

5a 3/12/1040/OP – Outline planning application (all matters reserved with the exception of access, layout and scale) comprising demolition of existing buildings and structures on site and erection of new storage and distribution centre (Use Class B8) with ancillary offices, gatehouse, vehicle maintenance unit, vehicle wash, fuel island, plant, HGV parking and surface car park, alteration of football club access and parking, engineering, landscaping and associated works at Former Sainsburys Distribution Depot, London Road, Buntingford, SG9 9JR for Prologis UK Limited

Date of Receipt: 21.06.2012

Type: Outline – Major

Parish: BUNTINGFORD

Ward: BUNTINGFORD

RECOMMENDATION:

That outline planning permission be **GRANTED** subject to the following conditions:

1. Outline permission time limit (1T03)
(a) Application for approval in respect of all matters reserved in this permission shall be made to the Local Planning Authority within a period of 3 years commencing on the date of this notice. (b) The development to which this permission relates shall be begun by not later than the expiration of a period of 2 years commencing on the date upon which final approval is given by the Local Planning Authority or by the Secretary of State, or in the case of approval given on different dates, the final approval of the last such matter to be approved by the Local Planning Authority or by the Secretary of State.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. Outline - submission of details (2E01) (Amended)
Details of the appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins (excluding demolition and site clearance) and the development shall be carried out as approved.

Reason: To comply with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

3. Programme of archaeological work (2E02)

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No development or groundworks (excluding demolition) shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme, and this condition will only be discharged when the required archaeological reports are submitted to and approved in writing by the Local Planning Authority.

Reason: To secure the protection of and proper provision for any archaeological remains in accordance with policies BH2 and BH3 of the East Herts Local Plan Second Review April 2007

4. Levels (2E02) (Amended)

Prior to the commencement of development (excluding demolition or site clearance) hereby approved, detailed plans showing the existing and proposed ground levels of the site relative to adjoining land, together with the slab levels and ridge heights of the proposed buildings, shall be submitted to, and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is properly related to the levels of adjoining development in the interests of neighbour and visual amenity and good design in accordance with Policy ENV1 of the East Herts Local Plan Second Review April 2007

5. Boundary walls and fences (2E07) (Amended)

Prior to the commencement of the development (excluding demolition or site clearance) hereby approved, details of all boundary walls, fences or other means of enclosure including all retaining walls shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be erected prior to the first use of the building and retained in accordance with the approved details.

Reason: In the interests of good design, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

6. Approved Plans (2E10) (Amended)

The development hereby approved shall be carried out in accordance with the following approved plans NK016335_SK0057 Rev A, NK016335_SK0058, NK016335_SK0095 Rev F, NK016335_SK0103 Rev B, SL201 Rev P04, SL202 Rev P04, SL205 Rev P02, MP001 Rev P03, LD802 Rev P01, LD801 Rev P03, SL203 Rev P04, SL204 Rev P04, W110271_SK_A05, W110271_SK_A06, W110271_SK_A07,

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NK016335_P0315 Rev A.

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

7. Lighting Details (2E27) (Amended)
Details of any external lighting proposed in connection with the development together with light spillage plans shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (excluding demolition and site clearance), and no external lighting shall be provided without such written consent. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area, and in accordance with policy ENV23 of the East Herts Local Plan Second Review April 2007.

8. Cycle Parking Facilities (2E29) (Amended)
Prior to the commencement of development (excluding demolition and site clearance) details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority, and thereafter shall be made available prior to the first use of the building and maintained in accordance with the approved details.

Reason: To encourage the use of cycles as means of transport, in accordance with policies TR13 and TR14 and Appendix II of the East Herts Local Plan Second Review April 2007.

9. Bats (2E41) (Amended)
The development hereby permitted shall be carried out in accordance with the details of the Bat Activity Survey August 2012 and the recommendations contained therein.

Reason: To protect the habitats of bats which are a protected species under the Wildlife and Access to the Countryside Act 1981, and in accordance with Policy ENV16 of the East Herts Local Plan Second Review April 2007.

10. Sight lines shown on plan (3V09)
The area within the sight lines indicated on plan ref. W110271_SK_A07 shall contain no obstruction to visibility between 0.6 metres and 2.0 metres in height above adjoining carriageway level.

Reason: In the interests of highway safety.

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11. Provision and retention of parking spaces (3V23) (Amended)
Prior to the first use of the development hereby permitted, spaces shall be provided within the application site for the parking of cars as shown on the plans accompanying the application and such spaces shall be retained at all times for use in connection with the development hereby permitted and the use of the sports field to the south of the site.

Reason: To ensure adequate off street parking provision for the development, in the interests of highway safety, in accordance with policy TR7 and Appendix II of the East Herts Local Plan Second Review April 2007.

12. Green Travel Plans (3V27)
Prior to the first use of the building hereby permitted a Green Travel Plan shall be drawn up by the occupiers of the new building and approved in writing by the Local Planning Authority; such plans to include proposals for all travel by modes other than the private car for journeys to and from site.

Reason: To promote the use of non car modes of transport in accordance with national guidance in section 4 of the National Planning Policy Framework and policy TR4 of East Herts Local Plan Second Review April 2007.

13. Tree/hedge retention and protection (4P05)
All existing trees and hedges shall be retained, unless shown on the approved drawings as being removed. All trees and hedges on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with BS5837: 2012 Trees in relation to design, demolition and construction, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees or hedging become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree or hedging dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

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14. Tree/natural feature protection: fencing (4P07)
All existing trees, shrubs, natural and historic features not scheduled for removal, shall be fully safeguarded during the course of the site works and building operations. No work shall commence on site until all trees, shrubs or features to be protected are fenced along a line to be agreed with the Local Planning Authority with 2.3 metre minimum height metal fencing (i.e. weld mesh) to BS5837: 2012 Trees in relation to design, demolition and construction securely mounted into the ground. Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity, in accordance with policy ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

15. Tree Protection: excavations (4P09)
The soil levels within the root spread of trees/hedgerows to be retained shall not be raised or lowered without the prior written consent of the Local Planning Authority.

Reason: To avoid damage to health of existing trees and hedgerows, in accordance with policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

16. Construction hours of working – plant and machinery (6N07)
In connection with all site demolition, site preparation and construction works, no plant or machinery shall be operated on the premises before 0800hrs on Monday to Saturday, nor after 1800hrs on weekdays and 1300hrs on Saturdays, nor at any time on Sundays or bank holidays.

Reason: To safeguard the amenity of residents of nearby properties, in accordance with policies ENV1 and ENV24 of the East Herts Local Plan Second Review April 2007.

17. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment 25 May 2012, the Flood Risk Addendum 23 November 2012, the Drainage

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Philosophy Statement revised November 2012 and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by the 100 year critical storm (including an allowance for climate change) so that it will not exceed 221 l/s from the undeveloped site and not increase the risk of flooding off-site;
- Utilising a pond and porous paving to attenuate surface water on the site.

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

Reason: To prevent flooding and in the interests of the management of surface water flows, in accordance with Policy ENV21 of the East Herts Local Plan Second Review, April 2007 and national planning policy guidance set out in section 10 of the National Planning Policy Framework.

18. No development (excluding demolition and site clearance) shall take place until details of the implementation, maintenance and management of the balancing pond have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
1. a timetable for its implementation, and
 2. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the balancing pond throughout its lifetime.

Reason: To prevent flooding and in the interests of the management of surface water flows, in accordance with Policy ENV21 of the East Herts Local Plan Second Review, April 2007 and national planning policy guidance set out in section 10 of the National Planning Policy Framework.

19. No development (excluding demolition) shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the local planning authority:

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- 1) A site investigation scheme, based on the Phase 1 Environmental Risk Assessment dated May 2012 to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
- 2) The results of the site investigation and detailed risk assessment referred to in (1) 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;
- 3) 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 (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework.

20. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework.

21. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

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Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework.

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

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework.

23. The development hereby permitted (excluding demolition and site clearance) shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework.

24. The development hereby permitted (excluding demolition and site clearance) shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework.

25. No development shall take place, including any works of demolition and site clearance, until a Demolition Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition period. The Statement shall provide for:

1. details of vehicle movements and vehicle access arrangements in association with the demolition;
2. the parking of vehicles of site operatives and visitors;
3. loading and unloading of plant and materials;

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4. storage of plant and materials used in the demolition of the existing buildings;
5. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
6. wheel washing facilities;
7. measures to control the emission of dust and dirt during demolition;
8. a scheme for recycling/disposing of waste resulting from demolition works.

Reason: In the interests of neighbour amenity and highway safety in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

26. No development shall take place (excluding demolition and site clearance), until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. details of construction vehicle movements and construction access arrangements;
2. the parking of vehicles of site operatives and visitors;
3. loading and unloading of plant and materials;
4. storage of plant and materials used in constructing the development;
5. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
6. wheel washing facilities;
7. measures to control the emission of dust and dirt during construction;
8. a scheme for recycling/disposing of waste resulting from construction works.

Reason: In the interests of neighbour amenity and highway safety in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

27. The height of any building hereby approved shall not exceed 17.5 metres.

Reason: In the interests of visual amenity in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

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28. No vehicle access shall be permitted around the northern perimeter of the building, except for emergency service or maintenance vehicles.

Reason: In the interest of the amenities of nearby residential properties in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

29. All HGV access to the site shall be from the A10, and no access to the site by HGVs is permitted through Buntingford town centre via Baldock Road and London Road.

