

## EIA Comments and Draft Conditions

### EIA Comments

Having read the Environmental Statement, it appears to cover all aspects important to Environmental Health, both in the construction and operation phase.

Some assumptions have been made which give a different level of compliance required, such as for building works which the Council stipulates to be between 8am to 6pm Monday to Friday and 8am to 1pm on Saturday rather than the 7am to 7pm listed within the report. However, this can be dealt with outside of the planning regime and there may be scope for work outside of the Council's hours. Plant and equipment if tonal will need to be 10dB below the background noise level at the nearest sensitive receptors, rather than at the background noise level. This type of issue is usually controlled by condition.

One concern is with regards to the standard of amenity, in which the noise section states that they will fail to comply with guideline levels for external amenity areas. For such a large site, it does not appear that the ProPG guidance has been fully taken into account although mentioned within the Environmental Statement as it would be assumed that with a large site, good acoustic design would have enabled guideline levels to be adhered to.

In terms of contaminated land, there is further work to take place to assess ground conditions where buildings stood prior to demolition, and depending when this takes place will impact on the wording for the contaminated land condition and required works. In any eventuality, we will need to be confident that the land has been suitably remediated for its future use.

Air quality covered within the environmental statement makes it clear that the overall changes to air quality due to the development, both during the construction and operational phases will be negligible. During the construction phase, this will require the adherence to a number of mitigation measures, such as dampening down of stockpiles of building material.

### Draft Conditions

The conditions recommended for this site will be the same or very similar to those recommended for the previous permitted development;

### Noise from plant and equipment

At least six months prior to the installation of any plant and equipment the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to noise from plant and equipment to be installed at the premises with evidence in the form of an acoustic report showing that noise emissions from plant and equipment will be 10dB (LAeq) below the background noise level (LA90) at the nearest residential properties (proposed and existing) (using the methodology outlined within BS4142:2014). Any plant and equipment subsequently installed shall be in accordance with the approved details.

Reason –to protect the amenity of the residents and other nearby residential properties, in accordance with policy R19 of the Welwyn Hatfield District Plan 2005

### Noise from traffic and commercial premises

#### Sound Insulation (including ventilation)

Prior to the commencement of the development the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating a scheme to protect the proposed development from noise due to the public house 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 in BS 8233:2014. Any associated mechanical ventilation will need to meet the ventilation requirements found with The Noise Insulation Regulations 1975.

REASON – To protect the occupants of the new development from noise disturbance in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005.

#### Pre-completion testing – sound insulation Commercial Buildings

At least six months before any part of the commercial development takes place the applicant shall submit to, for approval in writing by, the Local Planning Authority a scheme of sound insulation for the commercial buildings. Thereafter, the buildings shall not be occupied until the approved scheme has been fully implemented and thereafter retained in perpetuity.

REASON - to protect the occupants of nearby residential properties from noise disturbance, in accordance with policy R19 of the Welwyn Hatfield District Plan 2005.

#### Pre-Completion Testing – residential buildings

Before the development is occupied, pre-completion testing must take place which shows compliance with BS8233 for internal noise levels and the 55dB WHO Community Noise Guideline Level for outdoor amenity space. Noncompliance with these levels will require additional mitigation measures to be incorporated into the development.

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

#### Lighting

At least six months prior to the installation of any lighting on the development 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). This scheme must meet the requirements within the Institution of Lighting Engineers guidance notes for the reduction of obtrusive lighting. Any lighting subsequently installed shall comply with the approved scheme.

REASON –to protect the amenity of the future residents of the site and existing residential properties in the near vicinity to the development, in accordance with policy R20 of the Welwyn Hatfield District Plan 2005.

#### Deliveries

Deliveries to the commercial/industrial units are to not take place outside the hours of 7am and 9pm on Monday to Saturday and 10am to 2pm on Sundays.

REASON –to protect the amenity of nearby residential properties, in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005.

#### Odour control

A scheme of odour control for the commercial buildings with kitchen extract systems shall be submitted to and approved in writing by the Local Planning Authority at least six months prior to installation. Thereafter, the buildings shall not be occupied until the approved scheme has been fully implemented.

REASON –to protect the amenity of nearby residential properties (existing and proposed) in accordance with Policy R18 of the Welwyn Hatfield District Plan 2005.

#### Operational times – commercial units

The premises falling within Use Classes A3 and A4, hereby approved, shall only be open to customers between 06.30hrs and 23.00hrs. Any customers remaining in the buildings or outdoor seating areas after these hours shall leave the premises not later than 30 minutes after the stated closing hours.

REASON: In order to protect the living conditions of local residents, in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005.

Contaminated Land

Standard condition to be modified to fit in with works completed at time of full application being made. For instance, initial sections such as for desktop study not required as already completed.