

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1882.22

WARD: Rush Grn & Crowlands **Date Received:** 16th November 2022

ADDRESS: Coral Romford Stadium
London Road
Romford

PROPOSAL: Variation of condition 6 of planning permission P2459.21 dated 23/02/2022 (Installation of a new 'back-up' generator, involving demolition of existing sub station) to allow for a brief increase of noise level in association with the maintenance of the generator between the hours of 08.00-18.00 Monday-Friday - once a week for 5 minutes maximum.

DRAWING NO(S): Site Location Plan
LADCOR/071221/AB/101
LADCOR/071221/AB/102
LADCOR/071221/AB/201
LADCOR/071221/AB/203
Block Plan

RECOMMENDATION: It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The subject location falls within the Coral Romford Stadium site which is accessed via London Road from the north.

The specific development area is situated on the northern boundary along an internal road/walkway into the site. It adjoins residential properties to the north along Lessington Avenue.

The surrounding area is predominantly residential in nature. The application site is not a listed building or located within a conservation area.

A planning application has been approved for the installation of a new 'back-up' generator, involving the demolition of an existing sub station (planning reference: P2459.21) with 7 conditions.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the variation of condition 6 of planning permission P2459.21 dated 23/02/2022 to allow for a brief increase of noise level in association with the maintenance of

the generator between the hours of 08.00-18.00 Monday-Friday - once a week for 5 minutes maximum.

RELEVANT HISTORY

Q0072.22	Discharge of conditions 5 & 6 from P2459.21 ALL DECISIONS 11-11-2022 ISSUED
P2459.21	Installation of a new 'back-up' generator, involving demolition of existing sub station Apprv with cons 23-02-2022
Q0188.21	Discharge of conditions 2, 3, 4, 8, 9 from P0932.18, Condition 2 - Materials Condition 3 - Landscaping Condition 4 - Boundary Treatment Condition 8 - Construction Methodology Condition 9 - Service Noise Mitigation ALL DECISIONS 11-01-2022 ISSUED
P0916.21	Retrospective application to replace an existing Sub-Station, brick built (Plant Room) due to safety issues. Replacing with new smaller, pre-fabricated GRP unit a few metres away. Apprv with cons 24-08-2021
P1470.18	Erection of a marquee and associated decking for a temporary period of two years. Apprv with cons 31-01-2019
P0932.18	Proposed refurbishment of existing Millennium Stand, including cladding of roof and elevations, alterations to public gallery area, construction of 2no. stair core extensions and second floor judges box and alterations to kennels. New main car park and associated works within the site. Apprv with cons 17-08-2018

CONSULTATIONS/REPRESENTATIONS

A statutory consultation was carried out with neighbours who either have adjacency to the rear garden or are on the opposite side of the street, by way of direct notification. One representation was received in response to this consultation with concerns regarding pollution and noise.

Environmental Health has been consulted and reviewed the application and the supporting noise reports; they are satisfied that the proposals, whilst "higher" than the standard requirement, due to the temporary nature of the generator, the relaxation of Condition 6 can be made.

They recommend that the condition is amended to the following:

The scheme to control noise and vibration, as detailed in the noise report provided by Nova Acoustics (reference NP-010126 and dated 16 November 2023) submitted with this application shall be implemented, as a minimum, before the hereby permitted use commences. Such a scheme as approved shall be implemented prior to first occupation and thereafter retained and maintained in accordance with such details, and should comply with the following requirement at all times: The Rating Noise Level emitted from the hereby permitted emergency generator shall not exceed 10dB above the prevailing background noise level (LA90, T). The measurement position, assessment and definitions shall be made according to BS4142:2014 + A1:2019 "Methods for rating and assessing industrial and commercial sound." The hereby permitted generator shall only be used in emergency situations, and for testing once a week for no longer than 5 minutes at a time between 08.00-18.00 hours Monday-Friday. The use hereby permitted must cease during any period that this condition is not complied with.

Reason: To protect the amenity of noise sensitive premises from noise from mechanical plant.

RELEVANT POLICIES

Havering Local Plan 2016 - 2031

Policy 7 Residential design and amenity

Policy 18 Open space, sports and recreation

Policy 19 Business growth

Policy 24 Parking provision and design

Policy 26 Urban design

Policy 28 Heritage assets

Policy 33 Air quality

Policy 34 Managing pollution

The London Plan 2021

Policy D4 Delivering good design

Policy D14 Noise

Policy S5 Sports and recreation facilities

Policy SI 1 Improving air quality

Policy T4 Assessing and mitigating transport impacts

National Planning Policy Framework (2021)

2. Achieving sustainable development

STAFF COMMENTS

The applicant would like to vary Condition 6 of planning application P2459.21 which states that:

"Before any works commence a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 -10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:- To prevent noise nuisance to adjoining/adjacent properties (Local Plan Policy 34)".