Reason: In the interests of neighbour amenity in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

30. The existing acoustic fence along the northern and northern western boundary of the site as shown on plan ref. NK016335_SK0095 Rev F shall be retained and maintained at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbour amenity in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

31. Prior to the commencement of development impacting on the bat roost identified in the Bat Activity Surveys dated August 2012, a bat roost mitigation strategy shall be submitted and approved in writing by the Local Planning Authority, and thereafter the development should accord with the approved details.

Reason: To protect the habitats of bats which are a protected species under the Wildlife and Access to the Countryside Act 1981, and in accordance with Policy ENV16 of the East Herts Local Plan Second Review April 2007.

32. Prior to the commencement of the development hereby approved, the site should be resurveyed for evidence of badgers and reptiles, and the results of those surveys shall be submitted to and approved in writing by the Local Planning Authority, and any mitigation measures shall be implemented in accordance with the agreed details.

Reason: To protect the habitats of existing wildlife, and in accordance with Policy ENV16 of the East Herts Local Plan Second Review April 2007.

33. Site clearance, particularly the removal of scrub, shrubs and trees should take place outside of the bird breeding period (during the period

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September – February), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the habitats of existing wildlife, and in accordance with Policy ENV16 of the East Herts Local Plan Second Review April 2007.

34. Prior to the first use of the building hereby approved, a scheme for detailed noise mitigation measures in accordance with the submitted Noise Assessment November 2012 shall be submitted to and agreed in writing by the Local Planning Authority, and thereafter implemented in accordance with the agreed details.

Reason: In the interests of the amenities of nearby residential properties, in accordance with Policy ENV24 of the East Herts Local Plan Second Review April 2007.

35. The development hereby approved shall accord with the mitigation measures as set out in the Air Quality Screening Assessment May 2012, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of air quality in accordance with policy ENV27 of the East Herts Local Plan Second Review April 2007.

36. Pedestrian and vehicular access to the sports fields to the south of the site shall be maintained at all times, both during construction and operation of the site.

Reason: To ensure the continued access to the sport and recreation land to the south of the site.

Directives:

1. Other Legislation (01OL)
2. Highway Works (06FC)
3. Clearance of Vegetation (35CV)
4. Protected Species (36PS)
5. All excavations must be covered at night to prevent wild mammals from falling in and becoming trapped.

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6. The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.
7. If the site is known to be contaminated you should be aware that the responsibility for safe development and secure occupancy of the site lies with the developer.
8. Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the The control of dust and emissions from construction and demolition Best Practice Guidance, *Produced in partnership by the Greater London Authority and London Councils*.
9. Prior to works commencing the applicant is recommended to carry out a survey to identify the presence of any asbestos on the site, either bonded with cement or unbonded. If asbestos cement is found it should be dismantled carefully, using water to dampen down, and removed from site. If unbonded asbestos is found the Health and Safety Executive at Woodlands, Manton Lane, Manton Lane Industrial Estate, Bedford, MK41 7LW should be contacted and the asbestos shall be removed by a licensed contractor.
10. Waste materials generated as a result of the proposed demolition and/or construction operations shall be disposed of with following the proper duty of care and should not be burnt on the site. Only where there are no suitable alternative methods such as the burning of infested woods should burning be permitted.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007 and in particular policies SD1, SD2, TR1, TR2, TR3, TR4, TR7, TR8, TR12, TR13, EDE1, EDE4, ENV1, ENV2, ENV3, ENV11, ENV16, ENV18, ENV20, ENV21, ENV23, ENV24, ENV27 and BUN5); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The balance of the considerations having regard to those policies and the

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amendments made to the proposal in discussion with the Local Planning Authority is that permission should be granted.

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1.0 Background:

- 1.1 The application site is shown on the attached OS extract, and is located on the southern edge of the settlement of Buntingford. The site is bounded to the south by sports pitches/facilities, to the east and partly to the west by open countryside and to the north and north west by residential developments in Windmill Hill, London Road and Olvega Drive. The site is currently occupied by a number of buildings of varying sizes and heights and large areas of hardstanding. The existing site has an authorised B8 use and has been used by Sainsburys since the late 1960s/early 1970s as their distribution depot. The site has however been mainly vacant for a number of years now.
- 1.2 This application seeks outline planning permission (all matters reserved with the exception of access, layout and scale) for the demolition of the existing buildings and structures on the site and the erection of a new storage and distribution centre (Use Class B8) with ancillary offices, gatehouse, vehicle maintenance unit, vehicle wash, fuel island, plant, HGV parking and surface car park, alteration of football club access and parking, engineering, landscaping and associated works.
- 1.3 The application as originally submitted sought permission for a 46,081 square metres warehouse building and ancillary development. The main building was proposed to be some 140 metres by 312 metres, and 17.5 metres high.
- 1.4 However, the proposal has been amended during the consideration of the application, and now seeks permission for the erection of a 42,550 square metre warehouse (140 metres by 287 metres) which would still be a maximum height of 17.5 metres. Access to the site for HGVs is proposed to be via the existing access from the London Road/A10 roundabout, and access for HGVs within the site would be provided round the southern and eastern elevations of the building, with dock access to the building only provided via the eastern elevation. A 453 space surface car park is proposed in front of the building (to the west of the building), and this is proposed to be accessed via a new access from London Road. The application also proposes to provide separate car parking for the sports fields to the south of the site, which is used by Buntingford Town Football Club.

2.0 Site History:

2.1 The site has a long planning history. The site appears to have been undeveloped until the Second World War when a Munitions Depot was constructed. In 1959 planning permission was granted for the change of use of the site and its buildings to a storage and distribution depot. The site was purchased by Sainsbury's Supermarkets Ltd in the late 1960s and the site was totally redeveloped in the early 1970s, predominantly including the main warehouse building (the existing western most building). During Sainsbury's ownership of the site there have been many planning applications submitted for various works of varying scales. Of note however is the addition of what is known as the high bay warehouse in the 1980s, and in the 1990s the addition of the southern most warehouse currently on the site. The site has an extant B8 use, and there are no restrictions on the time during which activity can occur at the site.

3.0 Consultation Responses:

- 3.1 Thames Water has commented that with regard to sewerage infrastructure they have no objection to the application. They comment that surface water drainage is the responsibility of the developer to make proper provision.
- 3.2 The Environment Agency has commented that they have no objection to the proposed development subject to conditions relating to the implementation of mitigation measures outlined in the submitted Flood Risk Assessment, agreement of a scheme to deal with the risks associated with contamination of the site and the submission of a verification report, agreement of the type of foundations and the submission of a scheme to dispose of foul and surface water being applied to the grant of any planning permission.
- 3.3 Natural England has commented that the proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils. They have commented that the submitted Bat Activity Survey highlighted that there are suitable features for roosting within the application site that would be impacted by the proposed development, and the scale of the impact of the development on bats is medium and that mitigation has not be provided which is appropriate and proportionate to the scale of the impact.
- 3.4 The Council's Landscape Officer recommends that permission be granted. In respect of access the Officer comments that heavy goods access is largely unchanged. There will be some impact on existing

vegetation screening but there is sufficient scope for adequate mitigation with new planting areas. The access to the proposed car park will mean the loss of several trees and will open up a view to the development site from London Road at the proposed access point where none exists at present. However there appears to be sufficient scope for new tree planting both within and around the proposed car park that should mitigate any short term loss by a longer term net gain in tree cover, visual quality and landscape character along London Road.

- 3.5 Turning to the issue of layout the Officer comments that the LPA needs to consider the layout with reference to the way in which buildings, routes and open spaces are provided, placed and orientated in relation to each other and the surrounding area. An integrated consideration with regard to landscape setting and built form even for outline proposals should be carried out with regard to site planning and layout. The former distribution Depot comprises a number of warehouse and office structures of varying mass and scale with associated access roads and parking, in other words a cluster of built forms and structures of differing heights and scale. The proposed development is in essence for a single monolithic structure which covers most of the site. Outdoor lorry parking facilities are provided in both cases.
- 3.6 They comment that the proposed structure is of such size and proportion that it will be difficult to fully assimilate within an urban fringe setting, i.e. set between housing, Buntingford Town Football Club, and open countryside. There is however within the context of the iterative process of environmental appraisal, landscape planning, design and impact assessment, means by which the information about the development can be examined and the design refined to avoid, reduce or offset likely negative or adverse landscape and visual effects. In the context of this development this means appropriate form, materials and design of built structure(s): many buildings cannot be fully screened, nor is it always desirable or practical to do so. In these circumstances, the design of the structures themselves, their colour treatment and textual finishes can be designed sympathetically to fit more comfortably with their surroundings. The proposed layout has now been revised and amended in line with the iterative process described above and now offers sufficient scope for structural planting which will help to integrate this development into the surrounding landscape.
- 3.7 Regard should be had to the scale of the development and its visual impact, which relates to the size of buildings and spaces. The submitted proposals should explain and justify why the buildings sizes chosen are right for the site. The submitted sections are helpful to

explain proposed and existing building relationships. It is important to justify development in relation to the human scale and context of the surrounding housing and in this case BTFC. An integrated consideration with regard to scale and context is in my opinion now more complete. The revised design/layout now recognises the playing pitches and club house associated with Buntingford Town Football Club, and the relationship between the proposed structure and these retained facilities now appears to be better considered in the context of the amended layout.

