

Ronnie McGregor

From: Charlotte Burrows on behalf of Planning.Responses
Sent: 14 September 2017 13:44
To: Planning Scanning
Subject: FW: FG/108/17/DOC - Condition 4 Internal Noise levels - Ferring
Attachments: JSL2159_101B.pdf

Please upload as additional information from agent

From: Anita Gardner
Sent: 13 September 2017 16:08
To: Planning.Responses
Subject: FW: FG/108/17/DOC - Condition 4 Internal Noise levels - Ferring

Please scan as additional info from agent

Anita Gardner | Principal Planner, Directorate of Place, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37529 | External: +44 (0) 1903 737529 | E-mail: anita.gardner@arun.gov.uk

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From: David Linton-Clowes - TW Southern Counties [REDACTED]
Sent: 13 September 2017 15:25
To: Anita Gardner
Subject: RE: FG/108/17/DOC - Condition 4 Internal Noise levels - Ferring

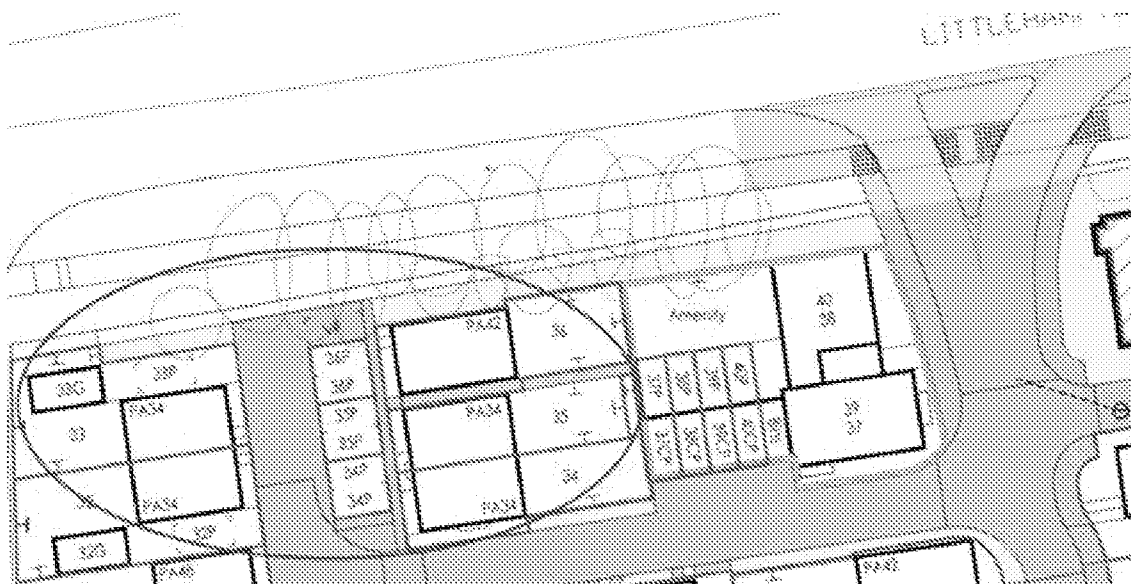
Good afternoon Anita,

The condition listed the two blocks of flats (1-4 & 37-40) and a further 3 units (34-36)

We have so far tested and provided to you the acoustic report for the two flat blocks.

My question was regarding the remaining units which as you will see in the below image have only plot 36 adjacent to the a259 with 35 and 34 protected by 36.

We intend on carrying out the testing in 2 weeks time so to avoid any disruption I wanted to check if this was an error and instead the condition should state 33 and 36 or if you would like me to carry out testing to the 3 units listed in the condition?



In regards to the acoustic fencing, the planning approved fencing drawing can admittedly be a little unclear as the acoustic fencing (pink) is overlaid by the red site boundary line. I have attached it for reference.

Despite having the planning approved drawing I have looked at the option of additional acoustic fencing. On site we have 2.5m fencing and to continue that would mean a planning application, if we drop the height to 2m as suggested I would argue that we would still need planning approval due to it fronting the main road. I have to also state that we have sold all the private units using the approved plans stating to them that there is no obstruction and if a customer objects to the change we would have no legal right to implement it. I'm afraid extra acoustic fencing isn't viable at this stage.

