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Our Ref: 5/16/3441  
E-mail: [planning@stalbands.gov.uk](mailto:planning@stalbands.gov.uk)  
Date: 22 December, 2016

Dear Mr Wells,

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)  
REGULATIONS 2011: REGULATION 13 SCOPING OPINION**

**SITE: Land to East of Hemel Hempstead, Hempstead Road, Redbourn,  
Hertfordshire**

**DESCRIPTION OF DEVELOPMENT: Scoping Opinion – Construction of up to  
2,500 dwellings, including affordable housing, and 55ha of employment land.**

**APPLICANT: The Crown Estate**

I refer to your letter dated 18 November 2016 requesting views on an EIA Scoping Report that is provided by Wardell Armstrong. The proposal is for a development of up to 2,500 dwellings, including affordable housing and 55ha of employment land on a site that is 423.03 hectares in size and falling wholly within St Albans City and District Council boundary.

Thresholds and Criteria

The submitted Scoping Report prepared by Wardell Armstrong indicates that the proposed development falls under Schedule 2, Part 10(b) Infrastructure Projects: Urban Development of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015. The Scoping Report at Paragraph 1.15 indicates that:

*“The Proposed Development will constitute up to 2,500 dwellings and circa (c.) 55 ha of employment land and, as such, is considered to be an EIA development under these criteria (see Section 3). Therefore, a request for a Screening Opinion has not been made at this time.”*

It is noted that on this basis that the Applicant intends to submit an Environmental Statement (ES) voluntarily. The “Thresholds and Criteria for the identification of Schedule 2 development requiring Environmental Impact Assessment and indicative values for determining significant effects” as set out in the National Planning Practice Guidance indicates that in relation to development falling under Part 10(b), Schedule 2 of the EIA regulations that:

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

Given that the existing ‘study area’ (comprising Area 1 – West of the M1 carriageway; and Area 2 – East of the M1 carriageway) is in excess of 423 ha and the proposals would incorporate circa 2,500 dwellings and employment land, it is considered that the proposals would be far in excess of these thresholds and therefore expected to constitute EIA development.

Should you wish to submit a request for a screening opinion in the interest of completeness, the local planning authority can provide its formal view on the matter.

### Assessment of Environmental Constraints

Turning to the scoping report, this has been the subject of consultation in accordance with the Environmental Impact Assessment (EIA) Regulations and copies of the responses are attached for your information.

Overall, it is confirmed that the approach you are advocating on the scoping report is considered to be generally acceptable and appropriate, and this is reflected in the nature of the consultation responses.

You will note the specific points which have been made by the consultation bodies and you are required to have regard to these. Please ensure that the points raised are included in your EIA and addressed in your subsequent ES.

The District Council considers that the items raised in the Applicants’ EIA Scoping Report, and subject to broadening the approach to cover the matters included in the attached consultation responses, are all ‘scoped-in’. In addition, the following matters should also form part of any ES and need to be ‘scoped in’:

- **Archaeology and Cultural Heritage**
- As advised by Historic England, it will be necessary for the Environmental Statement prepared in support of this proposal to consider both the direct impact of the development on any historic assets within the boundaries of the site and the indirect impact on the setting of historic assets nearby.
- **Water and Ground Contamination**
- The applicant must demonstrate that all the risks from potential contamination have been fully understood and can be addressed through appropriate measures. The site for the proposed development is also located above a principal chalk aquifer, comprised of the Lewes Nodular Chalk Formation and

the Seaford Chalk Formation (undifferentiated), with only partial cover by superficial deposits, and it is also located within the Mid-Chilterns groundwater body, currently classified as being of poor chemical status under the Water Framework Directive (WFD). Any development at this location therefore needs to ensure that it does not result in further deterioration of the groundwater body, and remediates where necessary.

- **Highways**

- When producing the Transport Assessment and Travel Plan to support this application, Highways England recommends that the guidance set out in Circular 02/2013 is followed, and that the applicant engage with them as early as possible over the contents of these documents.

- **Landscape**

- The submitted EIA Scoping Report does not make specific reference to the site's proximity to the Chilterns Area of Outstanding Natural Beauty (AONB) and Special Area of Conservation (SAR). This should be covered in more detail within the EIA Scoping Report and subsequent ES, with particular consideration for the direct and indirect effects upon this designated landscape and in particular the effect upon its purpose for designation within the environmental impact assessment, as well as the content of the relevant management plan for Chilterns AONB.
- There are a number of Rights of Way in the study area. There are long standing issues of severance east/west across the study area due to the original construction of the motorway in the 1960s. Any development of the area should aim to address these issues for all users and link in to strategic routes. The proposed development would result in increased demand for access links within the local area, between Hemel Hempstead and St Albans and connections with the wider countryside and strategic routes.