- 3.8 Turning to the visual impact of the development on the landscape character, the site is at the southern end of Buntingford with built development in the form of housing (private dwellings) to the north and a petrol filling station almost opposite and slightly to the south. The site can reasonably be described as urban fringe with rural aspect. The existing built form of the distribution depot can be seen from the more open countryside and farmland to the east, south and west. The site is on the boundary of two Landscape Character Areas – described respectively in the Local Plan Second Review 2007 Supplementary Planning Document Landscape Character Assessment as Wyddial Plateau (area 143) and High Rib Valley (area 142).

High Rib Valley

The Sainsbury's Distribution centre is recognised as a distinctive feature in the landscape, as it causes the widest reaching single impact by virtue of the scale of the warehouses which are major structures on the ridgeline, particularly as seen from the south. The strategy and guidelines for managing change for this character area recommends promoting a strategy for reducing the visual impact of development on the upper slopes of Buntingford including the Sainsbury's warehouses.

Wyddial Plateau

This character area is described as an elevated arable landscape with extensive views over a gently undulating plateau. The major detractors to be found are the high voltage electricity cables and pylons that dwarf local features on the plateau and the Sainsbury's warehouses at Buntingford - a major structure(s) on the ridgeline, particularly as seen from the east on Owles Lane. This landscape character area is open in character with extensive views, due to the relative elevation in the landscape, and as a result it is visually sensitive to changes in built form.

The strategy and guidelines for managing change include promoting the creation of new ponds and the retention / enhancement for wildlife of existing ponds and to ensure that the surroundings of converted and

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new buildings are designed and maintained to be in keeping with their surroundings by ensuring sufficient screening where possible using native species for hedging and tree planting to the perimeter. It is also recommended (as for the High Rib Valley area) to promote a strategy for reducing the visual impact of development on the upper slopes of Buntingford including the Sainsbury's warehouses.

- 3.9 The Officer considers that the layout for the proposed development now accommodates sufficient scope for landscaping at the southern end of the site – in order to facilitate integration of the development with local character and distinctiveness by e.g. planting of appropriate tree species. The revised proposals have now established a design solution which better facilitates integration between the proposed development and the wider landscape setting to the east, south and west and mitigates against the visual impact the proposal has on the surrounding open countryside.
- 3.10 The Officer advises that there is now a reasonable possibility for any outstanding landscape issues to be addressed via reserved matters if this layout is approved - in other words, the proposed layout now meets the expectations of ENV2 by providing space for provision for adequate compensatory planting or habitat creation within or outside the development site.
- 3.11 The proposed layout now responds more positively to its setting, by allowing sufficient opportunity for landscape provision, in the form of increased tree, woodland, shrub and hedgerow planting - opportunities to enable physical integration of the development with local character and distinctiveness. The layout is designed for a new building that is still significantly larger in scale and mass than any of the existing buildings, but now leaves sufficient provision and scope for mitigating landscape measures. The layout is now more sensitive to the setting for the Buntingford Town Football Club which is less dominated or overshadowed than by the original proposals. The revised scale and massing of the proposed development and proposed layout, will in their opinion result in an acceptable impact on the area surrounding the development site.
- 3.12 CPRE have commented that whilst much had been done to address stakeholder concerns, their primary concerns on the impact the development will have on the surrounding countryside and adjoining settlements, particularly Westmill, and the likely effects of transport movements, remain. They welcome the revised form and reduction in overall length of the main distribution building and recognize that the pulling back of the development from the eastern boundary of the site

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will allow for a landscaped strip to mitigate the impact of the building from that direction.

- 3.13 However, they comment that given that the volume of the development as originally proposed was 50% greater than the existing buildings on the site, the reduction of 9% in the revised footprint will result in only a marginal reduction in the overall volume as compared to the existing. They consider that much of the increased volume is as a consequence of the height of the proposed structure. In para. 2.18 of the Addendum Design and Access Statement, the applicant says that “the final building height has been heavily influenced with regard to the building’s visual impact on its surroundings”. However, they state that in the letter from Turley Associates dated 26 November 2012, the applicant’s agent state clearly that the building height has been based on commercial considerations and that “any reduction in building height will render the site unviable for strategic distribution uses”. The CPREs concern remains that despite the proposed amendments, the visual impact of the building on its surroundings will be greater than the existing, to a damaging extent.
- 3.14 They are also concerned that potential traffic movements are not addressed in the amended submission. They comment that as the volume of the new depot is considerably greater than that of the existing that implies that the amount of material being stored is similarly greater and that the vehicle capacity required to both deliver and distribute it is also greater. The CPRE consider that it flies in the face of logic to accept that a distribution depot which has 45% more capacity, whose number of HGV bays has more than doubled and whose staff car parking has similarly increased, will result in an overall reduction in transport movements.
- 3.15 Finally they are concerned that the issue of through the night floodlighting has not been addressed and consideration of the impact of that on receptor locations in Westmill and other countryside locations have not been taken into consideration.
- 3.16 For the above reasons CPRE have confirmed that they continue to object to these aspects of the scheme.
- 3.17 The Council’s Engineer has commented on the amended scheme stating that it is very similar from a drainage perspective to the scheme as originally submitted. They have noted again the comments in the drainage philosophy that relate to use of green roofs. For this scheme they consider that the benefits of green roofs/marginal green roof would tend to outweigh any negative impacts(see below). They comment that

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the site is situated within flood zone 1 and away from zones 2 and 3, and there are no historic flood incidents recorded for the site. The site is shown as partly within a surface water (SW) inundation zone.

- 3.18 They comment that the development appears to show a net decrease in the amount of impermeable areas being created with consequent decrease in the risk of associated flooding to the surrounding areas and residences and potential decrease within the development. The application drawings show that some SuDS have been incorporated into the design of the new development most notably:
- A flood attenuation/ storage pond;
 - An area of permeable paving for part of the car park;
 - The use of rainwater harvesting systems for internal use (toilet flushing etc) which will help to reduce potable water usage.
- 3.19 In respect of green roofs, they comment that the use of green roofs for the distribution centre was considered as part of the applicants FRA but not utilised due to the design limitations of the roof that was chosen. It was reported in the application that the additional loading that an entirely green roof would create could significantly increase the amount of steel work in the roof supporting structure. It is however possible that a partial/marginal green roof could be created over sections of the roof where such additional loading could be facilitated such as a narrow strip above the external supporting walls and associated vertical beams. Such a solution could give significant additional attenuation and source control benefits for the site.
- 3.20 The Historic Environment Unit, HCC has commented that although the construction of the former distribution depot is likely to have resulted in some truncation and leveling of the site, it may retain the potential to contact archaeological remains. The position of the proposed development is such that it should be regarded as likely to have an impact on heritage assets or archaeological and historic interests. They therefore recommend that any grant of permission should be subject to a condition which requires the implementation of a programme of archaeological work.
- 3.21 County Highways have commented that the application for redevelopment of this former supermarket distribution centre to provide a new logistics depot has been the subject of considerable consultation and discussion with the applicant's highway consultant Vectos. The resulting Transport Assessment and highway elements of the submission are in line with those consultations and consequently, on

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behalf of the highway authority, they confirm that the proposal is acceptable in a highway context.

- 3.22 A fundamental difference that this scheme proposes, and unlike the previous occupation of the site, is the dedicated access to a proposed car park taken from London Road. This access is intended to serve as car only access for staff and visitors to separate those vehicles from the HGV movements. County Highways confirm that the arrangement as indicated on the Vectos plan W110271_SK_A02 (amended to NK016335_SK0095) meets all design standards.
- 3.23 With regard to the transport assessment the applicant has consulted with the traffic modelling team at HCC to ensure that the submission is an accurate projection of likely traffic generation and distribution of those movements onto the surrounding highway network.
- 3.24 In conclusion, they comment that the proposal to provide an updated modern distribution depot on the site of a former supermarket distribution depot is acceptable in a highway context. The access and on-site vehicle arrangements are appropriate for the development and despite the increase in volume of the building, traffic generation will not increase above the former levels. They therefore recommend that permission be granted subject to conditions relating to construction of the access and junction arrangements; agreement of hard surfacing materials; provision of space within the site for vehicles associated with the construction of the development; provision of wheel washing facilities; agreement of construction vehicle movements and construction access arrangement and the submission of a Green Travel Plan.
- 3.25 Hertfordshire Biological Records Centre commented on the application as originally submitted that they agree with the species survey methodologies used and the conclusions made in the reports. They recommend that a bat roost mitigation strategy should be written to compensate for the loss of the bat roost; a European Protected Species license will be required from Natural England before Building 1 can be demolished; the site should be reassessed for badgers and reptiles before development commences; site clearance should take place outside the bird breeding season; all excavations must be covered overnight to prevent wild mammals from falling in and becoming trapped and all landscaping should be predominantly native species.
- 3.26 Herts and Middlesex Wildlife Trust commented on the application as originally submitted that any permission should include conditions relating to landscaping; tree protection; clearance of the site; obtaining

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a bat licence and updated ecological surveys.

