BOROUGH OF BROXBOURNE
2019: Year of Young People

ENVIRONMENTAL HEALTH
MEMORANDUM

To: **Planning**

From: **Craig Gent**

Date: **25th April 2019**

Your ref: **07/19/0200/F**

Address: **Fairmead, 90 Cuffley Hill, Goffs Oak, Hertfordshire, EN7 5EX**

Erection of 58 dwellings (17no. 2 bed , 14no. 3 bed, 22no. 4 bed, 1no. 5 bed) with associated infrastructure

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Thank you for your email regarding the above application.

I have the following comments to make.

1. Land Contamination
2. Asbestos
3. Air Quality
4. Construction Phase
   i) Dust
   ii) Noise
   iii) Light

1. Land Contamination

Nurseries/Greenhouses in addition to unspecified tank are shown as being located to the Eastern side of the development site, within the council's 1967-1974 historic mapping layer.

Potential issues within such Nurseries/Greenhouses include:

- Use of lead, chromium and zinc based paints on former treated/painted timber structures
- Potential presence of dioxins, PAH and hydrocarbons deriving from fuel use, burning on site and ash disposal
- Use of fertilizers including sewage sludge
- Use of asbestos as lagging for heating pipes
- Use of fungicides containing As & Cu

- Pesticide use
- Localised waste disposal including organic waste and sundry other wastes
- On site vehicle repair, maintenance and refuelling
- Oil-fired boilers
- Sewage sludge with high metal concentrations etc. imported for use in growing beds
- Broken glass

Therefore the following condition is recommended with respect to Land Contamination.

Condition 1: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

Phase 1- Desk Study

1) The Phase 1 assessment should consist of a desk study, site walkover, a conceptual model of the site indicating sources, pathways and receptors and a preliminary risk assessment which identifies:
   - all previous uses
   - potential contaminants associated with those uses
   - potentially unacceptable risks arising from contamination at the site.

Phase 2-Site Investigation

2) A site investigation scheme, including soil sampling based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off 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 a survey of the extent, scale and nature of contamination, an appraisal of remedial options, and a proposal of the preferred option(s). Site investigations should be carried out in conjunction with BS 10175:2011+A1:2013 Investigation of potentially contaminated sites-Code of practice.

Remediation Strategy

3) A detailed remediation strategy 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. The strategy must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The strategy 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.

Verification/Validation Report

4) Following completion of measures identified in the approved remediation strategy, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority prior to first occupancy of the site. The verification report must also identify any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components requires the express consent of the local planning authority. The scheme shall be implemented as approved.

The above must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

CLR11 can be accessed on line via,

http://www.claire.co.uk/index.php?option=com_content&view=article&id=911&Itemid=357

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

The above condition is not intended to be onerous, and it may well be that the Applicant can provide further information that satisfies part 1 rendering the other parts not necessary (i.e. past land quality reports etc).

Condition: In the event contamination is found at any time when carrying out the approved development, which was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority, prior to the first occupancy.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition: In the event that soil is imported from an outside site, a scheme shall be submitted to, and approved in writing by the Local Planning Authority, verifying that any imported topsoil, is certified as suitable for use, prior to the first site usage.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

2. Asbestos

The development of the site will inevitably result in the demolition of the existing buildings located on the Eastern side, which may incorporate Asbestos within their structural fabric. A dilapidated shelter, which appears to be made from Chrysotile Asbestos is also located on the development site.

Condition: Prior to the demolition of the existing structures, a preliminary asbestos survey should be carried out and results forwarded to the Planning Authority for further consideration.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informative: In the event Asbestos containing materials are identified, the developer will need to carry out a risk assessment before any work on Asbestos begins and should contact the Health and Safety Executive (HSE) for further guidance. http://www.hse.gov.uk/asbestos/faq.htm

3. Air Quality

The development proposes to introduce an additional 161 parking spaces. There will be traffic associated with the development which has the potential to adversely affect air quality and is therefore a material planning consideration. There is no reference to the development's potential long term impact upon Air Quality.