Kind regards
David

David Linton-Clowes [Design and Planning Executive] Taylor Wimpey Southern Counties

From: Anita Gardner [mailto:Anita.Gardner@arun.gov.uk]
Sent: 13 September 2017 11:13
To: David Linton-Clowes - TW Southern Counties <[REDACTED]>
Subject: FW: FG/108/17/DOC - Condition 4 Internal Noise levels - Ferring

Hi David,
Please see Carol's e-mail below. Are you able to confirm that the plot numbers are those she is referring to and whether it will be possible to provide 2m high acoustic fencing to the flats, even if not previously required.
Thanks
Anita

Anita Gardner | Principal Planner, Directorate of Place, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37529 | External: +44 (0) 1903 737529 | E-mail: anita.gardner@arun.gov.uk

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From: Carol Reynolds
Sent: 13 September 2017 11:09
To: Anita Gardner
Subject: RE: FG/108/17/DOC - Condition 4 Internal Noise levels - 1 Bennett Gardens, Ferring

Good morning Anita,

I believe that this discharge of condition application relates to the blocks of flats at the estate entrance only. The Plot numbers appear to have changed as matters have progressed, (discussed on site with James Hyland) hence my comment (para 2) on my return 5th September 2017. The only post validation testing that I have seen is, I believe, in respect of these flats. Although the acoustician had not required acoustic fencing in his original report I believe that this was detailed along the A259 on one of the plans, with the exception of the entrance way of course. Please forgive my error, the height of fencing in this case was to be either 2m, not 2.5m.

Kind regards

Carol

From: Anita Gardner

Sent: 13 September 2017 09:50

To: Carol Reynolds

Subject: RE: FG/108/17/DOC - Condition 4 Internal Noise levels - 1 Bennett Gardens, Ferring

Carol,

I have spoken to David today. His application relates to blocks 1-4 and 37-40 and your e-mail relates to plots 4 and 40 only. Are you therefore advising that all the other plots should be refused? In addition the acoustic fencing is not agreed to be located adjacent to the flats only houses. Can you please confirm if the condition can be approved on the basis of the submitted details

Thanks

Anita

Anita Gardner | Principal Planner, Directorate of Place, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37529 | External: +44 (0) 1903 737529 | E-mail: anita.gardner@arun.gov.uk

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From: Carol Reynolds

Sent: 12 September 2017 11:14

To: 'David Linton-Clowes - TW Southern Counties'

Cc: Anita Gardner; Nat Slade; Anna Appleton; Fiona Fitzgerald; 'Daniel.Castle'

'Dave.Parker'; 'james.hyland'

Subject: RE: FG/108/17/DOC - Condition 4 Internal Noise levels - 1 Bennett Gardens, Ferring

Dear David,

In brief then we agree to discharge of conditions in respect of Plots 4 & 40 alone as per this specific application. However, in order to facilitate this, then please provide me with your written assurance that suitable 2.5 meter fencing will be erected to provide an acoustic screen to all habitable rooms facing the A259 at ground floor level.

I should advise you that the situation which has evolved in this case is being viewed as a reference case and that all future applications to this Department, although decided on individual merit, will be closely defined as to require compliance with BS8233:2014 to include standards for LAFMax of no greater than 12 incidents of noise at, or above 45DbLMAX during the night time period 23:00 to 07:00 hours.

For the purpose of expedience, then I confirm that I will get back to you as soon as possible re future sites for monitoring.

Kind regards

Carol Reynolds

From: David Linton-Clowes - TW Southern Counties [REDACTED]
Sent: 08 September 2017 10:10
To: Anita Gardner; Carol Reynolds
Cc: Anna Appleton; Dan Castle - TW Southern Counties; Dave Parker - TW Southern Counties; [REDACTED]; Fiona Fitzgerald; Brian; Dave
Subject: RE: FG/108/17/DOC - Condition 4 Internal Noise levels - 1 Bennett Gardens, Ferring

Anita, Carol,

In response to the below email and previous rejection of the acoustic report I have asked the Acoustic consultant for their stance on the matter as the same consultant that wrote the report determining what was needed also carried out the testing. They state below the same opinion as I. That what is listed within the report and the wording of the planning condition that there is no reason for the condition to be declined approval.