- 3.27 The Council's Environmental Health Team commented on the application as originally submitted that the air quality assessment carried out by White Young Green on behalf of the applicant indicated that the maximum predicted increase in the annual average exposure to nitrogen dioxide at any existing residential receptor due to changes in traffic movements associated with the development is $1.68\mu\text{g}/\text{m}^3$, representing 4.2% of the Air Quality Objective. According to the Development Control: Planning for Air Quality guidance written by EPUK this increase is considered negligible and also considering the fact that level of pollution in the area will continue to meet the objective set by Defra by approximately $17\mu\text{g}/\text{m}^3$. They therefore comment that they cannot recommend refusal on grounds of air pollution.
- 3.28 Turning to the issue of contaminated land, a condition has been recommended by Environmental Health to ensure that the contaminated land investigation outlined in the Phase 1 risk assessment is carried out on site. Although missed in the phase 1 risk assessment the site's history as a munitions depot can be investigated as part of the intrusive investigation that will take place during the development phase. It is highly unlikely that the site investigation will determine that the site will be so contaminated that it would be impossible to develop that site without a disproportionate amount of remedial works.
- 3.29 An advisory note from Environmental Health suggests that a survey is carried out to identify asbestos on site prior to demolition. Should asbestos containing materials be found they are to be removed according to guidelines issued by the Health and Safety Executive, taking into consideration the health and safety of both the personnel on site and nearby residences. Phase 1 of the contaminated land investigation has also identified possible Asbestos containing materials on site and has recommended the same course of action.
- 3.30 Environmental Health can only consider the possibility of light nuisance i.e artificial light emitted from premises so as to be prejudicial to health or nuisance being caused by the development and not light pollution as such. To be considered a nuisance the light would have to cause an unreasonable interference with someone's use of their own property. According to the lighting report submitted by the applicant this is considered unlikely.
- 3.31 With respect to the issue of noise, Environmental Health have commented that the report indicated that with mitigation measures the development should not cause a disturbance to neighbouring residents. However to ensure that the mitigation measures are put in place they

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would recommend a condition is attached to any grant of permission requiring the noise mitigation measures outlined in the submitted Noise Assessment should be fully installed.

3.32 The Environmental Health Team therefore advises that any permission given shall include conditions relating to construction hours of working; soil decontamination, piling and noise mitigation measures.

3.33 Herts Fire and Rescue Service commented on the application as originally submitted that access for fire fighting vehicles should be in accordance with The Building Regulations 2000; access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 15 tonnes; turning facilities should be provided in any dead end route that is more than 20 metres long and that water supplies should be provided in accordance with BS 9999.

4.0 Town and Parish Council Representations

4.1 Buntingford Town Council objected to the scheme as originally submitted. However on the amended scheme they initially commented that they note that the applicant has made significant efforts to address the areas that were the cause of concern to Buntingford residents. The Town Council state that they do not wish to appear obstructive as it welcomes an employment opportunity in the town. They comment that the amendments have been studied and accepted, although it was noted that there will still be a new access point off of London Road, albeit further south than originally planned. Therefore, they conclude that the Town Council has no further objections to the proposals and they note that original objections have been significantly dealt with. They do ask however that the north and south elevations in particular are screened as well as possible.

4.2 A further letter from Buntingford Town Council has been received which states that the Town Council has received several comments from residents that their previous letter was ambiguous and did not clarify the position clearly. For this reason they felt it was necessary to write further to clear up any misunderstanding.

4.3 They state that they originally noted that the proposals represented a 50% increase in volume taking in a single large structure replacing several smaller structures. The new proposals have decreased volume by approximately 9% and whilst they welcome this reduction in volume, the expected volume of HGV movements from a larger depot leaves them with cause for concern.

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- 4.4 They noted that the originally proposed multi storey car park has been withdrawn and a level car park proposed in its place. They welcome this proposal as it will represent a lesser visual intrusion for residents, but it will still require an access from London Road, of which the likely traffic congestion impact is a major cause of concern. The Town Council is still of the opinion that all access to the site should be from the dedicated roundabout access only.
- 4.5 To reiterate their previous comments, development of this site should be undertaken with the minimum possible inconvenience, disruption and loss of amenity to neighbouring properties. Finally, they state that they note the letter from BARD dated 13th December 2012 and support the observations made within this letter.
- 4.6 Westmill Parish Council commented on the application as originally submitted, and raised concerns with the visual impact of the development, lighting, noise and intensification of use. At the time of writing, no comments from Westmill Parish Council have been received on the amended scheme.
- 4.7 Cottered Parish Council were consulted on the application, but at the time of writing no consultation responses have been received.

5.0 Other Representations:

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification. Further neighbour notification has been undertaken on the amended scheme.
- 5.2 A total of 53 letters of representation were received on the application as originally submitted and on a further consultation on additional landscape information. The comments made in these letters have not been fully summarised in this report due to the later amendments that have been made to the proposal, however they raised general comments relating to concerns about access, traffic generation, noise, air quality, light pollution, visual impact, scale of buildings, overlooking, loss of landscaping, demolition and vibration. Some of the letters received were in support of the application.
- 5.3 On the amended scheme, at the time of writing, 20 letters of representation have been received (including a letter from Buntingford Action for Responsible Development (BARD)), the contents of which can be summarised as follows:
- Concerns about traffic in London Road and the proposed access

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which will cause congestion and accidents;

- No traffic village gateway calming mechanism or similar is proposed to reduce the chances of accidents;
- There is no provision for a cycle lane for workers;
- There are no traffic measures that restrict HGVs from travelling through the town;
- The proposed landscaping is inadequate;
- The revised application shows improved access, noise reduction for residents and landscaping;
- The proposed access to the car park will impact on the access and exit of Olvega Drive and will result in an increased flow of vehicles along London Road and through the town centre where there is already congestion on Baldock Road;
- Access to the development for both cars and HGVs should be from the A10;
- The proposed building is significantly larger and higher than the existing buildings and more thought needs to be given to screening to benefit nearby residents both visually and from noise pollution;
- The visual impact of this overshadowing and dominating development affects many viewpoints in, around and outside Buntingford, which will cause the loss of visual amenity in this picturesque semi-rural area;
- The scale of the development is not in keeping with the character of the smallest town in Hertfordshire, but is more suited to an industrial backdrop;
- The development is 40% enlarged over the current capacity, with an increase in the external height of the warehouse from 12.5 metres to 17.5 metres;
- Shift work will substantially increase noise levels at unsociable times of the day and night;
- The proposed car park is located close to residential properties and is not enclosed;
- The development would result in an increased level of HGV activity so close to a residential area, compared to that of the previous site;
- The noise generated during demolition and construction will compromise the quality of life for close residents;
- Estimations of traffic levels date back over some 20 years, which is not an accurate measure of the current increased traffic levels of the residential area;
- ATCs (Automatic Traffic Counters) were sited on London Road a few days prior to a school holiday, and the build up to a holiday is always a time of reduced volume;
- At the time the ATCs were in operation, Olvega Drive was only marginally occupied (25% of full occupancy), and it is suggested

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that the date collected does not reflect the current traffic situation on London Road;

- Staff turning right into the car park from London Road will cause a back up of traffic onto the A10 as they wait to turn into the site;
- The increased levels of traffic around London Road and Baldock Road is likely to discourage parents walking their children to school;
- The increased traffic will affect not only nearby residents, but those in surrounding villages;
- Pedestrians heading south along London Road will face a multitude of dangers given that there is only a single pathway on one side of the road, and access to the Bury and Courgar's pitch will involve crossing three roads, one of which spans 4-5 lanes of traffic carrying HGVs;
- The development will cause noise and vibration pollution;
- The submitted plans state that there will be a loss of trees which is against Local Plan policy;
- The increase in traffic from staff and HGVs will cause CO2 emissions to increase substantially;
- Buntingford is not well served by public transport, therefore staff will have no option but to drive to work;
- The proposed building height is monumental in respect of its position adjacent to residential properties;
- There will be increased levels of exhaust fumes and pollution from the location of the proposed car park;
- The car park should be located at the southern end of the site where it is currently located, which could be accessed via a new exit off of the roundabout;
- The existing acoustic fences should be retained;
- The proposal will result in the removal of some trees from the northern boundary, and these should be retained;
- A guarantee should be given that the access road to the north of the building should only be used for emergency vehicles;
- The building will result in the loss of sunlight to properties in Windmill Hill;
- The likely effects of traffic movements from the development have been underestimated as the traffic predictions are based on floor area rather than volume;
- Any permission should be subject to a condition limiting daily, weekly and annual goods vehicle movements as predicted in the Transport Assessment, the provision of a suitable off site holding area to divert vehicles to if congestion were to occur along the A10 and traffic management measures to prevent good vehicles from using routes through Buntingford town centre;

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- The level of the site should be reduced to enable the building to be lower on the site;
- Any permission should be subject to a condition limiting the maximum height of the building to a level that would have a more acceptable landscape impact, which is considered to be around 117 metres AOD;
- Any permission should be subject to a condition which states that windows over 8 metres above ground level in the southern and eastern building elevation are obscured, that wall mounted floodlighting be fitted not higher than 8 metres above current ground level, no lighting units should be erected at a height greater than 8 metres above current ground level and all lighting should be directed downwards;
- Any permission should be subject to conditions to require that the elevation design, landscaping concept and management proposals and noise mitigation measures are implemented;
- A legal agreement should be put in place to prevent the future development, including use, of the landscaping areas of the staff and visitor parking areas for a different purpose;
- Due to the new development at Olvega Drive and Crouch Garden, the development would affect more residents than was the case when the site was previously used for distribution purposes;
- The proposal is not in accordance with the Buntingford Town Plan;
- The appearance of the development is more suited to an industrial park than a residential area;
- The visual impact of the development has been largely underestimated;
- The nature of the operations proposed is not conducive to be positioned near residential housing;
- Acoustic fencing should be erected on the eastern and north eastern boundaries of the site to mitigate disturbance of amenity;
- Speed reducing measures should be integrated into the roadways within the site to limit vehicle speeds and associated noise;
- It is hoped that local people benefit from the jobs created by the development.