Paragraph 170 of the National Planning Policy Framework (NPPF) [1] states,

"*Planning policies and decisions should contribute to and enhance the natural and local environment by:*

preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, ***air****, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as* ***air*** *and water quality, taking into account relevant information such as river basin management plans; and……."*

Condition: Before any part of the development herby permitted is commenced, an air quality assessment survey shall be submitted to and approved in writing by the Local Planning Authority. The assessment should assess the impacts of the development upon Goffs Lane and the surrounding transport network and also include baseline monitoring of nitrogen dioxide for a minimum of nine months falling within the same calendar year. No part of the development hereby approved shall be commenced until after a statement of method and extent in order to mitigate/minimise the effects of air pollution upon the surrounding locality has been submitted to and approved in writing by the Local Planning Authority. Thereafter the proposed development shall not be constructed other than in accordance with the details agreed under this condition.

Reason: To safeguard the amenities of the local area and to ensure that the development sustains compliance with national Air Quality Objectives for pollutants.

In light of the air quality issues within the Borough, Environmental Health would also encourage a Section 106 agreement to support Action Plan development for this location, and would request:

- A financial contribution towards Air Quality Action Planning. (£3,000)

Informative:

It is recommended that the proposed development complies with Policy TM4 of the Borough of Broxbourne's emerging Local Plan.

Policy TM4: Electric Vehicle Charging Points:

I. The Council will expect that all parking spaces within new housing developments, including communal parking spaces, have active EV charging points, or passive charging points where it can be demonstrated that provision of active charging points is not reasonable.
II. At least 20% of all new parking spaces for new retail and commercial development must be fitted with active EV charging points, with passive provision for all the remaining spaces.
III. All cabling and charging points for commercial parking spaces must be capable of supplying a rapid charging service.

Active spaces are fully wired and connected, ready to use, points at parking spaces. Passive provision requires the necessary underlying infrastructure (e.g. capacity in the connection to the local electricity distribution network and electricity distribution board, as well as cabling to parking spaces) to enable simple installation and activation of a charge point at a future date.

Informative:

1: Electric vehicle charging point specification:

EV ready domestic installation;
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.

- A separate dedicated circuit protected by an RCBO 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 BS7671:2018 as well as confirm to the IET code of practice on Electric Vehicle Charging Equipment Installation 2018-
  ISBN 978-1-78561-680-8
- 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. within 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 practise must be adopted and may require an 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.

Additional guidance on charge point installation is available from the Office of Low Emission Vehicles (www.gov.uk).

4. Construction Phase

i) Dust

Condition: Prior to the commencement of the approved development, the Applicant should submit a risk assessment and Dust Management Plan carried out in conjunction with the Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction, January 2014 [2].

Reason: To safeguard the amenities of the occupiers of neighbouring properties.

ii) Noise

Informative: The Applicant's attention should be drawn to the permitted times for noisy construction, demolition and alteration works that are audible at or beyond the site boundary, which should only be carried out between the hours of:

8:00 am and 6:00 pm Mondays to Fridays
8:00 am and 1:00 pm Saturdays
and at no time on Sundays and Public Holidays

Exceptions to the above times will be allowed in emergencies.

iii) Light

It is possible that artificial lighting will be used to illuminate the site, especially in winter months. The site is adjacent to several residential properties located on Robinson Avenue, Millcrest Road and Cuffley Hill.

Condition: The Applicant should submit a lighting strategy prior to the first use of the site, outlining how light at the site will be controlled/ mitigated.

Reason: To safeguard the amenities of the occupiers of neighbouring properties.

Please contact me if you would like to discuss this further.

Regards

Craig Gent
Senior Environmental Health Officer

References

1. Ministry of Housing, Communities and Local Government, National Planning Policy Framework, February 2019 https://www.gov.uk/government/publications/national-planning-policy-framework--2

2. Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction, January 2014 http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf