

ENVIRONMENTAL HEALTH MEMORANDUM

To: Planning

From: Craig Gent

Date: 26th May 2021

Your ref: 07/21/0519/F

Address: Homebase Ltd, Sturlas Way, Waltham Cross, Hertfordshire,
EN8 7BF

Refurbishment, extension and external alterations to existing non-food retail unit to enable it to trade as part foodstore and part non-food retail unit, alongside modifications to existing external garden centre, car parking layout, landscaping and other associated site works.

Thank you for your email regarding the above application.

I have the following comments to make.

Land Contamination

Submitted with this application is a document titled, "Land Contamination Phase 1 Environmental Site Assessment", Ref: B1299-Doc-01, Revision XI.

Low to Moderate risks are determined with respect to the Source-Pathway-Receptor pollutant linkage for several contaminants including localised hydrocarbons, localised metals and inorganic chemicals, ground gases, and Asbestos, within the Conceptual Site Model on page 10 of the assessment and further investigation is recommended.

The following conditions will therefore be necessary with respect to land contamination.

Condition: 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 2-Site Investigation

- 1) A site investigation scheme, including soil sampling based on the Land Contamination Phase 1 Environmental Site Assessment”, Ref: B1299-Doc-01, Revision XI, 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+A2:2017 Investigation of potentially contaminated sites-Code of practice.

Remediation Strategy

- 2) 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

- 3) 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 before first occupancy within the development. 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 the Environment Agency’s online Guidance “Land contamination: risk management”.

Land contamination: risk management can be accessed via,

<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>

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.

It is recommended that the Applicant also refers to detailed guidance on the Risk Assessment and Investigation of Gases and Vapours. A list of additional detailed guidance documents is available via,

<https://www.claire.co.uk/useful-government-legislation-and-guidance-by-country/212-assessing-risks-associated-with-gases-and-vapours-info-ra2-4>

In the light of the low to moderate risk to Groundwater from hydrocarbons, identified within the Conceptual Site Model, I also recommend that the Environment Agency are consulted with respect to this application.

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.

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.

Asbestos

The applicant proposes to refurbish the existing building, given the age of its construction, it is possible that Asbestos may have been incorporated within parts of the structure during its lifetime.

Condition: Prior to the refurbishment of the existing structure, 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.

Condition: In the event Asbestos is identified following the successful completion and submission of the preliminary Asbestos Survey, the Applicant shall provide a separate method statement detailing the procedures for removal of Asbestos. The method statement should also detail how any Asbestos Containing Materials will be stored, should they remain on site prior to their disposal.

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>

Air Quality

Condition: At least 20% of all new parking spaces within the commercial development shall be fitted with active EV charging points, with passive provision for all the remaining spaces. All cabling and charging points for commercial parking spaces must be capable of supplying a rapid charging service.

Reason: To safeguard the amenities of the local area and to ensure that the development sustains compliance with EU limits and national objectives for air pollutants.

Noise

A document titled "Plant and Delivery Noise Impact Assessment" Ref: 89442 and dated 23rd March 2021 is submitted with this application.

Measured background sound levels were obtained from a single point located on Sturlas Way on the approach to the Monarch's Way/Winston Churchill Way roundabout, which has a louder noise climate due to the frequent flow of traffic along this stretch of road.

The proposed Aldi store will also overlook properties located on Ruthen Avenue, Leven Drive and Leven Close, which are away from the louder noise climate on Sturlas Way.

The Applicant has not confirmed the details of their intended externally mounted mechanical plant or provided any indication as to where their plant will be located in conjunction to the development site and surrounding noise sensitive receptors.

Without confirmation of the make/model and location of the chosen plant, it is not possible to assess the impact of the development upon noise sensitive receptors, including those located at Ruthen Avenue, Leven Drive, Leven Close and Sawyers Court, therefore the following condition will be necessary.

Condition: Prior to the installation of any externally mounted mechanical plant, the Applicant shall submit a revised Noise Impact Assessment report which follows the guidelines set out within BS4142: 2014 + A1:2019. The report shall take into account all proposed plant within the application and shall include noise control measures which should be submitted for written approval by the Local Planning Authority (LPA). No plant shall be installed and operated at the site until the noise survey's report has been approved by the LPA. Noise mitigation measures shall be such in order to ensure that there is not a difference of 5 dB(A) above existing background noise levels.

In completing the above the Applicant shall also provide the product specification/data sheets for each piece of externally mounted mechanical plant associated with this application. The Applicant shall also provide a revised plan which clearly shows the location(s) of any externally mounted mechanical plant.

If it transpires that any of the externally mounted mechanical plant will overlook properties located on Ruthen Avenue, Leven Drive or Leven Close, then additional monitoring will be necessary within the vicinity of these locations, in order to obtain a representative background sound level.

Reason: To protect the amenities of existing residents.

Condition: Deliveries to the food store shall be restricted to the hours of 07:00-23:00 Monday to Saturday and 09:00-21:00 on Sundays.

Reason: To protect the amenities of existing residents.

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.

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

Regards

Craig Gent
Senior Environmental Health Officer