
MEMORANDUM

To: Planning Services
Date: 4th September 2019
Your Ref: DMPA/2019/0948
Our Ref: 52685

In the event of a query, please contact: **MATT HOLFORD ON EXT. 5856**

Proposal: Outline application (matters of access to be considered now with matters of layout, scale, appearance and landscaping reserved for later consideration) for the erection of up to 100,000sqm of commercial floorspace (use classes B2 (general industrial) and B8 (storage and distribution) with ancillary B1(a) offices)

Location: Axis 50 (Formerly known as Burnaston Cross), Land at SK2929 1430, Etwall Road, Willington, Derby

Thank you for the recent consultation on this planning application.

I have considered this application in relation to the potential environmental impacts. I have also read the ES and relevant technical reports submitted in support of the application.

In my opinion, the key potential environmental impacts of the development are;

1. The potential exposure of existing sensitive receptors to new sources of noise / air quality / odour / light associated with the development;
2. The potential exposure of new receptors associated with the development to existing sources of land contamination;
3. The impact of the proposed development on local air quality:

I am satisfied that the impacts of the proposed development will be acceptable in planning policy terms provided that the following conditions be attached;

Noise

Construction Phase

As recommended in section 12.4.1 of the Environmental Statement no site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 07:30 to 18:00 Monday to Friday or between the hours of 07:30 to 13:00 on Saturday and at no time on Sundays, Bank or Public Holidays other than with the prior written agreement of the planning authority.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy SD1.

Operational Phase – Fixed Plant

The ES has identified an acceptable cumulative noise exposure level from fixed noise sources at local receptors (Table 12.6 of the ES). However it is not viable to apply this cumulative target noise level as a condition for each individual fixed noise source which will be introduced onto the site. For the purposes of setting a planning condition for each individual fixed noise source to meet the

criteria in paragraph 206 of the National Planning Policy Framework (NPPF) I would suggest the following condition

The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed the following noise levels:

Location	Rating Level to be achieved at the receptor (LAeqT)		
	07:00 – 18:00	18:00 – 23:00	23:00 – 07:00
Danes Lodge, Willington Lane, Willington, Derby, DE65 6HE	54	51	44
Hill Farm, Etwall Road, Willington, Derby DE65 6DX	54	51	40
James Clarke Road, Willington, Derby, DE65 6RD	45	45	35

All measurements shall be made in accordance with the methodology of BS4142: 2014 Methods for rating and assessing industrial and commercial sound and/or its subsequent amendments.

Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Reason: To protect the amenities of nearby residents and comply with policies E7 / SD1 / BNE1.

Operational Phase – Mobile Noise Sources

Paragraphs 12.6.10 to 12.6.13 of the ES describe potential mitigation measures to be adopted at the detailed design stage to provide adequate mitigation to local noise sensitive receptors. This will need to be reflected in an appropriate condition. A suggested condition as follows:

Before operational use of the development commences, a noise mitigation scheme shall be submitted in writing and approved in writing by the local planning authority detailing measures that will be implemented to ensure that any noise associated with the development does not cause detriment to amenity or a nuisance, especially to those living and working in the vicinity. The scheme will be implemented in full for the lifetime of the development.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy E7 / SD1 / BNE1.

Air Quality

Operational Phase - Vehicle Emissions Control

Recharge points for electric vehicles shall be provided within the development to comply with the following criteria:

Residential	Commercial / Retail	Industrial
1 charging point shall be provided per unit (house with dedicated parking)	1 charging point for every 10 parking spaces (this may be phased with 5% provision initially and a further 5% trigger)	1 charging point for every 10 parking spaces (this may be phased with 5% provision initially and a further 5% trigger)

1 charging point per 10 spaces where the individual units have no allocated parking		
To prepare for increased demand in future years, appropriate cable provision should be included in scheme design and development in agreement with the local authority.		

Residential charging points shall be provided with an IP65 rated domestic socket 13amp socket, directly wired to the consumer unit with 32 amp cable to an appropriate RCD. This socket should be located where it can later be changed to a 32amp EVCP. Non-residential charging points shall be supplied by an independent 32 amp radial circuit and equipped with a type 2, mode 3, 7-pin socket conforming to IEC62196-2. Alternative provision to this specification must be approved in writing, by the local planning authority

The electric vehicle charging points shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.

Reason: In order to safeguard the amenities of the occupiers of the proposed development in respect of atmospheric pollution in compliance with the South Derbyshire Design SPD & policy BNE1.

Before the occupation of the development, a written scheme providing full details of controls from fleet transport emissions shall be submitted to, and approved in writing, by the local planning authority. The scheme shall include details about the mix of the vehicle engine and fuel types and fleet management measures which will be taken to minimise the emissions of respirable particulate (PM) and nitrogen dioxide (NO₂). The Low Emissions Strategy shall include specific targets and timescales. The measures in the agreed scheme shall be delivered in accordance with the agreed timescales and maintained throughout the life of the development.

Reason: In order to safeguard the amenities of the occupiers of the proposed development in respect of atmospheric pollution in compliance with the South Derbyshire Design SPD policy BNE1.

Land Quality

If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme submitted to and approved in writing by the local planning authority.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with local planning policy SD4.

Other

The lighting scheme for the new development shall be designed and operated to ensure that light intrusion into neighbouring residential windows shall not exceed 5 Ev (lux) between 07:00 and 23:00, and shall not exceed 1 Ev (lux) between 23:00 and 07:00, measured as vertical luminance as described in the ILP Guidance Notes for the Reduction of Obtrusive Light GN01:2011 or any subsequent updated version.

The lighting scheme floodlighting shall be designed and operated to have full horizontal cut-off such that the Upward Waste Light Ratio does not exceed 2.5%.

Reason: To safeguard the amenities of neighbouring dwellings. To comply with the provisions of local planning policy BNE1.

Informatives

Construction Phase Air Quality Control

The air quality impact of the construction phase of the development should meet best practice. The relevant mitigation measures adopted during the construction phase should consider the relative risk of the construction site and comply with latest version of the IAQM guidance on the "Assessment of Dust from Construction and Demolition".

Reason: In order to safeguard the amenities of the occupiers of the proposed development in respect of atmospheric pollution in compliance with the South Derbyshire Design SPD & policy BNE1.

The Construction Environmental Management Plan (CEMP) should explicitly include all of the noise mitigation measures described in section 12.6 of the Environmental Statement.

I very much welcome the energy and carbon reduction strategy described in section 4.1 of the D&A Statement. I would recommend that the sustainability credential of the development be embedded in a written Energy & Carbon Reduction Strategy to be agreed with the Planning Authority prior to the first occupation of the development.

If you have any enquiries or would like any further information please do not hesitate to contact me.

Matthew Holford
Head of Environmental Services