

To: Development Control
From: David Carr
Tel:
Date: 16/06/2024
Planning Ref: 3/24/0966/OUT
Subject: Land N of Baldock Road, Buntingford

Notice is hereby given that the Environmental Health Department:

- a) ☐ does not wish to restrict the grant of permission
- b) ☐ recommends that permission be refused for reasons set out below.
- c) ☒ advises that any permission which the Planning Authority may give shall include the conditions below.

Thank you for consulting this Service regarding the above application.

Having reviewed the documents submitted in support of the above outline application from a **contaminated land** and **air quality** perspective and having considered Environmental Health records I have the following advice and recommendations.

Contaminated Land:

The application is for a substantial residential development with associated facilities and was supported by a Phase 1 Desk Study Report (Jubb Consulting Group Limited) dated May 2024. Having reviewed that report and information held by EHDC Environmental Health I am able to recommend that the following condition is included if planning permission is granted.

Condition:

The development hereby permitted shall not begin until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority. The scheme shall include all the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:

1. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment.
2. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.
3. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local planning authority.
4. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted to and approved by the Local Planning Authority prior to [first occupation of the

development/the development being brought into use]. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason

To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework, and to protect human health and the environment in accordance with policy EQ1 of the adopted East Herts District Plan 2018.

Air Quality

The outline application has been supported by a Jubb Consulting Group Transport Assessment and numerous air quality related reports prepared by Kalaco Group:

- Air Quality Baseline (APS P1027A D1-5) May 2024
- Dispersion Modelling Study (APS P1027A E1-4) May 2024
- Air Quality Assessment (APS P1027A A1-6) May 2024
- Air Quality Neutral Assessment (APS P1027A K1-1) March 2024
- Construction Dust Risk Assessment (APS P1027A F1-3) May 2024

Having reviewed those documents that following conditions are recommended if permission is granted.

No NOx or Low NOx Boilers Condition

The domestic heating systems shall not result in NOx emissions, unless gas-fired boilers are to be utilised in which situation they must meet a minimum standard of <40 mgNOx/kWh

Reason

In order to ensure an adequate level of air quality for residents of the new dwellings in accordance with policy EQ4 Air Quality of the adopted East Herts District Plan 2018 and in line with the East Herts Sustainability SPD and IAQM Guidance 2017

Electric Vehicle Charging Points Condition

Prior to occupation, one electric vehicle charging point per unit per dwelling (dwelling with dedicated parking) shall be provided.

Prior to occupation, 10% of parking spaces shall be provided with electric vehicle charging points in car parks associated with community and employment land uses.

Reason

In order to promote sustainable transport in the District in accordance with Policy TRA1 Sustainable Transport, to minimise air quality impact at the design stage in accordance with Policy EQ4 Air Quality, and to incorporate high quality innovative design, new technologies and construction techniques, including zero or low carbon energy in accordance with Policy DES4 Design of Development of the adopted East Herts District Plan 2018.

Air Quality Neutral Assessment Condition

The development hereby permitted shall not be commenced until an Air Quality Neutral Assessment, as required by Section 6.1 of the East Hertfordshire District Council Sustainability SPD, has been submitted to and approved in writing by the local planning authority. No occupation of the units hereby consented shall take place until the mitigation identified by such an

Assessment has been implemented in accordance with the approved details; unless otherwise agreed in writing by the LPA.

Reason

In order to ensure an adequate level of air quality for residents of the new dwellings in accordance with policy EQ4 Air Quality of the adopted East Herts District Plan 2018 and in line with the East Herts Sustainability SPD.

It is anticipated that a construction dust condition will be recommended by my colleague in Environmental Health.

It is also assumed that Hertfordshire County Council will be recommending a Construction Environmental Management Plan Condition to address other aspects of the construction phase of the development. However, if such a condition is not forthcoming it is recommended that the following CEMP Condition is included if permission is granted.

Construction Environmental Management Plan (CEMP) Condition

The development hereby permitted shall not begin until a Construction Environmental Management Plan, that details how emissions with the potential to adversely impact the local air quality are to be mitigated throughout the duration of the construction, has been submitted to and agreed by the Local Planning Authority. As a minimum the Construction Environmental Management Plan shall include the recommendations contained within Sections F.8 of the Kalaco Group Construction Dust Risk Assessment (APS P1027A F1-3).

Reason

In order to ensure an adequate level of air quality for the local residents in accordance with policy EQ4 Air Quality of the adopted East Herts District Plan 2018 and in line with the East Herts Sustainability SPD and IAQM Guidance 2017

Additionally, it is fully expected that Hertfordshire County Council will be recommending a Green Travel Plan Condition, so it is not considered necessary for EHDC EH to recommend such a condition at this stage.

If no such condition is recommended, please contact EHDC Environmental Health again so that a condition can be recommended. This is important because, within the submitted framework travel plan, there are sufficient additional mitigations proposed to off-set the negligible impact on local air quality predicted by the applicant.

Please let me know if you have any questions about the above advice and recommendations.

Kind regards,

David Carr
Contaminated Land Officer
Environmental Health