

Steve Ashdown

From: Oliver Benson
Sent: 27 March 2024 15:56
To: Steve Ashdown
Subject: RE: T4166 Ansty DM/23/2866 SR/23/4233 Land East Of Ansty Way Cuckfield Bypass Cuckfield West Sussex

Hi Steve,

I hope you're doing well. Please find below my updated comments and recommendations:

Contaminated Land

I have now had the opportunity to review the desktop study by yellow sub, ref: P21367_R2_Rev1, and dated April 2023, which was submitted on the 12th of March.

The report is to a good standard and the conceptual site model shows but they're all complete linkages from potential contaminants from sources such as infield quarries, historical landfills, contaminants from agricultural use, and potential offsite contamination from the sewage treatment works which have the potential the impact on future site users.

As such, the report makes it clear that if planning permission is granted that further intrusive investigation will be necessary in order to better understand the risks and whether remediation is necessary in order protect future site users. This is also highlighted in ES Volume 2, Chapter 3: EIA Methodology, paragraph 3.3.31. I would recommend this is conditioned and additionally that a discovery strategy is also conditioned so in the event that additional contamination is found during groundworks that was not previously identified in the desktop study or intrusive investigation, the works can stop until such time that it has been reviewed and appropriate mitigation put in if required.

Noise

Construction noise

Section 9.4.58 of the Environmental Statement mentions that construction activities will commence at 8 am on Saturdays. As long as this initial phase only involves people arriving on site, and not the commencement of noisy works until 9 am, we would not be opposed to this. We do require that noisy activities begin no earlier than 9 am on Saturdays. However, it's worth noting that the desired timing appears to be mentioned later in Section 9.7.2, which aligns with our expectations.

To ensure compliance and address potential concerns, we suggest conditioning a Construction Environmental Management Plan (CEMP).

Regarding vibrations, Environmental Statement suggests that vibrations will be negligible.

Plant Noise

Table 9.17 in the Environmental Statement outlines recommended noise levels. For convenience, Table 9.17 is reproduced below:

Receptor	Day (07:00-23:00)		Night (23:00-07:00)	
	Typical Lowest Background Noise Level, L_{Aeq} dB	Operation Limit Rating Level dBA	Typical Lowest Background Noise Level, L_{Aeq} dB	Operation Limit Rating Level dBA
R1, R2, R3, R4 (U3)	36	36	24	24
R5, R6, R7, R8 (U2)	37	37	29	29

I would recommend that a condition is placed on the application required all plant to meet the required level when a maximum stings.

Sports pitches

The present proposal incorporates two expansive sports pitches as part of the school, situated on the western edge of the site, facing the A272 into Ansty. Additionally, there are plans for two additional large sports pitches and four smaller tennis/paddle courts in the northeast corner of the proposed development, forming part of the Sports Facility. These facilities will be positioned adjacent to Cuckfield Sewage Treatment Works and facing the A272 along the northern boundary of the site. An assessment of the noise levels generated by these pitches/courts has been conducted at the closest proposed area for residential development in the site masterplan.

The sports facility pitches are predicted to register at 47 dB L_{Aeq} , 1 hour, at the nearest residents, while the school sports pitches are estimated to be at 46 dB L_{Aeq} , 1 hour, at the closest residences. Although this falls below the upper guideline limit of 50 dB set by Sports England, and the impact is thus considered negligible, the L_{Amax} from such noise could still be noticeable, and it should be mitigated to the best extent possible. I would, therefore, recommend conditioning a noise management plan for the sports pitches. This plan should encompass measures such as designated times of use and ensure that any fence panels surrounding the facility make use of anti-vibration mounts to prevent excessive noise as panels loosen over time.

School playground noise.

The report clearly states that the impact of noise levels from the school playgrounds on proposed local residents will be negligible. Nonetheless, there may be occasional instances when children's sounds are audible. It's important to acknowledge that playgrounds are integral components of schools, which, in turn, are vital institutions within communities. Anticipated noise from these playgrounds is limited to daytime hours. It is also important to understand there is a certain degree of "buyer beware" when opting to reside in proximity to a school.

Road traffic noise impact on proposed residents

Road traffic noise's impact on prospective residents is acknowledged in Section 9.7.40. The understanding is that in the most exposed areas of the site, bedrooms will be strategically placed on facades facing away from the road, benefitting from natural screening. This aligns with propG guidance.

Despite this approach, certain habitable spaces like living rooms may still be oriented towards the roads. According to Table 9.22, standard double glazing is deemed sufficient protection for both living rooms facing the road and bedrooms facing away from it. However, in certain areas, where residents want the windows open, noise levels may exceed BS 8233 and WHO internal noise standards. North-facing bedrooms, for instance, could be 1 to 4dB above requirements with open windows, however, still are well within the level which complies with approved document O, and with the presence of acoustic trickle vents would be acceptable.

