

Nicola Oktay

From: Fiona Fitzgerald
Sent: 05 March 2025 16:11
To: Planning.Responses
Cc: Jessica Riches
Subject: F/14/24/RES, F/15/24/RES, F/16/24/RES
Attachments: FORD.docx

Follow Up Flag: Follow up
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Dear Planning,

Please find comments from Environmental Health on the above applications.

Many thanks

Fiona

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My normal working hours are 08.30 -- 14.30 Monday to Friday

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Dear Planning,

Environmental Health **objects** to F/14/24/RES on the basis of both **noise** and **odour**.

Environmental Health **objects** to F/15/24/RES on the basis of both **noise** and **odour**.

Environmental Health **objects** to F/16/24/RES on the basis of both **noise** and **odour**.

Environmental Health objects to these three applications F/14/24/RES, F/15/24/RES and F/16/24/RES both individually and cumulatively. The applicant has failed to cumulatively assess noise sources within each individual application. However, given that this is a phased development, it is imperative that all phases of the development are also assessed cumulatively, meaning that the noise assessments must cover all phases, not just the specific areas referred to in these 3 applications. If this is not done, the applicant runs the very real risk of future phases being unable to be built due to intractable noise issues.

The specific issues are:

- Insufficient information provided resulting in Environmental Health being unable to make adequate assessment.
- Methodology used in acoustic reports leading to assessments based on data which is not considered robust.
- A large proportion of excluded data leading again to assessments based on data which is not robust.
- Poor acoustic design.

History (F/4/20/OUT)

Environmental Health objected to the outline application (F/4/20/OUT) for this site, on the grounds of both noise and odour. In summary, the original reasons were:

- Grundon MRF – the applicant considered that operation of the site within the Environmental Permit means that the site needed no further consideration. Environmental Health disagreed with this approach. Further this application sought to place residential (highly sensitive receptors) much closer to the noise source (Grundon) than when the Environmental Permit was determined.
- Environmental Health disagreed that providing houses in this rural location which would require windows to be closed to achieve suitable internal noise levels acceptable or in line with current Government Policy (Pro PG).
- Lack of cumulative noise assessments and the applicant dealing with specific noise sources in isolation rather than cumulatively.
- Odour assessment for Southern Water WWTW did not take into account future increase in capacity and subsequent impacts on odour assessment.
- Odour assessment for Grundon WTS, applicant stated that they assumed that the site should operate within its Environmental Permit and did not consider operations further. However,

this application seeks to place residential premises much closer than those present when the site was Permitted, and further complaints of odour may not reach the level of 'pollution' as determined under the Permit, but may still constitute a Statutory Nuisance or loss of amenity.

- Wicks Farm Biogas Digester – this application looked to place residential use across the road from the biogas digester and lagoon.
- Cumulative odour impacts across the site not assessed effectively.

F/14/24/RES

NOISE

Environmental Health does not consider that Condition 25 can be discharged and object to this application.

The Infrastructure RM (IRM) Waste Infrastructure Technical Note IRM_09.A (December 2024) Paragraph 5.1 states that 'noise modelling has been undertaken of specific operations in isolation and also to inform the extent and height of the proposed barriers at the site'. Environmental Health considers that given the multiple noise sources affecting the site (Grundon MRF, Ford Lane Business Park, Ford Airfield Industrial Estate etc) noise modelling simply cannot be undertaken in isolation for each noise source. Noise sources must be assessed cumulatively and for all phases of the site, not just the ones currently being applied for in F/14/24/RES, F/15/24/RES and R/16/24/RES. This is imperative and if it is not done, runs the risk of further phases of the site being unable to be completed due to intractable noise issues.

Condition 25 of the outline permission states that any reserved matters application shall include a scheme setting out details of noise sources and proposed mitigation.....and where relevant to be in broad accordance with section 4 of the Waste Infrastructure Statement'. No acoustic report has been submitted with this application.

The Waste Infrastructure Statement (Ref 23885, date 19/7/21), paragraph 4.4 refers to a 3m high acoustic fence. Throughout the IRM, reference is made to 4m acoustic fences. Environmental Health considers therefore that where the IRM refers to 4m acoustic fences, it is not in broad accordance with section 4 of the WIS and therefore Condition 25 is not complied with.

