Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0314
Tanbridge Retail Park Albion Way Horsham West Sussex

DESCRIPTION:
Approval of Details Reserved by Condition 19 (noise management plan) to approved application DC/21/1413 (replacement retail unit with associated works) - partial discharge pertaining to further noise assessment within 3 months of the commission of the new store and associated external plant ONLY.

RELEVANT PLANNING HISTORY:

DC/21/1413	Demolition of existing retail unit and erection of a replacement retail unit with associated works.	Permitted 07/12/2022

Other Considerations
The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

REPRESENTATIONS
None.

CONSULTATIONS (summarised)
HDC Environmental Health: *sufficient information provided.*

PLANNING ASSESSMENT
Planning Application DC/21/1413 was permitted on 07/12/2022. This permission was for the following: Demolition of existing retail unit and erection of a replacement retail unit with associated works.

Approval is sought for details pursuant to the requirement for approval by the Council of a further noise assessment of within 3 months of commission of new store operation and associated external plant ONLY, as partial discharge of Condition 19 (noise management plan).

The submitted details comprise a Technical Note 2 Re: Plant at Aldi, Horsham Project No: 2019527 Date: 13th December 2024 by Sharps Redmore acoustic consultants.

Condition 19
Pre-Occupation: No part of the development hereby permitted shall be occupied until a Noise Management Plan has been submitted and approved in writing by the Local Planning Authority. The Plan shall include but not be limited to, the mitigation measures detailed in section 6.14 of the Environmental Noise Report prepared by Sharps Redmore dated 7 June 2021 Project No 2019527, hours of operation, management responsibilities during all operating hours, measures to control noise from all activities and operations at the site (including the operation of any equipment, plant or building

services) and minimising noise from vehicles, deliveries, collections and servicing. The Noise Management Plan shall be implemented and complied with thereafter for the duration of the use/development. The ongoing service and maintenance regime for the installation of any new mechanical plant will be undertaken in line with manufacturers' recommendations, details of which shall be submitted to and approved by the local planning authority prior to the development commencing.

Within 3 months of the date of commissioning any new plant and operation of the store commencing, a further noise impact assessment shall be submitted which demonstrates the noise breakout from the site is in line with the expected levels outlined in the noise report. The assessment shall be undertaken in accordance with BS 4142: 2014 (or subsequent superseding equivalent) and current best practice and shall include full spectrum analysis to confirm that there is no tonality or other acoustically distinctive features present in the noise. Any additional steps required to mitigate noise shall be detailed and implemented, as necessary. The post installation noise assessment shall be submitted to and approved in writing by the local planning authority. The details as approved shall thereafter be permanently retained.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with Polices 33 and 40 of the Horsham District Planning Framework (2015).

The submitted verification report evidences the external plant to the new store building approved under DC/21/1413 operates within the excepted noise levels of the Environmental Noise Report prepared by Sharps Redmore dated 7 June 2021 Project No 2019527 (submitted at application stage).

The report has concluded that based on store plant measurement and calculations undertaken post commission, there should be no adverse noise impact from the operation of the externally located plant. The report does not include a full spectrum analysis but does confirm that no tonal, impulsive or intermittent characteristics were discernible in the noise from the plant at the nearest noise sensitive receptor.

Following review of the Sharps Redmore report, the Council's Environmental Health considers sufficient information has been provided and is satisfied with the submitted details meet the requirements of the pertinent part of the condition.

It is noted that the details pursuant to this application relate to only part of the condition. As stipulated by condition 19, the submission to and approved by the Local Planning Authority of a holistic Noise Management Plan remains outstanding, and any changes to the location and quantity of external plant should be subject to a new noise assessment to ensure that there is no adverse impact on noise sensitive receptors. The applicant will be advised of this by way of an informative.

The details submitted pursuant to the condition in relation to the required further noise assessment within 3 months of the store and associated plant commission ONLY, are therefore acceptable.

Water Neutrality Note: No further Habitat Regulations Assessment (HRA) is required at conditions discharge stage if a scheme has already undertaken HRA for Water Neutrality prior to being granted. The permitted scheme (DC/21/1413) was 'screened out' under the Habitat Regulations in Oct 2022.

Recommendation: Application Permitted

NOTES TO APPLICANT

The applicant is advised of the outstanding and ongoing requirements of Condition 19, as follows:

- *Submission to and approval by the Local Planning Authority of a Noise Management Plan including but not limited to the mitigation measures detailed in section 6.14 of the Environmental Noise Report prepared by Sharps Redmore dated 7 June 2021 Project No 2019527;*

- *Any change to the location and quantity of external plant should be subject to a new noise assessment to ensure that there is no adverse impact on noise sensitive receptors.*

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DISC/24/0314

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	**Description**	**Drawing Number**	**Received Date**
Supporting Docs	Technical Note 2 Re: Plant at Aldi, Horsham Project No: 2019527 Date: 13th December 2024 by Sharps Redmore		19.12.2024

DELEGATED

Case Officer sign/initial Matthew Porter Date: 03-01-2025

Authorising Officer sign/initial J Hawkes Date: 06.01.2025