

Noise Management

Para 14.65 of the s182 Guidance from the Secretary of State clearly states that “Planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency” therefore I propose that discussing noise management in depth falls into the remit of duplication and inefficiency considering that it was the main subject of the Licencing Hearing panel that was resolved.

That said, this report has been prepared to assess the potential noise impact arising from the proposed change of use of a vacant former newsagents to a small micro bar with an ancillary external beer garden. It is with regret that a professional Noise Impact Assessment for the exterior has not been carried out due to the inaffordability and therefore viability of such an assessment therefore it is hoped that a common sense approach can be adopted.

This assessment considers the likely effect of customer noise and operational activities on nearby residential properties and determines whether the development has the potential to result in loss of residential amenity.

The assessment has been undertaken in accordance with:

- National Planning Policy Framework (NPPF)
- BS 4142:2014+A1:2019 – Methods for rating and assessing industrial and commercial sound
- ProPG: Planning & Noise (2017)
- WHO Community Noise Guidelines
- Professional judgement and comparable venue data

1. SITE DESCRIPTION

The site comprises a former retail unit located within an established mixed commercial and residential area.

Immediately surrounding land uses include:

- Residential dwellings located approximately 10 metres from the proposed beer garden boundary
- Existing commercial premises along the street frontage
- Typical urban background noise from road traffic and local activity

The external area proposed for use as a beer garden is positioned to the rear of the premises and has an approximate capacity of 50 patrons.

2. PROPOSED DEVELOPMENT AND OPERATION

Measures that will be taken to effectively control noise arising at the premises from the following sources:

- (i) Music and other amplified sound at the premises
- (ii) Patron conversation/laughter including those at outside smoking areas and those leaving the premises
- (iii) Disposal of glass bottles
- (iv) Outdoor equipment such as chillers and air conditioning plant
- (v) Deliveries of supplies to the premises and removal of waste from the premises

Developing and maintaining good relations with local residents, neighbours, other businesses and the local authority has been paramount since the conception of the idea in transforming the former newsagents into a micro-bar. It has always been understood that there will be trepidation from local

residents. This was evident during the Alcohol Premises Licence application based on fear and speculation.

Following a licensing hearing, a compromise regarding the beer garden was reached (use enabled until 20:00h). May it be noted that since which there have been no official complaints and my feedback from residents has been positive thanks to the provisions and efforts put in place.

It may also be worth noting that during the Hearing, it was stated that there were no concerns from Environmental Health (EH) over use of the front 'patio' area of the premises due to its proximity adjacent to the main A636 road and opposite The White Hart pub.

May it also be noted that should issues arise in the future, there are mechanisms in place that Responsible Authorities can rely upon which can include enforcement action and / or a Premises Licence Review. It is in the Operators' interests to avoid such action.

3. BASELINE NOISE ENVIRONMENT

Based on typical urban mixed-use environments and comparable measurements, background sound levels are expected to be:

Period	Typical LA90
Daytime	45 - 50 dB
Evening	40 - 45 dB
Night	35 - 40 dB

These levels are influenced by:

- Local road traffic
- Domestic activity
- General neighbourhood sound

4. ASSESSMENT METHODOLOGY

External patron noise is considered intermittent social noise rather than industrial plant noise. Therefore:

- BS4142 principles used qualitatively
- Comparison made between predicted garden noise and background levels
- Consideration of character, duration, and management
- Professional acoustic judgement applied

5. PREDICTED NOISE LEVELS

Patron Voice Noise

Normal conversation levels at 1m typically range:

- 60–65 dB LAeq
- Raised voices/laughter: up to 70 dB

For multiple patrons, cumulative levels increase logarithmically.

For an assumed worst-case scenario:

- 40–50 patrons talking simultaneously
- Estimated level within garden: approx. 70–75 dB LAeq

Propagation to Nearest Dwelling (10m distance)

Using spherical spreading:

Distance attenuation $\approx 20 \log (10/1) = 20$ dB reduction

Predicted level at façades:

$75 - 20 = \sim 55$ dB LAeq

This represents a worst-case continuous scenario. In reality:

- Noise will be intermittent
- Not all patrons speak simultaneously
- Natural screening and building absorption reduce levels further

Realistic expected façade level:

~ 48 –52 dB LAeq

6. IMPACT ASSESSMENT

Daytime / Early Evening

Background ≈ 45 –50 dB

Predicted ≈ 48 –52 dB

Difference: +2 to +5 dB

Impact:

- Minor / barely perceptible
- Consistent with typical residential amenity levels

Later Evening (after 21:00)

Background ≈ 40 –45 dB

Predicted ≈ 48 –52 dB

Difference: +5 to +10 dB

Impact:

- Noticeable but not excessive
- Intermittent social noise generally regarded as acceptable in town centre/mixed-use areas
- Not comparable to amplified music or plant noise

7. CHARACTER OF NOISE

Important qualitative considerations:

- Human voices are common and expected in social environments
- No tonal or impulsive characteristics
- Limited operating hours (up to 20:00h)
- Small capacity venue
- Managed seating area

Therefore the noise is:

- Intermittent
- Social in nature
- Not industrial/mechanical
- Low risk of sustained disturbance

8. MITIGATION AND MANAGEMENT MEASURES

(i) MUSIC AND OTHER AMPLIFIED SOUND AT THE PREMISES

The Live Music Act 2012 states that background music may be played during the hours of 8am and 11pm on licensed premises to audiences of less than 500 people.

