



UTTLESFORD DISTRICT COUNCIL

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Chief Executive: Peter Holt

Environmental Health Consultee Comments

Application Number: S62A/22/007 - Residential development comprising 130 dwellings

UDC ref - UTT/22/2174/PINS

Land south of Henham Road,
Elsenham,
Essex

Lead Consultee

Name: A. luck

Title: Senior EHO

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Date: 21st September 2022

This service has reviewed the documents submitted in support of this application and make the following comments.

Noise

The application has been supported by a Noise Assessment report compiled by Ardent Consultant Engineers ref 2008170-06 dated July 2022.

The report claims that telephone contact was made on 24/03/2022 with Environmental Health at Uttlesford District Council and at time of writing Ardent are awaiting the call to be returned. I have checked and cannot find any record of this request.

Notwithstanding this the report has been reviewed and the following comments are made.

Noise Mitigation Measures

1.Internal Noise levels

The report concludes and provides some constructional detail to demonstrate that suitable internal sound levels can be achieved but does not include any computer modelling nor detailed calculation. Furthermore, dwellings exposed to noise from Hall Road and Henham Road will require closed, but not sealed, windows and an alternative means of ventilation to be provided.

The following condition is therefore recommended.

No above residential development shall take place until a robust and detailed scheme, including internal layout and ventilation measures, for protecting the proposed dwellings from noise from road traffic and other sources has been submitted to and approved in writing by the local planning authority. The scheme shall ensure that reasonable internal and external noise environments are achieved in accordance with the provisions of BS8233:2014 and BS4142:2014

The internal ambient noise levels shall not exceed the guideline values in BS8233:2014 Table 4.

07:00 to 23:00

Resting - Living room 35 dB LAeq,16hour

Dining - Dining room/area 40 dB LAeq,16hour

Sleeping/Daytime Resting - Bedroom 35 dB LAeq,16hour

23:00 to 07:00

Sleeping/Night-time Bedroom 35 dB LAeq,8hour

Where necessary a scheme for prior approval for alternative means of ventilation and air cooling and heating is required in writing to demonstrate that:

Noise from the system will not present an adverse impact on occupants

The alternative means of ventilation will enable optimum living conditions for heating and cooling in all weather and with reference to climate change predictions and as a minimum must comply with Building Regulation approved document F.

The alternative means of ventilation shall be maintained thereafter.

The dwellings shall not be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

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

2.External Noise levels

The report concludes that external sound levels are expected to exceed the upper guideline value of BS8233 at a small number of properties close to both Henham Road and Hall Road. This is based on the proposal to provide 2m close boarded fencing at locations specified in figure 13. However, the exact number of properties affected and has not been identified nor the degree of exceedance. In the absence of more detailed information there is concern that there is the potential to be adversely affected by unacceptable levels of noise pollution and the external amenity spaces.

However, the noise impact on external amenity spaces will have to be balanced against any other requirements from a broader planning perspective.

The aim should be that external areas should be designed and located to ensure that they are protected on all boundaries as to not exceed 50 dBLAeq,16hr. If a threshold level relaxation to 55 dBLAeq,16hr is required for external areas full justification and explanation should be provided. This should include the investigation and assessment of taller or higher density barriers and/or reconfiguration of the site layout. The report only offered justification is that there is there is a communal amenity space to the southeast corner of the site which will have external noise levels which meet the guidance levels.

3.Construction phase

The report acknowledges that given the proximity of the proposed construction to neighbouring noise sensitive properties such as residential areas, it is possible that the site clearance, preparation, and construction noise may impact nearby receptors. The following condition is therefore recommended which will also take into other potential environmental factor such as dust control.

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, but not

be limited to, the following and include the dust mitigation measures detailed and listed in Table B.7 of the submitted Air Quality Assessment REPORT REF - 2008170-08A dated July 2022report

- 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.

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

REASON: In the interests of highway safety and the control of environmental impacts

Contaminated Land

The application has been supported by phase 1 desktop study undertaken by Richard Jackson Engineering Consultants ref 61207 dated March 2021.

The report concludes that there are several potential receptors and sources of contamination. It is recommended that intrusive ground investigations are undertaken at the proposed site to confirm the prevailing ground conditions, establish the presence and extent of made ground and Alluvium and assess the contamination status.

The following conditions are therefore recommended to ensure adequate assessment, remediation and validation of the site, and to cover any unexpected contamination found during the course of the development:

1. No development other than that required to be carried out as part of an approved scheme of remediation shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be based on findings of the Richard Jackson Engineering Consultants ref 61207 dated March 2021 and shall assess any contamination on the site, including ground gas, whether or not it originates on the site, and must be conducted in accordance with

DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11".

2. If found to be necessary from the findings of the risk assessment, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to receptors shall be 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, and a 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. The remediation scheme shall be implemented in accordance with the approved timetable of works prior to the commencement of development (other than that required to carry out the remediation) unless otherwise agreed by the local planning authority. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report to demonstrate the effectiveness of the remediation carried out must be to and approved in writing by the Local Planning Authority.
4. If, during development, contamination not previously identified is found to be present at the site, it must be reported immediately to the Local Planning Authority and work halted on the part of the site affected by the unexpected contamination. No further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has carried out a full assessment of the extent of the contamination. Where remediation is necessary, a remediation scheme shall be provided detailing how this unsuspected contamination shall be dealt with. The details shall be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme, a validation report must be submitted to and approved in writing by the Local Planning Authority.

Air Quality

The submitted Air Quality Assessment REPORT REF - 2008170-08A dated July 2022 has concluded that the impact on air quality is not significant and no specific mitigation measures against increased emissions post completion have been proposed. Nevertheless, the proposal will be contributing to an upward trend in emissions as a result of cumulative development. Conditions are therefore requested to be addressed at the detailed stage and prior to first occupation, to minimise the impact of the operational phase by encouraging the use of low emission vehicles and non-car travel, by provision of the following:

- *an electric vehicle charge point at any garage or allocated parking space associated with a dwelling*
- *Secure, convenient, covered storage for motorised and non motorised cycles at each dwelling to be provided prior to occupation*
- *Safe and direct pedestrian and cycle access to Elsenham Station*

- *Residential and school travel plans aimed at promotion of sustainable modes of transport*

The dust mitigation measures discussed in the report and listed in Table B.7 shall be implemented to ensure that the impact is normally 'not significant', and included in a detailed Construction Environmental Management Plan (CEMP). *The CEMP shall be submitted to and approved in writing by the Local Planning Authority.*

The ecology specialist report in Appendix E concludes 'There is a potential for significant impacts to occur at a small proportion of the 'Elsenham woods' SSSI. As such, there is a potential for additional mitigation measures, unless it can be confirmed by an ecologist that the overall effect on the SSSI will be 'not significant'.' *The ecologist will have to consider this impact and possible mitigation.*