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Akam Nicky

From: Gosling Andrew
Sent: 10 May 2019 09:40
To: Development Control
Cc: Mounce Simon
Subject: Planning application for Land to the North of Castle Street

Application Number: 19/00333/FULL

Proposal: Application for full planning permission for the demolition and partial rebuilding of the Earl de Grey public house; erection of link extension to Castle Buildings and the Earl de Grey; external alterations to Castle Buildings; use of relocated Earl de Grey, Castle Buildings and link extension for café or restaurant (A3) and/or drinking establishment (A4) and/or office (B1a); the erection of a nine-storey hotel; new public realm and associated works, including landscaping, car parking and servicing, and associated infrastructure.

At: Land to the North of Castle Street and South East of Waterhouse Lane, including Castle Buildings and the Earl de Grey Public House, Hull, HU1 2DA

Simon

I have considered the above application and would ask for the conditions below to be included please on any approval granted.

CONS1E construction methods

No development shall commence until details of construction **and demolition** methods (including the methods of piling), and measures to minimise the emission of noise and dust from the site have been submitted to and approved in writing by the Local Planning Authority and shall be carried out in accordance with those approved details. Construction **and demolition** works that are audible at the boundary of the site shall not take place outside 07.30 to 19.30 hours on Monday to Fridays, 08.00 to 12.30 hours on Saturdays nor at any time on Sundays or Bank and National Holidays. No open burning of any waste material shall be permitted within the site, except for the burning solely for the control of dry rot, for which prior permission from the Environmental Regulation department is required. A pre-commencement condition is required in the interests of amenity and to comply with Local Plan policies 47 and 49.

NOISE

I have reviewed the Noise Assessment report dated 20th March 2019 produced by WYG. I am in agreement with the methodology used to assess the noise impact on the proposed hotel receptors; from building services plant; and noise break out from the proposed A3/A4 uses.

For the proposed hotel receptors recommendations are made for enhanced glazing and alternative ventilation which WYG assume will be mechanical ventilation. Details (once known) will be needed to demonstrate that required standards will be achieved and I would therefore ask that the sound attenuation condition below is included for this purpose.

For the proposed building services plant WYG advise that plant specifications for all units have not been confirmed so a detailed plant noise assessment cannot be undertaken. However, based on predictions of plant noise it has been concluded that levels will be below current background levels. I have included a condition below that will cover plant noise and based on the predictions in the report will be easily achieved.

For the noise breakout the assessment has been based on typical noise levels within a busy bar. The assessment concludes that there will not be an adverse impact at the closest sensitive receptor and acceptable noise levels are predicted to be achieved in the proposed hotel bedrooms. However, given that the specific noise sources from the A3/A4 uses are not known and to ensure public disturbance is prevented I would ask for the control of noise from site condition below for all A3/A4 uses on site to be

included. This could include structural (e.g. acoustic lobbies and glazing) and management measures and should include hours of opening which have not been included in the application.

NOIS 1C (Sound Attenuation Scheme)

Details of a sound attenuation scheme for the premises, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The scheme shall be carried out as approved before the use commences and shall thereafter be retained. In the interests of amenity and to comply with policies 14 and 49 of the Local Plan. A pre-commencement condition is required to ensure satisfactory attenuation measures are agreed and carried out.

Noise from External Plant, Machinery or Equipment

The combined noise rating level ($L_{A,r,T}$) of any external plant, machinery or equipment, assessed using the method of BS 4142:2014, shall be at least 5dB below measured background noise levels ($L_{A90,T}$) at noise sensitive properties in the locality (to protect premises in the locality from noise disturbance from the operation of plant, machinery or equipment).

NOIS 2B (Control of Noise from the Site)

Before the use commences a scheme specifying the provisions to be made for the control of noise emanating from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out as approved before the use commences and shall thereafter be retained. A pre-commencement condition is required to ensure satisfactory noise control measures are in place in the interests of amenity and to comply with policy 49 of the Local Plan.

CONTAMINATION

I have reviewed the Phase 1 Geo-Environmental Appraisal report dated 22nd March 2019 produced by Alan Wood & Partners. I am in agreement with the findings of the report and the recommendations for a Phase 2 site investigation/risk assessment. I would therefore ask for the condition below to be included:

CLC 1C

Part 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock,
 - o pets, woodland and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

Should further intrusive investigation work be recommended from the Phase I report, a Phase II Intrusive site investigation shall be conducted.

