

NORTH HERTS COUNCIL

MEMORANDUM

To: PLANNING CONTROL AND CONSERVATION Naomi Reynard	From: ENVIRONMENTAL HEALTH Alan Stone Ext 4108
	Date: 14 th January 2025
Our Ref: 6126/25	Your : 24/02889/FP Ref:
Subject: Full Planning Permission : Residential development of 281 dwellings and associated roads, parking, realignment of Back Lane, drainage, landscaping, open space, servicing facilities and associated works Land At Roundwood, Back Lane, Graveley, Hertfordshire	

Comments:

Thank you for consulting Environmental Protection on this application.

This application is a slightly reduced scheme application than the previously submitted (and undetermined) 23/02492/FP.

This application is supported by the same assessments as that which were submitted with the previous application. I have reviewed the documents submitted in support of this planning application and can confirm that I raise no objection to the proposal in terms of noise, other nuisances or local air quality or land contamination. However, I make the following comments and recommend conditions and informatives, should you be minded to grant approval.

Contaminated Land:

The application is supported by a phase 1 and 2 land contamination assessment which concludes that whilst there are no significant sources of contamination, it does highlight elevated levels of the Pendmethalin (herbicide). The report goes on to recommend that, as a precautionary measure, some additional screening of Pendmethalin to confirm the low concentrations reported to date. I agree with this recommendation and, therefore recommend the following conditions in pursuit of this.

No development approved by this permission shall take place until a further (limited) Phase 2 investigation report, as recommended by the previously submitted Southern Testing Laboratories Ltd report dated 11 January 2022 (Ref: JN1631), 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 not identified in the ground investigations to date 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 'Model Procedures for the Management of Land Contamination, CLR 11'. 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.

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

Noise:

The application is also supported by a noise assessment which concludes that noise mitigation measures are required for some plots based on the proposed lay outs presented. This is only for limited plots on the site.

A condition is therefore required the development to be constructed in accordance with the submitted plans including the noise mitigation scheme as set out in the submitted MEC Ltd noise assessment report dated October 2023 (Report Ref: 25521-ENV-0402).

If the lay out changes for any reason then this may have to be revisited.

Local Air Quality:

An approach to considering the impact of a development on air pollution and the potential mitigation of such is in place in the form of the 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 (residential development of 292 dwellings) and location defines the site as being a MEDIUM 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 dwelling shall incorporate an Electric Vehicle (EV) ready domestic charging point.

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.

In addition to this, Medium Scale development is required to have a travel plan in support of the proposals. A Framework Travel Plan was submitted with this application which states that following the determination of this planning application, it is expected that the Travel Plan will be further developed to provide a full Travel Plan. I agree with this and recommend a condition securing the development of a full travel plan should you be minded to grant approval.

In addition to the above, given the scale of the development, it is recommended that a Construction Management Plan plus hours of noisy work are secured via suitably worded conditions which would deal with matters relating to a development of this size including air quality and dust and construction noise. I have copied example conditions below for your consideration.

During the construction phase no noisy activities shall take place outside the following hours:
Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

Reason: To protect the residential amenity of existing residents

Full details of a construction phasing and environmental management programme for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works or development (including any pre-construction or enabling works). The construction project shall thereafter be carried out in complete accordance with the approved phasing programme unless otherwise agreed in writing by the Local Planning Authority. The phasing programme shall include the following elements:

- i) hours of construction operations including times of deliveries and removal of waste;
- ii) measures to minimise dust, noise, machinery and traffic noise impacts during construction;
- iii) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- iv) the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- v) screening and hoarding details, to protect neighbouring residents;
- vi) end of day tidying procedures to ensure protection of the site outside the hours of construction. The construction activities shall be designed and undertaken in accordance

with the code of best practice set out in British Standard 5228 1997 and with the agreed details unless otherwise agreed in writing by the Local Planning Authority;

vii) wheel washing facilities for construction vehicles leaving the site;

viii) storage and removal of building waste for disposal or recycling;

Reason: To ensure the correct phasing of development in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity.

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

Regards

Alan Stone