

Environmental Health Consultee Comments for Planning

Application Number: UTT/23/1583/PINS
PINS reference: S62A/2023/0019

PROPOSAL: Access to/from Parsonage Road between Weston Group Business Centre and Innovation Centre buildings leading to: 96 dwellings on Bulls Field, south of Prior's Wood, including associated parking, landscaping, public open space, land for the expansion of Roseacres Primary School, pedestrian and cycle routes to Smiths Green Lane together with associated infrastructure.

LOCATION: Land to the north of Roseacres, between Parsonage Road and Smiths Green Lane, Takeley, Essex, CM22 6NZ (Land known as Bull Field, Warish Hall Farm, Takeley, Essex)

Lead Consultee

Name: J Mann
Title: Senior Environmental Health Officer



Date: 24 August 2023

Comments.

Thank you for your consultation on the above planning application, I have reviewed the details and information provided and have the following comments.

Noise

The applicants have submitted an Environmental Noise Assessment by Stansted Environmental Services dated 31 March 2023.

The Noise Assessment included unattended noise monitoring in an initial survey undertaken between 13:11 on Tuesday 13th April 2021 and 23:00 on Sunday 18th April 2021 and additional attended measurements were undertaken at the site on Tuesday 21st March 2023 (to verify potential covid impacts on initial measurements).

There were also two additional attended measurements undertaken at the site to account for noise emanating from the nearby Roseacres Primary School to the West of the site and noise generated from vehicle movements on Smiths Green to the East of the site. The Roseacres Primary school monitoring was

between 11:54 and 12:54 on Tuesday 21st March 2023. It was noted that lunchtime playground noise from Roseacres Primary School was evident between 12:02 and 12:46 during the measurement period. Smiths Green vehicle noise was monitored by attended measurements undertaken across a continuous 3-hour period between the hours of 10:00 and 17:00 on Tuesday 21st March 2023.

The assessment advises that aircraft noise levels from Stansted Airport are above the Lowest Observed Adverse Effect Level but below the Significant Observed Adverse Effect Level.

The assessment provides details of glazing and ventilation noise mitigation measures required to achieve BS8233 noise standards in section 6, Design Criteria.

It is noted that there is no detail provided in this application regarding the proposed layout and design of the extension to the Primary School. The noise assessment attended monitoring data on page 38 indicates that LAmax noise levels at the site increase from 65 dB to peaks of 80dB when the existing school playground is in use. Similarly Leq noise levels increase from below 50 dB to a range of 60 to 65 dB. The proposed site layout has located garden/amenity areas directly on the boundary with the extended school. It is not clear whether these amenity areas will achieve the good standard of 50 dBA when the school playground is in use or when other school activities take place such as use of sports facilities.

The location of apartment blocks and car parks on the boundary with the extended school is welcome. I would advise that consideration is also given to noise mitigation measures such as acoustic barriers between the proposed amenity areas and the extended school. It is also expected that good acoustic design and noise impacts on future and existing residents is carefully considered when designing the school extension.

The noise assessment does not include any information regarding potential impacts from the industrial/commercial units to the western boundary. It is understood that one of these units is a Health Centre and another a Business Centre therefore these uses are unlikely to generate significant noise although there may be plant noise. It would be helpful if more information could be provided on the use of these premises to clarify if additional noise impact assessment, or mitigation is required.

It is noted that the use of Air Source Heat pumps (ASHP) is proposed, these can have significant noise impacts unless suitably designed, located, enclosed or otherwise attenuated and therefore noise levels from ASHP should be conditioned.

Notwithstanding the above uncertainties regarding the school and commercial impacts, if the inspector is minded to grant permission, I would advise that the following noise conditions are attached;

1. Prior to commencement of the development a scheme for protecting the proposed dwellings from noise arising from road noise and air traffic shall be submitted to, and approved in writing by, the Local Planning Authority for approval. This acoustic design advice report should detail the advised measures for achieving the following criteria;
 - A) bedrooms shall achieve a 16-hour L_{Aeq} (07:00 to 23:00) of 35dB(A), and an 8-hour L_{Aeq} (23:00 to 07:00) of 30dB(A), with individual noise events not exceeding 45dB L_{AFmax} more than 10 times (23:00 to 07:00 hours)
 - B) living rooms shall achieve a 16-hour L_{Aeq} (07:00 to 23:00) of 35dB(A)
 - C) dining rooms shall achieve a 16-hour L_{Aeq} (07:00 to 23:00) of 40dB(A)

None of the dwellings shall be occupied until the scheme is implemented in accordance with the approved details. The scheme shall be retained in accordance with those details.

