

NORTH HERTFORDSHIRE DISTRICT COUNCIL

**MEMORANDUM**

To: <b>PLANNING CONTROL AND CONSERVATION SERVICE</b> Kate Poyser	From: <b>HOUSING &amp; PUBLIC PROTECTION SERVICE</b> Rory Cosgrove
	Date: 16 April 2018
Our Ref: 1521/18	Yr Ref: 17/01622/1
Subject: Full Planning Permission: Erection of 3 storey building to provide 9 x 2 bed flats; conversion and extension of store to 1 bed house and new vehicular access off of Station Approach (as amended by drawings received 12th and 25th October 2017). The Station, Station Approach, Knebworth, SG3 6AT	

Thank you for your recent consultation regarding the above application. I have reviewed the Housing and Public Protection Service's records pertinent to this proposed development and I would like to make the following comments:

**Areas of concern**

My colleague, Patricia Howes, highlighted concerns of odour and noise regarding the above development in her memo to planning dated 19<sup>th</sup> July 2017 and requested more information prior to the planning application being determined. I understand that the original plans were amended to remove the residential development above the existing public house so my comments will focus only on the proposed flats and the one bedroom dwelling.

**Odour**

The odour concerns Patricia highlighted were related to the kitchen extract ventilation system that was previously used by the pub before it closed but would be used again should the pub re-open. Her main concerns related to prospective occupiers of the flats above the pub which are now not the subject of this planning application.

I have reviewed the odour assessment by Accon UK Environmental Consultants dated 16<sup>th</sup> February 2018. The assessment has adequately considered the odour impact on prospective occupiers of the flats above the pub as a 'worst case scenario' in line with Patricia's comments even though they are now not the subject of this planning application. A number of odour abatement measures have been recommended in Table 2.2 of the report which relate to a high risk impact following a risk assessment. One of the criteria of this risk assessment was the proximity of receptors and a score of 10 was given because the proposed flats above are within 20m of the kitchen discharge point. Aside from the fact that there will now only be a one bedroom dwelling and a block of flats, they are 10m and 19m from the kitchen discharge point so the risk rating and subsequent odour abatement measures still stand.

To this end, I have included a suitable recommendation below requiring the measures to be fully implemented prior to the kitchen extract ventilation being used again so that the odour abatement measures are in place irrespective of when first occupation of the dwellings

occurs. I trust that the below recommendation can be attached to any planning consent given even though the kitchen extract ventilation system doesn't technically form part of the planning application because the pub falls within the application boundary and is under the same ownership.

### Noise

I have reviewed the noise assessment produced by Accon UK Environmental Consultants dated 14<sup>th</sup> February 2018 which has adequately assessed the noise sources of concern as highlighted by Patricia Howes and has demonstrated that residential occupation is possible at the application site. However, the report has focused on the noise sources affecting prospective occupiers of the flats above the public house (which are no longer part of the planning application) and has not included consideration of the proposed block of flats or the one bedroom dwelling. Given that the formerly proposed flats above the public house would have represented a worst case scenario in that they are above the public house and closest to the road/railway line and that the report demonstrates that residential occupation is possible there with appropriate noise mitigation measures, I feel that the noise issues relating to the one bedroom dwelling and the block of flats are surmountable because they represent a lower than or equal to noise risk and therefore residential occupation is appropriate. A subsequent scheme of specific noise mitigation measures for the residential dwellings will need to be submitted (i.e. glazing and ventilation specifications) and I have included a suitable recommendation below.

With regards to patron noise from the public house and specifically the restaurant garden should it re-open, again the above scheme of the noise mitigation measures which are to be a condition of the planning consent will help mitigate this. Occupiers of the dwellings may find that there is still some noise associated with the use of this garden area although some noise should be expected when living adjacent to a public house. If the public house is to re-open, depending on the status with the premises licence a new one may need to be applied for and Environmental Health can impose licence conditions to control noise in the restaurant garden area.

The noise assessment also covers plant for the public house and states that it is likely that all the existing plant will be replaced if it is to re-open. I understand that this would require a separate planning application in its own right so I do not propose to recommend a planning condition at this stage. There is a concern that if the existing plant is to be used should the public house re-open, it could give rise to unacceptable levels of noise at the nearest receptors but in this scenario it is likely that the noise mitigation measures at the proposed dwellings will be sufficient to combat this. The report does not state if plant is to be installed to serve the flats but in this eventuality a separate noise assessment will be required and I have included a recommendation below for this.

Finally, the noise assessment covers sound insulation between the public house and the previously proposed first floor flats. Sound insulation falls under the Building Regulations so I do not propose to comment on this aspect of the noise assessment and it is currently not relevant given that this aspect of residential development no longer forms part of the planning application.

### Recommendations

1 Prior to first occupation of the dwellings, a scheme of noise mitigation measures shall be submitted for the Council's written approval and shall be in accordance with the findings of the Accon UK Environmental Consultants report reference A3239/N/02/V1 dated 14<sup>th</sup> February 2018 (The Station Public House, Knebworth- Noise Assessment). Once

approved, the scheme of measures shall be fully implemented and maintained in accordance with the details in perpetuity.

**Reason: to protect the residential amenities of future occupiers of the development.**

2 Prior to any plant being installed to serve the flats, the developer shall carry out a noise assessment following the guidelines set out by BS4142: 2014 which shall take into account all proposed plant and shall include noise control measures which should be submitted for written approval by the Local Planning Authority (LPA). No plant shall be installed and operated at the flats until the noise assessment has been approved by the LPA. Noise mitigation measures shall be such as to achieve 5dB below existing background noise levels.

**Reason: to protect the residential amenities of future occupiers of the development.**

3 Prior to kitchen extract ventilation system serving The Station Public House being used, the odour abatement measures detailed in Table 2.2 of the Accon UK Environmental Consultants report reference A3239/O/001 dated 16<sup>th</sup> February 2018 (The Station Public House, Knebworth- Odour Assessment) shall be fully implemented. Once implemented, the scheme of measures shall be maintained in accordance with the details in perpetuity.

**Reason: to protect the residential amenities of future occupiers of the development.**

#### Informatives

During the construction and conversion phases the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

During the construction and conversion phases no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

If you should consider that the above conditions would be inappropriate for this application, or that their wording should be altered, please contact me to discuss your concerns.

Yours sincerely

Rory Cosgrove  
**Senior Environmental Health Officer**