Background music will be in use to create an atmosphere and incidental to speech and conversation.

The Live Music Act 2012 also gives provision for live music outside (eg in beer gardens) of licensed premises between 8am and 11pm. However, in respect to the residents of Sunnybank, any live music shall only occur between 4pm and 6.30pm on Saturdays, Sundays or Bank Holidays. Acts will be requested to refrain from using excessive bass frequencies (eg pounding bass drums).

Live music acts will be more of the lightly amplified acoustic type (eg solo singers / duos with a guitar and backing track) with a repertoire in line with the target market (eg no heavy rock and roll) to provide ambience and light entertainment.

Doors / windows will kept closed during internal regulated entertainment indoors.

(ii) PATRON CONVERSATION/LAUGHTER INCLUDING THOSE AT OUTSIDE SMOKING AREAS AND THOSE LEAVING THE PREMISES

As mentioned, there are two outside areas relating to the premises: (a) The front 'patio' area and (b) the beer garden.

Both areas shall adopt a '3 strikes' exclusion policy for any particularly vocal and disruptive customers with staff remaining vigilant.

Taking these areas separately:

- a) The front area approx. 840cm x 240cm is an area adjacent to the public footpath and runs along the front of the building. This area shall have provision for some seating / smoking / vaping. Whilst concerns by EH were low, staff will be vigilant in keeping customers' voices at an acceptable level - particularly after 10pm.

- b) The rear beer garden has a noise curfew of 8pm as dictated at the Licencing Hearing in respect to the residents of Sunnybank. Therefore staff are aware to begin clearing the area at 7.45pm. There is a sign on the door indicating no entry after 8pm. Anybody wishing to smoke / vape after 8pm should do so at the front of the building. There is additional signage in the garden notifying patrons to respect neighbours by kerning noise and language and vacating by 20:00h.

Occupancy is limited to 50 people.

There is a 2m fence installed between the garden and Sunnybank properties that is of close-board construction, contains no holes or gaps and has a minimum surface density of 10 kg/m².

Glazed windows and doors are double-glazed.

Customers leaving the premises should be reminded to be respectful of neighbours when leaving. Any loitering outside after 11pm should be disbanded (eg waiting for a taxi) or requested to wait inside to avoid chatting and saying goodbyes in the street outside.

A noise assessment for the interior has been undertaken regarding the lower ground floor flat to ensure satisfaction of building control regulations + 10dB. Unfortunately such an assessment has been unable to be carried out between the ground floor and upper level flat due to access restrictions by the private tenant. May it be noted that the tenant has previously given his support for the project and also his intention to vacate the property (for an unrelated reason) that shall then be used by a bar manager.

(iii) DISPOSAL OF GLASS BOTTLES

Waste provision is located to the front of the premises as the only access for waste refusal lorries. Requests are made to third parties to carry out their activities between 8am and 6pm. Staff are instructed not to decant any glass bottles into the exterior glass bin after 9pm.

(iv) OUTDOOR EQUIPMENT SUCH AS CHILLERS, AND AIR CONDITIONING PLANT

Initially, there will be no external chiller or air conditioning plant associated with the micro bar. There may be in the future and if so, relevant equipment shall be chosen as per 'fit for purpose', with a low dB output and shall adhere to guidelines that are considerate to the environment and neighbours.

Namely that all noise emissions for plant are to fall a minimum of 5.0 dB below the prevailing background sound level. This would be viewed as 'Negligible Impact' when assessed with BS4142 and 'No Observed Effect Level' (NOEL) when assessed with the NPSE.

IF the lowest Most Repeated Background Sound Level as per above, (day time) = 45dBA and (night time) 40dBA then the Maximum cumulative Rating Level of external plant equipment at the Façade of the Closest NSR (Noise Sensitive Receptor) should be 40dBA (day time) and 35dBA (night time)

Mitigation measures that are necessary to reduce the impact of any proposed plant are as such:

- Given the above example, the cumulative sound level of all plant should not exceed the Rating Level of 40.0 dB during the day time and 35.0 dB during the night time at the façade of the nearest NSR.
- The plant should be installed on appropriate anti vibrational mounts.
- Once the plant has been specified, a suitably qualified person should assess whether the Plant Noise Limit Levels can be achieved.

(v) DELIVERIES OF SUPPLIES TO THE PREMISES AND REMOVAL FOR WASTE FROM THE PREMISES

Requests are made to third parties to carry out their activities between 8am and 8pm.