

Planning Consultation Memo

Date	Planning Officer	Environmental Health Officer
25/10/2022	Mr David Elmore	Terry Vincent
Planning Application Number	Worksheet Number	
6/2022/2300/COND	WK134342	

Address: Beadles Volkswagen Van Centre Harpsfield Broadway Hatfield AL10 9TF

Application Details: Submission of details pursuant to condition numbers - 1 (Construction Management Plan), 5 (Surface Water Strategy), 6 (Surface Water Scheme), 7 (Drainage), 8 (Foundation), 9 (Design Plan), 10 (Accessible Housing Scheme), 11 (Highway Improvement), 12 (Samples), 13 (Hard Landscaping), 14 (Soft Landscaping), 15 (Hard landscaping - roof garden), 16 (external lighting), 17 (Cycle Store), 18 (Cycle Store under-croft/Open air), 19 (Balcony Screens), 20 (Energy & Sustainability Statement), 21 (PV Cells Plan), 22 (Bat & Bird Boxes), 23 (Noise Compliance), 24 (Noise Compliance), 26 - (SuDS), 27 (Access), 28 (EV Charging Points), 29 (Parking), 30 (Bin Stores), 31 (Roof Gardens), on planning permission 6/2020/3222/MAJ

Considerations relevant to Environmental Health for this application

Consider evidence submitted in relation to condition 16, 17,18,23,24 & 28.

Description of site and discussion of considerations

Condition 16:

No development above ground level (excluding demolition) shall take place until details of an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The details must include:

- a) A site plan showing the location of the external lighting (ground based, on building and in roof gardens);
- b) Metrically scaled elevations of the types of external lighting; and
- c) Vertical lux diagrams showing potential light trespass into windows of the approved residential units and neighbouring residential properties outside of the site.

The external lighting scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting, and should be designed to minimise light spill, in particular directing light away from any boundary vegetation / trees to enable dark corridors to be used by wildlife as well as directing lighting away from potential roost / nesting sites. The approved details must be implemented prior to first occupation of the development and retained permanently thereafter.

REASON: To assist with site safety, to protect the living conditions of future occupiers and neighbouring properties in terms of light spill, and to protect

wildlife, in accordance with Policies D1, D7, R11 and R20 of the Welwyn Hatfield District Plan 2005; Policies SADM16 and SADM 18 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework.

Conclusion:

Condition 16 can be discharged.

Condition 17:

No development above ground level (excluding works of demolition) shall take place until details of the type of cycle stands within each cycle store of the building and how they would accommodate the quantity of provision as stated on drawing number 19_386_PL08 must be submitted to and approved in writing by the local planning authority.

The approved details must be implemented prior to first occupation of the development. Thereafter, the cycle stores must be permanently retained for no other purpose.

REASON: To ensure that the development is served by sufficient cycle provision and to encourage cycling as a sustainable mode of transport, in accordance with Policy M6 and M14 of the Welwyn Hatfield District Plan 2005, Policies SP 4 and SADM 3 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework.

Conclusion:

Condition 17 can be discharged.

Condition 18:

No development above ground level (excluding works of demolition) shall take place until further details of the cycle parking within the under-croft and open-air area on drawing number 19_386_PL08 have been submitted to and approved in writing by the local planning authority. The details must include:

- a) The type of cycle stand to be provided; and
- b) The quantity of spaces in each area.

The approved details must be implemented prior to first occupation of the development. Thereafter, these cycle parking areas must be permanently retained for no other purpose.

REASON: To ensure that the development is served by sufficient cycle provision and to encourage cycling as a sustainable mode of transport, in accordance with Policy M6 and M14 of the Welwyn Hatfield District Plan 2005, Policies SP 4 and SADM 3 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy

Framework.

Conclusion:

Condition 18 can be discharged.

Condition 23:

Prior to first occupation of the development, a pre-completion testing report must be submitted to and approved in writing by the local planning authority. This report must show compliance with the following:

a) Noise tests showing that indoor ambient noise levels in living rooms and bedrooms meet the standards within BS 8233:2014 (with the mechanical ventilation system off, on and on maximum boost setting). Internal L_{Amax} levels should not exceed 45dB more than ten times a night in bedrooms.

b) Noise testing showing that all outdoor amenity areas comply with the 55dB WHO Community Noise Guideline Level.

Non-compliance with any of the above levels will require additional mitigation measures to be incorporated into the development prior to first occupation of the development. Such measures must be submitted to and approved in writing by the Local Planning Authority before the development is occupied.

All approved mitigation measures which secure compliance with the terms of this condition must be implemented and retained. If any approved mitigation measure requires replacing, the replacement must perform to at least the same sound protection level as previously approved.

REASON: To ensure that intended occupiers of the development are not subject to unacceptable levels of noise due to transport sources, in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005, Policy SADM 18 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework

Conclusion:

Condition 23 cannot be discharged until preoccupation testing has taken place to demonstrate compliance. The applicant has requested a relaxation for part b of this condition. I consider that a relaxation would be acceptable and advise that part b of this condition could be replaced with the following:

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. This can also include other amenity spaces as part of the development, such as a roof garden.

Condition 24:

Prior to first occupation of the development, a pre-completion testing report must be submitted to and approved in writing by the local planning authority. This report must show compliance with the following:

Noise testing showing that indoor ambient noise levels in living rooms and bedrooms from commercial noise sources are 10dB below the standards within BS 8233:2014 and L_{Amax} levels do not to exceed 40dB internally with windows closed.

Testing must take place in the properties that would be worst affected by the commercial noise sources, as in the closest property to the noise source. Testing must also take place for a suitable period to ensure that the commercial units are in fact operating so representative noise levels can be recorded.

Non-compliance with these levels will require additional mitigation measures to be incorporated into the development prior to the occupation of the development. Such measures must be submitted to and approved in writing by the Local Planning Authority before the development is occupied.

All approved mitigation measures which secure compliance with the terms of this condition must be implemented and retained. If any approved mitigation measure requires replacing, the replacement must perform to at least the same sound protection level as previously approved.

REASON: To ensure that intended occupiers of the development are not subject to unacceptable levels of noise due to transport sources, in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005, Policy SADM 18 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework.

Conclusion:

Condition 24 cannot be discharged until preoccupation testing has taken place to demonstrate compliance. I have noted the comments made by the applicant with regards to the commercial noise source. It is my view that pre completion testing for commercial noise still needs to take place. To date, we only have predicted noise levels and assumptions based upon the intended façade mitigation. This condition is necessary to ensure the mitigation measures are effective. If this condition is removed and mitigation is not as effective as predicted, then future occupants could suffer noise intrusion. According to the data submitted by the applicant, commercial noise should practically be inaudible internally, therefore complying with this condition is not an onerous task.

Condition 28:

Prior to first occupation of the development use of the development hereby permitted, provision must be provided for at least eight of the car parking

spaces to be designated for plug-in Electric Vehicles (EV) and served by EV ready Active charging points and all other spaces constructed so that they can be retrofitted with passive charging. Thereafter such provisions must be retained permanently thereafter.

REASON: To promote sustainable transport in accordance with Policy SADM 12 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework.

Conclusion:

I would recommend that this condition is not discharged until evidence is provided that these facilities are in place, rather than being identified on a submitted plan.

Informatives

Demolition/construction works

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.