5.4 Buntingford Civic Society have commented that they would prefer that this brownfield site is re-developed with a mix of employment and housing. They consider that the amended scheme has partially addressed the many specified objections raised across the Buntingford community, but they consider that the location is not suitable for 40 tonne HGVs and the road network (A507, A120 and A10 particularly northwards) is too low a standard for the expected volume of movements. They consider that the building height should be reduced

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to help restore the landscape, re-examine employee car access, establish an HGV queuing site away from London Road/A10 roundabout and re-establish the code of practice used by Sainsburys which was a 'nuisance avoidance agreement' with Buntingford residents.

6.0 Policy:

6.1 The relevant 'saved' Local Plan policies in this application include the following:

SD1	Making Development More Sustainable
SD2	Settlement Hierarchy
TR1	Traffic Reduction in New Developments
TR2	Access to New Developments
TR3	Transport Assessments
TR4	Travel Plan
TR7	Car Parking – Standards
TR8	Car Parking – Accessibility Contributions
TR12	Cycle Routes – New Developments
TR13	Cycling – Facilities Provision (Non-Residential)
EDE1	Employment Areas
EDE4	Storage and Distribution Uses
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV3	Planning Out Crime – New Development
ENV11	Protection of Existing Hedgerows and Trees
ENV16	Protected Species
ENV18	Water Environment
ENV20	Groundwater Protection
ENV21	Surface Water Drainage
ENV23	Light Pollution and Floodlighting
ENV24	Noise Generating Development
ENV27	Air Quality
BUN5	The Former Sainsbury Distribution Depot

6.2 The National Planning Policy Framework is also of relevance to the consideration of this application.

7.0 Considerations:

7.1 The determining issues in relation to the consideration of this application are:

- The principle of development:

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- Scale, layout and visual impact;
- Impact on neighbour amenity, including consideration of noise, light pollution and air quality;
- Highways and Parking;
- Landscaping;
- Ecology;
- Water Environment;
- Other Matters.

Principle of Development

- 7.2 The application site is located within the built up area of Buntingford, wherein there is no objection in principle to development. The site is allocated in the Local Plan as an employment area, wherein Policy EDE1 of the Local Plan states that such areas are reserved for industry comprising Use Classes B1 (Business), B2 (General Industrial) and, where well related to the transport network, Class B8 (Storage and Distribution). Policy BUN5 of the Local Plan deals specifically with this site and states that in accordance with policy EDE1, the Former Sainsbury Distribution Depot is primarily reserved for B8 Storage and Distributions Uses.
- 7.3 Taking into account the above policies therefore, there is no objection in principle to the redevelopment of the site for employment purposes or for its continued use for storage and distribution purposes.
- 7.4 The policies set out in the National Planning Policy Framework (NPPF) are also relevant to the consideration of this application. The NPPF sets out that the Government is committed to securing economic growth in order to create jobs and prosperity, and it goes on to state that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and that planning should not act as an impediment to growth. The Government's desire to secure economic growth as set out in the NPPF is a material consideration in the determination of this application to which significant weight should be attached to.
- 7.5 Furthermore, it is also considered that when considering the principle of the development, weight should be given to the employment generation associated with the development. Whilst the comments of local residents have been noted in relation to the low unemployment rate in Buntingford, the labour market operates in a way that this proposal can provide economic benefits far beyond the town and to areas where need is more significant. In accordance with the Government's commitment to securing economic growth and creating jobs weight

should be attached to the generation of employment.

Layout, scale and visual impact

- 7.6 As already stated in this report, this application is in outline form and seeks agreement for the layout and scale of the proposed development. It is therefore necessary to consider the impact of the proposed layout and scale of the development on the character and appearance of the surrounding area, and in particular having regard to its edge of settlement location.
- 7.7 It is clear from a search of the planning history of the site and the neighbour representations received, that the visual impact of the existing and proposed development on this site is one of the most important considerations. The existing buildings on the site are visible to differing degrees from a variety of locations within the surrounding area, and the building known as the high bay warehouse is particularly visible due to its height (approx 22.5 metres) and white colour.
- 7.8 The existing site is predominantly developed with either buildings or hardstanding, and its character and appearance is that of an existing commercial site. The existing buildings on the site provide a total of around 53,000 square metres of accommodation, and there are around 336 existing car parking spaces and 70 parking spaces for commercial vehicles, including 52 docks. The amended scheme proposes a total of 44,550 square metres of accommodation, 453 car parking spaces, 134 parking spaces for commercial vehicles including 45 docks.
- 7.9 Currently the existing buildings are sited some 30 metres from the edge of the London Road carriageway, and some 35 metres from the closest property on Windmill Hill. The new building is proposed to be some 87 metres from the carriageway of London Road (as originally submitted the decked car park would have only been some 16 metres from the London Road carriageway at its closest point), and 42 metres from the closest property in Windmill Hill. The building is proposed to be set back around 60 metres from the eastern boundary of the site, and approximately 45 metres from the existing pavilion on the southern boundary of the application site.
- 7.10 Taking into account the above, the proposed development would result in a reduction in the footprint of development on the site. This reduction in the amount of development and the more efficient layout of the site (in comparison to the existing layout) does allow for additional spaces around the perimeter of the site to be made available for landscaping. The application proposes to predominantly retain the existing

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landscaping along London Road and the northern boundary, and the amended layout now proposes additional space to significantly enhance the landscaping belt along the northern boundary of the site and provides space for additional landscaping along the southern, eastern and western boundaries.

- 7.11 Whilst the proposed footprint of the building and the layout of the site would result in a reduction in the amount of development on the site, the application proposes that the warehouse building would be a maximum height of 17.5 metres. This compares to the existing buildings on the site which vary from between 11 and 22.5 metres, with the majority of buildings on the site being around 12 metres in height. Clearly therefore, in terms of height, the scale of the building is greater than the majority of buildings which are currently on the site, although it will be some 4.5 metres lower than the existing highest building on the site. The site is situated at a lower level than much of the surrounding area, particularly at the northern end where the ground level upon which the building is proposed to be constructed is approximately 3.4 metres lower than the level of Windmill Hill. At this point therefore, the building will project approximately 14 metres above the ground level in Windmill Hill, albeit 42 metres away from the closest property. Further east, along the northern boundary, the difference in land levels between the site and the surrounding land increases, with the site level being some 5 metres lower.
- 7.12 It is acknowledged that the proposed development will result in some impact on the outlook of existing residential properties. However, taking into account the differences in land levels and the siting of the building away from these boundaries, it is considered that the proposed building would not be of a scale that would be harmful to the character and appearance of the area to the north of the site.
- 7.13 However, levels within the site fall north to south, and the southern end of the site is lower than the northern end. To allow for the efficient use of the site and the consolidation of the buildings on the site into one building, it is proposed to level the site, meaning that at the southern end the land levels will be increased by approximately 3.6 metres, and along the southern edge of the site this will mean that the building will be constructed on land which is between 3.6 and 5.4 metres higher than the existing land to the south (upon which the football club is situated). It is therefore the view of Officers that when considering the impact of the development on the character and appearance of the land immediately surrounding the application site, the building will be more visible from the south than the existing buildings. However, when viewed from the A10 in close proximity to the site, this part of the site

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will be partially screened by the existing landscaping around the access to the site and along the eastern edge of the A10.

- 7.14 The site sits on the edge of the settlement and is immediately bounded to the south and east by open space and countryside. The Landscape Officer has described the setting of the site as urban fringe. There is existing landscaping along the western and northern boundaries of the site, and this landscaping is effective in screening the short distance views of the existing development from the surrounding area, in particular from nearby residential properties. However, the existing site is visible in longer range views, particularly from the south and east.
- 7.15 As set out in the Landscape Officer's comments, the Landscape Character Assessment SPD states that the area in which the site is situated is described as an elevated arable landscape with extensive views over a gently undulating plateau. The Landscape Character Area is open in character with extensive views, due to the relative elevation in the landscape, and as a result it is visually sensitive to changes in the built form. The Assessment acknowledges the impact of the existing warehouses on the landscape.
- 7.16 The Council's Landscape Officer objected to the scheme as originally submitted. However, having considered the amended scheme, the Officer considers that the layout for the proposed development now accommodates sufficient scope for landscaping at the southern end of the site, and the revised proposals have now established a design solution which better facilitates integration between the proposed development and the wider landscape setting to the east, south and west, and mitigates against the visual impact the proposal has on the surrounding open countryside. The Officer acknowledges the scale and mass of the proposed buildings, but concludes that the amended scheme leaves sufficient provision and scope for mitigating landscape measures. They consider that the layout is now more sensitive to the setting of the football club (to the south) which is less dominated or overshadowed than by the original proposals. In conclusion they consider that the revised scale and massing of the proposed development and the proposed layout, will in their opinion result in an acceptable impact on the area surrounding the development site.
- 7.17 The Landscape and Visual Impact Assessment submitted with the application concludes that the overall change in visual impact between the existing and the proposed development is considered to be largely 'Minor' (small change in environmental or socio-economic conditions. These effects may be local issues but are unlikely to be of importance in the decision making process) and where significance is considered to

be 'Moderate' (intermediate change in environmental or socio-economic conditions. Effects that are likely to be important considerations at a local level) it is associated with viewpoints from Hare Street Road, Owles Lane, the Westmill bus stop on the A10 and from various points in Westmill.

