

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

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From: Carol Reynolds <Carol.Reynolds@arun.gov.uk>

Sent: 02 March 2022 15:35

To: Michael Eastham <Michael.Eastham@arun.gov.uk>

Subject: FW: A/270/21/OUT - Land at Seven Acres Farm and New Farm..

Dear Michael,
Please find our comments as below.

Environmental Health.

Extensive consultation has already taken place in this case and I would refer the reader to our previous comments in respect of PAA/81/21 and A/36/18/OUT and A/122/19/OUT. Also, in respect of Planning reference A/235/21/DOC, Design Code Masterplans, 11th January 2022.

Environmental Health have no objection to this development in principle. Please condition:-

1. Noise.

'24Acoustics,' have provided a Noise Impact Assessment, Technical Report:R8896-1, Revision 3, dated 25th November 2021 (The Noise Impact Assessment) which clearly states that comment is somewhat limited where matters are still to be decided.

New Sports Pitches.

Possibly the least well described of these (from a lighting, as well as noise perspective) is the likely siting of 2 new sports pitches to the south of the site. For the most part, the proposed orientation of houses detailed in this application ensures that habitable rooms face away from the sports pitches, however gardens remain at risk.

The January Masterplan A/235/21/DOC provides a markedly reduced buffer zone (and play area) between proposed houses and the sports pitches compared to that which accompanied previous applications for this site.

Ideally, the orientation and layout of the sports pitches should be finalised so that a meaningful noise (and lighting) report can be provided to inform the location and layout of the proposed new housing and any necessary noise mitigation, to include buffer zones, etc.. Where this is not possible, the developer has provided a detailed layout of houses which will border the sports pitches and it will be necessary to design the sports pitches in order to minimise potential adverse effect from noise and lighting from the new provision.

Please see guidance provided by the Planning Noise Advice Document for Sussex: 2021; also advice from Sports England, including Sports England, Artificial Grass Pitch (AGP) Acoustics – Planning Implications (2015).

Environmental Health had requested that the level of noise at the boundary of any noise sensitive receptor should not exceed that of the measured background noise level, during hours of permitted operation.

Residential Dwellings.

No development shall commence until an acoustic assessment has been carried out to determine the impact of noise from roads, recreational, commercial/industrial related noise sources on the proposed development. It is noted that 2 new sports pitches are intended nearby; the access road to new proposed commercial/ industrial use forms part of this planning application.

The applicant is advised to consult the Planning Noise Advice Document, Sussex, 2021 for further guidance.

Please note that new Building Regulation O – Overheating, will apply to new residential applications from June 2022.

a. Noise in Habitable Rooms.

The acoustic report shall demonstrate that noise levels within habitable rooms of proposed residential units will conform to the 'Indoor ambient noise levels for dwellings' guideline values as specified within Table 4 , under Section 7.7.2 of BS 8233:2014, Guidance on Sound Insulation and Noise Reduction for Buildings and World Health Organisation guidance: 2009; as well as guiding principles of ProPG: Planning & Noise, May 2017.

The report shall be compiled by a competent acoustician on sound insulation and noise reduction for buildings. It shall detail how the assessment has been carried out, the results and noise

mitigation measures required for the development. Such a scheme shall be submitted to and approved in writing by the Local Planning Authority. The works specified in the approved scheme, shall be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 – 2031

The general recommendations of The Noise Impact Assessment for prescribed glazing and standard/acoustically treated trickle vents are accepted. However, where BS 8233, WHO and ProPG guideline values for noise in habitable rooms and $L_{Amax,f}$ are indicated to be exceeded by more than 5db, then mechanical means of acoustically treated ventilation will be required, based on MEV 3 or 4 with or without heat recovery, Approved Document F of the Building Regulations. This relaxation is provided given nearby major transport infrastructure. Each property should be assessed on an individual basis.

b. Noise in External Amenity Areas.

