

From: Nina Sidhu
Sent: 11 July 2019 12:45
To: Zac Denton <Zac.Denton@arun.gov.uk>
Cc: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: RE: EP/50/19/PL

Response from Environmental Health

Recommended Conditions

1) Hours of Operation

The use hereby permitted shall be open to the public Monday – Saturday 12:00 – 22:00 Monday - Saturday and 12:00 – 21:30 Sunday or any public holiday.

2) Use of Outside Space

The use of the outside space to the rear of the premises shall be permitted until 20:00 on all days.

3) Deliveries/Waste Collection

No commercial goods shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart, within the application site outside the hours 08:00 to 19:00 Monday to Friday, 08:00 to 18:00 Saturday or at any time on Sunday or Public or Bank Holidays.

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

4) Noise from Air Handling Plant

Prior to the first use of the premises, details of any plant (including ventilation, refrigeration and air conditioning) and / or ducting system to be used and the method of control of noise and vibration of this plant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the plant/equipment shall be maintained in good order thereafter. The scheme shall ensure that the noise and vibration generated at the boundary of any noise sensitive property shall not exceed Noise Rating Curve: NR35 as defined within Table B.1: Noise Rating Values of BS 8233:2014.

5) Protection of Dwellings above Premises from Noise

Construction work shall not commence until a scheme for protecting the nearest noise sensitive residential dwellings, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the principles contained within the World Health Organisation (WHO) community noise guidelines and achieve the standards as set out within Table 4: Indoor ambient noise levels for dwellings for both daytime (07:00 to 23:00) and night time (23:00 to 07:00) time periods as set out within BS 8233:2014 to minimise noise disturbance in residential dwellings. Following approval and completion of the scheme, a test shall be undertaken by a competent acoustician and submitted to the Local Planning Authority to demonstrate that the attenuation measures proposed in the scheme are effective and protect the noise sensitive residential dwelling from unwanted noise.

6) Music

There shall be no live or amplified music at any time.

7) Doors and Windows

Other than required for normal access, doors and windows to the premises shall remain closed during opening hours.

Informatives

1. As stated in condition 5, we would expect a scheme of noise attenuation to be prepared by a competent person, usually an acoustician who is a member of the Institute of Acoustics or similar professional body. The scheme must demonstrate to us that the standards outlined in condition 5 will be achieved. Acoustic specialists can be found using the following link:
<https://www.ioa.org.uk/find-acoustics-specialist-or-supplier>
2. With regard to use of the outside space, in order to comply with the requirements of the Health Act 2006, any sheltered area i.e. having a roof, must not be substantially enclosed. Substantially enclosed means that less than 50% of the available wall area is open to the outside air. In practice this means the shelter must not have sides, including doors, windows or other fittings that can be opened or shut, that enclose more than 50% of the shelter. Please contact Arun District Council's Environmental Health Team on 01903 737755 if you need further assistance.
3. 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.

Nina Sidhu | Senior Environmental Health Officer, Environmental Health, Arun District Council | Location: Arun Civic Centre, Maltrovers Road, Littlehampton, BN17 5LF

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