

Comments on examination documents EX156 to EX159

These comments are made in my capacity as a local resident and landowner and as a member of the Central Herts Green Corridor Group. They focus on Birchall Garden Suburb, the development site proposed in the Welwyn Hatfield draft local plan under policy SP19. Many of my comments relate to the Cole Green landfill site (now long closed) which I personally observed in operation growing up as a neighbour. My comments also need viewing in the light of my 23 years experience working in this locality as a Flood Risk Inspector for the Environment Agency.

EX156 Landscape sensitivity assessment

In view of the proposed development of land adjacent to The Commons local wildlife site I find it hard to reconcile the assessment statement for area 45a natural character as *"The area contains blocks of BAP Priority Habitat deciduous woodland visible on the skyline. Small area of BAP Priority Habitat semi-improved grassland adjacent to The Commons."* being rated *"High"* with the final rating for area 45 of *"Low to moderate"*.

EX157 BGS Noise assessment report.

I am pleased to see that a noise assessment has at last been undertaken although it can hardly be considered impartial being commissioned by the site promoters. The proposed solution does not comply with the Inspector's comments in EX161 *"I specifically pointed out that occupiers of properties in a location such as this should be able to enjoy their gardens on summer evenings, without recourse to excessively high acoustic fences and their living accommodation with open windows at these times. I also asked for an appropriate detailed plan of this area demonstrating the area necessary to provide adequate appropriate mitigation in the above context"* being largely based upon using the frontage of the nearest houses to provide noise screening to the back gardens and those houses behind them (summarized in EX 158 paragraph 1.4). I note that the assessment proposes a noise bund of 5 metres high with a 45 degree bank batter. This infers a minimum width of the bund overall around 12 metres. When considered alongside the proposed tree belt planting and the zone to accommodate SUDS and amenity use this suggests that the final loss of developable land along the A414 would approach the upper limit of the 50 to 80 metre range suggested by the Inspector in EX163, his original note following the earlier BGS hearing. This has significant implications for the viable scale of development along the A414.

EX159 WHBC response to Royal Haskoning report EX105

I find the whole issue of contamination from the old Cole Green landfill site to have been under-investigated before the Birchall Garden Suburb development site was added to the draft local plan. EX105 does nothing to remedy this.

The original Royal Haskoning reports and this assessment of them by LQM on behalf of WHBC are littered with the words and phrases *"in general"*, *"likely"*, *"probably"* and *"presumably"*. Given *"exceedences"* have been found in a number of *"potential contaminants of concern"* I consider that robustness is severely lacking in all the contamination impact assessments and remediation proposals. When viewed alongside the emerging evidence of cancer clusters in residents surrounding the old landfill I consider this standard of evidence is entirely unacceptable.

Tarmac have been undertaking regular groundwater sampling at borehole sites surrounding the old landfill since it closed in the 1980's. Data from these samples has not been made public to support this proposed development. To date no adequate chemical composition assessment of that groundwater appears to have been made. I would have expected this to feature in EX159 and its' precursor reports.

I have serious concerns that no significant hydrogeological investigation has been undertaken for the BGS development proposal. EX159 agrees that *"potential pollutant linkages exist but can likely be broken by the installation of an interceptor drain/vent trench along the western boundary"*. In the absence of a robust hydrological investigation this mitigation proposal, along with the inevitable ground works incurred by residential development, risks seriously impacting on the hydrological regime currently supporting the Commons Local Nature Reserve and, particularly, The Fen. Should this happen then serious biodiversity loss would occur, contrary to the NPPF, which could not be adequately mitigated.

Current evidence supplied clearly details a significant issue with landfill gas from the site, currently subject to uncontrolled venting to atmosphere. This is contrary to current landfill management standard practice and is a significant source of greenhouse gas emissions. The Royal Haskoning reports also reveal the methane to exceed the Lower Explosive Level in some boreholes, a major concern for safety across the site. EX159 downplays this risk and fails to highlight the paucity of methane monitoring sites across the landfill.

EX159 paragraphs 27 and 28 support my concern that the level of contaminants across the site and their potential mitigation measures have not been robustly determined and therefore the site could yet prove economically unviable to deliver safely. Paragraphs 40, 54, 57 and 71 clearly highlight that the viability of the whole development is at risk depending upon the costs of mitigation and containment of the contaminants, a key constraint which has yet to be adequately quantified.

Hydrology: general points.

I have made the point above regarding the lack of a hydrogeological study for Birchall Garden Suburb but there has also been no attempt by either the site promoter or WHBC to quantify the area that would be required to set aside for surface water attenuation. Clearly this would depend on the quantum of development actually delivered and the target runoff rate to be achieved but the area could be considerable. Depending where any development actually takes place the SUDS attenuation *could* provide additional functional wetland thereby offering some net biodiversity gain but the siting of this would be constrained by the site topography. It would be harder to achieve within the constraints of the Northern part of the BGS site due to the ecological importance of the existing land uses there and to the impact of the leachate contamination of the West arm of the Hatfield Hyde Brook (shown by the line of red flags).

I made the point in the January 2018 BGS hearing regarding the potential impact of the additional housing on the stretched public water resource in this area where the Inspector rightly stated that the appropriate planning consultee on this is Affinity Water who had raised no concern. I must point out that Affinity Water have since expressed concern regarding available water resource in their draft Water Resource Management Plan (dWRMP) and are now running a publicity campaign asking customers to save water to avoid the need for future drastic measures. OFWAT have commented on the Affinity Water dWRMP that:

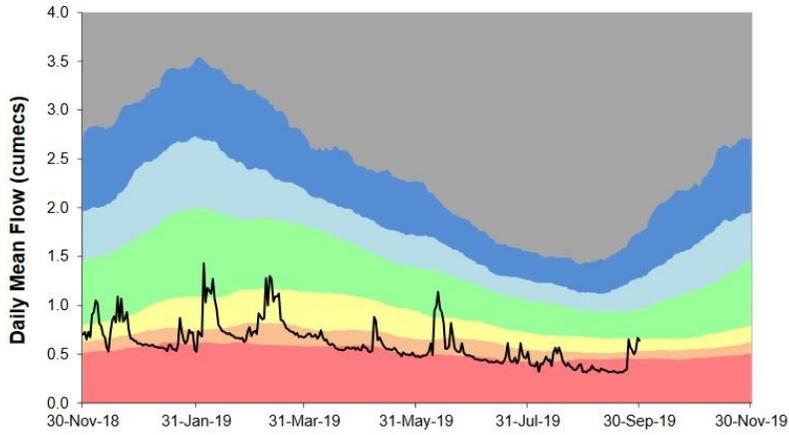
“Affinity Water predicts that a number of its water resource zones will be in deficit in the future, without additional action to reduce demand or provide additional supplies. This means there would be insufficient water to maintain supply to customers during relatively frequent drought conditions, noting that Affinity Water has one of the worst levels of service in the sector “

And

“In general the draft plan presents limited ambition for demand management. This is made more significant by the likely scale of the supply-demand balance challenges Affinity Water faces” (OFWAT Affinity Water draft WRMP consultation response May 2018)

The water environment across the WHBC area has suffered severely this year with record equaling low flow in the River Lee and near record groundwater level falls. We risk catastrophic biodiversity loss if the balance between natural and public water needs is not robustly addressed.

RIVER LEE AT HOWE GREEN (WATER HALL)
Ranking used data from 01/04/1959 to 31/12/2017



Ian Davis
01/11/2019