

**ENVIRONMENTAL HEALTH
SUPPORTING COMMUNITIES**

To:	<i>Gavin Sexton</i> , Planning Officer, Development Management, 5 Pancras Square N1C
From:	<i>Helen Masterson</i> (Environmental Health Officer)
Date:	9/11/2017
Re:	Existing Morrisons Foodstore at Chalk Farm Road, Camden, NW1 8AA.
Proposal:	<i>Camden Goods Yard</i>
Reference:	<i>Planning application ref.</i>
Key Points:	The proposals are <u>acceptable</u> in environmental health terms

ENVIRONMENTAL HEALTH OBSERVATIONS

PART 1

Site background info:

- Location of nearest sensitive site/ constraints of site:

The site comprises the existing Morrisons Camden Foodstore, which is located to the south-west of Chalk Farm Road, towards the north western end of Camden Town Centre. The site area includes the Morrisons store and associated car park, which are located to the south-west of the Northern Line underground rail line, as well as the Morrisons Petrol Filling Station (PFS), which is situated in between Chalk Farm Road and the Northern Line. The main part of the site (foodstore) is bound by the site access road to the north-west, the Northern Line to the north-east, residential properties to the southeast, and national rail lines to the south-west.

The surrounding area includes a wide range of commercial, retail and entertainment uses, including Camden Market, Proud night club along with residential development. The North London Line railway line runs along the boundary of both parts of the site, parallel to Chalk Farm Road, whilst the railway lines along the south western boundary run into Euston station to the south.

Summary of assessment in context with policies A1 and A4:

1. List of development implications

The main sources that could affect future occupiers of the development is noise generated from the flow of vehicles on Chalk Farm Road and railway noise from the national railway line and Northern Line underground line.

The site is also influenced by commercial activity at the existing Camden Market. In particular with Proud Night Club there has been a history of noise nuisance complaints and the area regularly has extended entertainment hours in the external areas.

Existing noise levels from train operations, road traffic and low frequency sound from commercial premises would result in the need to keep windows closed at night in order for noise standards to be met. Should occupiers of the residential units need to open windows during the summer; the sound insulation will be compromised and internal noise levels exceeded.

The proposed development is likely to require fixed mechanical plant for ventilation purposes. Noise from fixed plant, equipment or machinery has the potential to annoy and disturb people living nearby.

There are balconies on most façades across the development, and recommended external noise levels are likely to be exceeded on exposed balconies across the site.

Some parts of the local road network could be subjected to an increase in road traffic noise due to the Demolition and Construction Phases.

Some parts of the local road network could be subjected to an increase in road traffic noise due to the completed development.

Some parts of the local road network could be subjected to an increase in road traffic noise due to Demolition and Construction (including cumulative impact of HS2 and committed development construction traffic).

The proposed relocation of the bus stands could have a noise impact on residential amenity.

2. Have the submitted details addressed the constraints?

A Noise and Vibration Impact Assessment (NVIA) for the proposed residential and retail development has been undertaken as part of the planning application.

In addition, a Noise Impact Assessment (NIA) Addendum has been prepared and submitted to deal with comments raised by LBC in respect of noise from local entertainment venues.

3. Have the details addressed the constraints with accuracy and evidence? If yes go to PART 2. If not list reasons and if/what information needs to be revised/ submitted in order for the development to be considered acceptable. If development is not acceptable go to PART 3.

PART 2

1. Is the principle of development acceptable?

Yes

2. Describe why:

The proposals are **acceptable** in environmental health terms.

Noise

Subject to adequate mitigation measures, habitable rooms within the proposed development may comply with the adopted internal target noise levels. A set off conditions are recommended to ensure that mitigation measures are adequate.

In particular, for habitable rooms within dwellings with a view of the railway lines and Chalk Farm Road, high quality glazing and mechanical ventilation would be required in order to meet the adopted internal target noise levels.

The potential impact on the future occupiers in respect of any noise emanating from the nearby entertainment venues has been considered in some detail. Residential premises with a view of Proud should be designed to ensure that they can be occupied comfortably without the need to open windows bar for purge ventilation.

While ambient noise levels on some balconies exceed the recommended external levels, across the majority of blocks there are public amenity areas which are shielded by the development. These are likely to achieve lower ambient noise levels than the outer balconies. This will give residents a quieter option for outdoor use.

The construction of the proposed development is not expected to have a significant impact if carried out in line with Camden's Minimum Requirements for Building, Construction and Demolition.

The proposed development is likely to require fix mechanical plant. An acoustic assessment will be required to ensure that the operation of the new plant is below existing background noise levels.

The increase in road traffic noise due to the construction and operation of the scheme is considered negligible.

The increase in noise levels due to the relocation of the bus stands and related operations are considered negligible.

The NVIA addendum included a list of events taking place during the baseline survey period. These events are considered representative of a typical week and include music events. It should be noted that noise complaints about amplified music from nearby venues were received during the baseline survey period. The potential noise from nearby entertainment venues has been considered and whilst the likelihood of a claim in nuisance is low, it cannot be discarded due to disturbance if windows within the proposed development are kept open.

In order to draw future occupants attention to the fact that there may be some potential for noise nuisance from local venues, a s106 legal agreement head of term "Agent of Change" would be added to the permission. This would make it clear that local businesses and venues have the right to run noise generating events within the noise limits of their licensing conditions.

The following conditions would need to be applied, in order for this application to be deemed acceptable:

Suggested conditions:

Residential sound mitigation

Prior to commencement of the superstructure of each of blocks A, B, C, D, E1, E2 or F, details of acoustic mitigation properties for the relevant building shall be submitted to and approved in writing by the local planning authority.

