatfield Response:

- a) No unacceptable impact has been identified at the plan-making stage and as noted in the Council's response above, a buffer zone will be incorporated into any scheme for the site.

83) Would the proposal have an impact on the setting of any listed buildings?

Welwyn Hatfield Response

- a) No, the site lies over 350m to the south of the Grade II listed Potterells Walled Gardens and House. The HELAA 2016 (HOU/19) notes that Historic England raised no concerns regarding the potential for impact upon the Grade II listed complex. Given the woodland and hedgerows (and the presence of the highway, Bradmore Lane) between the site and Potterells, it is considered that no substantial harm would arise to the listed complex or its setting.
- b) Policy SADM15 of the Draft Plan 'Heritage', requires proposals to respect the character, appearance and setting of heritage assets and the historic environment in terms of design, scale, materials and impact on key views.

84) If so to what extent would there be harm? And could it be mitigated?

Welwyn Hatfield Response

As noted in the Council's response to question 83 above.