

## Planning Consultation Memo

Date	Planning Officer	Environmental Health Officer
19/09/16	June Pagdin	Karl Riahi
Planning Application Number	Worksheet Number	
6/2016/1740/LB	WK/82358	

**Address:** Comet Hatfield, St Albans Road West, Hatfield, AL10 9RH

**Application Details:** Extension and refurbishment of the Grade II listed building (Use Class C1) following demolition of existing rear and side extensions. Erection of 7,253.7sqm student accommodation (Sui Generis), landscaping and associated works.

In terms of the listed building requirements, this is outside the scope of what Environmental Health would normally make comment on, as such, please see the below comments which are from the consultation response for the main application - 6/2016/1739/MAJ.

### Considerations relevant to Environmental Health for this application

Noise from plant and equipment associated with the hotel

Noise from traffic along the A1(M) and other roads

Noise from events at the hotel (Licensable activities)

Lighting

Odour from kitchen extract

Contaminated Land

### Description of site and discussion of considerations

#### Noise from plant and equipment

The acoustic report provided with the application shows that they will be installing plant and equipment to be at least 10dB below the background noise level at the nearest residential property. This should be achievable with the right choice of plant, installation and mitigation measures.

It is recommended that a condition requiring this noise level criteria for plant and equipment is placed on the application. The applicant will also need to prove compliance with this condition by way of an acoustic assessment and before the site is occupied.

#### Noise from traffic

The acoustic report provided with the application also assesses the noise from traffic along nearby roads (A1(M), St Albans Road West and Comet Way). This report lists potential glazing standards and accepts that mechanical ventilation would be

required to ensure that the internal noise levels found within BS8233:2014 are met. Due to the external façade noise levels, we would expect acoustically treated mechanical ventilation to be incorporated into the design, to ensure that there is sufficient air flow and thermal comfort within the properties.

It is important that the system installed does not impact on the internal noise level itself. The level of ventilation required is stipulated within Approved Document F, and in particular the purge ventilation level will be especially important due to proximity to busy roads and for the summer months to help regulate temperature and dilute pollutants. It is recommended that a condition requiring the appropriate glazing and ventilation requirements is placed on the application.

Any outdoor amenity space will need to meet the 55dB WHO Community Noise Guideline level, with screening provided where required to meet this level. The acoustic report states that predictions are showing that this level is achievable in the court yard areas.

Where possible, through good design and layout, we would like to see that the noise levels within BS8233:2014 are met with a partially open window (assuming an attenuation of 10-15dB).

In terms of the required sound insulation scheme, the report also states that further work will be required – *“As the design progresses, a more detailed facade sound insulation assessment will need to be performed, taking into account the factors listed above, to ensure that the overall performance requirements will be met”*.

#### Noise from activities associated with the hotel

There is potential for noise from the hotel in terms of people noise, music etc. Ensuring satisfactory sound insulation between the different aspects of the building should minimise this impact. The sound insulation incorporated will need to be adequate for the uses taking place.

Hours of use for these type of events would be controlled through the licensing regime.

#### Lighting

Due to the nature of the development, utilising a mix of commercial and residential, there will be the potential for lighting to cause an issue. To minimise light disturbance, the applicant should ensure that the development meets the guideline levels set within the Institution of Lighting Engineers guidance notes for the reduction of obtrusive lighting. It is recommended that a condition requiring lighting details to be submitted prior to building works starting is placed on the application. Information required will need to be in the form of vertical lux diagrams which show the positions of lighting fixtures in relation to nearby residential properties (existing and proposed) and their potential levels at those positions.

#### Odour

Odour from the expected kitchen extracts for the proposed hotel refurbishment will need to be controlled in line with the guidance from Defra – Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems. The extent of odour suppression will depend on the type of food being sold. A condition requiring details

of odour suppression systems to be submitted prior to building works commencing is recommended to be placed on the application. Noise from this system will need to also be borne in mind and must achieve the same criteria as other plant and equipment to be installed.

### Contaminated Land

A phase 1 desk top study provided with the application which shows further analysis and sampling is recommended. On this basis it is recommended that a condition be placed on the application requiring further investigation takes place as well as any required remediation.

This should be adequately covered by the standard phased contaminated land condition. (it is acknowledged that part 1 of the condition has been completed and included with the contaminated land report with this application already).