Reason : To ensure future occupiers enjoy a good acoustic environment, in accordance with policy ENV10 which requires appropriate noise mitigation and sound proofing to noise sensitive development

Informative Notes

A good acoustic design process should be followed in accordance with the 'Professional Practice Guidance on Planning and Noise: New Residential Development' (May 2017 or current version) to ensure that the noise criteria are achieved with windows open.

Any design measures that are used to control the ingress of noise must be consistent and compatible with the requirements of Approved Documents O and F.

2. Prior to development starting on site, details of a scheme for protecting external amenity spaces from external [traffic and aircraft] noise shall be submitted to and approved in writing by the LPA. The scheme shall ensure that, upon completion of the development, good acoustic design will be used to ensure external noise levels within external amenity spaces shall not exceed 55 dB $L_{Aeq,16hr}$ (0700 – 2300).

None of the dwellings shall be occupied until the scheme is implemented in accordance with the approved details. The scheme shall be retained in accordance with those details.

Reason : To ensure future occupiers enjoy a good acoustic environment, in accordance with policy ENV10 which requires appropriate noise mitigation and sound proofing to noise sensitive development

Informative Note

A good acoustic design process should be followed in accordance with the 'Professional Practice Guidance on Planning and Noise: New Residential Development' (May 2017 or current version) to ensure that the noise criteria are achieved.

3. Prior to development starting on site details of a noise scheme to protect future residents from industrial/commercial and Primary School noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that on completion of the development, good acoustic design will be used to ensure that noise levels within external amenity spaces shall not exceed a noise rating level of -5dBA when measured in accordance with BS 4142.

Reason : To ensure future occupiers enjoy a good acoustic environment, in accordance with policy ENV10 which requires appropriate noise mitigation and sound proofing to noise sensitive development

4. Prior to the commencement of the development the air source heat pumps to be installed shall be specified and designed, enclosed or otherwise attenuated to ensure that noise resulting from their operation shall not exceed the existing background noise level inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014. Noise levels shall be assessed in accordance with the Institute of Acoustics Briefing Note, Heat Pumps – Professional Advice Note - November 2022.

Reason : To ensure future occupiers enjoy a good acoustic environment, in accordance with policy ENV10 which requires appropriate noise mitigation and sound proofing to noise sensitive development.

Contaminated Land

The applicants have submitted a Stansted Environmental Services Desk Study and Preliminary Risk Assessment dated 3 February 21.

Table 8 of the assessment is the Outline Initial Conceptual Site Model. It correctly identifies agricultural activities as a potential source but then says that the linkage (between source and receptor) is not potentially active without any justification for this conclusion.

The historic use of the land for agriculture may have resulted in land contamination from activities such as the use of agrichemicals, storage of fuel and waste activities.

The report advises further investigation of geotechnical hazards but does not recommend any intrusive investigation for potential land contamination. I

would advise that either additional justification of the linkage not being active for potential contamination from agricultural uses is required along with a watching brief during development, or alternatively, a phase 2 investigation for such contaminants is required.

It is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site. The following condition is, therefore, recommended.

Contaminated Land

1. Land Contamination

The following works shall be conducted by competent persons and in accordance with the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers' and The Environment Agency Land Contamination Risk Management (LCRM) and other current guidance deemed authoritative for the purposes. The development hereby permitted shall not commence until the measures set out in the approved report have been implemented.

A. Site Characterisation

Notwithstanding the details submitted with this application, no development shall commence other than that required to carry out additional necessary investigation which may include demolition, site clearance, removal of underground tanks and old structures until an investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The risk assessment shall assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

- (i) a survey of extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - Human health,
 - Properly (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - Adjoining land,
 - Groundwaters and surface waters,
 - Ecological systems
 - Archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

B. Site Remediation Scheme

The development hereby permitted shall not commence until 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 has been submitted to and approved in writing by 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.

C. Remediation Implementation and Verification

The development hereby permitted shall not commence other than that required to carry out the agreed remediation until the measures set out in the approved Remediation scheme have been implemented, 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 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.

D. 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, and where remediation is necessary a remediation scheme must be prepared submitted for 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.

E. Long Term Monitoring and Maintenance

If found to be necessary from the Phase 2 investigation and remediation scheme, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time to be agreed with the Local Planning Authority, 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.

Reason

To ensure that the proposed development does not cause harm to human health, the water environment and other receptors in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

External Lighting

In view of the rural location of the site, it is essential to ensure that any external lighting is properly designed and installed to avoid any adverse impacts on residential neighbours from obtrusive/spill-over light, or glare. The following condition is therefore recommended to secure this:

1. Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.

