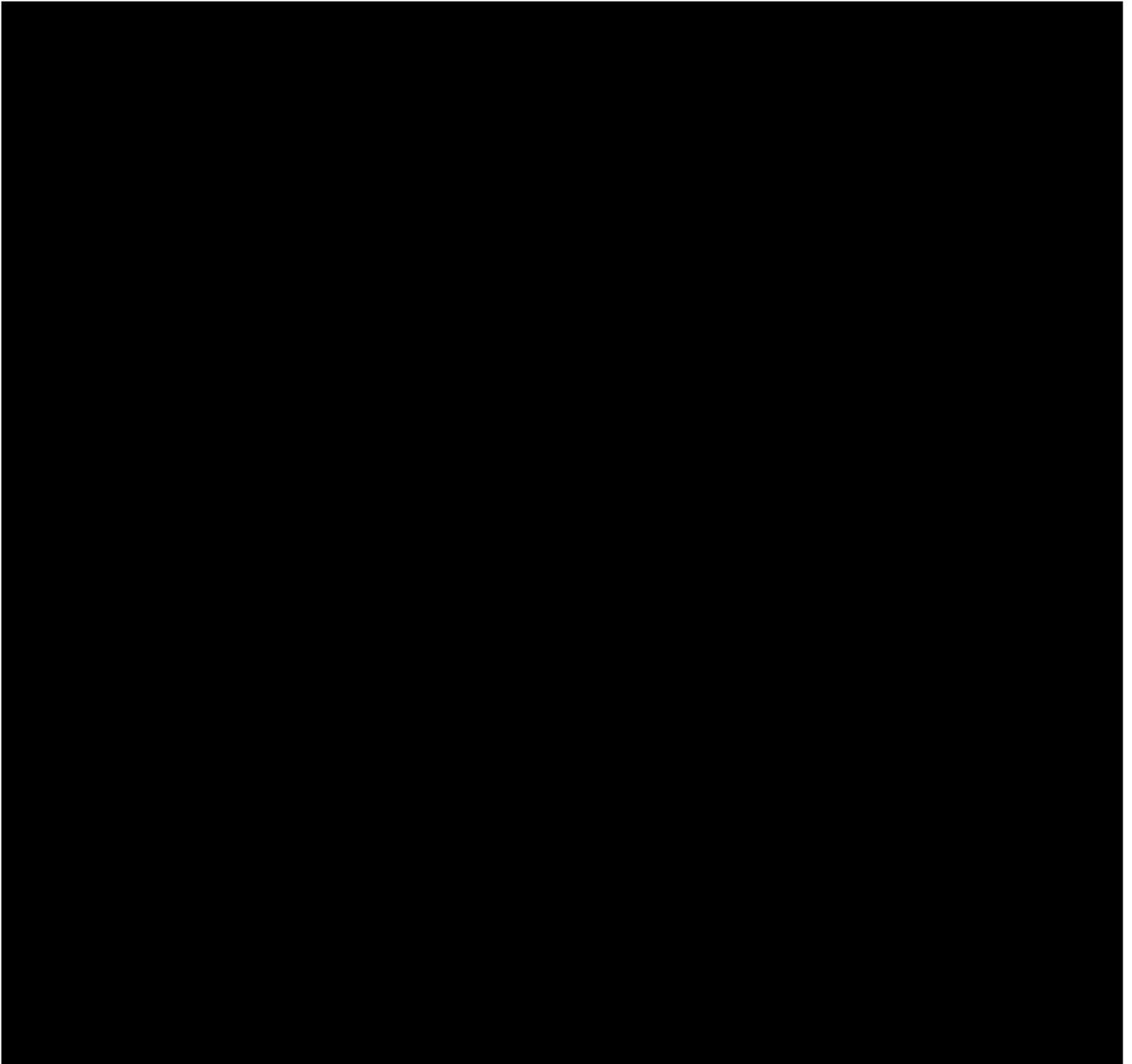




From: Carol Reynolds <Carol.Reynolds@arun.gov.uk>

Sent: 16 February 2022 18:57

To: Michael Eastham <Michael.Eastham@arun.gov.uk>

Subject: Lu/417/21/OUT - Holland Nurseries, Land North of Toddington Lane, (adjacent to Lyminster By Pass), Hampton Park, Littlehampton, BN17 7PP

Dear Michael,
Please find our comments as below.

Environmental Health. No objection in principle. Please condition:-

1. Noise.

No development shall commence until an acoustic assessment has been carried out to determine the impact of noise from nearby transport and commercial/industrial related noise sources on the proposed development. It is noted that some proposed dwellings will be adjacent to a new major

link road, The Lyminster Bypass and roundabout thereto; further, that there is an existing Household Waste Recycling Centre to the immediate west of proposed houses which may be extended to abut the boundary of the proposed development site. The proposed spur road appears to provide access to this waste recycling facility in which case HGV's may require to pass along this road. Any intended new pumping station, or electrical substation should be included in the acoustic assessment.

The applicant is advised to consult the Planning Noise Advice Document, Sussex, July 2021 for further guidance. Please note that new Building Regulation O – Overheating, will apply to new dwellings from June 2022.

Noise in Habitable Rooms.

