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To: Planning.Responses <Planning.Responses@arun.gov.uk>

Cc: Raymond Cole <Raymond.Cole@arun.gov.uk>; Neil Williamson <Neil.Williamson@arun.gov.uk>; Joanne Lewis <Joanne.Lewis@arun.gov.uk>

Subject: F/6/21/WS

Dear Planning,

Environmental Health have concerns regarding this application on the grounds of unacceptable noise impact and insufficient information on other matters including (but not limited to) odour and air quality. On this basis, at the current time, Environmental Health would **object** to this application.

General Comments

1. Paragraph 35 of the Non-Technical Summary states that a range of nuisance control measures will be in place to ensure that problems with dust, odour, noise, pests and litter do not arise but then fails to actually say what these measures are and then talks only about good neighbour culture for the rest of the paragraph.
2. Paragraph 36 of the Non-Technical Summary states that Phase 4 is construction and commissioning of the ERF and Phase 5 is construction of the earth bunds and landscaping. Please could the applicant confirm whether potential noise nuisance from the site once commissioned but before the earth bunds have been constructed has been considered. If not, Environmental Health would require it to be considered to prevent unnecessary noise nuisance occurring.
3. It is stated that the majority of deliveries and collections will take place between 0600 – 2000 Mondays to Fridays and 0800 – 1800 Saturdays. Please could the applicant confirm the percentage of deliveries and collections that are likely to fall outwith these hours on an annual basis?
4. Abnormal operating conditions – Paragraph 3.116 of Chapter 3 of the ES states that a diesel generator will be used in the event of a black start. (i.e. no external electricity). Where will this generator be located and has there been a noise assessment done on this please?
5. Environmental Health will require a CEMP condition as referred to in Chapter 3 of the ES.
6. Environmental Health will require an EV charging point condition.
7. Chapter 5 of the ES, paragraph 5.12 'Difficulties in compiling information' discusses that the COVID 19 pandemic has affected some baseline study work but fails to mention the issue with the Landings application and uncertainty regarding that, although it is dealt with in other areas of the ES.

Air Quality

8. It would appear that the assessments have not included increased vehicle use from the many new homes if they were to be in existence before the ERF.
9. Vehicle movements and emissions – the report refers to a vehicle cap related to the planning permission for the new access road of no more than 240 HGV movements to and from the site on the access road per day. It is unclear as to whether this level of vehicle movements are actually occurring at the site currently or not and if not has this been taken into account in the monitoring/modelling or has it been based on actual

number of vehicles which may be less than the maximum allowed? The change in impact is considered to be negligible but this may not be so if current vehicle movements are not reaching the cap as above.

10. Future proofing. The assessments assume nationwide improvements in air quality as vehicles get cleaner over time and the plant will have to continue to meet its emission limits despite it getting older. If Government air quality objectives are lowered or introduced (the proposed Environment Bill is expected to include a new target for particulate matter but the exact content is not yet known. This may affect compliance. Reference has not been made in the application as to how this would be dealt with to ensure continued compliance.
11. Section 6.93 of the report states that “the point of maximum impact occurs to the north east of the ERF on a small section of Station Road (i.e. an area where the annual mean AQAL does not apply).” Environmental Health is unclear as to why the AQAL does not apply here as there are several residential properties here around the junction with Ford Lane but these have not been identified specifically as sensitive receptors.
12. Emissions mitigation statement. The total cost of mitigation has been based on the net increase in vehicle numbers over what is currently in use at the site. Environmental Health believe the full vehicle count for the new development should be used in this calculation, (not the net increase) and as such Environmental Health feel that the submitted mitigation is inadequate for this size and type of development.

Standard mitigation for all sites requiring an air quality assessment includes a travel plan (which Environmental Health cannot see submitted) and a number of EV charge points which are required regardless of the mitigation calculation. The other suggested mitigations are minor, low cost items such as bike racks and showers for staff which will have limited impact on air quality.

In this type and size of development Environmental Health would expect to see additional mitigation measures such as those listed below, particularly those focusing on reducing emissions from vehicles coming to and from and being used on the site itself.

