

Planning Consultation Memo

Date	Planning Officer	Environmental Health Officer
13/01/2020	Michael Robinson	Karl Riahi
Planning Application Number	Worksheet Number	
6/2019/3024/MAJ	WK/114727	

Address: 29 Broadwater Road Welwyn Garden City AL7 3BQ

Application Details: Demolition of office building and erection of 128 flats with associated car parking, landscaping, amenity space, bin and cycle storage, with alterations to existing and formation of new access on Broadwater Road and alterations to the existing access on Broad Court

Considerations relevant to Environmental Health for this application

Noise from traffic
Noise from commercial/industrial properties
Noise from plant and equipment
Lighting
Contaminated land
Air quality

Description of site and discussion of considerations

Noise from traffic

A noise impact assessment provided with the application provides information on the effect that noise from traffic will have on this proposed development.

The overall design of the site appears to be a good one, with a majority of the properties within the scheme being shielded from noise.

As such, there appears to be the potential for some properties to meet the levels within BS8233 with a partially open window (assuming 15dB attenuation). However, for habitable rooms that don't achieve this, then mechanical ventilation will need to be installed which provides the ventilation rates within the Noise Insulation Regulations 1975.

Any deviations from these ventilation rates and mechanical ventilation will need to be shown to be suitable through the use of a SAP assessment which shows that overheating does not occur. It must be carried out by substituting the expected ventilation rates achievable for those in Appendix P with the assessment conducted with windows closed.

A superior standard of glazing will be required where noise from sources other than traffic are loud enough to require it, ensuring better internal levels than those required within BS8233.

In terms of external amenity areas, the design appears to lend itself to enabling large areas of the site to meet the 55dB WHO Guidelines for Community Noise level.

Noise from commercial/industrial properties

A separate BS4142 assessment addresses noise from commercial businesses located adjacent to the proposed development, namely:

Suypertyres Motorist Centre
Mikes Muscle Car Garage
Adams's Autocare

One omission is that the report is lacking detail in terms of noise from the HCC storage compound to the rear of the site. However, this is only going to be in use till the end of June 2021, which in terms of the development of this site is likely to have ceased by the time the proposed building is completed.

Although the LAeq noise levels associated with the commercial properties are shown to be reasonable, especially when in terms of the background noise. The LAMAX noise levels still raise some concerns, with some being over 90dB, which if occurring often enough could lead to complaints.

The condition recommended to be placed on this application takes into account road traffic noise and that associated with commercial/industrial noise and places an emphasis on noise which is non-anonymous and could be the cause of noise complaints.

Noise from plant and equipment

Any noise from plant and equipment (such as ventilation systems or air conditioning units) will need to be 10dB below the background noise level at the nearest residential property (5dB below if no tonality or other defining characteristics are present and evidence is provided of such).

Lighting

Any external lighting will need to be designed taking into account the ILP guidance in terms of light trespass into windows of sensitive receptors.

Vertical lux diagrams will be required to show that any external lighting will not cause a detrimental impact on amenity.

Contaminated land

A Phase 1 contamination report supplied with the application recommends that a further Phase 2 intrusive investigation is carried out.

Additionally it is noted that due to the site being in operation, there would only be a limited initial intrusive investigation possible before full access is possible.

It is recommended that the standard contaminated land condition is placed on the application.

Air quality

Information in terms of air quality should be provided on the impact of construction work and extra vehicle movements once the development is complete.

The assessment will need to consider impact of the development on the area and the current air quality levels to the proposed residents.

The pollutants that will need to be considered are: Nitrogen Dioxide, PM2.5 and PM10.

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

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 (5dB below the background noise level if evidence is provided which shows that no tonality or other character is present).

Reason –to protect the amenity of residents in the locality

Lighting

Prior to installation of external lighting 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 which show potential light trespass into windows of nearby residential properties). This scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting.

Reason –to protect the amenity of existing residential properties in the near vicinity to the development

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 existing and proposed commercial/industrial businesses which shall be implemented before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing.

For traffic noise the scheme shall ensure that indoor ambient noise levels in living rooms and bedrooms meet the standards within BS8233:2014.

For commercial/industrial noise the scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms are 10dB below the standards within BS 8233:2014 and

LAm_{ax} levels are not to exceed 40dB internally with windows closed.

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

Alternative methods 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 and the ventilation rate for the system being substituted for those within Appendix P.

Outdoor amenity areas will need to meet the 55dB WHO Community Noise Guideline Level.

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

Air Quality Impact Assessment

An air quality impact assessment must be completed.

Information in terms of air quality should be provided on the impact of construction work and extra vehicle movements once the development is complete.

The assessment will need to consider impact of the development on the area and the current air quality levels to the proposed residents.

The pollutants that will need to be considered are: Nitrogen Dioxide, PM2.5 and PM10.

Contaminated Land

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. 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'.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include

all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must 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.

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.

4. 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 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, 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.

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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.

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.