The applicant would like to change the condition to:

"The scheme to control noise and vibration, as detailed in the noise report provided by Nova Acoustics (reference NP-010126 and dated 16 November 2023) submitted with this application shall be implemented, as a minimum, before the hereby permitted use commences. Such a scheme as approved shall be implemented prior to first occupation and thereafter retained and maintained in accordance with such details, and should comply with the following requirement at all times: "The Rating Noise Level emitted from the hereby permitted emergency generator shall not exceed 10dB above the prevailing background noise level (LA90, T). The measurement position, assessment and definitions shall be made according to BS4142:2014 + A1:2019 "Methods for rating and assessing industrial and commercial sound." The hereby permitted generator shall only be used in emergency situations, and for testing once a week for no longer than 5 minutes at a time between 08.00-18.00 hours Monday-Friday. The use hereby permitted must cease during any period that this condition is not complied with.

Reason: To protect the amenity of noise sensitive premises from noise from mechanical plant".

This is considered acceptable as Environmental Health has been consulted and reviewed the application and the supporting noise reports and they are satisfied that the proposals, whilst "higher" than the standard requirement, due to the temporary nature of the generator, the relaxation of Condition 6 can be made.

KEY ISSUES/CONCLUSIONS

It is recommended that planning permission be granted with an altered decision notice taking note of the points raised in this report.

RECOMMENDATION:

It is recommended that **planning permission be GRANTED** subject to the following condition(s)

1 SC4 (Time limit) 3yrs

The development shall be begun no later than three years from the date of the planning application P2459.21 dated 23.2.22.

Reason; to comply with the provisions of section 92 of the Town and Country planning Act 1990 (as amended).

2 SC10C Materials as per application form

The proposed development hereby approved shall be constructed in accordance with the materials detailed under Section 14 of the application form unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the proposed development will harmonise with the

character of the surrounding area.

3 Non Standard Condition 9 (Pre Commencement Condition)

Save where varied by the other planning conditions and the approved plans and documents comprising this planning permission, the development hereby permitted shall be carried out in accordance with the approved plans and documents under application P2459.21, (dated 23/02/2022).

REASON: For the avoidance of doubt and in the interests of proper planning.

4 SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

For the avoidance of doubt and to ensure that the development is carried out as approved.

5 Non Standard Condition 31

The hereby permitted generator shall only be tested/maintained between the hours of 08.00-18.00 hours Monday-Friday, and not at the weekend or on Bank or Public Holidays.

Reason:-

To minimise the impact of the development on the surrounding area in the interests of amenity (Local Plan Policy 34).

6 Non Standard Condition 32

The development hereby permitted shall be implemented in accordance with details of the noise report provided by Nova Acoustics (reference NP-010126 and dated 16 November 2023) submitted with this application unless otherwise agreed in writing with the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason:-

To prevent noise nuisance to adjoining/adjacent properties (Local Plan Policy 34).

7 Non Standard Condition 33

The scheme to control noise and vibration, as detailed in the noise report provided by Nova Acoustics (reference NP-010126 and dated 16 November 2023) submitted with this application shall be implemented, as a minimum, before the hereby permitted use commences. Such a scheme as approved shall be implemented prior to first occupation and thereafter retained and maintained in accordance with such details, and should comply with the following requirement at all times: "The Rating Noise Level emitted from the hereby permitted emergency generator shall not exceed 10dB above the prevailing background noise level (LA90, T). The measurement position, assessment and definitions shall be made according to BS4142:2014 + A1:2019 "Methods for rating and assessing industrial and commercial sound." The hereby

permitted generator shall only be used in emergency situations, and for testing once a week for no longer than 5 minutes at a time between 08.00-18.00 hours Monday-Friday. The use hereby permitted must cease during any period that this condition is not complied with.

Reason: To protect the amenity of noise sensitive premises from noise from mechanical plant.

8 Non Standard Condition 34

No construction or demolition works, or deliveries associated with the development, shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority.

Reason:-

To protect residential amenity (Local Plan Policy 34).

INFORMATIVES

1 Attention to Condition

The applicant's attention is drawn in particular to condition number 4 above. Failure to comply with this condition may well result in enforcement proceedings being taken against you.

2 Approval - No negotiation required

Statement Required by Article 35(2) of the Town and Country Planning (Development Management) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraph 38 of the National Planning Policy Framework.

Authorising Officer:



Raphael Adenegan

11th December 2023