

Environmental Control and Protection - Planning Consultation Response

To: David Cox Senior Planning Officer

From: Vicky Brown
Senior Environmental Health Officer - Environmental Protection

Date: 30th March 2022

Planning Application Reference:	20/03641/OUT
Environmental Health Reference:	WK/202010891
Description of Proposal:	
Address:	Land South Of White Horse Business Park, Windsor Road, White Horse Business Park, Trowbridge, Wiltshire
Site Visited:	Yes

I am writing following amended plans submitted 28.01.2022. The amended plans include a noise impact assessment and the air quality assessment has been resubmitted.

Noise

In regards to commercial noise, the consultant did a walk over of the site during the day and at night, and was not able to hear noise from the commercial uses on the other side of Bradley Road. They have therefore not carried out a BS4142 assessment of the commercial noise sources. I have no evidence to contradict these findings at this time but will endeavour to visit the area at night to listen for myself.

The assessment of road traffic noise has been carried out in an unusual way. In section 6 the internal target levels of BS8233:2014 have been used as façade target levels rather than internal target levels. The amount of attenuation required to bring the sound level down to BS8233 levels internally is then given. For an edge of town/village location like this would expect the developer to aim for the sound levels recommended in BS8233 and by the World Health Organisation (WHO) to be achieved with windows open. An open window can provide between 10 and 15dB attenuation.

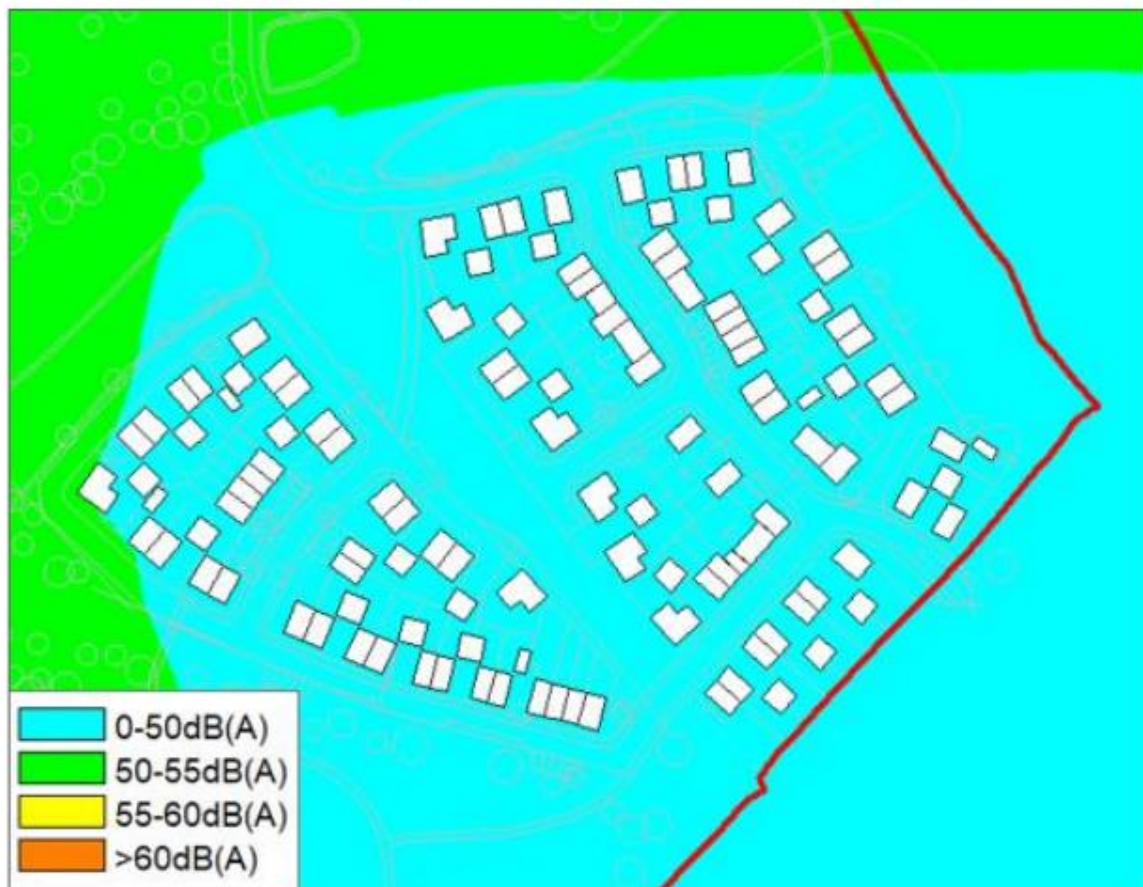
In regards to day time noise levels in ground floor living rooms, it can be extrapolated that, providing the most vulnerable dwellings have the specified acoustic fencing as located in figure 7-1 (see below) and internal layouts are designed so habitable rooms are sheltered from road traffic noise, suitable internal noise levels may be achievable with an open window for the majority of dwellings. There are a couple of blocks which have no facades which are below 50dB $L_{Aeq16hr}$ so would not achieve recommended internal noise levels with windows open for any habitable rooms. It is recommended that the layout is revised and/or further boundary treatments are included so that 35dB $L_{Aeq16hrs}$ can be achieved in living rooms with windows open across the site.

