

Consultee Comments for Planning Application

23/504068/OUT

Application Summary

Application Number: 23/504068/OUT

Address: Land East Of Albion Road And North Of Copper Lane Marden Kent TN12 9EG

Proposal: Outline application with some matters reserved (access only sought) for the removal of 2 former agricultural sheds and erection of up to 117no. dwellings and associated infrastructure including partial footways on Albion Road.

Case Officer: Marion Geary

Consultee Details

Name: . Environmental Protection Team MIDKENT Environmental Health

Address: Tunbridge Wells Borough Council, Town Hall, Mount Pleasant Road Royal Tunbridge Wells, Kent TN1 1RS

Email: Not Available

On Behalf Of: MBC - Environmental Services

Comments

MIDKENT ENVIRONMENTAL HEALTH

MEMORANDUM

From: Delainey Curry

Environmental Protection Team To: Marion Geary

Planning Department

Date: 4th October 2023

Our Ref: 23/518714/GENPLA

Planning Details and Application Ref:

PLANNING REF 23/504068/OUT

UPRN 010094442944

ADDRESS

Land East Of Albion Road And North Of Copper Lane

Marden

Kent

TN12 9EG

NATURE

Outline application with some matters reserved (access only sought) for the removal of 2 former

agricultural sheds and erection of up to 117no. dwellings and associated infrastructure including partial footways on Albion Road.

REASON

MAIN POINTS CONSIDERED:

Noise, external lighting, air quality, EV charging, odours, fumes, foul drainage, private water supplies, land contamination, radon, asbestos, accumulations.

SITE VISITED:

No

COMMENTS

The Environmental Protection Team has assessed this application holistically as we would any other application.

A noise impact assessment (ref: RP01-22391-R1 dated 14th June 2023 from Cass Allen Associates Ltd) has been submitted to the application which indicates the required sound insulation performance values for ventilators and glazing so that internal noise levels will adhere to requirements in BS8233:2014. When further details are determined for the application (such as specific glazing systems, construction materials of external walls etc) a revised assessment or additional technical note should be submitted to confirm that the provided details will lead to acceptable internal noise levels.

The Institute of Lighting Professionals has published guidance notes for the reduction of light pollution (GN01-21). These guidelines should be followed to reduce potential impacts to any nearby residents.

The application site itself is not in an air quality management area, but the scale of development is likely to warrant an air quality assessment prior to development. The transport assessment (ref: MG/AI/ITB15098-101B R dated 7th August 2023 from i-Transport LLP) estimates that the highest proportion of local trips are to Maidstone (35.8%) followed by Marden and Tunbridge Wells (19.8% and 4.1% respectively) and the main route to/from Maidstone could lead to impacts on the Air Quality Management Area along Upper Stone Street (A229) and so this should be evaluated in the assessment prior to development.

The application site itself has been used agriculturally historically (in what appears to be an orchard site in historic maps) and so a contaminated land condition should apply to any

permissions granted.

Parts of the buildings being converted or demolished should be checked for the presence of asbestos and any found should only be removed by a licensed contractor.

The scale of development is large enough to warrant development of a code of construction practice to ensure best practicable means are used to mitigate any adverse environmental impacts of the development during the construction phase. The applicant is advised of guidance in the Mid-Kent Code of Development Practice which highlights several methods of reducing environmental impacts associated with development. Compliance with this document is expected for all development.

RECOMMENDATIONS:

No objections subject to comments above plus conditions and informatives below

REQUESTED CONDITIONS:

Noise (BS8233): Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units and the external noise levels in gardens and other relevant amenity areas will conform to the standard identified by the current version of BS 8233:2014 (Sound Insulation and Noise Reduction for Buildings) shall be submitted to and approved in writing by the Local Planning Authority. The assessment should have regard to ProPG: Planning & Noise (2017) and the Acoustics Ventilation and Heating Guide (2020) to ensure that there is a good balance between acoustics, ventilation, and thermal comfort for future occupants. It is expected that higher levels of noise that require windows to be closed to meet BS8233 internal level specifications will need greater ventilation than the minimum standard in the Building Regulations in trying to achieve open window equivalence which will involve user control of ventilation rates to key rooms such as living rooms and bedrooms. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

EV Charging: One (1) publicly accessible EV rapid charge point (of 22kW or faster) should be provided (where no dedicated off-street parking is provided) and/or per 1000m² of commercial floor space. Any dwellings with dedicated off-street parking should be provided with their own charge points for low-emission plug-in vehicles. Where these things are not practicable, contribution towards installation at nearby locations should be considered.

AQ Assessment: The development shall not be commenced until a report, undertaken by a competent person in accordance with current guidelines and best practice, has been submitted to the local planning authority for approval. The report shall contain and address the following:

1. An assessment of air quality on the application site and of any scheme necessary for the

mitigation of poor air quality affecting the residential amenity of occupiers of this development.

2. An assessment of the effect that the development will have on the air quality of the surrounding area and any scheme necessary for the mitigation of poor air quality arising from the development. Any scheme of mitigation set out in the subsequently approved report shall be implemented prior to the first occupation of the building and maintained thereafter.

Contaminated land: The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

b) A site investigation, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (b). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

d) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in (c). This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean.

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Code of Construction: Prior to the commencement of the development a Code of Construction Practice shall be submitted to and approval in writing by the Local Planning Authority. The construction of the development shall then be carried out in accordance with the approved Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of dust from construction sites (BRE DTi Feb 2003).unless previously agreed in writing by the Local Planning Authority.

The code shall include:

An indicative programme for carrying out the works

Measures to minimise the production of dust on the site(s)

Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s)

Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent

to the site(s)

Design and provision of site hoardings

Management of traffic visiting the site(s) including temporary parking or holding areas

Provision of off road parking for all site operatives

Measures to prevent the transfer of mud and extraneous material onto the public highway

Measures to manage the production of waste and to maximise the re-use of materials

Measures to minimise the potential for pollution of groundwater and surface water

The location and design of site office(s) and storage compounds

The location of temporary vehicle access points to the site(s) during the construction works

The arrangements for public consultation and liaison during the construction works

INFORMATIVES

Asbestos: Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed. Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.

Lighting: Attention is drawn to Guidance Notes for the Reduction of Light Pollution (GN01-21) produced by the ILP. It is recommended that the applicant adheres to these Guidance notes which detail several ways which may be used to reduce any issues of unnecessary, obtrusive light.

Construction: As the development involves demolition and / or construction, I would recommend that the applicant is supplied with the Mid Kent Environmental Code of Development Practice.

Broad compliance with this document is expected. This can be found at:

<https://tunbridgewells.gov.uk/environmental-code-of-development-practice>

Please do not hesitate to contact me for further advice or information in relation to this matter.

Delainey Curry

Scientific Officer