Such details shall be based on the recommendations of the Noise and Vibration Impact Assessment and its Appendices E and F hereby approved and shall be accompanied by an acoustic report which details how the development would achieve the Council's noise standards as follows:

Rooms identified in zones requiring Glazing type A/B shall meet the acoustic standards of Local Plan 2017 Appendix 3 Table B.

Rooms identified in zones requiring Glazing type C shall meet the acoustic standards of the Table on page 315 Local Plan Appendix 3 summarised as NR25 (bedrooms) 23:00 to 07:00 hours; NR35 (all habitable rooms) 07:00 to 23:00 hours.

The buildings shall not be constructed other than in accordance with the mitigation measures as approved and all such measures shall be put in place prior to first residential occupation of the relevant building. Mechanical ventilation systems required as part of the mitigation shall be retained thereafter and maintained in accordance with the manufacturer's recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

Post Completion Testing

Prior to first residential occupation of each of blocks B, C and F, and after installation and commissioning of the acoustic mitigation properties for the relevant building as approved under condition 3, a validation testing strategy shall be submitted to and approved by the local planning authority.

The strategy shall set out how internal noise conditions in the exposed habitable rooms shall be demonstrate to be compliant with the standards required by condition 3, and shall include details of the following:

- a. Time and dates of testing
- b. Consideration of how test period is representative of local noise environment
- c. Details of the sample of no fewer than 3 flats on different floors in each building

The results shall be submitted to the Local Planning Authority for approval in writing. The relevant building shall not be occupied until such approval is confirmed.

Reason: To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental, transportation and entertainment sources in accordance with the requirements of policies G1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

Enhanced sounds insulation between dwellings

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Prior to commencement of the superstructure of each of Blocks A, B, C, D, E1, E2 and F, details of an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings, (for example living room above bedroom of separate dwelling), for the relevant

Blocks, shall be submitted to and approved in writing by the Local Planning Authority.

The insulation details as approved shall be implemented prior to first occupation of the relevant building and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

Enhanced sounds insulation between uses

Prior to commencement of the superstructure of each of Blocks A, B, C, D, E1 and F details of the sound insulation of the floor/ ceiling/ walls separating all non-habitable uses (for example retail, residential gym, office, workshop) uses from adjacent residential uses shall be submitted to and approved in writing by the local planning authority. Such details shall demonstrate that the sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ is enhanced by at least 10dB above the Building Regulations value and include such mitigation measures as necessary in order to achieve the 'Good' criteria of BS8233:2014 within the dwellings.

The details as approved shall be implemented prior to first occupation of the community facility and thereafter be permanently retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Fixed Mechanical plant noise

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

Plant associated with Food & Drink uses

Prior to commencement of the relevant ground floor food and drink use hereby approved, principal details of the extract ventilating system associated with the

relevant ground floor food and drink uses hereby approved, shall be submitted to and approved in writing by the Local Planning Authority.

Such details to include routing of ducts and discharge points and associated acoustic isolation and sound and vibration attenuation measures and an Acoustic Impact report prepared by a suitably qualified and experienced acoustic engineer which sets out how the equipment would meet the council's published noise and vibration standards.

Such details shall also include details of the ventilation and filtration equipment to suppress and disperse fumes and/or smells created from cooking activities on the premises. No primary cooking shall take place within the relevant premises unless all such measures as approved have been installed and are in full working order. The equipment shall be installed in accordance with the details thus approved and acoustic isolation shall thereafter be maintained in accordance with the manufacturers' recommendations.

All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

In the event of no satisfactory ventilation being provided, no primary cooking shall take place on the premises.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, A1, A4, D1, TC1, TC2 and TC4 and TC5 of the London Borough of Camden Local Plan 2017.

Petrol Filling Station (PFS) site plant – noise and vibration

Prior to commencement of installation of plant/machinery/equipment to be installed on the building on the petrol filling station site, an acoustic reports setting out details of how the external noise levels from such equipment would meet the Council's noise (as set out in condition 3 above) and vibration (as set out in Table A of Appendix 3 to the Local Plan) standards shall be submitted and approved in writing by the local planning authority.

Such details to include any acoustic mitigation and anti-vibration measures as appropriate. All such noise and anti-vibration mitigation measures shall be put in place prior to first use of the plant/machinery/equipment and shall thereafter be retained. The plant/machinery/equipment shall thereafter be maintained and operated in accordance with the manufacturers' recommendations.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

Main site plant – noise and vibration

Prior to commencement of installation of plant/machinery/equipment to be installed on any new building on the main site, an acoustic reports setting out

details of how the external noise levels from such equipment would meet the Council's noise (as set out in condition 3 above) and vibration (as set out in Table A of Appendix 3 to the Local Plan) standards shall be submitted and approved in writing by the local planning authority. Such details to include any acoustic mitigation and anti-vibration measures as appropriate.

All such noise and anti-vibration mitigation measures shall be put in place prior to first use of the plant/machinery/equipment and shall thereafter be retained. The plant/machinery/equipment shall thereafter be maintained and operated in accordance with the manufacturers' recommendations.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

Block D: community facility music

No music shall be played in the community facility in Block D in such a way as to be audible within any adjoining premises.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Block D: hours of use

The use of the community facility hereby permitted in Block D shall not be carried out outside the following times 0730-2230 Mondays to Saturdays and 0900-2200 on Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.