- Provide public transport subsidy for employees
- Ensure all new commercial vehicles comply with the latest European Emission Standards
- Implement a fleet strategy that reduces emissions
- Use ultra-low emission service vehicles
- Invest in local walking and cycling initiatives
- Contribute to the cost of on-street EV recharging
- Contribute to unfunded measures identified in air quality action plans
- Implement a low emission strategy
- Contribute to local low or zero emission vehicle refuelling/recharging infrastructure
- Contribute to low emission bus service provision or waste collection services
- Contribute to local bike/e-bike hire schemes
- Fund incentives for the take-up of low emission technologies and fuel

Odour and Dust

1. Paragraph 54 of the NTS states that:

“Traffic levels during the operation of the proposed facilities will not exceed the HGV limit in the Section 106 agreement for the new access road i.e. up to 240 HGV movements per day. This means that there will be no significant effects on air quality from operational traffic. Similarly the number of HGV movements during construction will also adhere to this limit and therefore there will be no significant increase in the levels of traffic-related pollutants as a result of the construction period”.

Please could the applicant explain this statement as it would appear by Environmental Health’s calculations that this would still be over the 100 AADT?

2. Chapter 6 (AQ, Dust and Odour), paragraph 6.63 states that the peak wind directions are from the south west and the north. It states that the nearest residential premises to the south are at Horsemere Green Lane. Please could the applicant also confirm where the nearest sensitive premises to the north east are as these have not been mentioned in this paragraph.

3. Dust sensitive receptors. Paragraph 6.68 has only considered current residential receptors, not potential ones which may be in place if the adjacent planning application for the Landings progresses faster than this planning application. Please could the applicant expand on how many dwellings this would be and at what distance. If no agreement can be reached (as the applicant for the Landings application is only at outline stage and therefore the distance is not known) then Environmental Health would need to consider the worst case scenario and assume that residential dwellings are immediately adjacent to the boundary of this application site, and expect mitigation measures to address this.
4. Paragraph 6.87 states that the change in vehicle movements during operation of the site will not be significantly higher than during the construction phase and therefore the impact will be negligible. Please could the applicant confirm whether the vehicle movements during the construction and operation phases have been compared to the current vehicle movements and whether this is considered to change the significance of the impact?
5. Environmental Health welcomes the assumption in paragraph 6.89 of using highly conservative assumptions.
6. Paragraphs 6.113 and 6.114 do not consider the impact of odour on the potential housing development at the Landings Site. As this is a Strategic site designated for housing, Environmental Health considers that the future residential use of this adjacent site should be considered at this point.
7. Paragraph 6.133 regards dust soiling and human health effects based on existing receptors but does not consider the future residential use of the adjacent site.
8. Paragraph 6.133, Environmental health considers that the wording 'avoid bonfires and burning of waste materials' should be amended to read 'prohibit bonfires and burning of waste materials'.
9. Paragraph 6.140. The proposed Landings development is currently an outline application and the specific layout has not yet been proposed. Please could the applicant advise whether the 50m distance is from the ERF site boundary to the current proposed residential outline or not? Given that an outline permission (if granted) may not represent the final site of the housing, please could the applicant consider the fact that housing may end up being closer and therefore the impact increased?
10. Environmental Health is not satisfied that the EIA has adequately evidenced that odours will not be a problem at sensitive receptors close by. The applicant needs to provide geographical odour modelling in the vicinity to support their conclusions along with confirmation of the OEU levels caused from the site by the operation in the worst case scenario. Please could this information be provided before Environment Health can make a final, informed response on this matter.

