

Planning Consultation Memo

Date	Planning Officer	Environmental Health Officer
30/01/2024	MsAshley Ransome	Terry Vincent
Planning Application Number	Worksheet Number	
6/2024/0043/COND	N/A	

Address: Car Park Salisbury Square Hatfield AL9 5AD.

Application Details: Submission of details pursuant to Condition 5 (Structural Design Certificate), Condition 6 (Landscaping scheme), Condition 8 (Contamination (Affinity Water)), Condition 12 (Sound Insulation (including ventilation)) and Condition 13 (Noise from nearby existing and proposed commercial operations) on planning permission 6/2021/3422/MAJ.

Considerations relevant to Environmental Health for this application

Review the submitted noise report in relation to condition 12 and 13.

Condition 12: sound insulation:

No issues to raise.

Condition 13 – noise from commercial operation:

Condition 13 states the following:

13. No development above ground level shall take place until details relating to a scheme to mitigate the noise from nearby commercial activities, deliveries, plant and equipment are submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details, and not occupied until the approved measures are in place.

Assessment for noise from commercial operations must be in accordance with BS4142: 2014+A1:2019.

Indoor ambient noise levels in living rooms and bedrooms from commercial noise sources must be 10dB below the standards within BS 8233:2014 (Living rooms daytime – 25dB and bedrooms at night – 20dB) and LAmax levels must not to exceed 40dB internally with windows closed. Internal noise levels with habitable windows open must also be considered.

Consideration must be given to the Nation Planning Policy Framework and the agent of change.

REASON: To protect the residential amenity and living conditions of future

occupants in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005, Policy SADM18 of the Emerging Local Plan 2016 and the National Planning Policy Framework.

Comments:

The condition clearly states that noise from commercial operations must be assessed in accordance with BS4142: 2014+A1:2019. This means that the noise report must include a full BS4142: 2014+A1:2019 assessment, which details the rating levels of the commercial noise sources that are measured and compares them with the existing background noise levels. The specific noise sources of concern are commercial activities such as bottle emptying, deliveries, plant, and equipment.

A full BS4142: 2014+A1:2019 assessment has not been included in the submission. The noise report shows compliance with internal noise levels with windows closed.

The idea of the submission of a BS4142: 2014+A1:2019 report, is to show the rating levels at the external facades of the properties, when compared to the background noise levels. The rating levels will show the potential noise impact with windows open at the façade of the property and in gardens. The scenario of windows open is also stated as a 'must' within condition 13.

It is significant to point out that occupiers do not just open windows for cooling. They open windows to experience fresh air, connection with the outside world or just because they want to. This is considered normal use of a property, as is the use of garden areas. There is also the matter of the recent heat waves that the country has been experiencing. If the occupiers choose to open their windows for whatever reason, then the reliance of noise mitigation with glazing fails.

More information is required to consider discharging condition 13, this information is as follows:

- A full BS4142: 2014+A1:2019 report, showing the rated noise levels from commercial operations, at each façade with habitable rooms – living rooms and bedrooms and garden areas.
- The rating levels from the BS4142: 2014+A1:2019 report, should then be considered in relation to the Nation Planning Policy Framework and the agent of change, which also makes up part of condition 13.

Conclusion

Recommend planning condition 12 is discharged.
Recommend planning condition 13 is not discharged.