### Conclusion

Recommend planning application is permitted   
Recommend planning application is permitted but with conditions   
Recommend planning application is refused

### Conditions and Informatives

#### Sound Insulation (including ventilation)

Prior to the commencement of the development the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating a scheme to protect the proposed development from traffic noise which shall be implemented before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing. The scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms meet the standards in BS 8233:2014. Any associated mechanical ventilation will need to meet the requirements of Approved Document F including a provision of a purge ventilation rate set out within the document.

Reason – to protect the occupants of the new development from noise disturbance.

#### Noise from plant and equipment (pre construction)

Prior to the commencement of the development the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to noise from plant and equipment to be installed at the premises with evidence in the form of an acoustic report showing that noise emissions from plant and equipment will be 10dB ( $L_{Aeq}$ ) below the background noise level ( $L_{A90}$ ) at the nearest residential properties (using the methodology outlined within BS4142:2014).

Reason –to protect the amenity of the residents and other nearby residential properties

#### Noise from plant and equipment (post construction)

Prior to working occupation of the building, a manned measured noise survey will be carried out of all plant and equipment under usual operating conditions.

The survey must reference an agreed measured background level at agreed monitoring locations.

Noise measurements must be taken at nearest sensitive receptors to demonstrate that the combined operation of all plant and equipment is 10dBA (LAeq) below the background noise level (LA90). Measurement parameters must include the LA90, LAeq, LA Max and frequency analysis.

Measurements must demonstrate that there is no distinct tonal element from the plant equipment that could have a detrimental effect on the nearest sensitive receptor.

If noise measurements demonstrate that this criteria cannot be achieved, noise mitigation measures such as acoustic screening or silencers must be implemented to ensure that the planning condition number can be met. All noise measurements must be taken at first floor and ground floor level.

Monitoring locations must be agreed by the Local Planning Authority. They will be at 1 metre from the facade at 1.2 metres above ground level and at first floor level of the nearest noise sensitive properties. Monitoring will also be carried out at the boundary of these properties using the same height criteria.

Monitoring will be carried out at identified representative times and hours of use of the development.

The reason is to carry out testing to prove compliance with the planning condition relating to noise levels.

#### Lighting

Prior to the commencement of the development the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to the external lighting scheme (including vertical lux diagrams). This scheme must meet the requirements within the Institution of Lighting Engineers guidance notes for the reduction of obtrusive lighting.

Reason –to protect the amenity of the future residents of the site and existing residential properties in the near vicinity to the development

#### Sound insulation

A scheme of sound insulation for the hotel shall be submitted to and approved in writing by the Local Planning Authority at before any development takes place. Thereafter, the buildings shall not be occupied until the approved scheme has been fully implemented.

Reason - to protect the occupants of nearby residential properties from noise disturbance.

#### Odour Control for Kitchen Exhaust System

A scheme of odour control for the commercial buildings with kitchen extract systems shall be submitted to and approved in writing by the Local Planning Authority before any development takes place. Thereafter, the buildings shall not be occupied until the approved scheme has been fully implemented.

Reason –to protect the amenity of nearby residential properties

#### Contaminated Land

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must

not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

### **1. Site Characterisation**

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: • human health, • property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, • adjoining land, • groundwaters and surface waters, • ecological systems, • archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

### **2. Submission of Remediation Scheme**

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

### **3. Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

### **4. Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment

must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

### **5. Long Term Monitoring and Maintenance**

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

**Reason (common to all):** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### Informative:

#### Contact EHO regarding Health and Safety

You are advised to contact the Public Health and Protection Department of the Governance Directorate on 01707 357242 in order to ensure that all regulations, licensing, etc is carried out in order to comply with the requirements of the Health and Safety at Work etc Act 1974 .

#### Informative:

#### Contact EHO regarding Food Safety

You are advised to contact the Public Health and Protection Department of the Governance Directorate on 01707 357242 in order to ensure that all regulations, licensing, etc is carried out in order to comply with the requirements of the Food Safety and Hygiene (England) Regulations 2013.

### **Noise control**

1. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of :  
8.00am and 6.00pm on Mondays to Fridays  
8.00am and 1.00pm Saturdays  
and at no time on Sundays and Bank Holidays

2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions
4. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.
5. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.
6. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.
7. All pile driving shall be carried out by a recognised noise reducing system.
8. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
9. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
10. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.
11. Any emergency deviation from these conditions shall be notified to the Council without delay
12. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.
13. Permissible noise levels are not specified at this stage.

### **Dust control**

1. All efforts shall be made to reduce dust generation to a minimum
2. Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.

3. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.