

## Planning Consultation Memo

Date	Planning Officer	Environmental Health Officer
20/09/18	William Myers	Karl Riahi
Planning Application Number	Worksheet Number	
6/2018/2092/FULL	WK/100983	

**Address:** 8 Harpsfield Broadway Hatfield AL10 9TF

**Application Details:** Change of use from shop (A1) to ice cream/dessert parlour (A1/A3) and erection of single storey rear canopy seating area.

### Considerations relevant to Environmental Health for this application

Noise from customers  
Noise from plant and equipment

#### Matters outside of planning

Food hygiene and health and safety requirement

### Description of site and discussion of considerations

#### Noise from customers

The application form shows that proposed opening hours are 0900hrs to 2300hrs every day. Ice cream parlours are not generally seen as places in which their customers would make unreasonable levels of noise, and at least no more than the other commercial premises located along Harpsfield Broadway.

One differing element of the proposed development is the outside seating area at the rear of the premises, which may lead to customers being more audible. Again, these customers are not expected to be unreasonably loud and the opening hours are not seen as late when compared to neighbouring units.

#### Noise from plant and equipment

Some equipment, for instance in the manufacture of ice cream, if this is to take place can be noisy. There is also the likelihood that external condenser units will be required for the freezers and chillers on site. These will need to be 10dB below the background noise level at the nearest residential property if the noise emitted is tonal in nature.

This will also need to encompass extract systems, however, looking at the plans, this does not appear to be a requirement for the business.

The impact of any equipment to be installed/used must be assessed for its potential impact on the residential properties above.

#### Food hygiene and health and safety requirements

As per my previous response, the toilet will need a lobby area as it will be opening directly onto where food is to be prepared. It is important to raise this issue at this time as the applicant will then be able to alter the layout of the premises to facilitate this requirement. It would be likely that enforcement action is taken once the business begins to operate to secure this requirement.

The applicant is advised to contact the Public Health and Protection Team to discuss food hygiene and health and safety requirements, they are also required to register as a food business 28 days prior to opening.

### **Conclusion**

- Recommend planning application is permitted
- Recommend planning application is permitted but with conditions
- Recommend planning application is refused

### **Conditions and Informatives**

#### **Noise from plant and equipment**

Prior to the commencement of the development the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to noise from plant and equipment to be installed at the premises with evidence in the form of an acoustic report showing that noise emissions from plant and equipment will be 5dB (LAeq) below the background noise level (LA90) at the nearest residential properties (10dB below the background noise level if the noise produced is tonal).

Reason –to protect the amenity of residents in the locality

#### **Noise control**

1. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of :  
8.00am and 6.00pm on Mondays to Fridays  
8.00am and 1.00pm Saturdays  
and at no time on Sundays and Bank Holidays
2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions
4. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.
5. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.
6. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.

7. All pile driving shall be carried out by a recognised noise reducing system.
8. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
9. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
10. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.
11. Any emergency deviation from these conditions shall be notified to the Council without delay
12. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.
13. Permissible noise levels are not specified at this stage.

### **Dust control**

1. All efforts shall be made to reduce dust generation to a minimum
2. Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.
3. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.