- 7.18 Taking into account the topography of the land surrounding the site, any significant scale of development here will be visible from longer range views, in particular from the east, south and south west. The existing buildings on the site already have an impact, and it must therefore be considered whether the proposed development would result in significant additional harm over and above the existing impact. It is acknowledged that the proposed building will be visible with the surrounding landscape. However, it is considered that the amended layout now allows for sufficient spacing to the boundaries of the site, and also for sufficient space for additional landscaping to assist in mitigating the visual impact of the development. Taking this into account and the comments of the Landscape Officer, it is acknowledged that the proposed development will be visible from the surrounding area and will have an impact on the character and appearance of the area. Some weight should therefore be attached to this negative impact.
- 7.19 When considering this matter, it should be remembered that external appearance and landscaping are reserved matters. The visual impact of the development can therefore be further mitigated by the use of appropriate materials in the construction of the building and the agreement of an appropriate landscaping scheme. These matters will therefore be considered via any subsequent application for the approval of reserved matters.
- 7.20 Taking into account the above considerations therefore, it can be concluded that when considering the immediate context of the site the harm associated with the visual impact will be limited. When considering the impact on longer range views however, it can be concluded that there will be some harm associated with the impact of the development on the character and appearance of the wider area surrounding the site.

Impact on neighbour amenity

- 7.21 As already set out in this report, the site is predominantly bounded by open countryside, however there are a number of dwellings adjacent to the northern boundary of the site and to the north west on the opposite side of London Road are the recently constructed properties in Olvega Drive.

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- 7.22 When considering the impact of the proposed development on the amenities of neighbouring properties, it is firstly important to consider the existing use of the site. Whilst it is acknowledged that the site has not been fully used for some years now, the site does have an unrestricted extant B8 use which means that at any time the existing site and its buildings can be reused for B8 purposes 24 hours a day. The Officer report for applications for a single storey storage facility in the early 1990s stated that at that time the distribution depot (then run by Sainsburys) employed 691 members of staff, and the application would increase this by a further 26 staff to 717 members of staff. It is clear therefore that when fully operational the activity at the existing depot was significant. These matters are material considerations in the determination of this application.
- 7.23 As previously outlined in this report, the proposed development has been amended during the consideration of the application to attempt to take into account many of the concerns raised by local residents. Some of those changes include the removal of the decked car park, the removal of access for HGVs around the northern end of the building, the resiting of the building and the provision of additional space for landscaping. It is therefore necessary to consider whether the amended scheme would result in significant harm to the amenities of neighbouring properties.

Overlooking, overshadowing, loss of light, outlook

- 7.24 Turning firstly to the proposed siting of the building, it is considered that sufficient space exists between the proposed building and existing residential properties, such that the properties would not be affected by overlooking, overshadowing, loss of light or outlook. As previously outlined, there would be some 42 metres between the proposed building and the closest property in Windmill Hill, which means that the building will be some 7 metres further away from the properties in Windmill Hill than the existing building on the site. Furthermore, whereas the existing main warehouse building stretches from the front garden of no. 40 London Road to beyond no. 2 Windmill Hill, the amendment which resulted in the removal of the decked car park and offices means that the proposed building will now only be sited to the front of nos. 2 and 3 Windmill Hill, albeit 42 metres away. Whilst it is acknowledged that the proposed building will be some 5.5 metres taller than the existing building in this location, taking into account the difference in land levels between the site and surrounding properties (the building is proposed to be constructed on land which is some 3.4 metres lower than the land in Windmill Hill), the distance between the properties and the proposed building and the existing landscaping

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along the northern boundary, it is considered that the proposed building would not result in any unacceptable impact on outlook, loss of light or overshadowing.

- 7.25 The existing landscaping strip along the northern boundary of the site does assist in screening the existing building. The application also proposes an improved landscape buffer along this northern boundary which will be between some 13 and 21 metres deep. This will further assist in screening the building from the properties in Windmill Hill and no. 40 London Road.
- 7.26 The concerns of the residents of Windmill Hill and the closest property on London Road have been considered, in particular their concerns about the height of the building, loss of sunlight and the removal of existing trees along the northern boundary. It is acknowledged that the height of the building is greater than the majority of buildings which are currently on the site. However, taking into account the differences in land levels and the distance between the proposed building and the existing dwellings in Windmill Hill and London Road, it is considered that the height of the building would not result in significant harmful impacts.
- 7.27 The plans do propose to remove 8 existing trees close to the northern boundary of the site. These trees are located in the bank close to the northern boundary of the site, and are therefore located at a lower level than the properties in Windmill Hill. Their removal is therefore necessary to allow a wider landscaping buffer to be provided in this part of the site, which will be between 13 and 21 metres deep of which 5.5 and 7 metres will be at approximately the same land level as Windmill Hill. This landscape buffer will allow a more substantial landscape buffer to be provided than that which currently exists. Having regard to this therefore, the benefit gained from the proposed landscape buffer is therefore considered to outweigh the loss of the 8 existing trees.
- 7.28 The closest property in Olvega Drive would be some 100 metres from the proposed building. This compares to the existing building which is some 45 metres from the closest property in Olvega Drive. Again, taking this distance into account, the existing landscaping along the London Road boundary, the proposed space for additional landscaping along this boundary (which would be between some 18 and 25 metres deep opposite the properties in Olvega Drive) and the difference in levels, it is considered that the proposed development would not result in any significant detrimental impact on the amenities of the occupiers of properties in Olvega Drive in terms of impact on overlooking, outlook, loss of light or overshadowing. Whilst it is acknowledged that the

proposed building is higher than the existing building on the site (in the north west corner) which is closest to Olvega Drive, it is considered that having regard to the above matters and in particular the distance between the proposed building and the properties in Olvega Drive, that the increase in height of the building would not result in any significant harm.

Noise

- 7.29 Turning now to the issue of noise, the application was supported by a Noise Assessment. This Assessment considered the impact of noise from the construction/demolition phase, building services plant, heavy goods vehicle movements, refuelling, the vehicle wash and the car park. A baseline monitoring survey was undertaken to characterise the baseline ambient noise levels currently experienced on the site and to establish the relative local background noise levels. This concluded that the existing ambient noise levels around the site are dominated largely by noise from London Road and the A10. The submitted Assessment compared the predicted average noise levels from each noise event, with the existing background noise at the surrounding existing residential receptors. It considered internal and external daytime, evening and night time noise.
- 7.30 The Assessment concludes that when the noise level differences between the existing scenario and the proposed scenario are compared with the noise change criteria (produced with reference to the Institute of Acoustics and Institute for Environmental Management and Assessment Guidelines for Noise Impact Assessment 2002), they would be considered to have a 'slight impact' (change in noise levels of between 0.1 – 2.9 LAeq (dB)). The Assessment goes on to state that it is widely accepted that noise level changes of up to 3 dB are generally imperceptible to the human ear and the change in noise levels resulting from the proposed redevelopment is therefore considered not to be significant. The submitted Assessment shows that internal daytime, evening and night time noise levels from the proposed development with open windows would meet the relevant noise intrusion criteria (BS 8233 and WHO Guidelines for Community Noise) at all receptors. All residential receptors are also predicted to meet the BS 8233 external target level of 50-55 dB for gardens and external spaces.
- 7.31 When commenting on the application as originally submitted, the Council's Environmental Health Team commented that the Noise Assessment submitted with the application indicates that with mitigation measures the development should not cause a disturbance to neighbouring residents. They therefore recommend that any grant of

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permission is subject to a condition requiring the mitigation measures set out in the report to be undertaken.

- 7.32 When considering any noise impacts associated with the development, regard must be had to the proposed layout of the site. As already stated in this report, the proposed building has been moved away from the northern and western boundaries. As a consequence, any noise associated with the development has been moved further away from existing dwellings, and also this has allowed further space for landscaping buffers to be provided. These, together with the existing acoustic fence along the northern boundary will assist in mitigating any noise impact associated with the development. Furthermore, in relation to the northern boundary, the previously proposed HGV access around the northern end of the building has been removed from the application. There is therefore now no access for cars or HGVs around the northern end of the building (access is only available for emergency fire access). This amendment to the scheme has removed a significant noise source from this part of the site.
- 7.33 The HGV access to the site is now around the southern end of the building, with the layout of the site being amended to only allow HGV access on the eastern side of the building (the application previously proposed HGV dock access on both the eastern and western sides). This now means that all HGV activity is away from existing residential properties and all docking points for HGVs are on the eastern side of the building. The proposed building will therefore assist in screening any noise associated with the docking activity from the residential properties to the north and west.
- 7.34 Concern has also been expressed about the noise generated from the proposed car park which is accessed from London Road. The access to the car park is now proposed to be some 55 metres from the closest property on Olvega Drive (it was previously proposed to be some 25 metres away). The car park is proposed to have 453 spaces and is proposed to stretch across much of the west facing frontage of the site. The closest part of the car park is therefore proposed to be some 40 metres from the closest property in Olvega Drive, and between the property and the car park is London Road and a landscaping buffer or between 18 and 25 metres deep. The car park would be, at its closest, some 37 metres from no. 40 London Road.
- 7.35 Whilst the traffic generation associated with the development will be considered later in this report, the submitted addendum to the Transport Assessment sets out for example, that the predicted trip generation during the AM peak hours (08.00 – 09.00) for cars would be 25 arrivals

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and 13 departures. Furthermore, the submitted Noise Assessment has estimated the noise levels from the proposed car park based upon estimated worst case number of car parking trips per space (assumed to be 2 parking events every hour). The Assessment assumes that the car park is operating at full capacity with all spaces in use to ensure that the assessment is worst case, although it is clear from the Transport Assessment that the use of the car park would be less than that tested in the Noise Assessment. The Noise Assessment concludes that internal noise levels (at nearby residential properties with open windows) from car parking at the proposed site would meet the relevant noise intrusion criteria. All residential receptors are also predicted to meet the BS 8233 external target level of 50-55 dB for gardens and external spaces.

