

From: Matthew Shepherd <Matthew.Shepherd@westberks.gov.uk>

Sent: 06 Sep 2024 12:10:15

To: dmsimport@westberks.gov.uk

Cc:

Subject: FW: Kennet Centre Noise Response

Attachments: 7129_001M_6-0_DM.pdf, Newbury Town Centre Redevelopment_DM_Comments_Final.pdf, 23/02094/FULMAJ

From: Suzanne McLaughlin <Suzanne.McLaughlin@westberks.gov.uk>

Sent: Monday, April 8, 2024 3:36 PM

To: Matthew Shepherd <Matthew.Shepherd@westberks.gov.uk>

Cc: Kate Powell (Culture and Environmental Protection) <Kate.Powell@westberks.gov.uk>

Subject: FW: Kennet Centre Noise Response

Good afternoon Matthew

Kate is now on leave until 16/4/24. I am in agreement of her response below following the response from Lochailort (dated 15/3/24) and the Noise Impact Assessment by Anderson Acoustics (7129_001M_6-0_DM) 9dated 15/3/24)

Regards

Suzanne McLaughlin

Principal Officer

Public Protection Partnership

01635 519851

suzanne.mclaughlin@westberks.gov.uk

Please note I work Monday-Thursday

Website: www.publicprotectionpartnership.org.uk

Facebook: [@PublicProtectionPartnershipUK](https://www.facebook.com/PublicProtectionPartnershipUK)

Twitter: [@PublicPP_UK](https://twitter.com/PublicPP_UK)

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From: Kate Powell (Culture and Environmental Protection) <Kate.Powell@westberks.gov.uk>

Sent: Friday, April 5, 2024 10:30 PM

To: kate.powell@bracknell-forest.gov.uk

Subject: FW: Kennet Centre Noise Response

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Having considered the consultant's comments my response is as follows:

No further information regarding noise levels from music on the terrace at The Newbury has been provided. We therefore still do not have robust information upon which to base a response. The consultant has not reported that the noise from a DJ would be any lower than the band which was assessed therefore I will have to take the noise levels contained within their report as being representative of the future noise climate for the development. The current premises licence permits the use of the terrace each night until 1:30 am with recorded music until midnight.

A condition has been proposed for internal noise levels *“To protect the amenity of future occupants, noise intrusion should be limited to not exceed a level of NR 25 and L_{Aeq} 27 dB inside habitable rooms of the new apartments.”*

This would be a reasonable internal noise level for future occupants. I expect that some future residents may still hear low level music noise inside their property however given that this is a town centre location and that the music would not continue past midnight I do not consider this unreasonable. To achieve this the apartments will require high specification glazing and sound insulation to the exposed facades as well as acoustically treated mechanical heat and ventilation systems to allow residents to keep their windows closed. The most exposed facades would also require winter gardens. The communal spaces within blocks B, E and F would exceed recommended noise levels at the times when entertainment was taking place. I accept that alternative communal spaces area available but would question whether it is a reasonable expectation for residents to use them.

I do remain concerned that there would be conflict between the future occupiers and the current business. I anticipate that future occupiers would be restricted in the use of their property, unable to open windows and restricted in the enjoyment of the winter gardens and communal areas. It is also foreseeable that pressure could end up being put on The Newbury to alter their operations.

It is my belief that the issue with noise from the use of the terrace at The Newbury was only identified late in the design stage for the development which meant that an existing design was adapted rather than a systematic approach to acoustic design being taken. The response was to insulate the exposed facades rather than consider how the development as a whole could be designed in line with good acoustic design. I would consider what has been proposed as the last resort position if other options are not viable however it does not appear that other options have been considered in accordance with the guidance set out in BS8233:2014 and ProPG Stage 2 Full Assessment.

If you are minded to approve the application as proposed, I believe that the above noise condition would achieve satisfactory internal noise levels however I find it foreseeable that it will result in future tension between residents and the commercial use due to the high noise level in the surrounding area.

I would recommend consideration of the following options:

1. The developer approaches The Newbury outside of the planning process to establish whether there are any options for further managing the noise at the source, e.g. enclosing the terrace.
2. The affected section of the development is redesigned to protect amenity spaces and minimise noise sensitive facades

The following guidance on good acoustic design is relevant.

