

Internal Memorandum

To:	Norfolk County Council - Development Management
From:	Environmental Quality Team – Broadland District Council
My Ref:	24/09237/EPMM55
Your Ref:	FUL/2024/0022
Date:	15 th July 2024

Planning Application: FUL/2024/0022

Proposal: Development of approximately 6km of the Norwich Western Link Road connecting the A1067 (Fakenham Road) with the new A47 North Tuddenham to Easton scheme (being developed by National Highways).

Location: Land Between the A1270 Broadland Northway Near Ringland and The A47 Near Honingham.

I write on behalf of the Environmental Quality Team in reply to your consultation regarding the above planning application. Having reviewed the application documentation, we consider that at this point insufficient information has been provided and the following documents require amendment or the submission of additional information.

3.1 Outline Construction Environmental Management Plan

4.7.1 Any previously unknown contamination which is discovered, should be discussed with Broadland Council and the Environment Agency (EA), prior to remediation, as they are both regulatory authorities with regards to contamination.

3.1B Site Waste Management Plan

7.1.2 States that the asphalt waste will be reused in roadways while the contaminated land report indicates that they are unsuitable. This needs to be clarified and confirmed.

8.6.1 The Materials Management Plan (MMP) must be agreed with Local Authority (LA) as well as with the EA.

3.1C Materials Management Plan

The MMP must be agreed with LA as well as with the EA.

6 Air Quality

Table 6.14 - PM2.5 predicted to be 10.8ug/m³ in the DS scenario while it is 11ug/m³ in the DM scenario. This has not been compared to the 2040 level of 10ug/m³.

Additional explanation is required of how in the DS scenario the PM2.5 level is lower than the DM scenario when the DS has included an additional source of pollution.

Why has there been no assessment of the impacts for human receptors in 2044 as there is for the ecological receptors?

Table 6.19 (Construction Phase) - States that dust will be monitored by the contractor.

This should be supported by cloud based MCerts accredited Air Quality Monitors with preset alert limits (to be agreed with the LA), which are set to notify the contractor manager and appointed representative of the LA and any other interested party. The positions of the monitors should be agreed with the LA before placement.

Operational Phase - It is stated that there will not be any exceedances of the air quality limits. This should be supported by placement of cloud based MCerts accredited Air Quality Monitors with preset alert limits (to be agreed with the LA), which are set to notify the appointed representative of the LA and any other interested party. The positions of the monitors should be agreed with the LA before placement and should be in place for a minimum of 1year from the development becoming operational.

6.6 Operational Phase Human Receptor results - Table 1.3, 5 receptors are noted to be at or above 10ug/m³, which is the legal limit as set down in the Fine Particulate Regulations for 2040. It is noted that the results for 42 receptors for NO2, 34 receptors for PM10 and 28 receptors for PM2.5 the levels decreases when the proposed road is included. This need to be explained and justified.

6.8 Assessment of Cumulative Impact

S6 states that they have included the cumulative Impact Assessment for Air Quality regarding the dualling of the A47.

Please note that we have not commented on Greenhouse Gases as this is outside of our remit and we have not commented on the Air Quality Mitigation Measures as these solely relate to the ecological receptors.

7 Noise and Vibration

7.3.26 - Core hours stated as 07:00 – 19:00 which is acceptable, but noisy works to be restricted to 08:00 – 18:00. The proposed Saturday hours are acceptable.

7.3.27 - Any works which are proposed to be outside of the agreed working hours will only be permissible with a Section 61 agreement.

7.3.28 - Any works which are proposed to be outside of the agreed working hours will only be permissible with a Section 61 agreement.

7.3.32 - A separate Noise Impact Assessment should be undertaken for all habitat creation projects once the specifics of the works is understood.

7.6.11 - Nighttime work will only be permitted via a Section 61 agreement which will be for specific for individual works.

7.6.65 - This section states that operational monitoring is not required. This is disagreed with and should be demonstrated by placement of cloud based accredited noise monitors with preset alert limits (to be agreed with the LA), which are set to notify the appointed representative of the LA and any other interested party. The positions of the monitors should be agreed with the LA before placement and should be in place for a minimum of 1 year from the development becoming operational.

Table 7.26 – Details of the proposed mitigation for the 12 properties which are identified as having a Significant Adverse Impact' should be provided.

Further information needs to be provided regarding the magnitude of impact on group 6 and 7 receptors and why no mitigation is justified?

No assessment of noise from the proposed compounds has been undertaken. Due to the length of time they will be in place we would recommend that a noise assessment should be carried out in accordance with BS4142.

Given the above observations we request that the reports are updated and further supporting evidence is provided as appropriate. Until such time as this has been provided, we would be minded to recommend that an objection be raised by Broadland District Council to this proposal.

Please note a separate formal consultation response from Broadland District Council will follow.

We look forward to receiving the necessary additional information. If it is acceptable upon review, then we would be looking to recommend the following conditions.

Recommended Conditions

Construction Management Plan

Development of each phase of work shall not begin until a detailed noise and dust management plan/scheme to protect the occupants of completed dwellings on the site and residential dwelling surrounding the site from noise, dust and smoke, has been submitted to, and approved in writing by the Local Planning Authority

The scheme shall include.

1. Communication with neighbours before and during works.
2. Contact arrangements by which residents can raise any concerns and, issues.
3. The mechanism for investigation and responding to residents' concerns and complaints.
4. Management arrangements to be put in place to minimise noise and dust, (to be assessed using BS5228, IAQM Guidance on the Assessment of dust from Demolition and Construction or other appropriate guidance) (including staff training such as toolbox talks) for each phase of construction.
5. Management arrangements to be put in place to minimise noise and dust, (to be assessed using BS4142, IAQM Guidance on the Assessment of dust from Demolition and Construction or other appropriate guidance) (including staff training such as toolbox talks) for each compound.

