

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/22/02553	Your Ref:	APP/22/00669
EH Case Officer Extn:	44 6666	Date:	03 April 2023
DC Case Officer:	Ms Lesley Wells		
DC Case Officer Extn:	4 223		
Application Number:	APP/22/00669		
Site Address:	Land at Kingscroft Farm adjacent to Ridgway and, Marples Way, Havant		
Proposed Development:	Outline planning application with all matters reserved (except for access) for the development of up to 140 residential dwellings (C3 Use), with access from Meyrick Road, the provision of open space, landscaping and other associated works including demolition of existing buildings on site. I attach a copy of the above application that has been received under the Town and Country Planning Acts.		

Observations / Comments:

I refer to the above application under the Town & Country Planning Acts passed to this Service for comment.

I have read the documentation provided by the applicant, and can comment as follows:

I have no objection in principle to the proposed access from Meyrick Road.

I do have concerns though, with the proposal for up to 140 residential dwellings on this particular site, due to its close proximity to the A27 and to the existing industrial / commercial units. The Omnia Noise Impact assessment dated June 2022, Section 4.2, advises 'that the industrial units are not operational after 5 pm'. I recall, when the housing development on land known at the time as south of Ranelagh Road, was developed, a mitigation measure was introduced along the southern boundary. This consisted of an acoustic fence, up to 4 metres high in one section, to minimise any impact from an industrial site in Marples Way, which was advised at the time, that on occasions they would operate 24 hours a day. This would suggest that there is no operational time restriction on that particular site. It should also be further clarified as to whether e.g. the premises at 1 - 3 Ridgway have any such restrictions. The concern is that if no such restrictions exist for the aforementioned premises, there is nothing preventing these sites from being operated 24 hours a day.

It is also important that it be clarified as to what Class use is attached to these sites, and the types of businesses that could operate there.

From what I can understand, is that the site that is being put forward for housing development, has been previously set aside for industrial development?

If this application were to be approved, then in addition to the above queries, I would also be requiring an Acoustic Design Statement to be submitted with any full application, which should include the number of dwellings which will be reliant on a windows closed approach to meet the recommended internal noise levels, how many will require specified acoustic trickle vents and / or mechanical ventilation, orientation of the dwellings, including habitable rooms, and any other mitigation measures that may be required.

The following conditions are those that would likely be requested at any full application stage. Any additional conditions or informatives that may be required at the reserved matters or full application stage, will be provided at that time:

Condition 1:

The applicant will need to confirm that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, for all residential units, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise.

Condition 2:

Where future residents will need to keep windows closed to mitigate noise from road traffic sources (especially overnight) the applicant will need to provide an Overheating assessment in accordance with CIBSE TM59 (2017) and Approved Document 'O' which supports Part O of Schedule 1 to the Building Regulations 2010, to demonstrate that indoor temperatures will be acceptable in the absence of open windows. Any scheme/s or measures to mitigate overheating should be included with the Acoustic Design Statement or in the approved plans for the development.

Reason: To ensure that the internal residential amenities are not impacted on by overheating, especially during periods where windows cannot be opened for any reasonable length of time due to external traffic noise levels in particular.

Condition 3: Post validation testing of noise levels in and around specified dwellings, will be a requirement prior to occupation, if approval were to be granted for the construction of residential accommodation on this site at full application stage . A report shall be produced which details the post validation testing that has taken place This must be submitted to and agreed in writing by the Local Planning Authority. This report is to confirm the expected noise levels within the proposed dwellings have been achieved, especially at bedroom and living room first floor level, and are in line with those levels laid out in BS8233:2014, and recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms. In addition to a windows closed scenario, levels should also be provided with windows in an open position.

Similarly for traditional external areas that are used for personal amenity space, such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB LAeq, 16 hour with an upper guideline value of 55 dB LAeq, 16 hour in noisier environments. External amenity area levels are also required to be tested upon completion, to confirm the levels detailed here, and as a result of any proposed mitigation measures, have been met.

Reason: To ensure the residential amenity of the property will not be impacted upon by any external noise levels.

Condition 4:

No floodlighting, street lighting or other form of external lighting scheme, including at or on dwelling units, shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants outside of and within the development from light disturbance / nuisance.

Condition 5: Piling

If piling is to form any part of the foundations proposed for these dwellings, then the least intrusive noise and vibration method of piling shall be employed. This should be accompanied by a justification as to the reasons why a particular piling method has been chosen, and additionally the proposed mitigation methods to be employed, to ensure minimal impact on nearest residential receptors, during piling operations.

Reason: To ensure the amenities of nearby residential properties are not impacted upon by any external noise or vibration levels during any piling operations, and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

In addition to an Acoustic Design Statement being required for this site at full or reserved matters application stage, I would also advise of the items I wish to see covered under a submitted Construction Environmental Management Plan

Construction Environmental Management Plan

The following should be in addition to any other items required for this plan, and should be in operation for all phases of the development i.e. excavation, clearance and construction:

- a. no works or ancillary operations associated with the above phases at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 – 13.00;
- b. Deliveries and removal of materials, plant, equipment, machinery, waste, spoil and so forth, from the site must only take place within the permitted hours detailed in a. above.
- c. No bonfires to take place on this site, during any phase of the operation;
- d. Control measures for dust and other air-borne pollutants. It should advise as to what measures are to be put in place for the control of any dust that might emanate from the development site. Furthermore the methods of dust control should be in accordance with the guidance as laid out in the BRE Report 456 - Control of Dust from Construction and Demolition activities.

It should also be noted that besides the keeping of haul roads damp during dry weather conditions, any areas where tracked excavators, dozers and the like are working, are also to be kept damp at all times.;

- e. Procedures for emergency deviation of the agreed working hours.
- f. Details of measures to be employed to control the emission of noise during the above phases to be provided. BS5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise, and Part 2: Vibration (BSI, 2014v) provide guidance on the requirements and indicative noise and vibration levels and criteria;

- g. If any piling is envisaged for this site, full details must be submitted to this office, with regard to the proposed method/s to be employed, and the probable duration of these operations;
- h. Measures for controlling the use of site lighting whether required for safe working or for security purposes to ensure no impact on neighbouring residential properties.
- i. Procedures for maintaining good public relations including complaint management, public consultation and liaison, and contact telephone numbers and e-mails.

If you should have any queries in relation to the above, please contact me.

Mr. Mark Moss

Regulatory Officer, Environmental Health