Figure 7-1
Predicted $L_{Aeq,16hr}$ dB Sound Levels Across the Proposed Development- With Mitigation



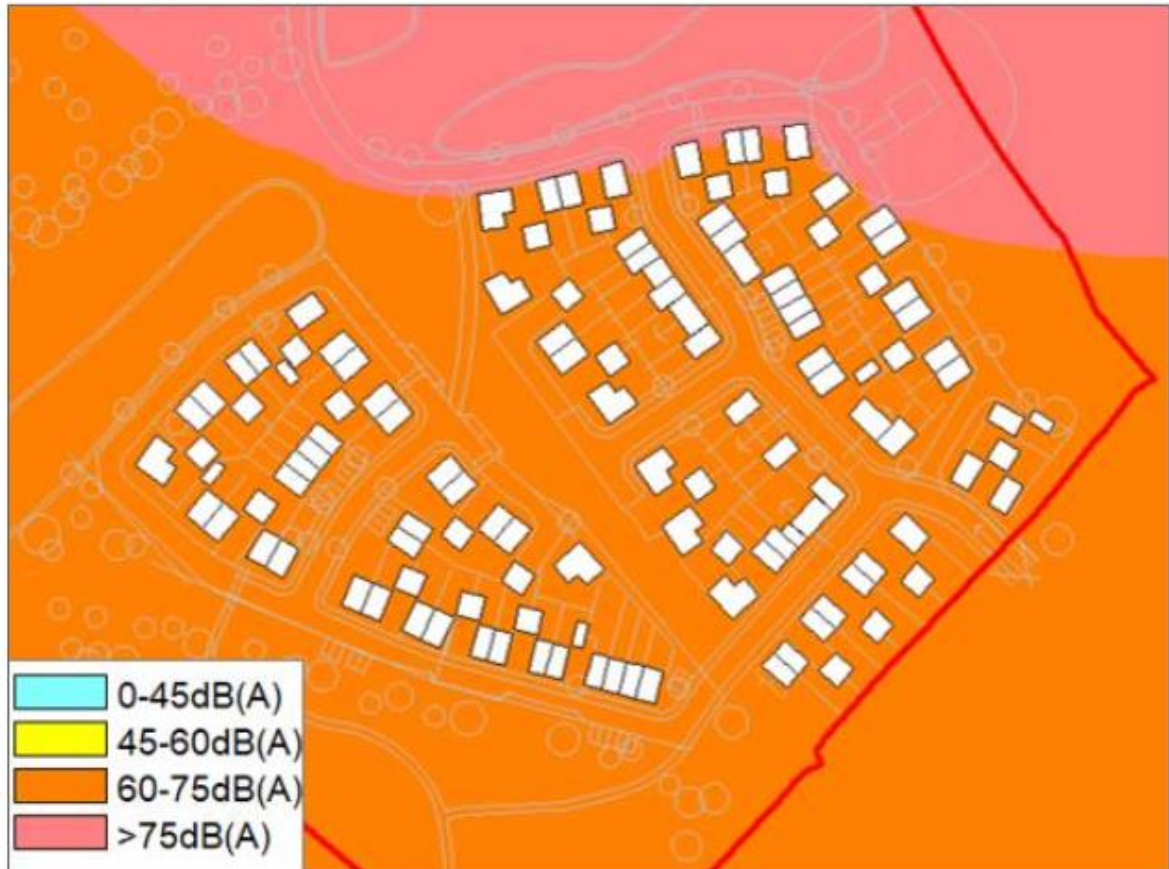
In regards to night time sound levels, figure 6.2 (see below) shows the majority of the site will have external noise levels of between 0 and 50dB $L_{Aeq8hrs}$ with the building at the eastern extreme between 50 and 55dB $L_{Aeq8hrs}$. I'm afraid this is not very helpful information. The target for bedrooms at night is 30dB $L_{Aeq8hrs}$, with an open window the 50dB $L_{Aeq8hrs}$ will be brought down to 35dB. If the whole site will have bedrooms at 35dB $L_{Aeq8hrs}$ or higher with windows open, this is not acceptable. We need to see more specific data so we can see how many facades will achieve 30dB in bedrooms at night with windows open and how many will have to have windows closed to achieve the recommended level. Site and internal layout can be used to minimise the number of dwellings that will be above the target level with windows open. We would then be able to make a judgment on the acceptability of the proposals.

