DELEGATED REPORT

AWDM/0805/23 | Approval of Details Reserved by Condition 17 (Noise Mitigation) of approved application AWDM/1157/21. | Merriman Grange 102 Warren Road Worthing West Sussex BN14 9QX

Submitted Information

- RDT-ZZ-XX-CO-A-9207 - SUPPORTING COVER LETTER
- 90227/EBF - NOISE ASSESSMENT
- Letter from Cinnamon Care (Received 23-01-24 with agent's email)
- Agent's Email 23-01-24

Condition 17 Noise Mitigation

With the exception of any demolition works, construction work above ground level shall not commence until a scheme for protecting the proposed noise sensitive development from external noise has been submitted to and approved by the Local Planning Authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall achieve the indoor ambient noise levels for dwellings specified in BS8233:2014. The scheme should include full details of glazing and a strategy to prevent overheating. The scheme shall also include an assessment of external amenity areas and achieve the levels recommended in the World Health Organisation community noise guidelines. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential development from noise.

Reason: To safeguard residents from noise in accordance with policy 16 of the Worthing Core Strategy 2011 and saved policies S8 & H18 of the Worthing Local Plan 2003.

Consultations

***Environmental Health Officer*:** Acceptable on basis of applicant;s letter and agent's email of 23rd January 2024. Recommends use of informative:

Whilst this management -based strategy for the management of noise risk and overheating is considered acceptable in the particular circumstances of development, it is recommended that this is monitored carefully, especially during the first periods of hot weather following occupation of the development to ensure comfort of residents and staff. Advice may also be available from the Care Quality Commission. Should other means of ventilation be found to be necessary in the future, the applicant should contact the Council Planning And Environmental Health Teams to ascertain whether any further approval would be required.

Assessment

The submitted Noise Assessment of 24 March 2024 confirms that the site is exposed to road traffic noise and that internal levels will comply with standards (BS8233) with windows closed. However, with windows open, exposure levels of 48dB and 43dB would be +8dB and +13dB above target levels for daytime and nighttime respectively, allowing for partial mitigation by a window which is only partially open. The Environmental Health officer disagrees that the use in bedrooms of proposed trickle-ventilation only, without mechanical ventilation, will be sufficient to provide adequate ventilation when windows are closed.

In response, the applicant has pointed to the following factors:

- The noise-exposed facade (south west frontage), containing bedrooms and day-lounges, is partly shaded by large trees, several are protected, along the frontage. This assists with summer shading
- Curtains & blinds in sun facing rooms would be closed during periods of hot weather to reduce solar gains. This is common practice in care homes.
- Portable fans and air conditioning units can be used if needed.
- Staff are able to relocate residents from bedrooms to communal day spaces, which have air conditioning, during periods of hot weather
- The building will meet building regulations requirements.

On this last point, the assessment acknowledges that Building Regulations will require background ventilation, although it is not clear to what extent this might address noise exposure risk to the recommended dB levels. Hence the applicant's proposals for day to day management of ventilation and associated noise are significant here.

In consideration of this, it is recognised that the use of the building for provision of care and nursing is heavily dependent on continuous management to ensure the comfort and welfare of residents. Furthermore, the Care Quality Commission undertakes registration and monitoring of the effectiveness of care and management. As such it is considered reasonable that the management measures listed above will take place or that other measures, if needed can be introduced in future.

Accordingly, in this particular case the management-based approach is considered proportionate, subject to the informative referred to by the Environmental Health officer. This highlights the need to monitor its effectiveness and that advice may be obtained from the CQC. In addition reference can be added regarding the requirement which is set out under the second part of the condition for a test to be undertaken to demonstrate that the effectiveness of these measures; given the consideration of summer ventilation, a suitable time for this would be towards the latter part of the first summer during which the building is occupied. On this basis the application is considered acceptable.

Recommendation.

Approve details subject to the informative referred to by the Environmental Health officer, with added wording to refer to the need for submission of an effectiveness test.

Is recommendation contrary to letter(s) of representation? N/A

Case Officer: Stephen Cantwell Date: 02/04/2024

Authorised by: James Appleton Date: 02/04/24