In contrast, living rooms facing the roads are expected to significantly surpass BS 8233 guidelines if windows are open. While approved document O doesn't mandate alternatives for overheating during the day, the Acoustics Ventilation and Overheating: Residential Design Guide provides a sliding scale based on ambient noise levels and expected overheating duration. All three locations are likely to approach the upper limit of acceptability in terms of noise. In such a scenario, if the homes are designed so that overheating is likely to rarely occur, then no further works would be necessary.

It's important to note that the design is still incomplete, and more detailed assessments will be conducted as it progresses. Overheating should be a focal point in the design of these houses that will face the existing roads, to ensure that trickle vents will be acceptable on their one. Where necessary, a thorough assessment should be undertaken to ensure alternative ventilation methods for overheating are unnecessary. A condition addressing this concern should be incorporated into the plan.

Cuckfield Sewage Treatment Works

The sewage treatment works operates around the clock, and as indicated in the report, it generates a broadband sound that will be 5 dB above the background noise at the closest resident's location. While this may not be deemed a significantly adverse impact, it will still be perceptible to residents, potentially leading to complaints and affecting the operation of the sewage treatment works and necessitating additional mitigation measures.

Considering the agent of change principle, it would be prudent to incorporate mitigation measures as part of the application. The suggestion to explore acoustic fencing or boarding during the detailed design stage is a positive step toward reducing the impact on residents further. Conditions should be established to ensure the implementation of measures to protect the sewage works from possible future complaints.

Odour

The Temple Group conducted an odour assessment, which revealed a moderate adverse risk from odour in three specific locations. Notably, of these three results, the one situated farthest from the sewage treatment works was at a distance of 75 meters. Following this assessment, Temple recommended the relocation of high-sensitivity land uses, such as residential areas and gardens, away from the treatment works. Consequently, the closest resident is now positioned at a distance of 138 meters from the treatment works.

Odour testing beyond 110 meters indicated only slight adverse to negligible impacts, even when taken primarily in the downwind direction. The report concludes that the effects of odour from the sewage treatment works are therefore considered insignificant, and no further mitigation measures are deemed necessary.

I would recommend consulting with Southern Water regarding this matter. Additionally, considering the environmental protection team's previous investigations into other sewer works, Southern Water may have insights into any potential issues with flies at the site. Given the proposed proximity of residents to the site, any fly-related issues could significantly impact the operation of the premises and incur substantial costs. Therefore, it is crucial to assess whether there is a potential issue now, under the agent of change principle, so it can be dealt with prior to development going ahead. .

Light

I concur with the lighting assessment categorising the proposed area as environmental zone E2, characterised as a village or a relatively dark outer suburban location. I appreciate the lighting assessment stating that measures will be implemented to prevent any light issues for future residents. I also appreciate that this is an outline application, and exact plans are not yet finalised.

However, I would recommend incorporating a condition to ensure that lighting schemes, especially for areas like the sports pitches, are submitted and approved by the Local Planning Authority (LPA). This step will ensure that the lighting plans align with E2 standards at the nearest residents and are subsequently installed as agreed upon.

Air Quality

Temple Group have provided an air quality addendum, which confirms that the additional data has not significantly altered the conclusions drawn in the 2023 Air Quality ES Chapter and affirms that the proposed development will have a negligible impact on air quality.

With this assurance, I am satisfied with the air quality aspect and am prepared to recommend approval of this aspect, with a mitigation cost condition.

Recommendation: Approve with the following conditions.

1) *The development hereby permitted shall not be occupied/brought into use until the following components of a scheme to deal with the risks associated with contamination of the site, including the identification and removal of asbestos containing materials, have each been submitted to and approved, in writing, by the local planning authority:*

a) *A site investigation scheme, based on Geo environmental and Geo technical desktop study by Campbell Reith consulting engineers, reference 13694, dated October 2023, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;*

and, unless otherwise agreed in writing by the LPA,

b) *Based on the site investigation results and the detailed risk assessment (a) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.*

2) *The development hereby permitted shall not be occupied/brought into use until there has been submitted to and approved in writing by the Local Planning Authority a verification plan by a competent person showing that the remediation scheme required and approved has been implemented fully and in accordance with the approved details (unless varied with the written agreement of the LPA in advance of implementation). Any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action shall be identified within the report, and thereafter maintained.*

Reason (common to all): To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

3) *If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the LPA. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the LPA. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the LPA.*

4) *The applicant shall submit an emissions mitigation calculation, in accordance with the Air Quality & Emissions Mitigation Guidance for Sussex which is current at the time of the reserved matters application, the purpose of which is to assess the emissions relating to the development and determine the appropriate level of mitigation required to help reduce the potential effect on health and/or the local environment. The emissions mitigation assessment must use the most up to date emission factors. A Mitigation Scheme to the calculated value shall be submitted to and approved in writing by the Local Planning Authority. Upon development, work should be carried out in accordance with the approved scheme.*

