

## Planning Consultation Memo

Date	Planning Officer	Environmental Health Officer
20/1/2021	Clare Howe	Terry Vincent
Planning Application Number	Worksheet Number	
6/2020/3420/MAJ	WK122113	

**Address:** Biopark Broadwater Road Welwyn Garden City AL7 3AX

**Application Details:** Demolition of existing buildings and construction of 289 residential units (Use Class C3) and community hub (Use Class E/F.2), with public realm and open space, landscaping, access, associated car and cycle parking, refuse and recycling storage and supporting infrastructure.

### Considerations relevant to Environmental Health for this application

Noise from transport sources  
Noise from commercial sources  
Air quality  
Lighting

### Description of site and discussion of considerations

The site is located close to the railway line serving Welwyn Garden City Town Centre. The site has the potential to be affected by noise from the railway, road transport and commercial noise sources.

#### Noise:

A noise impact assessment has been submitted in support of the application. The report demonstrates that there are elevated noise levels across the site, this is especially relevant closer to the railway. A specific area of concern are the high LAMax levels that were monitored which will need to be addressed.

Specific noise conditions will be recommended for the application. The noise impact assessment does not show detailed façade noise levels across the site, a detailed noise model should be submitted to demonstrate noise propagation across the site and façade noise levels. This will aid in demonstrating compliance with the noise conditions.

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ompliance with BS8233:2014 levels rely on the use of closed windows. Therefore, information will need to be provided to ensure that overheating will not occur in warmer months. Good acoustic design is a vital criteria for any development to ensure that noise mitigation measures such as mechanical ventilation are only used as a last resort. It would be expected that sensitive rooms would be located away from facades exposed to the highest noise levels.

The noise impact assessment states that outside amenity areas can be mitigated to comply with the 55dB upper limit level. This can be demonstrated by the submission of a noise model when demonstrating compliance with the conditions and highlighting specific mitigation.

The noise impact assessment mentions noise in relation to a nearby depot. It does not however mention any noise in relation to commercial operations, it is believed that commercial operations are active within the locality. If commercial operations are active then a full and comprehensive BS4142 assessment will need to be included to show compliance with the commercial noise condition.

### **Air quality:**

An air quality impact assessment has been submitted with the application. The contents have been noted. The report concludes that there will be a negligible impact in the locality due to the proposed development. Predicted air quality levels at receptor locations will not breach the limit values. It is encouraging to see the implementation of electric vehicle charging points and cycle parking/storage. No further documentation is required for the application.

### **Contaminated land:**

Investigations have determined that the land at the proposed development site is not contaminated. However, there is a possibility that such a discovery could be made during the construction process. Therefore an unexpected finds condition will be recommended for this 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 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<sub>Amax</sub> levels should not exceed 45dB more than ten times a night in bedrooms. Detailed façade noise levels should be provided for all areas of the development, this can be presented in the form of a noise model.

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 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.

#### **Internal noise from mechanical ventilation:**

If mechanical ventilation is required in order to meet the requirements of the sound insulation condition then:

The applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to a scheme (proposed units and noise levels) to protect the proposed development from internal noise from the mechanical ventilation system, which shall be implemented before any part of the accommodation is occupied.

Indoor ambient noise levels in living rooms and bedrooms must meet the standards within BS 8233:2014 (with the mechanical ventilation system off, on and on maximum boost setting).

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.

## **Commercial noise:**

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 L<sub>Amax</sub> 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

## **Contaminated land:**

### 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.

### 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.

#### **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

#### **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.

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3. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.