- 7.36 Taking the above into account, it is considered that the activity associated with the proposed car park and its access would not result in significant harm to the amenities of local residents by reason of noise and disturbance.
- 7.37 Concerns have been expressed in respect of the 24 hours operation of the site. However as already set out in this report, the operation of the existing site and its buildings are unrestricted and can therefore occur 24 hours a day. Taking into account the extant permission on the site, the conclusions of the Noise Assessment and the comments from Environmental Health, the use of the site for 24 hours a day would not result in levels of noise nuisance that would be of significant harm to the amenities of the occupiers of nearby residential properties.
- 7.38 The issue of the demolition of the existing buildings on the site is something that has been raised by local residents and in particular the noise associated with the demolition. The submitted Noise Assessment acknowledges that there are potentially significant, but short term, effects of noise during the demolition and construction phases. The applicant has submitted with their application a Construction Environmental Management Plan which outlines the strategy, standards, control measures and monitoring procedures that will be observed to manage any adverse environmental impacts associated with the construction process, one of which is noise. The Plan sets out mitigation measures which are proposed to be adopted to reduce construction site noise. It is acknowledged that the proposed demolition and construction of the development will result in harm to the amenities of nearby residential properties. However, this is a consequence of most developments and regard must be had to the time limited phase of this part of the development.
- 7.39 It is acknowledged that the proposed development will result in a

change to the existing environment that surrounding residents currently benefit from. However, it must be remembered that the existing site has an extant 24 hour B8 use, with a greater number of docking points than are proposed as part of this application. Many of the existing surrounding residents (predominantly those in Olvega Drive) were not resident when the existing site was fully operational, and the development will therefore represent a significant change to the existing situation. However, taking into account the existing authorised use and operation of the site, the proposed layout of the site, the findings of the Noise Assessment and the comments of Environmental Health it is considered that the proposed development would not result in significant harm by reason of noise to the amenities of surrounding residential properties.

Lighting

- 7.40 Turning now to the impact of the proposed lighting, the application is supported by a Lighting Assessment which considers the potential light impacts associated with the proposed development. A baseline lighting survey was undertaken in October 2012 after midnight to determine existing conditions. This survey was undertaken after the new street lighting conditions on London Road had been incorporated (street lighting switches off at midnight and turns back on at approximately 5/6am). Light monitoring was undertaken at a number of survey locations to determine baseline levels within the vicinity of the site.
- 7.41 The Assessment concluded that the proposed scheme would not cause any exceedances of the appropriate professional restrictions at any residential receptors. Therefore it was concluded that the development will not result in any significant adverse effects at local residential receptors. Taking this into account and the comments of Environment Health who do not raise any objection to the development in relation to light pollution, it is considered that the proposed lighting associated with the development would not have a significant harmful impact on the amenities of local residents. Furthermore, it is recommended that any grant of permission is subject to a condition that requires a lighting scheme for the site to be submitted to and agreed by the Council. This would therefore allow the Council to further control any external lighting on the site.

Air Quality

- 7.42 Concern has also been expressed by local residents in relation to the impact of the development on air quality, and in particular pollution created by the vehicular activity associated with the site. The submitted

Air Quality Screening Assessment concludes that total NO₂ exposure at local sensitive receptors based on the 'with development' scenario are not predicted to be in exceedance of the Air Quality Objective (from the UK Air Quality Strategy) as a result of the proposed development. The Assessment does state however that it should be noted that predicted impacts were based on a worst-case scenario as far as practicable, particularly relating to background pollutant concentrations and vehicle emission rates as applied within the model. The Assessment has focused on the change in conditions as a result of the redeveloped depot based on a baseline scenario which does not consider the operation of the existing facility.

- 7.43 The Council's Environmental Health Team have considered the finding of the submitted Assessment and state that the Assessment indicates that the maximum predicted increase in the annual average exposure to nitrogen dioxide at any existing residential receptor due to changes in traffic movements associated with the development is 1.68ug/m³ (concentration in micrograms per cubic metre), representing 4.2% of the Air Quality Objective. This increase is considered negligible and also considering the fact that the level of pollution in the area will continue to meet the objective set by Defra by approximately 17ug/m³, they cannot recommend refusal on grounds of air pollution.
- 7.44 In conclusion therefore, the concerns of local residents have been noted. However, taking into account the proposed layout of the development, the findings of the technical reports and assessments submitted with the application, statutory consultee responses and the authorised use and operation of the site, it is considered that whilst the proposed development will result in a change to the existing environment that they currently benefit from, the impact of the proposed development on the amenities of nearby residential properties would not be so harmful or significant to warrant refusal of the application.
- 7.45 In conclusion therefore, whilst Officers understand the concerns of local residents and do recognise the impact that the proposed development will have, it is considered that any harm created by the development on neighbour amenity would not be significant when judged against the current context of the area and the potential operation of the existing site.

Highways and Parking

- 7.46 The application proposes to utilise the existing access onto the A10 roundabout for access to the site for HGVs and other commercial vehicles (albeit slightly modified) and proposes a new access onto

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London Road for employees cars. The application also proposes to retain vehicular access to the sports field to the south of the site, with a modified access arrangement. The application also proposes a total of 89 lorry parking spaces (including 45 docks), 453 car parking spaces (including 23 accessible spaces), cycle parking spaces and approximately 50 spaces for use by Buntingford Town Football Club. The existing development on the site has a total of approximately 366 car parking spaces and 81 HGV parking bays (including 54 docks).

- 7.47 The application was accompanied by a Transport Assessment which considered the acceptability of the proposed accesses and the traffic generation associated with the proposed development. The Transport Assessment (as amended following the amendments to the proposed development) sets out the trip generation associated with the proposed development, which can be summarised as follows:

AM Peak Hours Trip (08:00 – 09:00)

	Arrivals	Departures	Two-way
All vehicles	39	20	59
Car	23	12	35
Commercial Vehicles	15	8	23

PM Peak Hour Trips (17:00 – 18:00)

	Arrivals	Departures	Two-way
All vehicles	34	43	77
Car	20	24	44
Commercial Vehicles	14	18	32

Daily Trips (07:00 – 19:00)

	Arrivals	Departures	Two-way
All vehicles	477	468	945
Car	279	274	554
Commercial Vehicles	197	193	390

The flow forecasts have been derived from the TRICS database, which is an industry-wide recognised database and an established method of deriving trip rates by land use.

- 7.48 The Assessment also considers HGV trip distribution. Whilst the precise distribution of HGVs is not known at this stage as the end user of the building is not known, a judgement has been made, based on

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local population centres and likely demand. The distribution of HGVs has been estimated as follows:

Route	HGV Distribution
Route A – A10 north to M11 and Cambridge	10%
Route B – A120 east to M11 and Bishop's Stortford	10%
Route C – A10 south to M25 and London	40%
Route D – A10/A414 south west to A1(M) and Hatfield	10%
Route E – A10/A507 north west to A1(M) and Letchworth	30%

The Assessment states that no HGVs will route through Buntingford, with all HGVs accessing the A10 directly from the A10/London Road roundabout.

- 7.49 The Assessment concludes that the proposed development will result in a net reduction in the traffic generation potential of the site when compared against the existing consent. It states that the proposed redevelopment will not have an adverse effect on the local highway network. It also comments that the A10/London Road roundabout junction will operate satisfactorily taking into account all scenarios of traffic growth, and that the level of queuing (the maximum queue length is predicted to be 2 vehicles) will not be detrimental to the operation or safety of the local highway network.
- 7.50 County Highways have commented that with regard to the transport assessment, it is considered to be an accurate projection of likely traffic generation and distribution of those movements onto the surrounding highway network.
- 7.51 Concern has been expressed by CPRE, BARD and local residents that whilst the floorspace of the building has been reduced in comparison to the existing buildings on the site, the volume of the building has been increased. CPRE have set out in their correspondence that the volume of the building proposed would be 50% greater than the existing buildings on the site (the revised footprint has reduced this by 9%). The applicant has clarified that the increase in volume would be around 25% in comparison to the existing buildings on the site.
- 7.52 County Highways have commented however that despite the increase in the volume of the building, traffic generation will not increase above the former levels. As already stated in this report, it must be noted that

the TRICS database (the method of considering traffic generation in association with the development) is an industry-wide recognised database and an established method of deriving trip rates by land use, and County Highways have not raised any concerns with the method of considering the projected traffic generation. In considering the matter of volume and traffic generation, regard must also be had to not only the overall size of the building, but also the number of docks and the greater efficiency of modern logistics. The volume of goods which can be brought into or taken out of the building is limited by the number of docks and the time taken for vehicles to dock and unload or load their goods. As already set out in this report, the number of docks proposed by this application is less than the number of docks on the existing buildings. In addition, modern logistic capabilities enable maximum efficiency to be achieved in relation to the operation of any warehousing facility. Whilst this is a site management issue, there is an imperative on any operator to achieve this given the significant costs involved with distribution undertakings.