5) *No development shall commence until a scheme that addresses the issues of acoustics, ventilation and overheating (AVO) has been submitted to and agreed in writing by the Local Planning Authority.*

Good acoustic design shall be fully integrated into the scheme. The hierarchy of good acoustic design (GAD) outlined below shall be applied in descending order and the methods utilised shall be clearly outlined in an Acoustic Design Statement (ADS):

- i. Maximising the spatial separation of noise source(s) and receptor(s).
- ii. Investigating the necessity and feasibility of reducing existing noise levels and relocating existing noise sources
- iii. Using existing topography and existing structures (that are likely to last the expected life of the noise-sensitive scheme) to screen the proposed development site from significant sources of noise
- iv. Incorporating noise barriers as part of the scheme to screen the proposed development site from significant sources of noise
- v. Using the layout of the scheme to reduce noise propagation across the site
- vi. Using the orientation of buildings to reduce the noise exposure of noise sensitive rooms
- vii. Using façade design eg façade barriers, balconies and winter gardens to minimise exposure to noise
- viii. Using the building envelope to mitigate noise to acceptable levels

The scheme shall a) outline the level of noise exposure for each property and how the noise level within any domestic living room or bedroom, with windows open for normal ventilation, shall comply with the desirable internal noise levels as outlined in Table 2.1 of BS8233:2014 and b) outline how the noise level within any domestic bedroom, with windows open, shall not normally exceed 42 dB(A) LAFmax between 23:00 and 07:00, in line with WHO NNGL 2007.

Where the standards in (a) or (b) above cannot be achieved following GAD and with windows open, only then shall the scheme show how those standards will be met with windows closed and how adequate ventilation and cooling will be provided.

and unless otherwise agreed in writing by the Local Planning Authority,

Where windows must remain closed to achieve acceptable internal noise levels, an overheating assessment must be undertaken with accordance with CIBSE. The cooling hierarchy below shall be applied to the scheme:

1. Minimise internal heat generation through energy efficient design
2. Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls
3. Design the properties to enable passive ventilation (e.g. cross ventilation)
4. Provide mechanical ventilation
5. Provide active cooling (ensuring they are the lowest carbon options).

The methods integrated into the design to prevent overheating shall be fully outlined in the AVO scheme and no dwelling hereby permitted shall be occupied until the approved scheme has been implemented in full for that dwelling.

If as a last resort mechanical ventilation is to be used, it must be demonstrated that it still complies with internal noise levels while providing sufficient ventilation.

Any amendments to the scheme or alterations to it must be agreed in writing with the Local Planning Authority in advance.

All acoustic reports submitted in relation to the scheme shall include characterisation of uncertainty and shall demonstrate the adoption of good practice to minimise uncertainty.

- 6) The sports pitches hereby permitted shall not be brought into operation until a suitable noise management plan (NMP) has been submitted to and approved in writing by the LPA. The development shall operate in accordance with the approved NMP unless otherwise agreed with the LPA.
- 7) Prior to the installation of any external lighting on the site, details of lux levels and times of use together with a report to demonstrate its effect on nearby residential properties shall be submitted to and approved in writing by the LPA. It is recommended that the information be provided in a format that demonstrates compliance on the ILP Guidance Notes for the Reduction of Obtrusive Light.
- 8) Construction hours: Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:
 - Monday to Friday: 08:00 - 18:00 Hours

- Saturday: 09:00 - 13:00 Hours
- Sundays and Bank/Public Holidays: no work permitted

Reason: to protect the amenity of local residents.

9) Deliveries: Deliveries or collection of plant, equipment or materials for use during the demolition/construction phase shall be limited to the following times:

- Monday to Friday: 08:00 - 18:00 hrs
- Saturday: 09:00 - 13:00 hrs
- Sundays and Bank/Public Holidays: None permitted

Reason: To protect the amenity of local residents

10) Construction Environmental Management Plan: Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

11) The use hereby permitted shall not come into use until a scheme has been submitted to and approved by the LPA demonstrating that the noise rating level (L_A,T_r) of plant and machinery within the build shall meet with levels outlined in Table 9.17 in the Environmental Statement. All measurements shall be defined and derived in accordance with BS4142: 2014+A1:2019. The assessment shall be carried out with the plant/machinery operating at its maximum setting. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details. Any deviation to the proposed scheme to be agreed with the LPA.

12) The use hereby permitted shall not come into use until a scheme has been submitted to and approved by the LPA demonstrating what mitigation will be put in place to protect proposed residents from noise from the existing sewage treatment works. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details. Any deviation to the proposed scheme to be agreed with the LPA.

Best regards,

Ollie

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