With regards to the comments recently received from the local councils Environmental Health Department we would like to confirm that our past testing noise report and assessed noise levels have been conducted strictly in accordance with BS 8233 : 2014 as requested within the aforementioned planning condition. For verification, BS 8233 : 2014 does not set nor require any LAmax dB criteria for internal noise levels within bedroom. Furthermore, the planning condition does not request post testing for LAmax dB noise levels.

Therefore the noise report issued has demonstrated compliance with BS 8233 : 2014 and the planning condition should be discharged accordingly.

I am happy to discuss this further if they require any further clarification of the requirements of BS 8233 : 2014 and the set planning condition.

Kind Regards

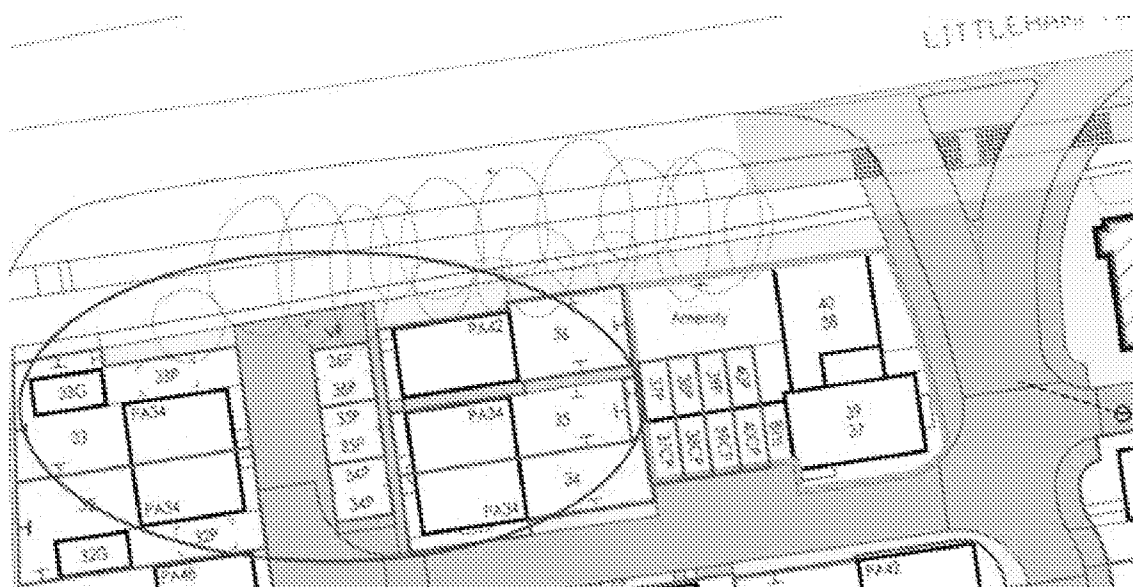
Brian Scrivener *MIOA*
Managing Director

Sound Advice
ACOUSTICS LTD

I would also like to state that with the submitted testing report for both blocks they were tested in the most affected flat/room by noise from the A259 of block 1-4 and block 37-40. Testing the worst case scenario and showing it passes should negate any need to test other rooms that are less impacted, especially with the ground floor benefitting from the 2.5m acoustic fencing.

Going forward we still are due to test more plots alongside the A259. The condition does ask for testing of 3 plots (34-36) however only one of those plots front on to the A259 and we intend on testing the two left on site that do (33 and 36). Please see the exert of the site below for reference.

Can you please confirm that you would like Taylor Wimpey to test plots 33 and 36 instead of what is stated in the condition as 34-36 that contains two units that are shielded by plot 36 or if you would like us to test all 3 units as stated?



