

Hillingdon Council's Comment (Noise)

1) Noise – Clarifications and justifications needed (comments below)

It would appear there may be some difference of understanding with regard to what would be within the scope of any assessment.

The proposed modification to the condition suggests that if it was only mechanical plant then that would be acceptable to the applicant.

The rebuttal suggests that a single delivery by a van during the night-time hours would breach the proposed condition, and therefore the condition is unreasonable given the nature of the facility.

However, it is not clear how that has been calculated, for example would that be the case for an electric or hybrid van and how would that be unreasonable?

There is a somewhat separate question as to whether it would be within the scope of any assessment. The general principle being that whilst on the public highway the noise contribution would not be included in the assessment. Perhaps the applicant could provide some further justification for the modification or propose some additional words to clarify matters around this.

Sharps Acoustics response:

The assessment was calculated using the movement of a service vehicle from the edge of the application site (adjacent to the public highway) to the servicing area, loading/unloading of the vehicle and its return back to the red line boundary, where it then enters the adopted highway.

We have not considered the noise associated with movement of the vehicle when it is on the public highway in the BS4142 assessment as this is outside of the scope of the assessment, as highlighted by the Council. As a public highway, there are no restrictions on vehicle movements along it, so no restriction can be placed on vehicles using this.

The below screen grab illustrates the noise modelling associated with this scenario of a single service vehicle. This is based on a combustion engine vehicle.

This noise level taken at the properties on the other side of Horton Road in this modelled scenario is $L_{Aeq,15mins}$ 44dBA. On this basis, the noise associated from movement of the vehicle and the associated delivery/servicing activities would be indistinguishable when considered against the character of the existing noise climate that was measured during the noise survey.

Therefore, in BS4142 terms, the noise impact would be low during both the daytime and night time periods.



Local Policy for noise is set out in Policy EM8 of the , which states:

The Council will investigate Hillingdon's target areas identified in the Defra Noise Action Plans, promote the maximum possible reduction in noise levels and will minimise the number of people potentially affected. The Council will seek to identify and protect Quiet Areas in accordance with Government Policy on sustainable development and other Local Plan policies. The Council will seek to ensure that noise sensitive development and noise generating development are only permitted if noise impacts can be adequately controlled and mitigated.

Map 8.5 of the Local Plan highlights Hillingdon's target areas referred to in this condition, as those adjacent to the M4 for road noise, and areas adjacent to the rail line in Northwood for rail noise. The application site and the area immediately surrounding it does not fall within a target area.

National noise policy broadly aims to avoid significant adverse impacts and mitigate other, lesser noise impacts.

The noise assessment has shown that noise from servicing of the development would result in a low impact during the day and night when assessed in accordance with BS4142.

The proposed Condition suggests that there should be a noise limit for all noise emissions emanating from the development of 40 dB L_Ar 15 min for any fifteen-minute period between 2300 and 0700, and 50 dB L_Ar 1 hour for any one-hour period between 0700 and 2300, which the Condition goes on to state is "...in accordance with 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014."

These noise limits would not be in line with BS4142:2014, Local Policy or national noise policy. It has been assessed that impacts from noise related to the proposed development are low and, therefore no blanket approach on noise or hours of use is justified. Therefore, it

is considered that the condition is neither reasonable nor necessary and is not in accordance with paragraph 57 of the NPPF, which reads:

Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.....'

The reason that an amended condition is proposed relating to fixed mechanical plant is because the installation of this plant will be subject to occupier fit out. As no occupiers are yet identified for the development, fixed mechanical plant has not been selected/ finalised, and so cannot be assessed at this stage. This condition is considered to be reasonable to ensure that any plant has an appropriate specification so that It would not give rise to any impacts on the nearby residential properties.