

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/21/03613	Your Ref:	APP/18/00059
EH Case Officer Extn:	44 6666	Date:	16 November 2021
DC Case Officer:	David Eaves		
DC Case Officer Extn:			
Application Number:	APP/18/00059		
Site Address:	262 London Road, Waterloooville, PO7 7HG		
Proposed Development:	Change of use of no.260 from A1 classification (retail units) and no.262 from A2 classification (Estate Agents offices) to a A3/A5 classification (Restaurants and Cafes/Hot food takeaways (approved 25.7.18). Request to discharge conditions 4, 5 and 8 (11.3.21). RECONSULTATION REQUEST for revised plans and/or documents received		

Observations / Comments:

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

Condition 4:

The development hereby permitted shall not be occupied unless and until details to confirm that any requisite acoustic mitigation measures related to any extraction systems, air conditioning and / or cold room / chiller units and the like , have been submitted to and approved in writing by the Local Planning Authority. It should also be noted that noise resulting from the use of any / all plant, machinery or equipment used on this site, shall be of a No Observable Adverse Effect Level (NOAEL), or better, when measured according to British Standard BS4142-2014, at the boundary of the nearest sensitive receptor. The approved measures shall be implemented prior to occupation and maintained in accordance with the approved details.

Reason: To ensure the residential amenity of the property is not unacceptably impacted upon by any internal or external noise levels, including from commercial premises below having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Stratregy) 2011 and the National Planning Policy Framework 2018.

I have read the documentation provided by the applicant, including the noise impact assessment project no: NALPRO150821, and can comment as follows:

This report covers an extraction system, including external flue and 2 x condenser units. I have also referred to the Canopy Extraction system document dated 21/02/2021 submitted by Canopy Direct.

a. it is not clear to me whether the silencers, fan, motor & filtration system is to be external (as per Canopy Direct) or internal (as per the noise assessment Item 12.3). This will need to be clarified.

- b. there is no clarity as to what equipment is to be used in terms of extraction & condensers i.e. no manufacturers specifications for the extractor fan / motor, silencers and / or condenser units.
- c. There is also no mention of whether an intake air fan / motor system is to be used (or a passive system?), if so what are the specifications for this and are any noise attenuation / mitigation measures required?
- d. A lowest daytime only background noise level is given as 43dB LA90, 15min. However no Night time background noise level is provided; this is necessary as the condenser units will likely be turning on and off night & day,
- e. a previous noise assesment carried out in 2019 for an adjacent premises gave minimum background noise levels of 33 dB(A) for daytime and 29 dB(A) night time. My concerns in this regard is that I note the assessment for 262 London Road was carried out on 15/16 August 2021 whilst the extract system & other plant, at 260 London Road was in operation. This system has recently undergone additional mitigation works, which I believe will likely impact on the background level given under d. above. Consequently this could impact on the given rating levels (see Items 15, 16 7 17), and potentially could require additional mitigation measures to be employed.
- f. there is no mention of the employment of anti-vibration mounts for plant / ducting, use of flexible ductwork connections to control any structure borne sound transmission, and so forth.
- g. under appendix E - Noise attenuation, I'm not sure what the barriers are that are referred to in terms of partial blockage of the line of sight, nor how the justification for any distance attenuation is arrived at. From looking at the site and the probable position of the extract ductwork externally, (including motors/ fans/silencers?), I would suggest the nearest sensitive receptor would be within 0.5 to 1.0 metre from this.

However based on the above, which only covers some of the points I have concerns with, I would require a comprehensive noise report / assessment to be provided, which will show that with the installation of condenser units, extract systems (& intake air system?), and all the mitigation / attenuation measures to be employed, that there will be no adverse impact on the nearest residential receptors.

I therefore again recommend refusal of the Condition discharge at this time..

Condition 5:

As advised previously and reiterated hereunder:

Under normal circumstances I would be satisfied with the extract equipment and filtration to be provided, in this case a pre-filtration system with a carbon filter system thereafter, and would suggest that the condition be discharged, on the provisor that it meets the criteria and methodology as laid out in the Canopy Direct document as mentioned above. However an assessment of the noise issue under Condition 4, may lead to changes to the extract system.

In this regard I would suggest that the applicant submit documentation including suitable drawings, to show the exact position of all extract related plant & filtration systems, if a different layout is envisaged to that depicted in the Canopy Extraction system document dated 21/02/2021.

Mr. Mark Moss
Regulatory Officer, Environmental Health