

Environmental Health Consultee Comments for Planning

Application Number: UTT/23/0902/PINS

PINS reference: S62A/2023/0016

PROPOSAL: Full planning application for Erection of 40 no. dwellings, including open space landscaping and associated infrastructure.

LOCATION: Warish Hall Farm, Smiths Green Lane, Takeley, Essex

Lead Consultee

Name: J Mann

Title: Senior Environmental Health Officer

Tel: [REDACTED]

Email: [REDACTED]

Date: 21 July 2023

Comments;

Please note the Environmental Health comments and proposed conditions dated 17th May 2023 remain applicable to the application and should be read in addition to these comments on the additional noise information.

Noise:

The applicants have submitted a Stansted Environmental Services letter report dated 10th July 2023, ref ENV01-TAKE-068b in response to the Environmental Health Comments dated 17 May 2023 and 10th June 2023.

I have now considered the letter report and have the following comments.

I spoke to the owner of the shooting school about their operations following a verbal comment from the applicant that the shooting school did not operate from Parker Farm and that this was a business administrative address only. The owner advised that they did operate from Parker Farm and that the shooting school has been established for 14 years with no complaints and generally operates up to 2-3 times a week in summer, less in winter and there is no shooting before 10am and it generally finishes by 4pm. This information was shared with the applicants.

It is noted that the 40 ft tower and skeet range for the Essex and Herts shooting school is located approximately 750 m from the closest site boundaries. However, I understand from a telephone conversation with the current owner of the Shooting School business that in addition to the fixed skeet range other traps are set up for clients depending on the party size and the location of these may vary.

I have previously referred to the Chartered Institute of Environmental Health (CIEH) Clay Target Shooting Guidance on the Control of Noise 2003 (CIEH guidance) in the

Environmental Health response dated 17 May 2023. Section 4.2 of this guidance advises a noise buffer zone of 1.5 km in the general direction of shooting and not less than 1 km in the rearward arc. It goes on to say that shooting should not take place with separation distances of less than 1 km in the direction of shooting except under very exceptional circumstances. It also states that as the noise buffer zone decreases in size, so the frequency and duration of events may also need to be decreased.

Therefore, a distance of approximately 750m from a shooting range is not sufficient to conclude, on distance alone, that there will be no impact on future residents from the shooting school.

The CIEH guidance section 6 provides a methodology for noise measurement and assessment of Clay Target Shooting using the mean shooting noise level index (SNL) this methodology was based on measurement and social survey work completed by the Building Research Establishment and was presented at the Institute of Acoustics conference and endorsed by DEFRA. Stansted Environmental Services (SES) have not used the CIEH Guidance methodology to assess the potential impact of the shooting school on future residents.

SES did not measure noise from the shooting school operations. SES have instead used data that a typical firearm is 110 dB(A) at 7m and calculated a distance attenuation of -47dB(A) deriving a maximum noise level of 63 dB(A) at the boundary of the site. SES have not provided the reference source for the typical firearm data and explained why it is considered to be representative of the typical noise from the shooting school, nor have they provided the reference for the methodology employed in their assessment of shooting noise. There is also no justification given for not following the CIEH Guidance which is the most applicable assessment method for this type of noise.

In the Environmental Noise Sources section of the report SES have calculated the A120 road traffic noise at the north boundary of the site to be 44 dB(A) Leq. It is noted that their derived shooting noise level is 19 dB(A) above the road noise level. A 10 dB increase is generally perceived as twice as loud and therefore this is significantly above the A120 road noise level and will be dominant and attract a listener's attention.

The report assumes that at the time of the unattended noise monitoring survey described in the earlier Stansted Environmental Services BS8233:2014 Environmental Noise Assessment, Project Reference: ENV01-TAKE-068b- (Jacks Lane, Takeley), Date & Version: 7 th September 2022 – Version 1 (SES NIA) , between 16:09 on 6 th April 2021 and 23:55 on 10 th April 2021, some shooting sessions were in progress. It appears that SES did not contact the shooting school to check this assumption. I have contacted the shooting school and unfortunately, given the short timescale, they were unable to immediately check their archived records to verify if shooting occurred during the monitoring period but the owner will try to update Environmental Health on this point prior to the hearing on Tuesday 25 July 2023. Unfortunately, at this stage it is not possible to conclude one way or the other if the site monitoring data relied upon for proposed noise mitigation included noise from the shooting school.

