

Our Ref: LF/23073_19

27 January 2024

Planning Department
East Hertfordshire District Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ

Planning Portal Reference: PP- 12762971

Dear Sir/Madam

Application to discharge Condition 19 of Planning Permission
3/22/0712/VAR
Bircherley Green, Hertford, SG14 1BN

I write further to the grant of full planning permission for the mixed-use redevelopment of the former Bircherley Green Shopping Centre, and enclose an application to discharge Condition 19 (Sound Attenuation). The requisite fee has been paid via the Planning Portal.

The application seeks to address Condition 19 which states:

Before any of the A3/ A4 uses have been brought into use, a scheme of sound attenuation works shall be submitted to and approved in writing by the Local Planning Authority. Once these details are agreed they shall be installed and retained in the approved form thereafter. The scheme of works shall be capable of restricting noise breakout from the A4 use to the flat above to levels complying with the following:

o Bedrooms. Noise Rating Curve NR20 (2300 to 0700 hrs)

o Living Rooms. Noise Rating Curve NR25 (0700 to 2300 hrs)

The Noise Rating Curve shall be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 Hz to 8 kHz

There is no target noise limit within the condition such that there is no reasonable prospect of satisfying this condition, as there is no knowing what noise level any future use of the premises may generate. Accordingly, a Non Material Amendment application has been submitted (ref: 3/24/0032/NMA) to enable a condition to be included within the Permission to restrict the internal noise level achieved by any occupier of the A3/A4 units. This proposed condition will limit the internal noise levels to a maximum of 85dB LAeq, T.



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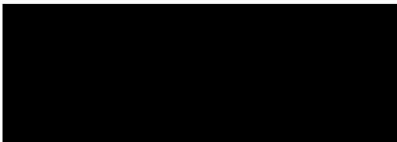
This condition submission should be read in association with this proposed restriction and the applications should be determined together.

The submitted Cass Allen report, supporting this application, proposes noise mitigation for internal noise levels of up to 85dB LAeq, T.

The additional condition will ensure that the Local Planning Authority have control over any occupier of the A3/A4 units that generates a noise level above 85dB LAeq,T and can take enforcement action as appropriate.

I trust the above and enclosed are clear, however should you require any further information please do not hesitate to contact me.

Yours sincerely,



Liz Fitzgerald
Managing Director