Figure 6-2
Predicted Night-time $L_{Aeq,8hr}$ dB Sound Levels Across the Proposed Development



It is a similar situation with the L_{Amax} noise levels shown in figure 6-3 (see below). Almost the whole site is shown to be subject to noise levels of between 60dB and 75dB L_{Amax} . Residents would therefore need to keep windows closed for suitable internal noise levels to be achieved. This would not be acceptable. 60dB L_{Amax} could be brought down to 45dB L_{Amax} with an open window, which is the target, but anything above 60dB L_{Amax} will exceed the target. We need to see more detailed predictions of L_{Amax} noise levels. The number of incidents of peak noise levels which are above the target is also important in this. The WHO Guidelines on Community Noise set out how exceeding the target of 45dB L_{Amax} more than 10-15 times a night will affect sleep.

Figure 6-3
Predicted L_{Amax} dB Sound Levels Across the Proposed Development



Based on the evidence submitted regarding noise at this time I would have to recommend refusal. It is not acceptable for the whole development to have to have windows closed the majority of the time for suitable internal noise levels to be achieved.

Section 174.e of the NPPF states that '*planning policies and decisions should contribute and enhance the natural and local environment by: ... preventing new ...development from... being put at unacceptable risk from, or being adversely impacted by unacceptable levels of ...noise pollution.*'

Section 185. goes on to say: '*Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

a)
mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development –and avoid noise giving rise to significant adverse impacts on health and the quality of life

In the Noise Hierarchy associated with the NPPF the classifications of adverse impacts and significant adverse impacts is expanded upon. Noise levels above those recommended in BS8233 and by the WHO would definitely be in the Observed Adverse Effect (OAE) category and depending on how far above the recommended levels the noise levels may are creep into the Significant Observed Adverse Effect (SOAE) level. Levels in the OAE category should be mitigated and reduced to a

minimum and in the SOAE should be avoided. The evidence submitted at this time does not show sound levels have or can be suitably mitigated and reduced to a minimum. It is appreciated this is outline and some mitigation details can be agreed at reserved matters, however, we need to see evidence that suitable sound levels are achievable at this stage.

Given the evidence currently supplied I would suggest the proposals are also not compliant with Wiltshire Councils Core Policy 57: Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

Some of these concerns may be overcome if the applicant could provide more detail, as described in the text above, to show the extent of the development that will be subject to noise levels above the recommended levels, with windows open. We will need to see that site layout and barriers such as acoustic fencing or walls have been fully utilised to mitigate and reduce sound levels to a minimum. Once I receive this information I will be able to give this further consideration.

Conditions:

I do not believe the resubmitted Air Quality assessment provides any updated information so we would not change our recommendation from what was previously recommended. That was:

1. *No development shall commence on site until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to the LPA. The scheme must be approved by the LPA prior to implementation and thereafter be permanently retained.*

Reason: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

Section 106

Section 106 monies are requested in respect of Air Quality and the ongoing monitoring activity that takes place in the Trowbridge area. A 106 contribution of £10000 towards the updating of air quality monitoring equipment and its maintenance is required.

Should the application ultimately be approved we would recommend conditions to mitigate impacts during construction phase.

Please contact the Environmental Control and Protection Officer should you wish to discuss these comments.