

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/19/00963	Your Ref:	APP/19/00533
EH Case Officer Extn:	4321	Date:	17 June 2019
DC Case Officer:	Tina Pickup		
DC Case Officer Extn:	44 6461		
Application Number:	APP/19/00533		
Site Address:	Fernwood House, 45-47 London Road, Cowplain, Waterlooville, PO8 8DJ		
Proposed Development:	Prior notification for change of use from class B1(a) office use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination.		

Further to our telephone discussion on Wednesday 12th June, please find below my comments in respect of this prior notification application for change of use. I have visited the site and have noted that the proposed residential accommodation is to be located above commercial premises which are licensed venues - Koop & Kraft and a (currently closed) licensed restaurant. Both premises are fitted with kitchen extract equipment at the rear of the premises, in the service yard. Other commercial premises in the row have externally mounted plant and equipment in the rear service yard area.

I am concerned that the proposed residential occupants will be affected by noise arising from the use of the existing commercial premises. There is potential for noise disturbance from live music from Koop and Kraft affecting proposed flats 2, 3, 4 & 5 and from patron noise associated with the premises. In addition flats 1, 6, 7 & 8 overlook the rear service yard of the commercial premises and residents may be affected by plant noise and noise associated with the normal use of the service yard (eg. early/late refuse collections, deliveries etc.).

Environmental Protection has had issues with both types of noise affecting residential occupants above or in close proximity to commercial premises. If complaints relating to noise are received they must be addressed by use of the Environmental Protection Act, 1990, which can result in a detrimental outcome for the businesses which can impact upon their viability.

I would request, should you be minded to grant permission, that the following condition is included in any such permission:

Noise:

No development shall take place until an assessment of the potential for noise from the existing commercial premises in the area has been submitted to and been approved in writing by the Local Planning Authority. The assessment shall include noise from:

- 1) Existing externally mounted plant and equipment associated with the commercial premises
- 2) Assessment of noise from any licensed premises below the proposed residential units. This should include all noise sources associated with licensed premises including noise transmitted through the structure (from live/recorded music) and patron noise (both internal and external) associated with use of the premises.

If the assessment indicates that noise from the existing commercial premises is likely to affect the future occupants of the development then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

The noise mitigation measures shall be designed so that nuisance will not be caused to the future occupiers of neighbouring noise sensitive premises. The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings.

The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

Reason: In order that noise levels may be agreed prior to the commencement of works on site which may require changes to the design and to safeguard the amenities of future occupiers.