Prior to the commencement of the development hereby approved, a scheme shall be prepared to demonstrate that the external noise level within the curtilage of residential units and external amenity spaces will conform to the “Design criteria for external noise” desirable guideline value of 50 dB $L_{Aeq,T}$ equivalent to a ‘moderate level of disturbance,’ as specified within section 7.7.3.2 of BS 8233:2014

Details shall be compiled by a competent acoustician on sound insulation and noise reduction for buildings and shall be submitted to and approved in writing by the Local Planning Authority. The works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 – 2031

It is noted that the Noise Impact Assessment, paragraph 5.15, states that noise levels in external amenity areas are predicted to be no greater than the guideline value of 50 dB $L_{Aeq,T}$ on the proviso that a 1.8m close boarded garden fence will be provided in specified areas. Thank you

c. Pumping Station Noise/Vibration.

Noise from the proposed pumping station shall not exceed 45dB L_{Aeq} (15mins) with no tonal components evident at the boundary of the nearest noise sensitive property. When assessed by a competent acoustic engineer, the Vibration Dose Value (VDV) shall not exceed the applicable 'low probability of adverse comment' level for the test environment in question (i.e. residential buildings, offices, workshops) contained within BS 6841:2005 (*Guide to evaluation of human exposure to vibration in buildings – Part 1: Vibration sources other than blasting*) inside the nearest property. A test or prediction of the noise levels and a test or estimation of the expected vibration environment to demonstrate compliance with the levels shall be undertaken within 3 months of the development being implemented.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 – 2031

It is noted that Paragraph 5.20 of the Noise Impact Assessment is not expected to result in noise detriment. Please note our requirement in this case.

d. Haul Road, electrical sub-station and Air Source Heat Pumps.

BS 4142:2014 +A1:2019 Assessment - Methods for Rating and Assessing Industrial and Commercial Sound, will be required in order to assess any requirements for noise mitigation in respect of any electrical substation, or installation of air source heat pumps to residential units. Although, the provision of air source heat pumps may be viewed as permitted development, an acoustic assessment will nevertheless, be required.

Details shall be compiled by a competent acoustician on sound insulation and noise reduction for buildings and shall be submitted to and approved in writing by the Local Planning Authority. The works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 – 2031

d. Post Construction Validation.

An acoustic assessment of compliance with the above Noise Conditions shall be submitted to the Local Planning Authority no later than two months after completion of the development hereby permitted for the written approval of the Local Planning Authority and thereafter maintained.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 – 2031.

Noise from Commercial, or Industrial Operations.

The current proposal is for Class E businesses to occupy this area, although it is noted that the Parish Council would prefer to retain existing B2 and B8 use for this site. The Noise Impact Assessment, paragraph 5.23 provides reasonable measures by which the detrimental effects of noise from this site can be controlled. However, a Noise Management Plan will also be required.

BS 4142:2014 +A1:2019 Assessment - Methods for Rating and Assessing Industrial and Commercial Sound will be required in order to assess any requirements for noise mitigation. Such assessment will also be required in respect of haul roads within the site boundary of the intended commercial/industrial area of this development. Details shall be compiled by a competent acoustician on sound insulation and noise reduction for buildings and shall be submitted to and approved in writing by the Local Planning Authority. The works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 – 2031

No part of the commercial use shall take place before a scheme has been submitted to and approved in writing by the Local Planning Authority, which specifies the provisions to be made for the control of noise and light emanating from the site. The measures included in the approved scheme shall be implemented prior to the first occupation of the building(s) that they relate to and thereafter the measures shall be operated in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 – 2031

Assessment of Commercial Air Moving Equipment Using BS 4142:2014 +A1:2019.

Details, including acoustic specifications, of all fixed plant, machinery and equipment associated with air moving equipment (including fans, ducting and external openings], compressors, generators or plant or equipment of a like kind, installed within the site which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved by the Local Planning Authority before installation. The rating level of noise emitted from the use of this plant, machinery or equipment shall not exceed the measured background sound level when assessed by a competent acoustician using BS 4142:2014, at any adjoining or nearby noise sensitive premises.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 – 2031

2. Air Quality Requirements for Major Developments.

As this is a major application, consideration must be given to air quality issues. As per the National Planning Policy Framework (NPPF) (updated February 2019) air quality should be considered at the design stage and incorporate appropriate and effective mitigation.

