

## **Environmental Health Consultee Comments for Planning**

**Application Number:** S62A/2022/0012 - Land East of Station Road, Elsenham

### **Lead Consultee**

Name: Ross Jarvis

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Date: 11<sup>th</sup> November 2022

**Proposal:** Consultation on S62A/2022/0012 - Outline Planning Application with all matters Reserved except for the Primary means of access for the development of up to 200 residential dwellings along with landscaping, public open space and associated infrastructure works.

### **Comments**

Thank you for consulting me on this application. Further to my investigations I have the following comments to make:

#### **Contaminated Land**

The land has previously be used as agricultural land. Whilst this is considered to be low risk, there is the potential for contaminated land to be present. The developer is responsible for ensuring that development is safe and suitable for use for the intended purpose or can be made so by remedial action.

A contaminated land assessment should be submitted to give an indication as to the likely risks and to determine whether the site is suitable for the proposed use or can be made so by remedial action.

See recommended conditions below, these are required to ensure that future occupants are not put at undue risk from contamination.

#### **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 DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' 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 in this case includes 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.

#### **Environmental Noise**

The site is located near to the busy M11 and Stanstead Airport, there is also a railway line and industrial site near to the proposed development. The acoustic assessment completed by WSP shows that reasonable internal and external levels can be achieved with the use of a specific scheme of glazing and trickle vents. It should be noted that this scheme includes a relaxation of the recommended levels from BS8223:2014 by 5dB at night in warm conditions when occupants are likely to need to have their windows open. Whilst this could be considered acceptable, it is recommended that an alternative means of ventilation, air cooling and heating is installed to remove the need to open windows for thermal comfort and thereby provide a better internal noise environment for future occupants.

Most of the external amenity space is below the upper acceptable limit of 55dB, with a few isolated exceptions that marginally exceed this. Although this might be considered acceptable, there are measures that could be taken to improve the noise environment for future users that should be explored. The developer should explore and submit design options for how external levels could be reduced further to the more desirable 50dB criteria to improve the external noise environment for future occupants.

#### **Construction/Demolition – Construction Environmental Management Plan (CEMP)**

In view of the scale of the development as proposed, it is recommended that the following Construction Environmental Management Plan is attached to any consent granted to ensure that construction impacts on adjacent residential occupiers are suitably controlled and mitigated:

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.

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

### **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 or spillover light, or glare. The following condition is therefore recommended to secure this:

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.

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**

An air quality assessment by WSP, Project: 70084697, September 2022 has been submitted. Following IAQM methodology it shows that during the construction phase there is medium chance of offsite impacts and a low impact on human health (due to the existing low background particulate levels). The developers must submit details

of how the impact from dust and particulates can be minimised as part of a CEMP. This should follow IAQM guidance.

The operational Phase has been assessed as having a negligible impact on air quality, therefore no mitigation has been recommended to protect human health.

Due to the proximity of Elsenham Woods a SSSI the impact on ecology has also been assessed. The critical load for ambient ammonia and No<sub>2</sub> were found to be exceeded by this development in combination with other committed development. The ecological impacts of the development and requirement for mitigation is provided in the Ecological Assessment. This assessment concludes that with the implementation of mitigation underpinned by a financial contribution, the residual effect would be not significant. It is recommended that this is secured by condition.

**Suggested Informative**

Energy saving and renewable technologies should be considered for this development in addition to the electric vehicle charge points, such as solar panels, ground source heat pumps etc in the interests of carbon saving and energy efficiency.