6. Hours during which noisy and potentially dusty activities will take place.
7. Measures to control loud radios on site.
8. Measures to be taken to ensure noisy activities take place away from residential premises where possible such as a separate compound for cutting and grinding activities.
9. Measures to control dust from excavation, wetting of soil; dust netting and loading and transportation of soil such as minimising drop heights, sheeting of vehicles.
10. Measures to control dust from soil stockpiles such as sheeting, making sure that stockpiles exist for the shortest possible time and locating stockpiles away from residential premises.
11. Measures to control dust from vehicle movements such as site speed limits, cleaning of site roads and wetting of vehicle routes in dry weather.
12. Measures to minimise dust generating activities on windy and dry days.
13. Measures to control smoke from burning activities.
14. Method statements and risk assessments relating to the identification, removal and disposal of any asbestos containing materials which are present on site.
15. Details of all monitoring to be undertaken for dust, noise and vibration with access provided to a web-based system which monitors the above parameters in real time. The limits for noise, vibration and dust shall be set in agreement with the LPA and a warning level will be set which shall be communicated in real time to the designated officer from the LPA.

The approved plan shall remain in place and be implemented throughout each phase of the development.

Construction Impacts

The applicant should take all relevant precautions to minimise the potential for disturbance to the occupiers of neighbouring properties in terms of noise and dust during the demolition and construction phases of the development. This should include not working outside regular daytime hours, the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the environmental health service.

It is good practice to undertake any potentially noisy construction and demolition activities during the following times:

08:00 – 18:00 Monday to Friday

08:00 – 13:00 on Saturdays

No work on Sundays or Bank Holidays

Section 61 Core Hours

Development of any phase of work proposed to be undertaken within the above working hours will be applied for via a Section 61. The Section 61 shall contain a detailed noise, vibration and dust management plan/scheme to protect the occupants of completed dwellings on the site and residential dwelling surrounding the site from noise, dust and smoke, has been submitted to, and approved in writing by the Local Planning Authority.

Section 61 Outside Core Hours

Development of any phase of work proposed to be undertaken outside of the above working hours will be applied for via a Section 61. The Section 61 shall contain a detailed noise, vibration and dust management plan/scheme to protect the occupants of completed dwellings on the site and residential dwelling surrounding the site from noise, dust and smoke, has been submitted to, and approved in writing by the Local Planning Authority

Source of illumination for compounds

No external lighting shall be erected unless full details of its design, location and level of illuminance (in Lux) provided have first been submitted to and agreed in writing with the local planning authority. Such lighting shall be kept to the minimum necessary for the purposes of security and site safety and shall prevent upward and outward light radiance. The lighting shall thereafter be implemented in accordance with the approved details and shall be retained as such thereafter.

Unknown contamination.

If, during development, contamination not previously identified is found to be present, then no further development shall be carried out in pursuance of this permission until a scheme has been submitted to and approved by the Council as Local Planning Authority detailing how this contamination shall be dealt with in accordance with the remediation scheme as set out above. Only when evidence is provided to confirm the contamination no longer presents an unacceptable risk, can development continue.

Imported material.

All imported topsoil and subsoil for use on the site shall either (a) be certified to confirm its source and that it is appropriate for its intended use or (b) in the absence of suitable certification, analysis of the imported material will be required along with evaluation against the derived assessment criteria for this site. No occupation of the development shall take place until a copy of the certification has been submitted to the Local Planning Authority.

Air Quality Monitoring

Prior to the development being brought into use a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority that provides for the monitoring of air pollution within the immediate vicinity of the site. The scheme shall specify the measurement location(s) from which air pollution will be monitored, the equipment (web-based system which monitors the above air quality in real time) and methods to be used to monitor air quality during the operational phase of the development. The monitoring shall be undertaken for a minimum of 12 months commencing when the development comes into operation, with the monitoring period being extended if exceedances of agreed limits are detected.

The monitoring shall be implemented as approved unless the Local Planning Authority provides written agreement to any variation.

If exceedances of the agreed limits are detected, mitigation measures shall be designed and implemented and verified by further air quality monitoring.

Advisory Notes

Disclaimer re contamination.

The responsibility for the safe development and secure occupancy of the site rests with the developer. The local planning authority has determined the application on the basis of the information available to it, but this does not mean that the land is free from contamination.

Asbestos Informative.

The developer is reminded that prior to any refurbishment commencing on site the building/s to be refurbished are required to be surveyed for the presence of asbestos containing materials in accordance with the Control of Asbestos Regulations 2012. Any asbestos containing materials which are identified shall be managed or removed in accordance with the above regulations and waste regulations. Failure to comply with these regulations could result in prosecution by the relevant authority.

The uncontrolled refurbishment of buildings could result in the contamination of soils on site and in the vicinity of the demolition. This could cause the investigation of the site under Part 2A of the Environmental Protection Act 1990, which may result in the determining of the site as Contaminated Land.

For further help and advice in respect of asbestos removal the applicant/agent is advised to contact the Health and Safety Executive (HSE) on 0845 345 0055 (www.hse.gov.uk/asbestos)

Low Farm

We would also request that a condition is attached to the development which would make the conversion of Low Farm into a residential dwelling impossible due to the impact on amenity of any proposed resident.

Regards

Environmental Quality Team