The applicant must follow the Air Quality & Emissions Mitigation Guidance for Sussex (2020), available at:

<http://www.sussex-air.net/Reports/SussexAQGuidanceV12020.pdf>

This countywide adopted guidance states that where a major sized development is proposed a number of checklists should be followed in order to determine the likely impact of the proposed development on air quality. The intention of the guidance is to identify any air quality impacts through an impact assessment and to ensure the integration of appropriate mitigation into a scheme at the design stage, so the damage costs on health can be properly mitigated. The air quality impact assessment can follow the procedures contained within the Institute of Air Quality Management (IAQM) Guidance entitled: 'Land-Use Planning & Development Control: Planning For Air Quality' (January 2017), available at:

<http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 – 2031

3. Electric Vehicle Charge Points.

Prior to occupation of any of the dwellings, a scheme shall be submitted to and approved by the local planning authority for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings. The approved scheme shall be implemented in accordance with the approved details and the charge points shall thereafter be retained and maintained in good working condition. Charge points should be Mode 3, 7kw fast chargers as a minimum.

Reason: New petrol and diesel cars / vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework (NPPF).

Please note that new Building Regulation S – Infrastructure for Charging of Electrical Vehicles will apply to all new dwellings from 15 June 2022.

4. Electrical Lighting Schemes in Major Developments.

Details of the proposed lighting scheme for the development shall be provided to and approved by the Local Planning Authority before installation. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) - Zone E2 Rural.

Due to the relative proximity of existing residential premises there is the potential for the development to cause a loss of amenity as a result of light glare / creep / bleed.

Light intrusion into residential windows shall not exceed 10 Lux between 07:00 and 21:00 hours and 5 Lux between 21:00 and 07:00 hours, measured as Vertical Illuminance (EV) normal to glazing. The Sky Glow (Upward Light Ratio) shall not exceed 5.0%

Reason: To protect the amenity of local residents in accordance with Policy QE DM2 of the Adopted Arun Local Plan 2011 – 2031

5. Potentially Contaminated Land.

In relation to the above application, specifically the submission of RSK's Phase 2 Geo-environmental and Geotechnical Site Investigation: Arundel Road, Angmering (ref.: 52207 R01 (04), dated December 2021), Environmental Health is currently unable to provide comment because we have not had sight of the preceding Preliminary Risk Assessment: Land west of Arundel Road, Angmering by RSK (ref.: 301954 R01 (00), dated August 2017). Please may a copy of the latter be provided? If the report cannot be provided and both submissions assessed prior to a determination of this application, the following conditions are recommended:

Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A 'Preliminary Risk Assessment' which has identified: all previous (historical) uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.
2. A 'Site Investigation Scheme', based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. Based on the 'Site Investigation Scheme' and the detailed risk assessment (2), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A 'Verification Report' providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Note: Any changes to these components, (1) to (4) require the express written consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a 'long-term monitoring and maintenance plan' for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification report, and for the reporting of this in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan 2011 – 2031

Precautionary:

If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using a suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.

If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan 2011 – 2031

6. Construction/Demolition Management Plan.

No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-

- a) An indicative programme for carrying out of the works;
- b) Details of the arrangements for public engagement/consultation both prior to demolition/construction and for continued liaison during the construction works;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e) The parking of vehicles of site operatives and visitors;
- f) Loading and unloading of plant and materials, including permitted times for deliveries;
- g) Storage of plant and materials used in constructing the development;

- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);
- j) Measures to control the emission of dust and dirt during construction;
- k) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 – 2031

Hours of Working. No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no 'noisy' work on Sunday or Bank Holidays

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 – 2031

Informatives.

i. There shall be no burning of any trade / commercial waste or other materials on the site, except in an incinerator, the details of which shall be approved in writing by the Local Planning Authority before the development is brought into use. The use approved shall be carried out strictly in accordance with the details agreed

The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received.

For further information please contact the Environmental Health Department on (01903) 737555