Noise levels in the IRM are with the proposed noise barriers in place. No information is provided without the noise barriers in place and therefore it is not possible to fully assess the likely impact of the noise sources on the proposed dwellings.

The July 2021 WIS (page 30, Figure 5 from the outline application), shows indicative sections illustrating potential noise mitigation, acoustic fences are shown on top of acoustic bunds. No acoustic bunds are referred to at any point in the current applications. Section 4 of the IRM states simply that 4m barriers are proposed, and does not explain how this conclusion was reached, or why other forms of acoustic barriers have been discounted, only that higher fences would not achieve a better noise environment.

Good acoustic design, as referred to in Pro PG advocates a systematic, proportionate risk-based approach. This is also one of the main principles to which the Planning Noise Advice Document: Sussex (Nov 2023) (PNADS) refers to, including specifically the requirement to demonstrate that consideration of the most appropriate positioning of the noise receptor within the site boundary has been considered. It would appear that noise has been considered as a bolt-on rather than a fundamental principle for this application.

Specific comments on the IRM:

1. Figure 1 does not appear to have a parameter for the noise levels, just a dB level.
2. Figure 1 does not show the noise levels from both Grundon and HD White cumulatively, only in isolation. It also only shows the noise levels for HD White with a 4m acoustic fence in place; an acoustic fence which isn't consented, and for which specific details have not been provided. Noise levels without the barrier are not provided and therefore it is not possible to determine the effectiveness of or otherwise of the acoustic fence.
3. Paragraph 2.13 states that future phases of the development will be accompanied by updated noise assessments and modelling which indicates that the developer does not intend to assess all noise sources and phases cumulatively. This provides a risk of future phases being unable to gain planning permission as there may by that point be intractable noise issues which could only have been resolved by a cumulative assessment at an earlier stage.
4. Paragraph 2.11 describes where a 3dB acoustic feature correction for impulsivity is applied, but does not detail any other acoustic feature corrections which may or may not need to be applied. In the worst case scenario, this could mean a 12dB difference.
5. Figure 2 (page 6) is difficult to assess as the proposed dwellings are not overlaid, so it is not possible to determine where they are in relation to the noise contours. Further, this is for noise levels in isolation, from the Grundon site, not all noise sources which will cumulatively impact the site. It is a rating level, not an LAeq parameter.
6. It is not clear why a contour of 35 – 50dB has been shown on Figure 3, compared to the more normal 5dB contours. Similarly, the proposed dwellings are not overlaid, making assessment of this figure uncertain.
7. Paragraph 2.24 – it is not clear which noise assessment is being referred to, or what the mitigation measures are that this paragraph is referring to are.
8. Paragraph 2.25 infers that further mitigation may be needed in relation to noise impacts from the Grundon Waste site and Wicks Farm site, but that these will not be considered cumulatively so the impact of these cannot be taken into account for this application. All noise sources need to be considered cumulatively for all phases.
9. Figure 4 again only shows noise levels due to operations at one site (the MRF) and omits any cumulative noise impacts. No parameter is given for these noise levels in this Figure.

10. Paragraph 2.30 states that closed windows will be required for 'properties closest to the MRF' but does not detail which properties these would be. PNADS states that 'in exceptional circumstances where windows are required to be kept closed to achieve an acceptable internal noise climate....' Environmental Health do not consider that the information provided by the applicant constitutes exceptional circumstances. This is backed up in the recent Planning Appeal APP/C3810/W/23/3318827 The Paddock, Littleheath Road, West Sussex, Aldingbourne BN18 0SR which states:

The evidence indicates that windows would need to be closed in order for acceptable standards of internal noise comfort to be achievable. A strategy for managing this issue in overheating terms may well be possible². However, this overlooks the more fundamental question of whether, all things considered, the need to keep windows closed would make for a healthy and comfortable standard of accommodation that would be expected of a well designed proposal.

It is reasonable that future residents of the development would expect to be able to open their windows, particularly in fine weather. Being able to open windows (and patio doors) in a dwelling is an essential part of everyday life, and something which most people take for granted. Forcing future residents to make a choice between opening windows and tolerating road noise at the levels identified in the Appellant's noise evidence would create an oppressive living environment, inconsistent with the principles of good design.