Noise and Vibration

Chapter 14 of the ES

1. Paragraph 14.68, please could the applicant confirm why rear façade levels were used rather than front façade for Rodney Crescent premises?
2. Paragraph 14.76, please could the applicant confirm why a +3dB façade reflection has not been added?
3. Paragraph 14.89, please could the applicant provide further information about the grid connection route to include expected works and duration, including whether overnight working would be expected?
4. Paragraph 14.97, 4th bullet point states that the boundary screening will provide up to 10.4m screening but doesn't state the expected reduction in decibel levels. Please could the applicant provide this?
5. Paragraph 14.97, 6th bullet point states that standard roller shutter doors have a R_w 15dB reduction. Could the applicant confirm whether or not they have taken account of the roller shutter doors being open to allow for access/egress of vehicles, or whether the shutter doors will be left open during the working day as is common on waste sites.
6. Paragraphs 14.103 and 14.104 mention intermittency but do not determine whether or not intermittency is a factor for which penalties should be added in this case. Please could the applicant explain this and amend if necessary.
7. Paragraph 14.105. Please could the applicant confirm why the rating levels at the receptor façade location and do not include a façade reflection?
8. Paragraph 14.123. This would be a Section 61 application under the Control of Pollution Act 1974. Environmental Health would suggest that any application made under this section is made in a timely manner as the Authority has 28 days to consider the matter.

9. Paragraph 14.134. 65dB LAeq for the days and hours stated would be unacceptable to Environmental Health based both on the predicted noise level, proposed working hours and length of time of construction. Further Public Holidays are not mentioned, these should be included. No predictions of LMax has been included.
10. Paragraph 14.136 – same as above
11. Paragraph 14.137. Please could the applicant confirm the duration of 'short term' in relation to this and the following paragraphs. Also, Environmental Health does not agree that the impacts would be short term or negligible.
12. Paragraph 14.150 Demolition and Construction chapter. Environmental Health has concerns that due to the uncertainty of whether the proposed residential dwellings at the Landings site (F/4/20/OUT) will be in place at the time of proposed demolition and subsequent construction, it is difficult to draw reasonable conclusions as to the potential impact on future residents.
13. Paragraph 14.152. Please could the applicant explain why a façade reflection of 3dB has not been included, but has been included in paragraph 14.135. What element of noise impact has the 3dB been added for please?
14. Paragraph 14.155. Long term slight adverse effects from night-time operational noise on residential dwellings. Please could the applicant confirm whether any of the other receptors are predicted to be impacted by night-time operational noise, albeit at a lower level than R5 and R6.
15. Paragraph 14.157. Noted. However the Landings outline plan is just that, outline. Therefore it cannot be relied on that the potential impacts would be lower than predicted.
16. Paragraphs 14.162 – 14.169 Environmental Health has concerns with the justification given in 14.166 – 14.168 as the 1997 BS4142 methodology which has been withdrawn and therefore is not relevant at the current time. HGV's need to be included and this will result in unacceptable noise levels.

Noise and Vibration Assessment

1. Page 15, paragraphs 2 and 5 state that 'night-time maximum noise levels were expected to be dictated by traffic noise along surrounding roads'. However no confirmation of this assumption is given. Please could the applicant confirm whether or not this assumption is correct or not.
2. Whilst the sports fields of Arun Sports Arena are clearly not residential and therefore cannot be taken into account under BS4142, no mention has been made of any potential impact of noise (either demolition or construction) on these sports fields. Given the proximity to the proposed site (immediately adjacent) Environmental Health has concerns that the use of these fields may be subject to a Statutory Nuisance under the Environmental Protection Act 1990 from the site.
3. Figures 4.1 – 4.4 show a time period where data was not used due to Storm Ciara. Please could the applicant explain why a precise 24 hour period was used instead of removing data based on the outliers (e.g. excessive wind speed etc.).

Contaminated Land

- The owner(s) of any commercial property (warehouses, offices, etc.) built before 2000 are legally obliged to hold a copy of an asbestos register for each property in their portfolio. As the proposed development is being renovated to residential, the Council need to be satisfied that if any asbestos previously identified is still present, it is either removed or suitably managed to minimise risk to human health as there is no safe threshold for asbestos exposure. A copy of the asbestos register, and any remedial strategy (where appropriate), must be provided in writing to the Local Planning Authority prior to any works commencing. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan 2011 – 2031

- 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

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