

From: Fiona Fitzgerald
Sent: 04 December 2018 12:36
To: Planning.Responses
Cc: Richard Castro-Parker
Subject: LU/286/18/PD

Dear Richard

Environmental Health would strongly recommend **refusal** for this application. This is for the reasons noted below:

Comments on Noise from Environmental Health

Whilst I have assessed the acoustic report submitted for this application and the addendum subsequently submitted, I have serious concerns that allowing residential use at this site will directly contravene bullet point 3 of paragraph 123 specifically "existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established". There is a B2 use to the west of the site with no time use restrictions on it, and a further B2 use at Unit 14 of Martello Enterprise Centre directly behind the proposed site again with no time use restrictions on it. The acoustic report has not taken into account the worst case uses of these two sites (for example 24/7 sheet metal production), and in any case the B2 use of these sites may well have a detrimental effect on any residential use. I have concerns that the acoustic report has also underestimated the noise impact of deliveries at the Morrisons supermarket site.

It is further my opinion that allowing residential use at this site would also contravene bullet point 1 of paragraph 123 of the NPPF, namely "avoid noise from giving rise to significant adverse impacts on **health and quality of life** as a result of new development" as residents will be unable to open windows without being at risk of excessive noise and potential Statutory Nuisance from the surrounding land uses.

Finally, although the comments from Private Sector Housing are detailed further below, it should be noted that due to the internal flats, it is highly likely that Category 1 and significant Category 2 Hazards (under the HHSRS) may be present which would result in either a Prohibition Order or Improvements Notices being served.

Comments from Private Sector Housing

Fire Safety

- Appropriate fire precaution facilities and equipment must be provided of such type, number and location as are considered necessary. Guidance on fire safety is contained in the LACORS guidance document – "Housing – Fire Safety, Guidance on fire safety precautions for certain types of existing housing"

Room Sizes

- Room sizes should meet the minimum standards for houses in multiple occupation if the flats are intended to be rented.

- Rooms need to be of a useable and practicable size to enable appropriate furniture or appliances to be fitted and used safely.
- Whilst there are no specific minimum sizes for bathrooms a number of the ensuite facilities appear to be narrow and would potentially make practical use very restrictive.

Ventilation

- Any bathrooms and kitchens without windows for natural ventilation should have adequate mechanical ventilation.

Windows

- The studio flats located internally with in the building, do not have any windows, velux windows as the only source of light, ventilation should be avoided where possible. All velux/ ceiling/roof windows must be able to be fully opened for ventilation during spells of prolonged and heavy rain or snow without allowing it to enter the room. Each velux window must also have integral passive ventilation for ventilation even when the window is shut. The Housing Health and Safety Rating System (HHSRS) states as a relevant matter that there should be a "reasonable view out of all rooms, other than those where privacy is required, such as bathrooms and WCs", as this can have a negative effect on the mental health of the occupants, especially over the longer-term. Each scenario will be assessed on a case-by case basis by an Officer to ascertain whether the windows are suitable and/or appropriate. In instances where it is not considered suitable alternative windows may be required to be installed.

General

- Must meet the requirements of the Housing Act 2004 and be free of Category 1 and significant Category 2 Hazards, failure to do so may result in service of an Improvement notice or Prohibition Order.

Regards

Fiona Fitzgerald