

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

CONSULTATION ON PLANNING APPLICATION

MEMORANDUM

From: Environmental Health **To:** Development Control
Our Ref: CONS/25/00024 **Your Ref:** APP/24/00978
EH Case Officer Ext: **Date:** 29 January 2025

DC Case Officer:	Tina Pickup
DC Case Officer Ext:	6461
Application Number:	APP/24/00978
Site Address:	5 The Kestrels, Eagle Avenue, Waterloooville, PO8 9GX
Proposed Development:	Application to determine if prior approval is required for a proposed change of use from Commercial, Business and Service - Area Housing Office (Use Class E) to Dwellinghouses (Use Class C3) providing 2No one bed flats and 2No two bed flats (4 units) and associated alterations to doors and windows.

Observations / Comments:

As you are aware, the noise consideration set out in Class MA is restricted to “*the impacts of noise from commercial premises on the intended occupiers of the development*”. For the purposes of the Order, “commercial premises” means premises used for any commercial or industrial undertaking, includes any premises licensed under the Licensing Act 2003(a) or any other place of public entertainment.

Having reviewed aerial and street view photography for the site and background information provided, it is noted that the site sits within a predominantly residential area. It follows that, from a noise impact point of view in the context of GPDO, the setting of Wecock Farm Area Housing Office is unlikely to pose any particular incompatibility with a proposed change of use to residential (C3) use.

There are no GDPO requirements to consider general environmental noise (e.g. road traffic noise) to inform the general suitability of the site for proposed residential conversion. We therefore recommended a condition is imposed on any consent granted to secure appropriate internal noise conditions. It is often helpful for such an assessment to be undertaken; even if information is not submitted to further support the prior approval process, as it can be used to inform the fundamental design and budgetary appraisal of the scheme.

In the event that new fixed building services plant and equipment are introduced as part of the development, e.g. Air Source Heat Pumps, we have also recommended a plant noise condition to protect the amenity of residents in the local area from undue noise disturbance.

Building Services Plant Noise

Condition 1: The rating level of noise emitted from all fixed building services plant and equipment located at the site shall be controlled to at least 5 dB(A) below the lowest representative existing background sound level, when assessed 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.

In the event that new fixed building services plant and equipment is introduced as part of the development, full details shall be submitted to and approved in writing by the Local Planning Authority, demonstrating how noise will be controlled to meet this condition. The scheme shall be fully implemented in accordance with the approved details and thereafter retained and maintained for its designated purpose.

The baseline noise survey must cover a period sufficient to faithfully 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 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.

External Noise Intrusion into Apartments / Internal Amenity

Condition 2: Prior to the commencement of construction works, 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 building has been designed to achieve the following internal noise criteria:

- 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 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.

Informative: The applicant may wish to engage a suitability qualified acoustician to ensure a good acoustic design-led approach is employed to mitigate the noise constraints characterising the site. Consideration will need to be given to how potential conflicts between acoustics, ventilation and overheating (including compliance with Part O of the Building Regulations 2010, as amended) can be resolved, while keeping windows closed for acoustic protection. Any assessment should have regard to the guidance given in the ANC/IOA publication 'Acoustics Ventilation and Overheating: Residential Design Guide', Version 1.1, dated January 2020.

Sound Insulation between Apartments

- Informative:** Approved Document E of the Building Regulations 2010 (as amended) sets minimum legal acoustic performance standards for sound insulation in buildings, covering both airborne and impact noise. These standards apply to walls, floors and stairs separating spaces used for normal domestic purposes. To reduce disturbances from neighbours and minimise the potential for conflict, the client should consider adopting a higher standard of sound insulation than the legal minimum.
- Reason:** To prevent excessive noise transmission, reducing disturbances from neighbours and limiting potential conflicts.

If you have any questions or require further clarification, please do not hesitate to contact me.

Yours sincerely,

Laurence Evans
Pollution Team Leader