

Written submission (objector):

Peter Neal and Rebecca Neal

The basis of our objection has always been to protect the residential amenity at Bracken House. We are particularly concerned about the impact of noise on our property caused by activities at the adjacent proposed scheme. For this reason, we commissioned a noise survey from Stewart Michael Associates, a professional acoustic consultant. This survey concluded that “dependant on the type and intensity of the proposed commercial development adjacent to the site, noise generating activities would result in a **significant adverse impact.**”

While the recent change in use within the application from B2 to light industrial reduces the impact on our residential amenity which is welcomed, there are no such protections relating to the B8 use. This lack of protection, the absence of any consideration of the matter by the Applicant and the limited engagement on this subject on the part of the Council to date are causes of concern to us. We ask that the Council has due regard to our concern and imposes additional restrictions.

We note that the Case Officer concludes in the final paragraph of the Noise section within her report:

In its revised form, the proposed uses are considered to be compatible with existing uses on and adjoining the site in terms of noise and disturbance, subject to the recommended conditions.

We do not think that it is appropriate to draw this conclusion without understanding the existing baseline noise levels, knowing how the units are to be used and the intensity of this use which will in turn influence how much noise they will generate. For this reason, we request that noise conditions be imposed on the units.

Following advice from Stuart Michael Associates, we understand that it is standard practice for an applicant seeking planning permission for B8 use in close proximity to residential uses to undertake a Noise Impact Assessment, following which the Council can then consider the findings, and then impose noise restrictions if applicable. We are further advised that in the unusual circumstance that a Noise Impact Assessment is not provided by an applicant for B8 use, the Council can still impose noise restrictions. We note that the Applicant has not undertaken an NIA. In the absence of any NIA, following advice from Stuart Michael Associates, we request that the following conditions be imposed on the B8/Class E use units:

“Noise generated from the site should not exceed the British Standard and WHO guideline levels of 35 dB (LAeq,T) in living rooms and bedrooms (resting conditions) during the daytime to protect existing residents amenity. External noise levels should not exceed 50 dB during the daytime to maintain existing private amenity to adjacent residences in accordance with British Standards and WHO Guidelines.”