

NORTH HERTS COUNCIL

MEMORANDUM

To: PLANNING CONTROL AND CONSERVATION Andrew Hunter	From: ENVIRONMENTAL HEALTH Alan Stone Ext 4108
	Date: 27 th January 2025
Our Ref: 6141/25	Your : 24/02876/FP Ref:
Subject: Full Planning Permission : Change of use of agricultural building into three business/storage units (Commercial Business Services Use Class E(g)(iii) light industrial and Storage or Distribution B8) including external alterations and re-cladding, layout of car parking, cycle store, landscaping and all ancillary works following demolition of open storage yard. Titmore Green Farm, Stevenage Road, Titmore Green, Little Wymondley, Hitchin, Hertfordshire, SG4 7JT	

Comments.

Thank you for consulting Environmental Protection on this application.

This application seeks a change of use from an agricultural building to 3 business units. There are extant permissions for similar change of use (22/00222 and 22/00986) for both this unit and the adjacent one (which forms application number 24/02877/FP change of use to residential). With this in mind I raise no objections to the proposals but recommend that conditions are used to further minimise any impacts as outlined in the application documents.

Noise (and other nuisances)

Firstly, it is recommended that a condition is placed on any decision notice (should you be minded to grant approval) requiring the use to be within the class E(g)(iii) only.

In addition, the hours of use should be secured via a suitably worded condition. Please see the drafted condition below for your consideration.

The premises shall not be used except between 0800 hours and 1800 hours Monday – Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

A condition is also recommended to submit details of any external lighting to be installed as part of this proposal.

Land Contamination.

Additionally, the application is supported by a land contamination assessment which concludes that a phase 2 assessment is required. I agree with this conclusion and,

therefore, recommend the following conditions are placed on any decision notice should you be minded to grant approval.

No development approved by this permission shall take place until a Phase 2 investigation report, as recommended by the submitted Lustre consulting Ltd report dated December 2024 (Ref: R235-PH1-01.0_4948), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 report a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

Prior to any permitted dwelling being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with BS10175:2011. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

Local Air Quality:

North Herts Council have specific air quality planning guidance that can be found at <http://www.north-herts.gov.uk/home/environmental-health/pollution/air-quality/air-quality-and-planning>

Application of the guidance to a development of this scale and location defines the site as being a MINOR scale development and so the following condition is recommended to ensure that appropriate local air quality mitigation is provided.

EV Recharging Infrastructure Condition

Prior to occupation, the proposed new units shall incorporate and Electric Vehicle (EV) ready domestic charging points in 10% of parking spaces provided.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

Informative

1) EV Charging Point Specification:

A charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments)

- A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
- If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and, may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.
- A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>
- UK Government issued legislation in 2021 to require domestic EV charge points to be smart, thus we recommend that all charge points will be capable of smart charging, as detailed in UK Gov regulations.

2) The above condition is considered relevant and reasonable for the following reasons:

- Paragraphs 170 (e), 181 of the NPPF, which refer to the effects (including cumulative effects) of pollution (including air pollution) on health, the natural environment (including air quality).
- Paragraphs 102 (d), 105 (e) and 110 (e) of the NPPF, which refer to the need to promote sustainable transport including the provision for charging plug-in and other ultra low emission vehicles.
- HCC Local Transport Plan (LTP4) 2018-2031 which includes an objective to 'preserve the character and quality of the Hertfordshire environment' and 'make journeys and their impact safer and healthier', as well as its Emissions Reduction Policy 19.

- It is consistent with the approach specified in the NHDC Air Quality Planning Guidance Document, which is referenced within the current consultation version of the Local Plan.

If you have any queries, then please do not hesitate to contact me.

Regards

Alan Stone