ADDITIONAL CONDITIONS-MERRILANDS DEVELOPMENT

DEVELOPMENT CONTROL BOARD

Monday, 23 April 2018

Agenda Item 6. Merrielands Development Site, Merrielands Crescent, Dagenham- 17/02111/FUL (Pages 1 - 5)

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Additional Conditions
Planning Application 17/02111/FUL
Merrielands Development Site, Merrielands Crescent, Dagenham

45) Construction work shall not begin until full details of a scheme of acoustic protection of habitable rooms against road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than:

- 35 dB LAeq in living rooms and bedrooms (07.00 hours to 23.00 hours) with windows closed and;
- 30 dB LAeq in bedrooms (23.00 hours to 07.00 hours) with windows closed.

Additionally, where the internal noise levels will exceed 40 dB LAeq in living rooms and bedrooms (07.00 hours to 23.00 hours) or 35 dB LAeq in bedrooms (23:00 hours - 07.00 hours) with windows open the scheme of acoustic protection shall incorporate a ventilator system which is commensurate with the performance specification set out in Schedule 1 (paragraphs 6 and 7) of The Noise insulation Regulations 1975 (as amended). The approved scheme shall be fully implemented before the first occupation of the dwelling to which it relates and shall be maintained at all times thereafter.

Reason: A scheme of acoustic protection is required prior to the commencement of development in order to safeguard the amenities of occupiers of the development in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

46) The combined specific sound level derived in accordance with the methods and procedures specified in BS4142:2014, “Methods for rating and assessing industrial and commercial sound” shall be limited as follows:

- 5 dB below the existing background noise level (LA90) when assessed at the southern site boundary, and;
- no more than the existing background noise level (LA90) at the northern, eastern and western boundaries (in view of the retail / commercial use of the surrounding land).
Reason: In the interest of safeguarding the amenities of occupiers of the development in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

47) Noise from entertainment including live and amplified music associated with the A1 and A3 uses hereby permitted shall be controlled so as to be inaudible inside adjoining and other noise-sensitive premises in the vicinity. The initial test for compliance with the ‘inaudibility’ criterion will be that noise should be no more than barely audible outside those noise sensitive premises. In the event there is disagreement as to whether entertainment noise is or is not audible the following numerical limits shall be used to determine compliance with this condition:

- the LAeq (EN) shall not exceed LA90 (WEN) and;
- the L10 (EN) shall not exceed L90 (WEN) in any 1/3 octave band between 40Hz and 160Hz.

EN = Entertainment noise level, WEN = Representative background noise level without the entertainment noise, both measured 1m from the façade of the noise-sensitive premise.

Reason: In the interest of safeguarding the amenities of occupiers of the development in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

48) No deliveries to and collections from the retail unit service bays shall take place other than between the hours of 07:00 and 19:00 on any day unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the commercial uses do not cause undue nuisance and disturbance to residents at unreasonable hours and in accordance with Policy BP8 of the Borough Wide Development Policies Development Plan Document.

49) A scheme of acoustic treatment of habitable rooms to mitigate noise from the electricity sub-station to the south of the site is to be submitted to and approved by the local planning authority. The approved scheme is to be fully implemented before the first occupation of the dwelling to which it relates and is to be maintained at all times thereafter.

The scheme shall be sufficient to ensure that the level of sub-station noise within habitable rooms does not exceed the following levels presented in Table 1 below which reflect the proposed low frequency noise assessment.

<table>
<thead>
<tr>
<th>Frequency Hz</th>
<th>10</th>
<th>12.5</th>
<th>16</th>
<th>20</th>
<th>25</th>
<th>31.5</th>
<th>40</th>
<th>50</th>
<th>63</th>
<th>80</th>
<th>100</th>
<th>125</th>
<th>160</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAeq dB (5 min)</td>
<td>92</td>
<td>87</td>
<td>83</td>
<td>74</td>
<td>64</td>
<td>56</td>
<td>49</td>
<td>43</td>
<td>42</td>
<td>40</td>
<td>38</td>
<td>36</td>
<td>34</td>
</tr>
</tbody>
</table>

Reason: In the interest of safeguarding the amenities of occupiers of the development in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

50) Details of the energy centre including, but not limited to any combined heat and power plant (CHP) to be installed at the premises, are to be submitted to and approved by the local planning authority. The submitted details shall be sufficient to:

a. demonstrate that products of combustion emitted from the plant will not be prejudicial to health or a nuisance having regard to—
   o the position and height of the discharge flue(s);
   o the position and descriptions of nearby buildings;
   o the levels of the neighbouring ground; and
   o any other matters requiring consideration in the circumstances, including but not limited to, the concentration of oxides of nitrogen in the flue gas and the flue discharge velocity.


Reason: To ensure that products of combustion emitted from the plant will not be prejudicial to health or a nuisance and in accordance with policies BR14 and BP8 of the Borough Wide Development Policies Development Plan Document and policy 7.14 of the London Plan.

51) Details of a ventilation system for the removal and treatment of cooking odours from any commercial catering which includes measures to mitigate system noise are to be submitted to the Local Planning Authority. The measures shall have regard to and be commensurate with guidance and recommendations in the current edition of publication “Specification for Kitchen Ventilation Systems”, DW/172, Heating and Ventilating Contractors Association, or other relevant and authoritative guidance. The approved details shall be fully implemented prior to the first use of any commercial units.
that will operate under use class A3 and shall be maintained at all times thereafter.

Reason: To safeguard the appearance of the premises and minimise the impact of cooking smells and odours in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

52) Demolition and construction work and associated activities are to be carried out in accordance with the recommendations contained within British Standard 5228:2009, “Code of practice for noise and vibration control on construction and open sites”. Parts 1 and 2.

Reason: To ensure that the proposed demolition and construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with Policy BP8 of the Borough Wide Development Policies Development Plan Document.

53) No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These plans shall incorporate details of:

a. construction traffic management;
b. the parking of vehicles of site operatives and visitors;
c. loading and unloading of plant and materials;
d. storage of plant and materials used in constructing the development;
e. the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
f. wheel washing facilities;
g. measures to control the emission of dust and dirt during construction; a scheme for recycling/disposing of waste resulting from demolition and construction works;
h. the use of efficient construction materials;
i. methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

Reason: The CEMP and SWMP are required prior to the commencement of development in order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents, and
in accordance with Policy BP8 of the Borough Wide Development Policies Development Plan Document.

54) The external lighting of the development hereby permitted, is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers - Secured by Design publication “Lighting Against Crime – A Guide for Crime Reduction Professionals”, ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, p25 of the guide, relating to Environmental Zone E3 – Medium district brightness areas - small town centre or urban locations.

Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.