The NPPF states;

“187. Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

Noise from clay target shooting can be difficult to mitigate because there are two principal noise sources, the firing of the gun and the noise of the cartridge hitting the clay target which can be at a significant height. Noise barriers are not effective if they do not break line of sight from the noise source to the receiver. It is unlikely that noise barriers at the proposed development site would have any effect on shooting noise levels. Mitigation measures such as acoustic glazing and ventilation may be possible to reduce internal noise impacts from shooting noise.

It is our view that the potential impacts of shooting noise on the proposed development should be fully assessed prior to determining the application and we have insufficient information to determine if noise conditions can achieve suitable noise levels at the proposed dwellings. Therefore, we wish to **object** to the application because we have insufficient information regarding noise impacts on future residents.

If the inspector is minded to grant the application, despite the objection on noise grounds, the SES NIA included proposed noise mitigation measures for road and aircraft noise (but none for shooting noise) and it is therefore recommended that the following conditions should be attached to any permission granted to protect the amenity of future residents;

1. Prior to commencement of the development a scheme for protecting the proposed dwellings from noise arising from road noise and air traffic shall be submitted to, and approved in writing by, the Local Planning Authority for approval. This acoustic design advice report should detail the advised measures for achieving the following criteria;
 - A) bedrooms shall achieve a 16-hour L_{Aeq} (07:00 to 23:00) of 35dB(A), and an 8-hour L_{Aeq} (23:00 to 07:00) of 30dB(A), with individual noise events not exceeding 45dB L_{AFmax} more than 10 times (23:00 to 07:00 hours)
 - B) living rooms shall achieve a 16-hour L_{Aeq} (07:00 to 23:00) of 35dB(A)
 - C) dining rooms shall achieve a 16-hour L_{Aeq} (07:00 to 23:00) of 40dB(A)

None of the dwellings shall be occupied until the scheme is implemented in accordance with the approved details. The scheme shall be retained in accordance with those details.

Reason : To ensure future occupiers enjoy a good acoustic environment, in accordance with policy ENV10 which requires appropriate noise mitigation and sound proofing to noise sensitive development

Informative Notes

A good acoustic design process should be followed in accordance with the 'Professional Practice Guidance on Planning and Noise: New Residential Development' (May 2017 or current version) to ensure that the noise criteria are achieved with windows open.

Any design measures that are used to control the ingress of noise must be consistent and compatible with the requirements of Approved Documents O and F.

2. Prior to development starting on site, details of a scheme for protecting external amenity spaces from external [traffic and aircraft] noise shall be submitted to and approved in writing by the LPA. The scheme shall ensure that, upon completion of the development, good acoustic design will be used to ensure external noise levels within external amenity spaces shall not exceed 55 dB $L_{Aeq,16hr}$ (0700 – 2300).

None of the dwellings shall be occupied until the scheme is implemented in accordance with the approved details. The scheme shall be retained in accordance with those details.

Reason : To ensure future occupiers enjoy a good acoustic environment, in accordance with policy ENV10 which requires appropriate noise mitigation and sound proofing to noise sensitive development

Informative Note

A good acoustic design process should be followed in accordance with the 'Professional Practice Guidance on Planning and Noise: New Residential Development' (May 2017 or current version) to ensure that the noise criteria are achieved.

3. Prior to development starting on site details of a noise scheme to protect future residents from Herts and Essex Shooting School noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that on completion of the development, good acoustic design will be used to ensure that noise levels within external amenity spaces shall not exceed a mean Shooting Noise Level of 55 dBA when measured in accordance with the

Chartered Institute of Environmental Health (CIEH) Clay Target Shooting
Guidance on the Control of Noise 2003.

Reason : To ensure future occupiers enjoy a good acoustic environment, in
accordance with policy ENV10 which requires appropriate noise mitigation and
sound proofing to noise sensitive development