ProPG: Planning and Noise, New Residential Development, Supplementary Document 2 Good Acoustic Design May 2017

It advises [good acoustic design should help produce sustainable buildings that provide healthy conditions for future occupants, that are sensitive to the likely expectations of future occupants and to the acoustic characteristics of the location, they are efficient in the use of resources and energy both during construction and subsequent occupation, and that they are matched by an appearance that demonstrates good aesthetics as far as possible.

Too often in the past internal noise levels within a noise-sensitive room have been regarded as the only factor that matters in the acoustic design of a noise-sensitive building, and this has led to schemes being put forward that simply relied on the building envelope to achieve a high sound insulation performance, when other means could have been used to achieve an overall good design.]

It goes on to say ...[The LPA should be satisfied that any proposal for new housing has followed a good acoustic design process. LPAs should require applicants to demonstrate in an Acoustic Design Statement how the acoustic design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured design has been selected. For example, where the scheme relies on windows being closed to achieve good internal noise conditions, the Acoustic Design Statement should include or refer to an explanatory statement detailing why this approach has arisen and how the use of layout, orientation, spatial design and non-building envelope mitigation has been used to minimise the need for reliance upon closed windows.]

There is a hierarchy of noise management measures which should be considered:

- i. Maximising the spatial separation of noise source(s) and receptor(s).
- ii. Investigating the necessity and feasibility of reducing existing noise levels and relocating existing noise sources.

- iii. Using existing topography and existing structures (that are likely to last the expected life of the noise-sensitive scheme) to screen the proposed development site from significant sources of noise.
- iv. Incorporating noise barriers as part of the scheme to screen the proposed development site from significant sources of noise.
- v. Using the layout of the scheme to reduce noise propagation across the site.
- vi. Using the orientation of buildings to reduce the noise exposure of noise sensitive rooms.
- vii. Using the building envelope to mitigate noise to acceptable levels.

In conclusion, I do not feel that the ProPG guidance has been followed to take account of the existing environment and my recommendation is that alternative options should be explored before accepting what I would consider the last resort.

From: Matthew Shepherd <Matthew.Shepherd@westberks.gov.uk>
Sent: Thursday, April 4, 2024 4:32 PM
To: Kate Powell (Culture and Environmental Protection) <Kate.Powell@westberks.gov.uk>
Subject: FW: Kennet Centre Noise Response

Hi Kate,

Have you been able to review this further information?

Apologies I haven't been able to organise formal re-consultation on this but hopefully you can just take it from my below email.

Thanks
Matt

Kind Regards

Matthew Shepherd
Senior Planning Officer
Development & Regulation West Berkshire Council
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Matthew.Shepherd@westberks.gov.uk
www.westberks.gov.uk

From: Matthew Shepherd <Matthew.Shepherd@westberks.gov.uk>
Sent: Friday, March 22, 2024 11:53 AM
To: Kate Powell (Culture and Environmental Protection) <Kate.Powell@westberks.gov.uk>
Subject: FW: Kennet Centre Noise Response

Hi Kate,

Please find attached the agent's response to your latest comments (attached for ease). Can you please review and let me know your thoughts? I will organise formal re-consultation but if you could provide a response in the next 21 days that would be appreciated.

Happy to discuss if needed

Kind Regards

Matthew Shepherd
Senior Planning Officer
Development & Regulation West Berkshire Council
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Matthew.Shepherd@westberks.gov.uk
www.westberks.gov.uk

From: Sarah Ballantyne-Way <Sarah@lochailort-investments.com>
Sent: Thursday, March 21, 2024 11:46 AM
To: Matthew Shepherd <Matthew.Shepherd@westberks.gov.uk>
Cc: Rudra Rhodes <Rudra@lochailort-investments.com>
Subject: Kennet Centre Noise Response

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Hi Matthew,

Please find attached the updated Noise Report and response to your EHO's comments.

Kind regards

Sarah

Sarah Ballantyne-Way MSc MRTPI
Planning Director

LOCHAILORT

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