

Ms L Wells
Havant Borough Council
Civic Centre Road
Havant
PO9 2AX

14 October 2024

Dear Ms Wells,

Application ref: APP/24/00586

Proposal: Application under Section 73 for the variation of condition 2 (approved plans list) relating to planning application APP/19/01226

Land west of Coldharbour Farm Road, Emsworth

I write in connection with the above planning application to seek an additional amendment. This relates to the acoustic fencing extent and our proposed approach in relation to control of noise for Air Source Heat Pumps (ASHP). This was proposed separately under application reference APP/24/00586, however, due to the passage of time, these applications now overlap, and it is intended to seek approval of all amendments under a single Section 73 application. Application reference APP/24/00586 will now be withdrawn.

Acoustic fencing

This additional request under this application seeks to remove condition 21 of application reference APP/19/01226 and amend condition 2 which relates to the approved plans list. The amendment to Condition 2 would be to delete reference to drawing number 5314/006 H that shows the incorrect position / requirements for acoustic fencing.

The measures relating to noise mitigation have been secured by condition 5 of this approval. This requires the development to be carried out in accordance with the Noise Assessment dated 20 August 2020. Condition 21 is therefore considered to be a duplicate condition which did not need to be imposed as condition 5 already secures the appropriate noise mitigation measures. The measures include enhanced glazing, a ventilation strategy and 2.4-metre-high fence along the southern perimeter of the site, which is at odds with the plan referenced under Condition 21.

We have discussed the conflict between plans and recommendations relating to the acoustic fence. In response, this letter is accompanied by a noise report prepared by Hawkins Environmental. This considers the matter further in relation to noise, following on-site survey work and subsequent noise modelling. It confirms that there is no requirement, based on evidence, to deliver an acoustic fence along the full extent of the western site boundary.

This s73 application therefore seeks removal of condition 21 and variation of condition 2 which relates to approved plans list, to enable the removal of the corresponding plan 5314/006 H. Plan SK02 appended to the Hawkins Environmental letter dated 11 October 2024 (submitted alongside this letter) shows the position of the 2.4 metre high Acoustic Barrier location and this is resubmitted as part of this Section 73 application for reference.

Whilst noting the Hawkins Environmental recommendations, in the interests of amenity and continuity of the appearance of the acoustic fence line, this will continue up to the footpath connection to the north of plots 39 and 42. This is shown on the updated site plan submitted alongside this amendment. Also included is a site plan indicating the proposed changes and an updated drawing issue sheet. All other changes agreed and proposed within my letter dated 24 September 2024 remain and form part of this S73 application.

Air Source Heat Pumps

The amendments as originally submitted under the above application also introduce ASHPs for all properties. This appears to be welcomed in principle, but we have noted a query regarding control of noise from the Environmental Health Officer. Under Building Regulations, ASHPs must be limited to noise not exceeding 42db. To ensure this is maintained and to overcome concerns regarding future noise as the plant gets older, we would propose a condition along the lines of:

The noises levels of the Air Source Heat Pumps hereby approved shall not exceed 42 dB LAeq.15min at any noise sensitive façade of a neighbouring residential premises or the representative back-ground noise level La90.15min, whichever is greater, at any noise sensitive façade.

Subject to the suggested condition wording above and following installation of the proposed acoustic fencing details, appropriate living conditions will be provided for all future residents.

We hope that the above addresses the matters raised and the proposed additional under this Section 73 can be supported.

If you have any queries, then please do let me know.

Yours sincerely,

Peter Cleveland

Peter Cleveland MRTPI
Partner, Head of Planning
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