In addition, keeping windows closed would rely on the actions of third parties (i.e. future occupants) to be effective and is therefore not in itself a reliable form of mitigation. Requiring a large number of windows to be fixed shut by condition would not be reasonable/desirable across a development of this scale

Environmental Health consider that the above comments from the Planning Inspectorate are relevant to this with respect to using closed windows to effect an acceptable internal noise environment.

11. Paragraph 3.2 and 3.3 refer to noise assessments which are submitted as part of F/15/24/RES and F/16/24/RES. However, these assessments have not been submitted as part of F/14/24/RES and therefore cannot be considered as such. Condition 25 states 'any reserved matters application shall include a scheme setting out details of noise sources and proposed mitigation relevant to that application' and therefore the F/14/24/RES cannot rely on assessments submitted for other applications.
12. Paragraph 4.6 again shows noise modelling in isolation not cumulatively. The location of proposed dwellings are not overlaid on the noise contours so assessment of the contours and locations of dwellings is difficult.

13. Figure 7 – it is unclear what parameter Baseline Noise Level refers to.

Specific comments relating to information about acoustic barriers:

14. Landings green 1 of 2 TOR-RMIN-XX-DR-L-P-001 B shows location of 'proposed 4m high acoustic fence' but this is virtually invisible as it is covered by a red line. It is impossible to tell the extent of this fence, and no further details are provided.

15. Composite landscape master plan RM1, RM4 and RMI TOR-RMIN-XX-DR-L-P013 Rev A shows timber closeboard fence 1.8m high but does not indicate whether this is part of the noise mitigation or not.

16. Same document has 4m high acoustic fence shown in the key, and possibly located on the north-east most residential premises, but it is almost impossible to tell if this is the case.

ODOUR

It is unclear from Figure 5 in the IRM where the Activated Sludge Plant (ASP) is located in terms of the Southern Water Sewage Treatment Works, and therefore where the 300m should be drawn from. Presumably the ASP is not being considered as a point source such as a stack, and as such, Environmental Health considers that a polygon outlining the ASP would be helpful in allowing assessment in this case as to exactly where the 300m line should be drawn.

Similarly to comments about noise, the phases of this development need to be considered cumulatively, in order to prevent intractable odour issues arising during further Reserved Matters applications. It would appear from Figure 5 that the proposed dwellings in this RM application are literally just outside the 300m, but this would not be the case for other phases of the development such as RM3 which have just been left blank in this figure.

F/15/24/RES

NOISE

Comments on Reserved Matters RM1 (North) Noise Assessment, Report Ref. 2205771-R03B.

17. Environmental Health would query whether MP5 will give a representative noise environment for those dwellings situated on the north-eastern part of RM1 as the north-eastern location of RM1 is closer to the Wicks Farm development than MP5.

18. It is noted that for the environmental noise survey undertaken between 10 – 14th May 2024, a total of 25 hours were excluded from the survey due to adverse weather. Whilst this clearly cannot be avoided, it has removed 25% of the data, most of which is during the working week. Environmental Health therefore consider that representative background noise levels for the site have not been adequately captured and that further assessment is required to determine whether the data relied upon is robust.