- 7.53 Turning now to the proposed access to the car park on London Road, the submitted Transport Assessment has assessed the capacity of the junction. This assessment has considered the existing traffic flows on London Road, committed developments (including the Barratt's development on London Road and the development proposed on Hare Street Road) and in accordance with the National Traffic Model a growth factor to create a baseline position in 2017. For clarity, the same assessment has been undertaken for the A10/London Road roundabout junction.
- 7.54 This assessment has concluded that the proposed access junction on London Road will be able to accommodate the expected traffic demand of the proposed development, and the level of queuing (in the assessment the maximum queue recorded on any arm is 1 vehicle) will not materially affect the operation or safety of the highway network.
- 7.55 The proposed junction meets the design requirements as set out in 'Roads in Hertfordshire', HCC design guide, and the required visibility splays can be achieved. Furthermore the relocated junction is sufficient distance from both the A10 roundabout (160 metres) and Olvega Drive (92 metres).
- 7.56 County Highways have commented that the proposed access meets all design standards and is appropriate for the development. Taking into account their comments and the above considerations, it is considered that the proposed access to the car park is acceptable.
- 7.57 Some concern has also been raised in respect of the safety of

pedestrians using London Road. The proposed development will result in a new access on London Road (to the car park) which will have an impact on pedestrians using London Road. However, County Highways have commented that this access meets all design standards and they have raised no objections to it. Furthermore, taking into account the conclusions of the Transport Assessment in terms of traffic generation, it is considered that the level of traffic accessing the site, whether using the new access on London Road or the existing access to the site, will not increase above former levels. As such the level of activity will not be any different to that which was previously experienced by those accessing the sports pitches to the south of the site.

- 7.58 The amended scheme now proposes a total of 453 car parking spaces. The car parking standard for a B8 use as set out in the Local Plan, requires that a maximum of 1 space per 75 square metres gross floor area is provided. For a development of the size proposed, this would equate to a maximum provision of 595 car parking spaces.
- 7.59 Whilst the number of spaces provided is below the maximum standard, the expected number of future employees should be considered. It was estimated by the applicant that around 600 people would be employed at the proposed development (this estimate was based on the scheme as originally submitted, so it is likely that this number would now be slightly less as the gross floor area of the proposed building has been reduced by 3,707 square metres). The submitted Transport Assessment states that it is expected that the site will operate three distinct shift patterns, and that the number of employees will be split relatively evenly across each shift i.e. 200 people per shift. Depending on the end users however, there could be an uneven distribution of employees across each shift, with a concentration of employees in one shift at the expense of another. Both scenarios have been tested in the submitted Transport Assessment.
- 7.60 Taking the above into account, it is considered that sufficient car parking space is provided within the development to accommodate the parking demand associated with the development, both at times of shift change over and at times of the year i.e. Christmas, when parking demand may be higher due to a peak in operations on the site.
- 7.61 Officers are aware that the applicant has offered to contribute towards the Town Council's ambition to promote enhanced cycle provision between the town centre and the Barratt estate (Crouch Gardens and Olvega Drive). This does not form a requirement of County Highways nor is it necessary to make the development acceptable in planning terms. Officers are not aware whether further discussions have been

had with the Town Council, and in any event this offer to the Town Council does not form part of the formal merits of the application, nor should it form part of the decision making process.

Landscaping

- 7.62 Landscaping is a reserved matter and will therefore be considered in detail if outline permission is granted. However, whilst the ability of the site to accommodate new landscaping has already been considered, it is necessary to consider whether the proposed development would result in the loss of any significant existing landscaping features.
- 7.63 The application proposes to retain much of the existing landscaping on the site, and it is recommended that any grant of permission should be subject to a condition requiring existing landscaping to be retained and protected. As with many developments however, the application does propose to remove a limited amount of the existing landscaping within the site. As previously mentioned in this report, eight existing trees are proposed to be removed close to the northern boundary of the site. Two trees are proposed to be removed to facilitate the vehicular access onto London Road (although the removal of further trees may be required to achieve the required sightlines), as are a number of trees in the southern part of the site, namely those found within the existing car parking area.
- 7.64 The Council's Landscape Officer has not raised any objection to the proposed removal of existing trees. Policy ENV2 of the Local Plan states that development proposals will be expected to retain and enhance existing landscape features. It goes on to state that where losses are unavoidable, compensatory planting will be sought within or outside the development site. It is considered that the trees which are proposed to be removed (apart from those on London Road) would not result in a significant change to the landscape character of the site, and the proposed layout of the site allows for sufficient space for compensatory landscaping to be provided. Taking the above considerations into account it is considered that the limited removal of existing trees to allow for the construction of the development would not be harmful to the character and appearance of the surrounding area.

Ecology

- 7.65 An Ecology Assessment was submitted with the application which considered the impact of the proposed development on bats, badgers, reptiles and birds. The survey concluded that there was no evidence of badgers or reptiles on the site. The site does contain habitats that

support breeding birds, and evidence of a bat (Common Pipistrelle) roost was found in building 1. This roost is a non-maternity roost. Hertfordshire Biological Records Centre have commented on the application, and have not raised any objection. They comment that they agree with the species survey methodologies used and the conclusions made in the reports. They have recommended that a bat roost mitigation strategy should be undertaken to compensate for the loss of the bat roost, and that the site should be reassessed for badgers and reptiles before development commences. Taking into account their comments, and those of Natural England, it is considered that the proposed development would not have a harmful impact upon protected species or have any other harmful ecological impacts.

Water Environment

- 7.66 The application site is located within Flood Zone 1 which is land which has been assessed as having a less than 1 in 1000 annual probability of flooding. Given therefore that the site is wholly outside of the floodplain, there would be no loss of floodplain storage associated with the development.
- 7.67 The application does however propose a sustainable urban drainage system to deal with surface water management on the site. It is proposed that a balancing pond be created in the south eastern corner of the site to be used as a surface water attenuation feature. In extreme rainfall events, the pond would therefore provide attenuation storage to control discharge of water from the site. The application also proposes to use porous paving in both car park areas (for the warehouse and sports field) and rainwater harvesting.
- 7.68 Having regard to the proposed measures the submitted Flood Risk Assessment and Drainage Philosophy Statement conclude that the proposed surface water drainage scheme represents a substantial betterment over the existing drainage system and provides a significant reduction on surface water and fluvial flood risk both to the site itself and downstream locations. Furthermore, as well as providing flood risk reduction through attenuation, the proposed SUDS techniques also offer water quality improvements, amenity and ecological benefits.
- 7.69 The Environment Agency have raised no objections to the proposed development subject to the imposition of a number of conditions, and whilst the Council's Engineers Team have questioned whether green roofs can be used as part of the development, they have also not raised any objection to the development. Taking into account therefore the above considerations and the comments of the statutory consultees, it

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is considered that the proposed development would accord with policies ENV19 and ENV21 of the Local Plan.

Other Matters

- 7.70 The Historic Environment Unit, HCC have commented that the proposed development may have an impact on heritage assets of archaeological and historic interest. In accordance with the recommendation from the Historic Environment Unit and policy BH3 of the Local Plan, it is recommended that a condition requiring a programme of archaeological works to be undertaken is attached to any grant of permission.
- 7.71 It is noted that Buntingford Civic Society has commented that the site should be re-developed with a mix of employment and housing. As already set out in this report, the site is allocated in the Local Plan as an employment site. The use of the site for non-employment purposes would therefore be contrary to this designation. The Employment Land and Policy Review undertaken in 2008 stated that the site scores well across most qualitative criteria and benefits from good location and visibility, and it therefore recommended that the site be safeguarded for employment use.
- 7.72 Regard must also be had to the size of the site, and the realistic prospect of the site being developed for a mixed use scheme. The site is substantial in size, at some 10.94 hectares and there are significant costs associated with the demolition of the existing buildings on the site. Both of these factors will impact upon the viability of any proposed development on the site. Furthermore, having regard to the size of the site it may well be argued that the level of activity generated by a mixed use scheme would be greater than that proposed by this application.
- 7.73 Whilst the aspirations of the Civic Society are acknowledged, it must be remembered that the site is allocated for employment purposes and through policy BUN5 it is specifically reserved for B8 Storage and Distribution Uses. As previously set out in this report, there are therefore no objections in principle to the development as proposed by this application.

8.0 Conclusion:

- 8.1 The site is allocated in the Local Plan as an employment site, and it has an authorised unrestricted B8 (Storage and Distribution) use. There is therefore no objection in principle to the proposed development, and significant weight should be attached to this. Weight must also be given

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to the beneficial potential of the development in relation to economic growth and job creation as supported by the policies of the NPPF.

- 8.2 It is acknowledged that by reason of its scale, the development will have a visual impact on the surrounding area and weight should be attached to the harm resulting from this impact. Whilst there will be some impact on neighbouring properties in comparison to the existing situation (the site has not been used to its full capacity for a number of years), taking into account the existing buildings on the site, the authorised use of the site, the previous activity associated with the authorised use, the consultation responses and the above considerations, it is considered that there will be some minimal impact on neighbour amenity. Furthermore, taking into account the findings of the submitted Transport Assessment and the comments of County Highways, it is considered that the highways implications associated with the development would have a neutral impact.
- 8.3 Taking the above into account, it is considered that the weight to be given to the benefits associated with the proposed development outweigh any harm impacts. It is therefore recommended that planning permission is granted subject to the conditions set out at the head of this report.