Kind regards
David

David Linton-Clowes [Design and Planning Executive] Taylor Wimpey Southern Counties

From: Carol Reynolds [mailto:Carol.Reynolds@arun.gov.uk]

Sent: 05 September 2017 13:49

To: David Linton-Clowes - TW Southern Counties <David.Linton-Clowes@taylorwimpey.com>

Cc: Anna Appleton <Anna.Appleton@arun.gov.uk>; Anita Gardner <Anita.Gardner@arun.gov.uk>; Dan Castle - TW Southern Counties <Daniel.Castle@taylorwimpey.com>; Dave Parker - TW Southern Counties <Dave.Parker@taylorwimpey.com>; 'jameshyland@taylorwimpey.com' <jameshyland@taylorwimpey.com>; Fiona Fitzgerald <Fiona.Fitzgerald@arun.gov.uk>

Subject: FW: FG/108/17/DOC - Condition 4 Internal Noise levels - 1 Bennett Gardens, Ferring

Dear David,

I note that we are still within that two week period during which you hoped to get back to Anita, as below. Here you aimed to improve the 'acoustic score' to support Application for Discharge of Condition 4 in this case. I visited Greenside, 31 August 2017, both in order to determine the layout of blocks of flats/windows at Plot 1-4 and 34-36 as referenced by Sound Advice Acoustics Ltd, Acoustic Reports SA -5031 (1st to 4th July 2017) and SA - 4993 (24th to 27th June 2017) and to investigate complaint of light nuisance (already resolved). It was a matter of some concern that this refusal to discharge the above condition, (my response to Planning 18th August) to enable occupation of these premises, was unknown to James Hyland, Production Manager or to Ben Golding, Assistant Site Manager. In fact representatives from a Housing Agency were that morning on site to discuss allocation of social housing.

I write to confirm detail of our conversation, 24th August 2017, when I advised that the average sound level of those 2 rooms tested accords with the requirements of BS8233:2014, but not in respect of impact noise. The above reports clearly demonstrate the unacceptably high frequency of noise events affecting these rooms, defined as greater than 12 events of, or above 45dBLAFMax during the night time period 23:00 to 07:00hrs. This was on Saturday night 1st/2nd July 2017 (15 events) at Plot 4 and on each night, Saturday 24th/25th June 2017 (22 events); Sunday 25th/26th June 2017 (20 events) and Monday 26th/27th June 2017 (24 events) tested at Plot 40 (NB variance in house numbering).

You will be aware that the provision of a suitable acoustic environment has been paramount in negotiations with this Department in respect of this development. This was a primary reason for original refusal for grant of permission. I refer you to comment by our officer, Fiona Fitzgerald to Peter Cleveland 16 May 2014 (see EH Consultation 19 May 2017, p 2 of Application no FG/44/14/PL) wherein she raised concern that there were a

number of positions on the site where external amenity areas would fail to achieve levels for Community Noise as recommended by the World Health Organisation. I believe that you stated that this was a matter that had not been raised for attention. Furthermore, Mrs Fitzgerald stated that properties which faced the A259 would only achieve an acceptable level of internal noise if forced air ventilation was provided. This was notwithstanding the provision of suitable double glazing and treatments to walls, roofs, etc., designed to improve acoustic attenuation. It would appear that mitigation methods provided to deal with the problem of excessive internal noise have proved insufficient. I also note from the original drawing, what would appear to be a detail for either a 1.8 or 2.5 m close boarded acoustic fence to be provided along the entire extent of the site facing the A259, wrapping round the perimeter west and east of this to some extent. Also extra acoustic fencing to gardens. On site, 31 August, then the only such fencing in evidence was that to the direct amenity areas themselves. I do realise that the site is as yet unfinished but acoustic fencing should assist the acoustic environment of those habitable rooms, including bedrooms, provided to the downstairs of these blocks of flats. This will obviously, not benefit first floor accommodation.

I look forward to hearing from you as quickly as possible with a way forward in this case. Further acoustic tests should be carried out of downstairs bedrooms and external amenity space to demonstrate that the given noise criteria are suitably achieved.

Kind regards
Carol

From: David Linton-Clowes - TW Southern Counties [REDACTED]
Sent: 24 August 2017 14:10
To: Anita Gardner
Cc: Carol Reynolds
Subject: RE: FG/108/17/DOC - Condition 4 Internal Noise levels - 1 Bennett Gardens, Ferring

Anita,

I have now spoken with Carol regarding this issue and believe I can get back to you within the next two weeks with a response of how we will improve the acoustic score to go along with the previously sent reports so please can you not decline the application just yet.