The acoustic report shall demonstrate that noise levels within habitable rooms of proposed residential units will conform to the 'Indoor ambient noise levels for dwellings' guideline values as specified within Table 4, under Section 7.7.2 of BS 8233:2014, Guidance on Sound Insulation and Noise Reduction for Buildings and World Health Organisation guidance: 2009; as well as guiding principles of ProPG: Planning & Noise, May 2017.

The report shall be compiled by a competent acoustician on sound insulation and noise reduction for buildings. It shall detail how the assessment has been carried out, the results and noise mitigation measures required for the development. Such a scheme shall be submitted to and approved in writing by the Local Planning Authority. The works specified in the approved scheme, shall be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

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

Noise in External Amenity Areas.

Prior to the commencement of the development hereby approved, a scheme shall be prepared to demonstrate that the external noise level within the curtilage of residential units and external amenity spaces will conform to the "Design criteria for external noise" desirable guideline value of 50 dB $L_{Aeq,T}$ equivalent to a 'moderate level of disturbance,' as specified within section 7.7.3.2 of BS 8233:2014

Details shall be compiled by a competent acoustician on sound insulation and noise reduction for buildings and shall be submitted to and approved in writing by the Local Planning Authority. The works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

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

Noise from Commercial or Industrial Operations.

BS 4142:2014 +A1:2019 Assessment will be required in order to assess any requirement for noise mitigation..- Methods for Rating and Assessing Industrial and Commercial Sound.

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

Post Construction Validation

Post construction validation testing is to be carried out within 8 weeks of completion of those residential units closest to the noise source(s) to demonstrate to the satisfaction of the Local Planning Authority that the above standards are met.

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

2. Air Quality Requirements for Major Developments.

As this is a major application, consideration must be given to air quality issues. As per the National Planning Policy Framework (NPPF) (updated February 2019) air quality should be considered at the design stage and incorporate appropriate and effective mitigation.

The applicant must follow the Air Quality & Emissions Mitigation Guidance for Sussex (2020), available at:

<http://www.sussex-air.net/Reports/SussexAQGuidanceV.12020.pdf>

This countywide adopted guidance states that where a major sized development is proposed a number of checklists should be followed in order to determine the likely impact of the proposed development on air quality. The intention of the guidance is to identify any air quality impacts through an impact assessment and to ensure the integration of appropriate mitigation into a scheme at the design stage, so the damage costs on health can be properly mitigated. The air quality impact assessment can follow the procedures contained within the Institute of Air Quality Management (IAQM) Guidance entitled: 'Land-Use Planning & Development Control: Planning For Air Quality' (January 2017), available at:

<http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 – 2031

3. Odour and Dust.

Before the development commences the applicant shall prepare a report to identify whether use of neighbouring Household Waste Recycling Centre presents a source of dust or odour which if not properly dealt with, may detrimentally effect proposed residential accommodation and amenity areas thereto, including any LEAP.

Reason: To protect the amenity of local residents.

4. Electric Vehicle Charge Points.

Prior to occupation of any of the dwellings, a scheme shall be submitted to and approved by the local planning authority for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings. The approved scheme shall be implemented in accordance with the approved details and the charge points shall thereafter be retained and maintained in good working condition. Charge points should be Mode 3, 7kw fast chargers as a minimum.

Reason: New petrol and diesel cars / vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework (NPPF).

Please note that new Building Regulation S – Infrastructure for Charging of Electrical Vehicles will apply to all all new dwellings from 15 June 2022.

5. Electrical Lighting Schemes in Major Developments.

Details of the proposed lighting scheme for the development shall be provided to and approved by the Local Planning Authority before installation. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) E3: Medium district brightness areas.

Due to the relative proximity of existing residential premises there is the potential for the development to cause a loss of amenity as a result of light glare / creep / bleed.

Light intrusion into residential windows shall not exceed 10 Lux between 07:00 and 21:00 hours and 5 Lux between 21:00 and 07:00 hours, measured as Vertical Illuminance (EV) normal to glazing. The Sky Glow (Upward Light Ratio) shall not exceed 5.0%

Reason: To protect the amenity of local residents in accordance with Policy QE DM2 of the Adopted Arun Local Plan 2011 – 2031

6. Potentially Contaminated Land.

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

Precautionary:

If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using a suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.

If no such contaminated material is identified during the development, a statement to this effect must be submitted 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

7. Construction/Demolition Management Plan.

No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-

- a) An indicative programme for carrying out of the works;
- b) Details of the arrangements for public engagement/consultation both prior to demolition/construction and for continued liaison during the construction works;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e) The parking of vehicles of site operatives and visitors;
- f) Loading and unloading of plant and materials, including permitted times for deliveries;
- g) Storage of plant and materials used in constructing the development;

- j) Measures to control the emission of dust and dirt during construction;
- k) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 – 2031

Hours of Working. No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no 'noisy' work on Sunday or Bank Holidays

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 – 2031

Informatives

- i. There shall be no burning of any trade / commercial waste or other materials on the site, except in an incinerator, the details of which shall be approved in writing by the Local Planning Authority before the development is brought into use. The use approved shall be carried out strictly in accordance with the details agreed

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

Carol Reynolds

Senior Environmental Health Officer
Environmental Health Department

T: 01903 737678

E: carol.reynolds@arun.gov.uk

Please note my normal working days are Tuesday to Friday

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