The lighting scheme shall conform to The Institution of Lighting Engineers Guidance for the Reduction of Obtrusive Light – Table 1 criteria and any other suitable lighting standards.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

Air Quality

The Air Quality assessment report submitted by Aether Stansted Environmental Services Ltd, version 1.1. 02/06/23 concludes;

“The ADMS-Roads dispersion model has been used to determine the impact of emissions from road traffic on sensitive receptors. Predicted concentrations have been compared with the air quality objectives. The results of the assessment indicate that annual mean NO₂ and particulate matter (PM₁₀) concentrations are substantially below the objective in the ‘without’ development scenario both at the development site and at nearby residential receptors. Based on the evidence it is estimated that there will be no exceedances of either short term objective for NO₂ or PM₁₀. The ‘with’

development scenario predicts that the development will cause NO₂ and PM₁₀ concentrations to increase by less than 0.1 µg/m³, at the development and nearby residential receptors. Therefore, no mitigation is required as the air quality objectives are predicted to be met and only a negligible increase in pollutant concentrations is predicted.

The impact of the development on the adjacent woodland is considered to fall below the level of significance (1 %), with NO_x concentrations increases of 0.1 % of the critical level. The development is therefore not considered to have a significant impact on ecological receptors.

The developer is encouraged to refer to the IAQM's 'Guidance on the assessment of dust from demolition and construction' in order to minimise the impact of the construction phase on local air quality."

The report proposes dust mitigation measures in section 3.5 (which could be incorporated into a Construction Environmental Management Plan) and operational mitigations in Section 3.4 which should form part of this permission, if granted, including the provision of a travel plan and electric vehicle charging points.

The following conditions are recommended.

1. Electric vehicle charging points (EVCP) shall be provided for 20% of the car parking spaces and passive provision shall be made available for the remaining 80% of the spaces in the development, so that the spaces are capable of being readily converted to electric vehicle charging points. The location of the EVCP spaces and charging points, and a specification for passive provision shall be submitted to and approved in writing by the local planning authority before any of the residential units are first brought into use. The EVCP shall thereafter be constructed and marked out and the charging points installed prior to any of the residential units being brought into use and thereafter retained permanently to serve the vehicles of occupiers.

Reason: To protect local air quality and residential amenity of existing neighbouring and future occupiers of the development.

2. Development shall not commence until a Travel Plan has been submitted to the Local Planning Authority and approved in writing. The approved Travel plan shall be fully implemented and maintained thereafter.

Reason: To protect local air quality and residential amenity of existing neighbouring and future occupiers of the development.

Construction Environmental Management

The applicants have submitted a Stansted Environmental Services/Weston Homes Construction Environmental Management Plan (CEMP) dated 26 June 23.

Section 3.2 proposes the following site working hours:

“Official site working hours would be:

- *Monday – Friday: 7:30am - 6:00pm*
- *Saturday 8:00 – 1:00pm*
- *Sunday/Bank Holidays: No Work*

In order to maintain these working hours, contractor(s) will require a period of 30 minutes before and at the end of the working shift to start up and close down the works activities.”

However the Uttlesford DC Noise Assessment Technical Guidance states the following,

“19.2 All noisy works (i.e. those that are audible beyond the site boundary) should be restricted to the following hours to minimise disruption:

- Monday - Friday: 7.30am - 6pm**
- Saturday: 8.30am - 1pm**
- Sunday / Bank holidays: No work generating observed noise impact**

These restrictions apply to deliveries/collections to the site.”

The CEMP should be amended to reflect the Uttlesford DC position regarding noisy construction and demolition works and deliveries.

With reference to the control of dust, the proposal to spray water when cutting, grinding and sawing is welcomed. However, there appears to be no commitment to suppress dust from other sources such as stockpiles of fine aggregate, tracking vehicles etc.

Section 3.5 of the Aether Air Quality Assessment for the proposed development refers to the IAQM document “Guidance on the assessment of dust from demolition and construction and refers to a number of proposed mitigation measures. Many of these do not appear to have been incorporated into the submitted CEMP.

Uttlesford has produced an Environmental Code of Development Practice see [environmental code of development practice:Layout 1.qxd \(uttlesford.gov.uk\)](#) and as a minimum the CEMP should ensure that the proposed measures are compatible with the Environmental Code.

I would therefore advise that the following condition is attached to enable an updated CEMP to be submitted for approval.

1. Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

a) The construction programme and phasing

- b) Hours of operation, delivery and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements
- e) Details of hoarding
- f) Management of traffic to reduce congestion
- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
- k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

The CEMP shall be consistent with the best practicable means as set out in the Uttlesford Environmental Code of Development Practice.

All works shall be carried out in accordance with the approved CEMP thereafter.

REASON: In the interests of the amenity of surrounding locality residential/business premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).