

Planning Consultation Memo

Date	Planning Officer	Environmental Health Officer
15/01/2021	Clare Howe	Terry Vincent
Planning Application Number	Worksheet Number	
6/2018/2768/OUTLINE	WK121974	

Address: Hatfield Business Park Hatfield AL10 9SL

Application Details: Outline application for a large-scale mixed use development including 1,100 new homes and supporting infrastructure including a primary school, local centre and open space with all matters reserved

Considerations relevant to Environmental Health for this application

Noise from existing industrial/commercial
Noise from quarry operations
Noise from traffic
Noise from proposed industrial/commercial units
Contaminated Land
Air Quality

Description of site and discussion of considerations

Additional information:

A consultation response was provided by the public health and protection team on the 5th February 2019. Since this response, additional information has been provided in respect of contaminated land and air quality. Comments will be provided in relation to the updated information.

Comments will also be included regarding noise matters which were made previously. I have included an example of the proposed conditions for noise requirements in relation to the site.

Noise from existing industrial/commercial and quarry operations

There are concerns over noise from existing commercial/ industrial uses within the area. Chapter 9: Noise and Vibration of the Environmental Statement provides information on an unattended BS4142 assessment which took place using recordings, this is not seen as the best way to undertake such an assessment.

We would expect to see a manned assessment with subjective descriptions of the type of noise occurring along with LAmax noise data to get a better understanding of the overall noise climate associated with the commercial/ industrial units. Additional information on operating times would also help get a better idea of the potential impact.

The reference to a 5m barrier does provide some confidence that noise levels can be lowered, and the LAeq levels within the assessment during the day appear less of a concern, however, a potential issue at night (9dB over background) and this is with only a small aspect of acoustic descriptors for the area.

Noise from quarry operations

In terms of noise from the quarry, the levels given in the guidance contradict information within BS4142. A poor standard of amenity would be experienced by future occupants if exposed to the upper level of the recommended noise levels in the minerals guidance. These operations are long lived, approximately 30 years, and therefore not seen as temporary.

Noise levels of 60dB (1hrLAeq) on the façades of the residential properties with windows open would lead to a situation where people would not be able to open their windows in living rooms as even expected uses such as watching a television would not be possible (assuming a partially open window provides 15dB attenuation would lead to at least an internal noise level of 45dBA).

Some reference is made to the potential inclusion of mechanical ventilation for the most affected properties, and the required ventilation rates would need to meet those within the Noise Insulation Regulations 1975.

Noise from traffic

In terms of amenity, the internal noise levels will need to meet the criteria within BS8233:2014 and the external areas will need to meet the 55dB WHO community noise guideline level.

Noise from proposed industrial/commercial units

The noise impact assessment lists a design criteria for proposed plant/equipment to be at the existing background noise level, we would however, require the design criteria of any plant or equipment to be 10dB below the background noise level at the nearest residential property (5dB below if non-tonal, however, this would need to be evidenced).

Other potential impacts, such as from deliveries can be controlled via condition, limiting hours. The applicant will also be able to mitigate through good design principles, such as having service yards/delivery areas on the sides of buildings away from sensitive receptors.

National Planning Policy Framework – agent of change:

The NPPF document paragraph 182 deals with the matter of agent of change. This is to ensure that new development can be integrated effectively with existing businesses. The commercial units that operate within the locality are well established and usually operate on a 24 hour basis.

It must be demonstrated that this development can fit in effectively within this environment, and ensure that existing commercial operations will not be constrained and to ensure that commercial expansion would not be prevented.

It is important that noise from commercial operations are not likely to result in complaints. The council has a legal duty to investigate complaints of this nature. If a statutory nuisance is found to exist, they also have a legal duty to serve a noise abatement notice. This is likely to have a detrimental effect on the recipient and prevent commercial operations continuing. It is the responsibility of the developer/applicant to ensure that sufficient mitigation is incorporated into the development to prevent this situation occurring.

Conditions proposed for noise:

Sound Insulation (including ventilation)

Prior to any above ground development, the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to a scheme to protect the proposed development from noise due to transport sources 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 within BS 8233:2014. Relaxed noise levels in BS 8233:2014 will not be accepted in living rooms and bedrooms. Internal L_{Amax} levels should not exceed 45dB more than ten times a night in bedrooms.

Where opening windows raises the internal noise levels above those within BS8233, the mechanical ventilation will need to be installed, with ventilation rates required to meet those found within The Noise Insulation Regulations 1975.

Alternative methods (such as passive systems) and rates can be considered, however, evidence that overheating will not occur will need to be provided in the form of a SAP assessment conducted with windows closed, curtains/blinds not being used, showing the required ventilation rates to ensure that the medium risk category is not exceeded. Details must be provided of the ventilation system to be installed and to demonstrate that it will provide the ventilation rates shown in the SAP Assessment.

Outdoor amenity areas will need to meet the 55dB WHO Community Noise Guideline Level. If outdoor amenity areas cannot comply, then it must 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 occupants of the new development from noise disturbance.

New Plant:

Prior to any above ground development the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to a scheme to mitigate the

noise from new plant and equipment. The impact of new plant and equipment should be assessed in accordance with BS4142:2014. When noise sources show signs of tonality we require noise levels to be 10dB below background noise level at the nearest receptor location. In instances where the noise source presents no tonality we require the noise level to be 5dB below the background noise level at the nearest receptor location.

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

Noise from nearby existing commercial operations:

Prior to any above ground development the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to a scheme to mitigate the noise from nearby commercial activities, deliveries, plant and equipment, to ensure that there will be no adverse impact to future residents. Assessment for noise from commercial operations must be in accordance with BS4142.

Indoor ambient noise levels in living rooms and bedrooms from commercial noise sources must be 10dB below the standards within BS 8233:2014 and LAmax levels must not to exceed 40dB internally with windows closed.

The noise report must include details regarding reduced operating schedules in relation to Covid and consider what additional operations will take place under normal working activities and the effects this will have on noise levels. Consideration must be given to potential commercial operating hours and likelihood of commercial expansion.

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

Noise Conditions End*

Contaminated Land:

Documents have been submitted for this application in relation to potential contaminated land risks at the site. The contents and conclusions are noted.

Due to the complexity of the site, a decision has been made to employ the services of a contaminated land consultant to review the reports.

Feedback will be provided in due course.

Air quality:

An air quality impact assessment has been provided for the development. The report concludes that the impact of the development will pose a negligible risk in terms of impact to the local area.

The council have now commissioned the roadside nitrogen dioxide analyser at West View, Hatfield. It became operational late summer of 2020. I feel it would be beneficial to observe the data that is being collected, and to use it to update the air

quality impact assessment. It is recommended this process be carried out in due course further along the application process. It is not anticipated that it will change any of the results dramatically, it will however provide a more accurate dataset when compared with the diffusion tubes.

Access to the data can be obtained via the air quality England website:

https://www.airqualityengland.co.uk/local-authority/?la_id=408

In relation to proposed mitigation for the development, I would expect to see electric vehicle charging points and infrastructure to be incorporated throughout the development. This would be seen as good practice and to enable the use of electric vehicles.