

## **NORTHERN PLANNING COMMITTEE – 14<sup>th</sup> September 2022**

### **UPDATE TO AGENDA**

#### **APPLICATION NO.**

21/1706M

#### **LOCATION**

67 London Road, Alderley Edge, SK9 7DY

#### **UPDATE PREPARED**

12<sup>th</sup> September 2022

#### **CONSULTATIONS**

**Environmental Protection** – Following receipt of noise and odour reports recommend conditions relating to noise mitigation and odour control.

#### **OFFICER APPRAISAL**

##### **Amenity**

As noted in the original report CELPS Policy SE1 states that development should ensure an appropriate level of privacy for new and existing residential properties. MBLP Policy DC3 states that development proposals should not significantly injure the amenities of adjoining or nearby residential properties through matter including loss of privacy, overbearing effect, loss of sunlight/daylight, noise, vibration, smells, fumes, environmental pollution and traffic, access and parking. MBLP Policy DC38 sets out guidelines of space between buildings, and policy DC14 states that development may be permitted provided that the effects of noise can be mitigated by soundproofing measures. Policy AE8 of the AENP states that proposals for new development and changes of use which require planning consent, should consider community safety and protect the amenity, health and wellbeing of local residents both during the daytime and in the evenings. Draft policies HOU10 and HOU11 of the emerging SADPD are also relevant and reflect the policy objectives outlines above. Draft Policy RET5 of the SADPD also seeks to protect the character of the area and the amenities of residential occupiers.

The proposed single-storey extension to the rear retains over 25 metres to the rear of the properties on The Avenue, which complies with the distance guidelines set out in the policies above. The front extension faces towards other commercial properties and therefore raises no significant concerns in terms of its impact upon living conditions of neighbours.

As a mixed retail and café use the proposal does have the potential to create noise and odour, which could adversely affect the living conditions of

neighbouring properties. This concern was highlighted by the Council's Environmental Protection team who stated that an odour report and a noise report were required to accompany the application to demonstrate whether there would be any adverse impact upon the living conditions of local residents. Following the submission of a noise report and odour Environmental Protection were re-consulted on the proposals.

In terms of the noise report, the impact of the noise from the kitchen extract flue and two condenser units and activity noise from the external seating area on the proposed development has been assessed in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound, which Environmental Protection advise is an agreed methodology for the assessment of the noise source.

The report's methodology, conclusion and recommendations are accepted by Environmental Protection, who advise that subject to the development being carried out in accordance with the mitigation identified in the report, in terms of the equipment to be used within the proposal (including silencer units), the proposed development raises no significant noise concerns. An appropriate condition is therefore recommended to secure the mitigation.

With regard to odour, residential / commercial properties in close proximity to the application site could be adversely affected by odour in the absence of any mitigation.

A scheme of odour abatement / control / mitigation has now been submitted with the application (Azymuth Acoustics UK, REF: AA0432, 5th August 2022) which has been designed to ensure that odours associated with the use of the development do not cause a significant loss of amenity to occupiers of properties within the locality. This includes the use of a baffle filter, then a fine filter, then a carbon filter system installed as part of the odour abatement proposals, which Environmental Protection are satisfied with, subject to a condition requiring its implementation.

The noise and odour reports have now addressed the previous concerns raised by Environmental Protection. Subject to conditions securing the mitigation detailed within the noise and odour reports submitted by the applicant, the proposal is not considered to result in any significant adverse impact upon the living conditions of neighbouring properties. The proposal therefore complies with policies SE1 of the CELPS, DC3, DC14 and DC38 of the MBLP, AE8 of the AENP, and draft policies HOU10, HOU11 and RET5 of the emerging SADPD.

### **Emerging Policy**

It should also be noted that the original report omitted reference to the Revised Publication Draft SADPD which was submitted to the Secretary of State on 29 April 2021. Following the examination hearings and report from the Inspector, Main Modifications were published for consultation between 19 April 2022 and 31 May 2022. The Council has recently published its report of

consultation and the Inspector will take the representations into account in preparing his Examination report, which will be issued to the council in due course. The following policies are considered to carry moderate weight in the assessment of the application:

PG9 - Settlement Boundaries,

GEN1 - Design principles,

HER1 - Heritage assets,

HOU10 – Amenity

HOU11 – Residential Standards,

RET1 – Retail Hierachy

RET5 – Restaurants, cafes, pubs and hot food take

Whilst relevant to the current proposal, these draft policies do not alter the assessment within the original report, or this update unless otherwise stated.

## **CONCLUSION**

As in the original report a recommendation of approval is made subject to additional conditions relating to noise and odour mitigation.

Additional conditions:

1. Odour control scheme to be implemented
2. Noise mitigation to be implemented and maintained