

## Planning Consultation Memo

Date	Planning Officer	Environmental Health Officer
21/01/19	David Elmore	Karl Riahi
Planning Application Number	Worksheet Number	
6/2018/3255/FULL	WK/104622	

**Address:** Plot 5610 Hatfield Business Park Gypsy Moth Avenue Hatfield AL10 9BS

**Application Details:** Erection of a pre-delivery inspection facility (Use Class B8), together with car storage area, staff car parking, cycle parking, boundary treatment, landscaping, lighting and access

### Considerations relevant to Environmental Health for this application

Noise from plant and equipment  
Noise from movement of vehicles  
Lighting  
Contaminated Land

### Description of site and discussion of considerations

#### Noise from plant and equipment

The plans show a workshop area and valet areas, which will have the potential for noise, along with the expected plan associated with ventilation of the unit.

This raises concerns with regards to activities taking place internally within the unit, and some items of equipment can be noisy, especially pneumatic tools. We would expect the doors to remain closed whilst noisy works are taking place, however, viewing the number of servicing bays, this would be difficult to achieve with regular movement of vehicles.

Any plant and equipment will need to be 10dB below the background noise level at the nearest residential property, it is recommended that a condition is placed on the application which requires this. Taking into account distance to residential properties and the expected background noise level, this condition is not seen as one which would be difficult to comply with.

There are no details of the hours that activities will take place on site, to limit the likelihood of complaints it is recommended that an hours of use condition is placed on the application. Depending on noise created by the unit, there may be scope in widening the hours of operation in future.

#### Noise from movement of vehicles

The proposed development is located next to a bus company and warehouse, both of which are expected to operate during unsocial hours and create noise themselves.

Limited information has been provided in terms of how vehicles will arrive on site and the sort of hours that access will be required for this permanent installation, however,

information has recently been supplied for the temporary vehicle storage and those hours, taking into account the location do not appear unreasonable.

It is recommended that an hours of use condition relating to deliveries is placed on the application as a precautionary measure.

Depending on actual noise created on site, there may be scope for extending these hours.

### Lighting

Although a lighting assessment has been provided, it does not show the potential impact on the residential properties along Cornflower Way. Vertical lux diagrams showing the potential trespass into windows of these properties will alleviate some concerns and can be provided through condition.

### Contaminated Land

Although undeveloped in appearance, the Councils mapping system is showing potential contamination for the site from previous military usage.

A contamination report submitted with the application shows that ground gas is a concern and other contaminants have been found which could have implications for the proposed inspection facility and that remediation may be necessary.

This report was dated 2013 and does not fully take into account this proposed use, therefore, more detail will be required on this matter.

It is recommended that the Councils standard contaminated land condition is placed on the application with the understanding that the first section has been complied with.

### Conclusion

- |   |                                     |
|---|-------------------------------------|
| Recommend planning application is permitted                     | <input type="checkbox"/>            |
| Recommend planning application is permitted but with conditions | <input checked="" type="checkbox"/> |
| Recommend planning application is refused                       | <input type="checkbox"/>            |

### Conditions

#### Noise from plant and equipment

Noise from plant and equipment associated with the xx system shall be 10dB (LAeq) below the background noise level (LA90) at the nearest residential properties.

Reason –to protect the amenity of residents in the locality

#### Lighting

Prior to installation of external lighting 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 which show potential light trespass into windows of nearby residential properties). This scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting.

Reason –to protect the amenity of existing residential properties in the near vicinity to the development

### Hours of use

No machinery shall be operated, no process shall be carried out (except for office work and deliveries covered by a separate condition) outside the hours of 08:00 – 19:00 Mondays to Fridays, 08:30 – 18:00 Saturdays nor at any time on Sundays, Bank or Public Holidays.

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

### Hours of deliveries

No deliveries (including vehicles) shall be taken or dispatched from the site outside the hours of 07:00 – 20:00 Mondays to Fridays, 08:00 – 18:00 Saturdays and 10:00 – 16:00 on Sundays.

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

### No outside works

No fabrication, repair work or other such works requiring power tools or hammering shall take place on site external to the proposed building.

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

### 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.

## **Informatives**

### **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.