

Committee: Planning

Agenda Item

Date: 21 October 2015

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Title: UTT/14/0127/FUL; Planning application for the erection of 99 dwellings, including 40 percent affordable housing, facilitated by new vehicular and pedestrian access from the roundabout junction of Ongar Road and Clapton Hall Lane, public open space including a children's' play area, green corridors, associated parking and landscaping. Land South of Ongar Road, Ongar Road, GREAT DUNMOW

**Author: Nigel Brown
Development Manager**

Summary

1. The above planning application was reported to Planning Committee on 29 July 2015 where members resolved planning permission subject to conditions and the completion of a Section 106 Obligation which is progressing. The report to this Planning Committee is appended to this report.
2. Since the resolution of Planning Committee a Noise Report has been submitted by the Sharps Acoustics questioning the rationale and conclusions made by the acoustic report carried out by Acoustic Air Limited on behalf of the developer. The acoustic report submitted by the developer has been revisited by the Council's Principal Environmental Health Officer in light of the issues raised by Sharps Acoustic.
3. The purpose of this report is for members to consider the matters raised on this issue in their consideration of this application.

Recommendations

It is recommend that the approval of this application be confirmed subject to the terms of the Section 106 and conditions agreed at Planning Committee on 29 July 2015 subject to a replacement condition 8

8 Prior to commencement of development a detailed Road Traffic Noise Impact Assessment and noise attenuation / insulation scheme to protect residential amenity shall be submitted to and approved in writing by the Local Planning Authority.

The noise attenuation/ insulation scheme shall ensure that dwelling rooms and external amenity areas meets the following internal / external guideline criteria as detailed within BS 8233:2014 and the World Health Organisation Guideline for Community Noise 1999.

▪ Location	▪ 07:00 – 23:00	▪ 23:00 – 07:00
▪ Living Room	▪ 35 dB LAeq (16hr)	▪ -
▪ Dining Room	▪ 40 dB LAeq (16hr)	▪ -
▪ Bedroom	▪ 35 dB LAeq (16hr)	▪ 35 LAeq (16hr) + 45 dB LAmax
▪ Garden Areas	▪ 55 dB LAeq (16hr)	▪ -

The scheme as approved shall be fully implemented prior to occupation and shall be retained thereafter and not altered without prior approval.

Reason: In the interests of the amenity in accordance with Policies GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

Financial Implications

4. None. There are no costs associated with the recommendation.

Background Papers

None

Impact

- 5.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

6. This application was considered by Planning Committee on 29 July 2015. Members resolved to grant Planning Permission subject to the completion of a S106 Legal Obligation and certain conditions. The Section 106 Obligation is progressing.
7. Since the resolution of Planning Committee a Noise Report has been submitted by the Sharps Acoustics questioning the rationale and conclusions made by the acoustic report carried out by Acoustic Air Limited on behalf of the developer. The acoustic report submitted by the developer has been revisited by the Council's Principal Environmental Health Officer in light of the issues raised by Sharps Acoustic.
8. The purpose of this report is for members to consider the matters raised on this issue in their consideration of this application.

Comments by the Principal Environmental Health Officer

9. I refer to the acoustic assessment provided by Acoustic Air Limited, dated January 2014.
10. The assessment is not based on current accepted planning guidance. Noise impact should be considered in accordance with the WHO Guidelines for Community Noise, BS 8233: 2014 Guidance of Sound Insulation and Noise Reduction in Buildings, and the Planning Practice Guidance on Noise.
11. The site is affected by reasonably high levels of road traffic noise and ideally I would have preferred a full 24 hour survey. However, based on measured levels and the assessment methodology, I do not consider it warrants a further assessment at this time.
12. I note the assessment report prepared by Sharpes Acoustics LLP. In the main, do not disagree with many of the points raised, however, in my opinion; the acoustic assessment provided by Acoustics Air is not sufficiently flawed to be a justified reason for refusal on grounds of insufficient information.
13. In the main, the impact of transport noise can be typically mitigated against through the use of barriers, enhanced glazing and ventilation. On balance and taking into consideration Planning Practice Guidance on Noise, I am of the opinion that matters relating to internal and external amenity should be addressed through the use of appropriate worded conditions (See below).

14. Recommended Conditions

Prior to commencement of development a detailed Road Traffic Noise Impact Assessment and noise attenuation / insulation scheme to protect residential amenity shall be submitted to and approved in writing by the Local Planning Authority.

The noise attenuation/ insulation scheme shall ensure that dwelling rooms and external amenity areas meets the following internal / external guideline criteria as detailed within BS 8233:2014 and the World Health Organisation Guideline for Community Noise 1999.

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The scheme as approved shall be fully implemented prior to occupation and shall be retained thereafter and not altered without prior approval.

Informatives

If the applicant is unable to achieve the internal levels listed with windows partially open, an appropriate acoustically treated ventilation system must be proposed to ensure that the occupiers can achieve good ventilation rates without the need to open windows. For the purposes of this condition, good ventilation shall be equivalent to purge ventilation at 4 air changes per hour. Façade sound insulation calculations must be presented and based on the calculation give in Annex G2.1 of BS 8233:2014

According to the acoustic report, it is expected that noise levels of 55dB LAeq can be achieved through the use of screening from the buildings and fencing. The applicant is advised that it will be necessary to demonstrate that the occupants of each property will be protected from levels in excess of 55dB LAeq (16hr). Measures to ensure compliance with this standard typically include acoustics barriers and fencing. Any barriers/fencing to protect amenity areas shall be robust and be of sufficient mass, density and construction so as to adequately protect the future occupiers of the site. It is expected that the barriers will come with a min 15 year guarantee.

Conclusion

15. It is concluded that the Principal Environmental Health Officer is content and in light of the observations made regarding the Noise Report submitted on behalf of the developer.