Part 2. Submission of Remediation Scheme

If required through the recommendation of the Phase II intrusive site investigation, a detailed remediation scheme 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 must be prepared, and is subject to the approval in writing of the Local Planning Authority.

The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme 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.

Part 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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 (in accordance with policy [H1, S1, E1, CF1] and ME4 of the Local Plan).

CLC2B Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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 (in accordance with policy [H1, S1, E1, CF1] and ME4 of the Local Plan).

CLC4C Submission Of Test Certificates For Imported Soil

Should any soil be imported on to site for gardens or landscaped areas, documentation/test certificates for the imported material shall be submitted to, and approved in writing by the Local Planning Authority before the soil is imported. The documentation/test certificates shall include:

- (i) the source of the soil;
- (ii) the ratio of samples taken per volume of soil in cubic metres;
- (iii) the analytical suite of contaminants tested for; and
- (iv) the assessment criteria against which the analytical results have been compared, to assess suitability for use.

For imported soils from a 'greenfield' source, the number of samples to be taken shall be a minimum of 3 or 1 per 250m³, whichever is the greater. These shall be tested for standard metals/metalloids; speciated PAHs; and asbestos.

For imported soils from a 'brownfield' source, the number of samples to be taken shall be a minimum of 6 or 1 per 100m³, whichever is the greater. These shall be tested for standard metals/metalloids; speciated PAHs; TPH (CWG banded); asbestos; and any other contaminants deemed necessary, based on the history of the source site.

The assessment criteria against which the test results are compared, shall be compliant with government policy (e.g. soil guideline values, or other authoritatively produced generic or site specific assessment criteria).

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 (in accordance with policy [H1, S1, E1, CF1] and ME4 of the Local Plan).

AIR QUALITY

I have reviewed the Air Quality Assessment dated 22nd March 2019 produced by WYG. I am in agreement with findings of the assessment, the conclusions drawn and the mitigation recommended.

For the control of dust during the construction phase, control measures are included in Table 5.1 of the report. I am supportive of these proposed measures and am of the opinion that (subject to implementation) these satisfy the dust control element of the CONS1E (construction methods) condition requested above.

For the operational phase I am in agreement with mitigation proposed in the form of the Travel Plan dated March 2019 produced by Local Transport Projects. I would therefore ask for the condition below to be included:

Travel Plan

The 'Travel Plan' produced by Local Transport Projects (dated March 2019) including appointment of a travel plan co-ordinator, implementation of measures, and monitoring and evaluation shall be undertaken as proposed (in the interests of air quality and to comply with policy 47 of the Local Plan).

ODOUR

I have reviewed the Odour Assessment dated 13th March 2019 produced by WYG. I agree with the methodology used in the assessment and subject to the assumptions made in the report relating to dispersion, size of kitchen and cooking type being correct I am satisfied with the proposed control measures. However, it is noted that the assessment only considers the potential odour from the kitchen of the hotel and not from the A3/A4 use at Castle Buildings and Earl de Grey. I would therefore ask for the condition below to be included to cover the whole site. If the assumptions made for the hotel kitchen do not change in the final design, the control measures for the hotel included in the WYG assessment will be appropriate.

FUME 1C (Fume Equipment)

Details of equipment to control the emission of fumes, including the location and design of any external pipe or flue and measures to mitigate noise from the extraction equipment, shall be submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be installed before the use commences and thereafter retained and operated in accordance with the manufacturer's specifications/instructions. A pre-commencement condition is required in the interests of amenity and to comply with policy 14, 47 and 49 of the Local Plan.

LIGHT POLLUTION

LP1B Light Impact Report

As details of the lighting proposed are not known I would ask for the lighting condition below to be included.

Prior to commencement of development a light impact survey shall be carried out with details to be first submitted to and approved by the Local Planning Authority, and shall include details of any mitigation measures required to protect prospective occupiers of the **hotel and other nearby receptors** from disturbance by light pollution. The report shall be prepared in accordance with the **Guidance Notes For The Reduction of Obtrusive Light, produced by the Institution of Lighting Professionals**. The development shall thereafter proceed in accordance with the approved mitigation measures (in the interests of residential amenity and to comply with policy 50 of the Local Plan). A pre-commencement condition is required to ensure adequate mitigation measures can be identified and incorporated into the scheme.

Regards

Andy

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