- **Flood Risk and Drainage**

- Due to the nature of the development it is expected that the proposals will demonstrate that the surface water drainage from the development can be managed in a sustainable manner, giving priority to above ground storage and source control. By giving preference to infiltration, then discharge to a watercourse thereafter surface water sewer.
- Where it will be proposed to infiltrate ground investigations should be carried out and provided within the FRA. This should include detailed assessment of ground conditions, groundwater levels, permeability of the underlying geology, with infiltration tests carried out in accordance BRE Digest 365. The FRA should also demonstrate that there will be sufficient surface water quality treatment by implementing an appropriate amount of water quality treatment stages through the use of SuDS

## Other Developments

The applicant has requested the local planning authority to confirm any other developments that are required for consideration within the EIA. It is suggested that the cumulative effects of the following consented developments are considered within the scope of the Environmental Statement:

- **Strategic Rail Freight Interchange (ref: 5/2009/0708)**
- Outline planning application (approval of means of access, siting and landscaping only) for the development of Strategic Rail Freight Interchange comprising intermodal area, distribution buildings (Class B8 use) and other related floorspace (Class B1/B2 use) up to 331,655 sqm with a maximum height of 20 metres together with associated road, rail and other infrastructure works including parking for up to 1602 cars and 617 lorries with earth mounding, tree planting and new Park Street/Frogmore relief road. Includes additional landscape and other works on further sites to provide public access to open land and community forest. The overall proposals involve some 419 hectares. Refused by St Albans City and District Council on 21<sup>st</sup> July 2009. Allowed on appeal on 14<sup>th</sup> July 2014.
- **Spencer's Park Phase 1 and 2**
- DBC refs: 4/01477/09/MOA, 4/02351/13/RES – Residential development of 357 dwellings with associated amenity space, vehicular access, pedestrian access from Nickey Line and emergency access. Community facilities including local park, social/community building and small retail building. Outline granted 29/10/2012, reserved matters granted 26/06/2015.
- SADC ref: 5/2016/2845 – Outline planning application to include up to 600 dwellings (C3), land for primary school (D1), land for local centre uses (A1, A3, A4, A5, D1, D2), land for up to 7,500 square metres of employment uses (B1, B2, B8), landscaping, open space and play area. This is a cross boundary application that is pending consideration by SADC and DBC.
- It is advised that some consideration is given to whether the proposed development would give rise to cumulative effects in combination with Spencer's Park Phase 1 and 2, however this is dependent on the progress of the current applications.
- **London Luton Airport**
- Full planning application for dualling of airport way/airport approach road and associated junction improvements, extensions and alterations to the terminal buildings, erection of new departures/arrivals pier and walkway, erection of a pedestrian link building from the short-stay car park to the terminal, extensions and alterations to the mid-term and long-term car parks, construction of a new parallel taxiway, extensions to the existing taxiway parallel to the runway, extensions to existing aircraft parking aprons, improvements to ancillary infrastructure including access and drainage, and demolition of existing structures and enabling works. Outline planning application for the construction of a multi-storey car park and pedestrian link building (all matters reserved. Application permitted dated 23/06/2014 (ref: 12/01440/FUL).

- Demolition of existing structures and construction of replacement hangar together with provision of associated apronage and car parking and replacement cargo centre compound. Relocation of the existing cargo compound area and cargo aircraft stands along with alterations to existing Gate 9 security access. Application permitted 16/08/2012 (ref: 12/00637/FUL).
- **Junction 10 to 10A, M1 Luton**
- Outline planning permission (circa 16ha), with all matters reserved except for access, for mixed-use development comprising: office floorspace (use Class B1(a)); retail floorspace (use Class A1); food and beverage floorspace (Use Class A3 – A5); leisure floorspace (Use Class D2); a hotel (Use Class C1), car and cycle parking; and associated access, highwys, utilities, public realm, landscaping, and associated ancillary works and structures. Pending consideration (ref: 16/01401/OUTEIA).
- M1 Junction 10a Grade Separation – Luton proposing the replacement of the existing at grade junction roundabout with a grade-separated junction (TRO10009) LPA ref: 13/01373/HTA, approved 30/10/2013.
- It is advised that some consideration is given to whether the proposed development would give rise to cumulative effects in combination with these schemes at J10-10A, however this is dependent on the progress of the current application.

### Summary

Please be advised that this assessment is based on land situated in the 'study area' as shown on plan no. ST15083-007. Should the proposals change and land outside the 'study area' is to be included within the red line site area, it is advised that the proposals should be re-screened and a fresh request is submitted to the local planning authority for consideration. Should the site area be expanded to include land falling within a neighbouring authority (Dacorum or Three Rivers), a request for screening/scoping would also need to be submitted to them separately.

The issuing of this scoping opinion does not prevent the local planning authority from requesting further information at a later stage under Regulation 13 (9) of the 2011 Regulations (as amended).

Consideration should be given to whether the scale and nature of the proposals and their proximity to designated European Sites in Buckinghamshire, Hertfordshire and North London would therefore require for Appropriate Assessment screening under the Conservation of Habitats and Species Regulations 2010 (as amended), known as the Habitat Regulations.

The number of residential units proposed would also generate a need for new primary and secondary education provision. Please be advised that you may wish to consider this matter within the submission documents for any subsequent application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'TH', followed by a long, horizontal, slightly wavy line that extends to the right.

**Tracy Harvey**  
**Head of Planning and Building Control**

Encl. Responses from:

1. SADC District Archaeologist
2. Herts & Middlesex Wildlife Trust
3. Historic England
4. SADC Environmental Compliance
5. HCC Highways Authority
6. Sustainable Places Team, Environment Agency
7. HCC Lead Local Flood Authority
8. Natural England
9. HCC Minerals and Waste Team
10. Ramblers Association
11. Affinity Water
12. Thames Water
13. British Pipeline Association