19. Section 2.1. The acoustic report states that there has been a change to the site layout, but that the modelling has not reflected this and the acoustic consultant has stated that it does not change the results. Documents need to be provided to allow Environmental Health to make an informed decision.
20. Table 3.8 shows the range of noise levels captured during the noise monitoring.
Environmental Health is not satisfied with the use of the 'average' noise level rather than the maximum, especially given that there are sections of the monitoring which are not viable due to heavy winds. Environmental Health consider that the noise from industrial plant is not adequately captured and therefore this may impact subsequent assessments under BS4142.
21. L_{Amax}. Given that large chunks of the noise data have been discarded, some of which is in the evening period, further monitoring is required to obtain a representative night-time period to ensure that L_{Amax} figures are correct and reliable. Further information regarding the variation in L_{Amax} readings needs to be provided to give further clarity.
22. Paragraph 4.18 states that the specific sound level has been calculated to include the proposed 4m high screening, however the British Standard does not refer to this in its Terms and Definitions. No information has been provided about the specific sound level without mitigation in place and so it is not possible to determine how effective the mitigation is. If the source and receptor are some distance from the 4m high acoustic barrier, it will be less effective. Environmental Health is also concerned about whether the LPA is comfortable with a 4m barrier as this is a significant height and will need significant engineering solution to ensure that it is safe and can remain safe in high winds. No mention is made of responsibility for the acoustic fence upkeep and maintenance.
23. Paragraph 4.26. This only gives a 3dB acoustic correction but does not detail any other acoustic feature corrections which may or may not need to be applied. In the worst case scenario, this could mean a 12dB difference.
24. The noise readings in Table 3.1 from the industrial/commercials only capture what took place at that moment, and do not detail a worst case scenario. Furthermore this has also been compromised by high wind levels removing a proportion of the readings, meaning that it is likely that the worst case scenario for these planning classes has not been thoroughly considered.
25. The noise report only considers the commercial and industrial uses that are currently in occupation. It does not consider the class use for each of these sites, and therefore does not take into account the worst case scenario should any of the units change hands. It also therefore does not take into account increased activity from the current premises occupiers. Furthermore the hours of activity for the commercial sites, in most cases, has not been compared with the planning permissions for the locations. Instead, it is based on the current hours of operation only.
26. Paragraph 4.2 states that noise from commercial and industrial operations have been considered based on publicly available planning and EA permitting information (where

applicable). Environmental Health has concerns that Grundon MRF has therefore not been taken account of due to the applicant considering that the Environment Agency permitting conditions control both noise and odour from the site. Whilst the EA do clearly Permit this site and the permit refers to both noise and odour, this does not mean that noise or odour at a level which could be a Statutory Nuisance or impact on amenity will not occur. This has been brought up repeatedly in comments from Environmental Health in the outline permission, but this appears not to have been taken account of in the application.

27. Section 6 refers to Air Source Heat Pumps (ASHP). It states that ASHPs will be installed at each property across the scheme, but fails to provide specific acoustic information. Any noise from these pumps, either individually or cumulatively have not been taken account of in this report. The assumption in the report is that by the time the air source heat pumps are installed, technology will have improved meaning that the pumps are quieter, but no noise assessment taken place at this time.
28. Section 7.16. Environmental Health is not satisfied that the coloured charts showing the noise levels as contours show the cumulative noise impact of all the different sources impacting the residential units. It is imperative that this is presented so that Environmental Health can give an informed position in regard to the noise environment of these dwellings.
29. Section 7.3 states that 'the majority' of dwellings have private amenity areas on the sheltered sides of buildings, and 'habitable rooms are orientated so that they do not face noise sources. This is contrary to Condition 25 which states 'Location of gardens so as not to face the noise sources' and 'orientation of dwellings so that no habitable rooms are directly facing noise source'. The majority is not all, and therefore does not comply with Condition 25.
30. Sections 7.4 and 7.5 state that the internal acoustic environment of some dwellings will not be acceptable unless windows are kept closed. This is not accepted by Environmental Health. Please see points raised above in Point 10 (IRM) as these comments are directly relevant here. The percentage of dwellings which will be unable to open windows, some on as many as 3 sides of the dwelling, is 35.7%. This is entirely unacceptable in a rural area and is not consistent with the principles of Pro PG and good acoustic design.
31. Overheating. The acoustic report highlights that in some locations there is a medium risk of overheating in some dwellings. Given that this is effectively a greenfield location in a rural area, it seems that the only reason for this is the layout of the dwellings in close proximity to the spine road. Environmental Health does not consider that this is the only possible solution to protect the residents from noise from road traffic. Environmental Health does not consider this follows the spirit of Pro PG given its location. One possible way to overcome excessive heat is forced ventilation which will itself bring new noise sources into the residential vicinity, which have not been considered or designed into the proposal.
32. External Amenity Areas. Paragraph 7.18 shows that apartment balconies will exceed the noise guidance criteria but then fails to state what this criteria actually is. Again, given this is a rural area, the design solution to allow these balconies to achieve satisfactory external amenity noise levels is greater separation from the spine road.

ODOUR

33. With reference to Waste Infrastructure Technical Note RM1-12.A, odour does not appear to have been considered in relation to F/15/24/RES. Environmental Health considers that this is not acceptable, and that odour must be considered both in terms of individual sources and cumulatively over the application site for F/15/24/RES and cumulatively over the entire Ford site.

