

CIRCULATED IN ADVANCE OF THE MEETING

ALTERATIONS AND ADDITIONS REPORT

17th July 2018

Item 8 DC/18/1728/ARM – Brooke Peninsula and Jeld Wen Site, Waveney Drive, Lowestoft

Suffolk County Council – Highways Department:

Further to receiving amended plans and additional information, the Highway Authority is satisfied with the proposal subject to the following comments and informative notes:

1. As previously agreed, the Highway Authority will not adopt the minor roads, parking bays, tree pits and footways/cycleways as they do not comply with our adoptable standards. We may adopt the main access/spine road providing the road and drainage are designed and constructed to adoptable standards.
2. The proposed pedestrian crossing facility on Waveney Drive will need to be a signalised crossing, unless a satisfactory method to secure it at a later phase or trigger point has been submitted and approved by the Highway Authority prior to the applicant entering into a Section 278 Agreement, necessary to provide the access junction.

Informative Notes:

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

No conditions are recommended as the highway related matters are covered by conditions in the outline permission (DC/13/3482/OUT).

WDC Environmental Health Officer:

The ACCON report has assessed noise from road traffic and the air source heat which will be installed with the new dwellings. The report has identified that noise control measures will be required and it is imperative that the proposed development is completed in accordance with the measures that ACCON have specified.

Unfortunately I do still have a significant concern: the ACCON methodology has only assessed the equivalent continuous sound levels (L_{eq}) from traffic noise. Such an assessment does not consider the potentially significant disturbance on sleep that peak noise levels can have. This fact is recognised in BS8233, guidance issued by the WHO and the 'ProPG: Planning & Noise: New Residential Development' published by the IOA, CIEH and ANC. Due to the age of the planning permission the version of BS8233 referred to by the conditions is dated 1999. This version of the standard states:

"For a reasonable standard in bedrooms at night, individual noise events (measured with F time-weighting) should not normally exceed 45 dB L_{Amax} ."

The 45dB L_{Amax} is also the threshold specified by the WHO and the ProPG. Unfortunately the ACCON report has not assessed the metric of peak noise so compliance has not been demonstrated. Appendix 2 provides details of the measurements made during the survey and there are some very high night time peak levels recorded. On the face of it this appears to suggest that compliance with 45dB L_{Amax} may not be achieved. Disturbance of sleep could represent a significant adverse impact on future residents and should not be permitted. Can the applicant demonstrate compliance with the required 45dB L_{Amax} criteria?

In addition there has been no consideration or assessment of noise levels within gardens and outdoor amenity areas. Thresholds for such areas are given in BS8233 and, given that the existing data has identified high noise levels from traffic and air source heat pumps, the applicant should carry out an assessment predicting the expected noise levels within garden and outdoor amenity areas.

Addition to the recommendation as follows:

That delegated authority to approve the application be given subject to resolving the outstanding concerns of the Environmental Health Officer.