

RE: 25/00279/FP

**Land At Corner Of Protea Way And, Pixmore
Avenue, Letchworth - Env Health Response**

Ref: 556

EHO Comments Note

31 March 2025

This note has been prepared in response to the consultation response from Environmental Health dated 11th of March 2025. A number of points were raised in relation to contaminated land, noise, air quality and lighting.

This note responds to these matters below.

Contaminated land

The previous ground appraisal (which accompanied the application from 2020) was submitted. It is noted that the environmental health officer has confirmed that the remediation measures are not suitable as they related to the previous scheme and requested an updated report.

Notwithstanding the above, Condition 13 on the previous permission required the submission of further information and stated:

(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

(ii) The results from the application of an appropriate risk assessment methodology

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(e) Any contamination, other than that reported by virtue of condition (a) and (b), encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site”.

With your agreement, we would suggest to deal with it via a similar condition. The previous permission was for residential use. This was clearly more sensitive than industrial, hence, we believe that this approach is sensible.

Noise

Comments regarding delivery noise is acknowledged. We would be happy to accept a condition which restricts deliveries to between the hours of 07:00 to 23:00 hours daily.

The noisy construction hours restriction / condition suggested (no noisy works to be undertaken outside the hours of 0800 hours to 1800 hours Monday – Friday, and 0800 to 1300 hours on Saturdays, No noisy works are allowed to be undertaken on Sundays or Public Holidays) is also acceptable.

Local air quality

We believe that these comments relate to EV charging spaces, which are already provided. Can you please confirm that this is correct?

Other matters

The Environment Health Officer has confirmed that the Dust Management Plan and a Debris Management Plan (SHEQ -037 and SHEQ-036) referred to in Section 7.3 of the CEMP has not been provided. These are now included as draft documents. These will be completed prior to commencement of development. We are happy for the CMP or individual elements to be conditioned if necessary.

Conclusions

Overall, we believe that all the issues that have been raised have been addressed following information within this note or for this submission of additional supporting information.

Baldip Basi, Associate

*For and on behalf of Smith Jenkins Planning & Heritage
31 March 2025*