Kind regards
David

David Linton-Clowes [Design and Planning Executive] Taylor Wimpey Southern Counties

From: Anita Gardner [mailto:Anita.Gardner@arun.gov.uk]
Sent: 24 August 2017 11:54
To: David Linton-Clowes - TW Southern Counties <David.Linton-Clowes@arun.gov.uk> [REDACTED]
Subject: RE: FG/108/17/DOC - Condition 4 Internal Noise levels - 1 Bennett Gardens, Ferring

David,
I have spoken with the environmental health and she has explained her concerns to me. We will not override her comments and the DOC will be refused on the basis of the submitted information. If you wish to discuss her comments with her she is available for the next hour on 01903 737678
Regards
Anita

Anita Gardner | Principal Planner, Directorate of Place, [Arun District Council](http://www.arundistrictcouncil.gov.uk) | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37529 | External: +44 (0) 1903 737529 | E-mail: anita.gardner@arun.gov.uk



From:

David Linton-Clowes - TW Southern Counties [<mailto:David.Linton-Clowes@arun.gov.uk>]

Sent: 24 August 2017 10:36

To: Anita Gardner

Subject: RE: FG/108/17/DOC - Condition 4 Internal Noise levels - 1 Bennett Gardens, Ferring

Anita,

I am somewhat surprised and confused by this!

The condition states links to the original report produced by Sound Advice who also carried out the testing.

The report states an average score over the daytime and night time.

The fact that a high recording was taken during the night in what you must assume was a siren going down the A259 cannot be reason enough to not pass the plots recorded.

Let alone the fact that it goes directly against the wording of the report that the condition was linked to.

As far as I am concerned I have acoustic reports stating a Pass to the standards that were set out in the report again linked to the condition.

I hope that you override these comments on this basis.

I am happy for you to amend the address on the application accordingly.

Kind regards

David

David Linton-Clowes [Design and Planning Executive] Taylor Wimpey Southern Counties

From: Anita Gardner [<mailto:Anita.Gardner@arun.gov.uk>]

Sent: 23 August 2017 13:11

To: David Linton-Clowes - TW Southern Counties <David.Linton-Clowes@arun.gov.uk>

Subject: FG/108/17/DOC - Condition 4 Internal Noise levels - 1 Bennett Gardens, Ferring

Dear David,

The environmental health officer has recommended that condition 4 is not discharged. Her comments are as follows:

'Refuse application for discharge of Condition 4 in respect of post validation testing to determine compliance with the requirements of BS8233:2014. Those Acoustic Reports provided by Sound Advice Acoustics Ltd, Ref SA -5031 in respect of Plot 1-4 (1st to 4th July 2017) and SA - 4993 in respect of Plot 37 - 40 (24th to 27th June 2017) clearly demonstrate an unacceptably high incidence of peak noise, defined as 45dBLAFMax, within first floor bedrooms during night time hours. This is despite investigations having taken place predominantly over the week end, when traffic flow might be expected to be less. Please provide detail of those further mitigation measures which will be provided to achieve the required standard. Any further post completion validation testing to be carried out on at least 2 days within that period Monday to Friday.

I would therefore be grateful if you can advise how long additional information will take to be supplied to address these concerns. If it is likely to be more than 2 weeks the application will be refused and a revised application will need to be submitted for consideration.

Further I believe the address of the application is incorrect. It relates to one dwelling when the application description and form refer to blocks 1-4 and 37-40. I therefore seek your agreement to amend the address accordingly.

Regards
Anita Gardner

Anita Gardner | Principal Planner, Directorate of Place, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37529 | External: +44 (0) 1903 737529 | E-mail: anita.gardner@arun.gov.uk

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 - CLOSE BOARD FENCE
1800mm high
 - VERTICAL BAR RAILING
1100mm high
 - 3-BAR HORIZONTAL BAR RAILING
1200mm high
 - TIMBER KNEE RAILING
500mm high

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SEPARATELY



B	Unrelated to the main layout	08/07/14	AB	DC
A	Acoustic fence related to western boundary	08/07/14	DC	DC
New	Description	Date	Initial	Checked



1. Drawing Title: Taylor Wimpey South, Southern Counties
2. Drawing Number: 101
3. Drawing Date: 21/03/2014

Taylor Wimpey
Southern Counties

Land at Ferring
Worthing

Site Boundary Plan

For Planning
DC
JSL/21/59
NTS
21/03/2014

101
B