

## Planning Consultation Memo

<b>Date</b>	<b>Planning Officer</b>	<b>Environmental Health Officer</b>
05/02/19	Sarah Madyausiku	Karl Riahi
<b>Planning Application Number</b>	<b>Worksheet Number</b>	
6/2018/3292/MAJ	WK/104867	

**Address:** 41 Broadwater Road, Welwyn Garden City, AL7 3AX

**Application Details:** Erection of four storey development comprising 91 x bed care home with 13 x care suites.

### Considerations relevant to Environmental Health for this application

Noise from traffic (impact on proposed development)  
Noise from Peartree Primary School  
Noise from activities associated with proposed development  
Noise from plant and equipment  
Odour  
Contaminated Land

### Description of site and discussion of considerations

The site is surrounded by residential properties to the North, South and West (across the road) and to the East is Peartree Primary School. Noise from commercial premises is not seen to be a concern for this site.

#### Noise from traffic

Broadwater Road is one of the main roads going through Welwyn Garden City, and as such generates a significant amount of noise, even with a 30mph speed limit.

Internal noise levels must meet those within BS8233, and if opening windows raises the noise level above the BS8233 levels, then a form of mechanical ventilation will need to be installed which enables occupants to keep windows closed during the summer months and ensures that air quality internally is not compromised. Due to the design, there may be a number of rooms which will not need mechanical ventilation installed and opening windows will be suitable. This would be something for the applicant to investigate and evidence when looking to discharge the noise insulation condition.

The external amenity area will need to meet the 55dB WHO Guidelines for Community Noise level. The design of this space shows that it will be shielded from traffic noise on two sides, which may end up enabling the external area to provide a reasonable level of amenity without additional mitigation measures such as fencing. We would expect the applicant to show that this has been achieved through the use of a noise impact assessment.

### Noise from Peartree Primary School

There are concerns with regards to noise from Peartree Primary School, however, the short term duration during the day will be a limiting factor on the overall potential for disturbance.

On this basis, the standard of mitigation required will not be as stringent as that expected for the facades which will be impacted by noise from traffic. We would however, still expect to see this investigated within a noise impact assessment. There have also been no noise complaints in relation to activities at the school, which shows that complaints should be unlikely.

### Noise from activities associated with proposed development

A main bulk of the activities will be internal and on the whole residential in nature. The main operation which could cause disturbance will be deliveries (expected food, cleaning materials and possibly a regular linen delivery) which if occurring during unsocial hours will result in a loss of amenity at existing residential properties. The applicant is also assumed to want to ensure that future occupants of this development are not unduly disturbed and may already have proposed delivery hours.

The delivery area is opposite one of the existing residential units, and in relatively close proximity. There is expected to be some element of masking noise due to traffic, however, this would be dependent on the hours that deliveries take place. It is recommended that a condition limiting delivery hours and permitted days is placed on the application. There could be scope for an increase in these hours depending on how deliveries take place and the noise they create, of which the applicant will need to evidence that a loss of amenity will not occur.

### Noise from plant and equipment

It is expected that significant amount of plant and equipment will be required for this development. The location of which will impact on the level of sound attenuation that the applicant will need to install.

All plant and equipment (including the kitchen extract system) will need to be 10dB below the background noise level at the nearest residential properties. It is recommended that a condition to this effect is placed on the application.

### Odour

Details relating to the kitchen extract system will need to be provided along with the required odour abatement plant to mitigate odours from cooking. A risk assessment in line with the defra guidance should be carried out and should inform the design of the abatement systems.

### Contaminated Land

Contamination is not showing directly on the site, however, across the road the Council's mapping system is showing potential contamination, which may have been remediated as the site has been developed. Due to potential for migration of contamination, it is recommended that the unexpected finds condition is placed on the application.

## **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 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 traffic and the nearby school 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.

If opening windows leads to internal noise levels exceeding the levels within BS8233, then mechanical ventilation will need to be installed. Any associated mechanical ventilation will need to meet the ventilation requirements found within The Noise Insulation Regulations 1975.

Outdoor amenity areas will need to meet the 55dB WHO Community Noise Guideline Level with mitigation measures provided where required to meet this level.

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

### **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 within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

Before development recommences on the part of the site where contamination is present a scheme outlining appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to 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 and approved conclusions shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

Reason:

To ensure that the potential contamination of this site is properly investigated and its implication for the development approved fully taken into account.

Odour

### **Hours of deliveries**

No deliveries shall be taken or dispatched from the site outside the hours of 08:00 – 18:00 Mondays to Fridays, 08:00 – 17:00 Saturdays nor at any time on Sundays, Bank or Public Holidays.

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

### Noise from plant and equipment

Noise from plant and equipment associated with the development 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

### Ventilation, Extraction and Odour Control System

The premises shall not be occupied until details of any air ventilation, extraction and odour control systems have been submitted to and approved in writing by the Local Planning Authority. Such details must include the height, position, design and materials of any chimney or extraction vent to be provided in connection with the development.

The proposed system will need to adhere to the Defra guidance on the Control of Odour and Noise from Commercial Kitchen Extract Systems. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details.

Reason.

To protect the amenities of the occupiers of residential accommodation in the vicinity.

## **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.