

Planning Consultation Memo

Date	Planning Officer	Environmental Health Officer
03/03/2021	Clare Howe	Terry Vincent
Planning Application Number	Worksheet Number	
6/2021/0181/MAJ	WK122848	

Address: Former Shredded Wheat Factory Broadwater Road Welwyn Garden City AL7 1RR

Application Details: Hybrid planning application comprising: Detailed Planning Application for 399 Private Rented Sector (PRS) dwellings and 153 dwellings (Class C3), 250 units of residential care accommodation for the elderly (Use Class C2) with associated communal facilities, 15,247m² of community and commercial hub (Use Classes E and F1) with associated cycling hub, car parking, access, landscaping, public art and other supporting infrastructure; and Outline Planning Application for up to 418 dwellings (Class C3) with all matters reserved except access.

Considerations relevant to Environmental Health for this application

Noise from transport sources
Noise from commercial operations
Contaminated land
Air quality

Description of site and discussion of considerations

The site is located close to a number of noise sources that comprise of transport and commercial operations. Details have been provided in the form of an environmental impact assessment to discuss issues relating to noise. There are specific noise limits and requirements that need to be met, these will be proposed as conditions which will need to be satisfied prior to occupation of the development.

The construction method statement provides details on the proposed working times during development construction. These proposed times extend beyond those which are permitted within the local authority area. In this instance, a condition will be proposed to ensure that hours for noisy works are adhered to throughout the construction period. If noisy works are deemed to necessary beyond those hours, an application can be made for a special extension under the control of pollution act.

A number of reports have been submitted in relation to contaminated land. These detail historical remediation's works that have been carried out to date and recommended actions going forward. A condition will be recommended for this application to state that recommended actions identified in all of these reports, should be undertaken prior to occupation of the site. I will also recommend that an unexpected finds condition is attached to any approval.

An air quality impact assessment has been submitted in support of the application. It predicts that the site will have a negligible impact on air quality in the surrounding area. However, it is vital to encourage green travel and to provide such facilities for a development of this size. Therefore, a condition will be proposed to ensure there are provisions to encourage cycling and the use of electric vehicles.

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:

Sound Insulation (including ventilation)

Prior to first occupation of the development, the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to the 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. Internal L_{max} 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, 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 (or an alternative over heating assessment as agreed by the local planning authority) 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 first occupation of the 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.

Commercial noise:

Noise from nearby existing commercial operations:

Prior to first occupation of the development the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to a scheme to mitigate 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 L_{Amax} 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 from construction works:

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

Reason – to protect local residents from noise from construction works beyond reasonable times

Contaminated land:

Prior to first occupation of the development, the applicant shall submit to, for approval in writing by the Local Planning Authority, confirmation that all recommendations and actions as specified in submitted reports relating to contaminated land, have been completed and actioned. If specific actions or

recommendations have not been carried out, evidence must be provided to explain the reasons why, unless otherwise agreed by the Local Planning Authority.

Reason: 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.

1. 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 2, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 3, 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.

2. 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'.

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.

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.

Air quality:

Prior to first occupation of the development, the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to the promotion of green travel. This should include the provision of cycle storage, and the provision of electric vehicle charging points. Information must be provided to demonstrate that these facilities have been installed.

Reason – to facilitate and encourage the use of green travel.