

**Chris Carter
Assistant Director (Planning)**

Reply To: address as below

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Ms Sara Rietti
41 Tabernacle Street
London
EC2A 4AA

17 April 2024

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

Dear Ms Rietti,

Application Reference: 6/2024/0043/COND

Proposed development at: Car Park Salisbury Square Hatfield AL9 5AD

Proposal: 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

Thank you for your application requesting approval of the above details reserved by condition(s).

Condition 5- (Structural Design Certificate)

Condition 5 of planning permission 6/2021/3422/MAJ states:

No development, other than demolition work, shall commence until a structural design certificate, completed and signed by a Chartered Engineer, and a scheme to deal with existing ground conditions has been submitted to and approved in writing by the Local Planning Authority. The Certificate shall certify that appropriate site investigations have been carried out at the site. The scheme shall include an investigation and assessment to identify those precautions or measures deemed to be required in the design and construction of the proposed development minimise any danger which might arise as a result of ground conditions.

The scheme as approved shall be fully incorporated in the design and construction of the proposed development.

REASON: *To ascertain the stability of the site and to determine the structural*

suitability of the development thereon in view of prevailing ground conditions in accordance with the National Planning Policy Framework. To ensure that no development is undertaken which may be prejudiced by existing ground conditions in accordance with the National Planning Policy Framework.

Having regard to the above, I am pleased to confirm that the submitted information is sufficient, pursuant to the requirements of condition 5. Please note that the development must not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Condition 6- (Landscaping scheme)

Condition 6 of planning permission 6/2021/3422/MAJ states:

No development, other than demolition work, shall commence until full details on a suitably scaled plan of both hard and soft landscape works have been 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. The landscaping details to be submitted shall include:-

- a) means of enclosure and boundary treatments;*
- b) car parking layout and markings;*
- c) vehicle and pedestrian access and circulation areas;*
- d) hard surfacing, other hard landscape features and materials;*
- e) existing trees, hedges or other soft features to be retained and a method statement showing tree protection measures to be implemented for the duration of the construction;*
- f) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing;*
- g) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife; and*
- h) management and maintenance details.*

REASON: The landscaping of this site is required to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies D1, D2 & D8 of the Welwyn Hatfield District Plan 2005; Policies SP9, SADM11 & SADM16 of the draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.

Having regard to the above, I am pleased to confirm that the Landscape Officer deems that the submitted information is sufficient, pursuant to the requirements of condition 6. Please note that the development must not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Condition 8- (Contamination (Affinity Water))

Condition 8 of planning permission 6/2021/3422/MAJ states:

No development, other than demolition work, shall commence until the following has been submitted to and approved in writing by the Local Planning Authority:

- a) An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth;*
- b) A Risk Assessment identifying both the aquifer and the abstraction points as potential receptors of contamination; and*
- c) A Method Statement detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. appropriate piling design, off site monitoring boreholes etc.) to prevent and/or minimise any potential migration of pollutants to public water supply.*

Thereafter, the development shall not be carried out other than in accordance with the approved details.

REASON: To protect groundwater resources, in accordance with Policy R7 of the Welwyn and Hatfield District Plan 2005; SADM18 daft Local Plan Proposed Submission August 2016; and the of the National Planning Policy Framework.

Having regard to the above, I am pleased to confirm that the Catchment Adviser at Affinity Water deems that the submitted information is sufficient to partially discharge this condition, pursuant to the requirements of part a) of condition 8. Please see the consultation response from Affinity Water for further details with respect to the information required to fully discharge condition 8. Please note that the development must not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Condition 12- (Sound Insulation (including ventilation))

Condition 12 of planning permission 6/2021/3422/MAJ states:

No development above ground level shall take place until details relating to a scheme to protect the proposed development from noise due to transport sources is 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.

The scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms meet the standards within BS 8233:2014. Internal L_{Amax} levels should not exceed 45dB more than ten times a night in bedrooms. Relaxed noise levels will be considered if it can be shown that good acoustic design has been implemented and all steps have been taken to achieve the non-relaxed noise levels in BS8233:2014.

Where opening windows raises the internal noise levels above those within BS8233, other methods of ventilation/attenuation will have to be implemented.

Passive systems and rates will be considered, however, evidence that overheating will not occur will need to be provided in the form of a SAP assessment (other overheating assessments can be provided but will need to be agreed in writing by the local planning authority such as a TM59 assessment) conducted with windows closed, curtains/blinds not being used, showing the required ventilation rates to ensure that overheating will not occur. Details must be provided of the ventilation system to be installed and to demonstrate that it will provide the ventilation rates shown in the assessment.

Mechanical ventilation can be installed, with ventilation rates required to provide 4 air changes per hour to habitable rooms. However, mechanical ventilation should only be used as a last resort, once all other noise mitigation measures have been implemented (good acoustic design, orientation of sensitive rooms, bunds, noise barriers, passive systems or acoustic louvres).

Outdoor amenity areas should meet the 55dB WHO Community Noise Guideline Level. A slight relaxation of this level (up to 3dB) will be considered, if it can be demonstrated that all reasonable steps have been taken to reduce the level as much as possible, (such as noise barriers, shielding, good acoustic design etc). If outdoor amenity areas cannot comply, then it should be shown through measurements that a suitable place is available within 5 minutes' walk from the development that complies with the amenity noise level.

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.

Having regard to the above, I am pleased to confirm that the Environmental Health Officer deems that the submitted information is sufficient, pursuant to the requirements of condition 12. Please note that the development must not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Condition 13- (Noise from nearby existing and proposed commercial operations)

Condition 13 of planning permission 6/2021/3422/MAJ states:

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 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.

Having regard to the above, the Environmental Health Officer deems that insufficient information has been submitted to discharge condition 13. Please see the consultation response from WHBC Public Health and Protection for further details with respect to overcoming the objection. Condition 13 can therefore not be discharged until sufficient information to satisfy this condition, prior to above ground development, is submitted.

Summary

Having regard to the above, I am pleased to confirm that sufficient information has been submitted pursuant to the requirements of Condition 5 (Structural Design Certificate), Condition 6 (Landscaping scheme) and Condition 12 (Sound Insulation (including ventilation)). Please note that the development must not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Condition 8 (Contamination (Affinity Water)) can only be partially discharged as detailed above. Please note that the development must not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Condition 13 (Noise from nearby existing and proposed commercial operations) cannot be discharged as detailed above until sufficient information to satisfy this condition, prior to above ground development, is submitted.

Prior to above ground development, conditions 10 (materials), 11 (refuse and recycling), 13 (noise from commercial), 14 (EV charging facilities), 15 (energy

efficiency measures), 16 (fire hydrants) and 17 (accessible and adaptable homes) are required to be discharged.

Please also have regard to the requirements of conditions 18-25.

Should you require any clarification regarding the contents of this letter, please do not hesitate in contacting me at a.ransome@welhat.gov.uk and I will be pleased to advise you further.

Yours sincerely,

A handwritten signature in blue ink, consisting of the letters 'AR' in a stylized, cursive font.

Ms Ashley Ransome
Senior Development Management Officer