

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

CONSULTATION ON PLANNING APPLICATION

MEMORANDUM

From: Environmental Health **To:** Development Control
Our Ref: CONS/25/00462 **Your Ref:** APP/25/00068
EH Case Officer Ext: **Date:** 11 March 2025

DC Case Officer:	Tina Pickup
DC Case Officer Ext:	6461
Application Number:	APP/24/00978
Site Address:	Former Game Store, 95 London Road, Waterlooville, PO7 7EQ
Proposed Development:	Prior Approval for development consisting of works for the construction of 1No. 1 bed and 3No. 2 bed dwellinghouses upon the topmost storey on a terrace building where that development comprises rebuild of first floor together with any associated works.

Observations / Comments:

We have no issue with the principle of the development. However, it is important that the development is delivered in a manner compatible with the site's location and existing neighbouring land uses.

In line with the 'Agent of Change' principle, the responsibility for managing the impact of any change lies with the person or organisation introducing it. Given the lack of detailed information provided with the application, we request that any approval is subject to the following conditions to ensure that:

1. The new residential units (C3 Use) are adequately protected; and
2. Potential impacts from the ground floor commercial units (E Use) are appropriately controlled.

External Noise Intrusion into Apartments / Internal Amenity

The proposed development is located within the main shopping area of a mixed residential and commercial zone, which is currently undergoing significant redevelopment as part of a comprehensive regeneration initiative. Noise from shoppers, service deliveries and night-time economy activities - both now and in the future - needs to be considered, particularly during the summer months when apartment windows may be open for thermal comfort.

Accordingly, we recommend imposition of the following condition:

Condition 1: Prior to the commencement of the development, full details of the sound insulation, ventilation and cooling strategy shall be submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the apartments have been designed to achieve the following internal noise criteria, while meeting the statutory requirements of Approved Document O: Overheating and Approved Document F1: Ventilation of the Building Regulations 2010 (as amended):

- Living Rooms: 35 dB $L_{Aeq,16hr}$ (07:00 to 23:00)
- Bedrooms: 30 dB $L_{Aeq,8hr}$ (23:00 to 07:00)
- Bedroom: 45 dB L_{AFmax} not to be exceeded more than 10-15 times per night from sources other than emergency sirens

The approved scheme shall be fully implemented and adhered to.

Reason: To protect the amenity and quality of life of occupants of the apartments from undue noise disturbance.

Sound Insulation between Commercial and Residential Elements

The proposed development includes commercial floorspace (Use Class E) on the ground floor. Planning Use Class E encompasses a broad range of commercial, business and service uses.

Approved Document E of the Building Regulations 2010 (as amended) sets out 'minimum' legal standards for buildings' for resistance to the passage of sound. The performance standards in tables 1a and 1b are applicable to walls, floors, and stairs separating spaces used for normal domestic purposes. The document makes it clear that a higher standard of sound insulation may be required between spaces used for normal domestic purposes and those for communal or non-domestic purposes. In these cases, the appropriate level of sound insulation will depend on the specific operational characteristics of the ground floor uses.

Accordingly, we recommend imposition of the following condition:

Condition 2: Prior to the commencement of the development, full details shall be submitted to, and approved in writing by, the Local Planning Authority setting out how the separating construction between commercial and residential elements of the scheme shall achieve a minimum airborne sound insulation performance of ≥ 60 dB $D_{nT,w}$.

The scheme approved by the Local Planning Authority shall be fully implemented in accordance with the approved details and shall be retained and maintained thereafter.

Reason: To minimise the risk of noise disturbance between commercial and residential uses.

Acoustic Commissioning Testing

Condition 3: Prior to occupation of the development, acoustic commissioning testing shall be carried out by an ANC or IOA accredited organisation to demonstrate compliance with Conditions 1 and 2. The commissioning protocol shall be agreed in writing with the Local Planning Authority prior to testing, and the results shall be submitted to and approved in writing with the Local Planning Authority before the occupation of the scheme.

Reason: To verify that the as-built development meets the criteria set at planning and is fit for its intended purpose.

Building Services Plant Noise

In the event that new fixed building services plant and equipment are introduced as part of the development, such as Heat Pumps, we would also recommend a plant noise condition to protect the amenity of residents in the local area from undue noise disturbance. Accordingly, we recommend imposition of the following condition:

Condition 4: If any new fixed building services plant and equipment, such as heat pumps, is introduced as part of the development, full details shall be submitted to and approved in writing by the Local Planning Authority. These details must demonstrate how the rating level of noise from all plant and equipment will be controlled to at least 5 dB(A) below the lowest representative existing background sound level.

The assessment must be conducted in accordance with BS 4142:2014+A1:2019 at a position 1 metre outside any habitable window of any residential or other noise-sensitive property.

The scheme shall be fully implemented in accordance with the approved details and shall be retained and maintained for its designated purpose thereafter.

The baseline noise survey must cover a period sufficient to accurately represent the prevailing noise climate at the nearest noise-sensitive premises during the plant's operating hours. In most cases this will cover survey during both the weekday and weekend period.

The typical minimum background sound level should be defined as the 10th percentile value for the daytime (07:00-23:00) and night-time (23:00-07:00) when the plant may operate.

The assessment must include valid predictions and valid assessment of any acoustic features.

Reason: To protect the existing noise climate and the amenity of residents in the local area from undue noise disturbance.

If you have any questions, please don't hesitate to contact me.

Yours sincerely,

Laurence Evans
Pollution Team Leader