F/16/24/RES

34. It is noted that for the environmental noise survey undertaken between 10 – 14th May 2024, a total of 25 hours were excluded from the survey due to adverse weather. Whilst this clearly cannot be avoided, it has removed 25% of the data, most of which is during the working week. Environmental Health therefore consider that representative background noise levels for the site have not been adequately captured and that further assessment is required to determine whether the data relied upon is robust.
35. Table 3.1 shows the range of noise levels captured during the noise monitoring. Environmental Health is not satisfied with the use of the 'average' noise level rather than the maximum, especially given that there are sections of the monitoring which are not viable due to heavy winds. Environmental Health consider that the noise from industrial plant is not adequately captured and therefore this may impact subsequent assessments under BS4142.
36. Paragraph 4.19 states that the specific sound level has been calculated to include the proposed 4m high screening, however the British Standard does not refer to this in its Terms and Definitions. No information has been provided about the specific sound level without mitigation in place and so it is not possible to determine how effective the mitigation is. If the source and receptor are some distance from the 4m high acoustic barrier, it will be less effective. Environmental Health is also concerned about whether the LPA is comfortable with a 4m barrier as this is a significant height and will need significant engineering solution to ensure that it is safe and can remain safe in high winds. No mention is made of responsibility for the acoustic fence upkeep and maintenance.
37. Section 4.30 – 4.38 highlight that the noise from Grundon and Ford Airfield Industrial Estate has a noticeable and significant impact on residential properties at night-time with a rating level of +6dB which is considered by BS4142 to be an adverse impact. Environmental Health is concerned that the only proposed solution for these new dwellings to protect them from this noise is façade treatments of glazing and ventilation. Paragraph 4.36 details the need for closed windows and an alternative means of ventilation just in order to obtain a satisfactory internal acoustic environment.
38. Paragraph 6.3 – states the *majority* (so not all) of private amenity areas are located on sheltered sides of buildings and habitable rooms are orientated so that they do not face noise sources – this is contrary to condition 25.
39. Paragraph 6.4 – this highlights that 'some' dwellings need to have windows closed and alternative means of ventilation to achieve satisfactory noise levels. This again does not

follow Pro PG, particularly in an effective greenfield site in a rural location. It appears that over 20% of these dwellings would need to have windows closed and an alternative means of ventilation to achieve satisfactory internal noise levels.

40. Overheating. The acoustic report highlights that in some locations there is a medium risk of overheating in some dwellings. Given that this is effectively a greenfield location in a rural area, it seems that the only reason for this is the layout of the dwellings in close proximity to the spine road. Environmental Health does not consider that this is the only possible solution to protect the residents from noise from road traffic. Environmental Health does not consider this follows the spirit of Pro PG given it's location. One possible way to overcome excessive heat is forced ventilation which will itself bring new noise sources into the residential vicinity, which have not been considered or designed into the proposal.
41. Air source heat pumps. Section 6 states each dwelling will have an air source heat pump, which in themselves will be another noise source which has not been assessed. Any noise from these pumps, either individually or cumulatively have not been taken account of in this report. The assumption in the report is that by the time the air source heat pumps are installed, technology will have improved meaning that the pumps are quieter. This is likely to cause intractable noise issues which then cannot be resolved.
42. External Amenity Areas. Paragraph 6.19 shows that apartment balconies will exceed the noise guidance criteria but then fails to state what this criterion actually is. Again, given this is a rural area, the design solution to allow these balconies to achieve satisfactory external amenity noise levels is greater separation from the spine road.

ODOUR

With reference to Waste Infrastructure Technical Note RM4_12.A

43. It is unclear from Figure 5 in the above document where the Activated Sludge Plant (ASP) is located in terms of the Southern Water Sewage Treatment Works, and therefore where the 300m should be drawn from. Presumably the ASP is not being considered as a point source such as a stack, and as such, Environmental Health considers that a polygon outlining the ASP would be helpful in allowing assessment in this case as to exactly where the 300m line should be drawn.
44. Similarly to comments about noise, the phases of this development need to be considered cumulatively, in order to prevent intractable odour issues arising during further Reserved Matters applications. It would appear from Figure 5 that the proposed dwellings in this RM application are literally just outside the 300m, but this would not be the case for other phases of the development such as RM3 which have just been left blank in this figure.