

Hi Jon

Thank you for consulting the Environmental Control & Protection Team with regard to this planning application.

I have reviewed the submitted Noise Impact Assessment (Acoustic Associates SW Ltd Ref. 8159 Rev 2) but not had chance yet to look at the Air Quality, Odour Control nor Ground Contamination reports.

Whilst the report concludes that noise impacts from plant, customer vehicles and drive-thru activities would be acceptable subject to mitigation and delivery restrictions, there are a number of areas where I consider the assessment is insufficiently robust, given the proposed 24-hour operation adjacent to existing residential properties.

Wiltshire Council's Noise and Planning Technical Guidance (Version 1, October 2023) sets out the information and assessment methodology expected to accompany planning applications where noise may be a material consideration.

I recommend that the application is not determined until the following matters have been addressed:

1. Noise Survey Methodology

The assessment relies on a single unattended monitoring location.

A single monitoring position does not adequately demonstrate the acoustic environment experienced by potentially affected residential receptors surrounding the site, particularly in the context of a proposed 24-hour drive-thru restaurant.

In addition, I note that the measurement location appears from the photo of the sound level meter (SLM) in situ in figure 4, to be close to the rear of 9 Rupert Close whereas in figure 3 it is depicted as being further East and approximately 19m North of 11 Bailey Close.

The actual measurement point (figure 4) is contrary to the references in the report to the measurement location being at the rear of gardens in Bailey Close and is also significantly closer to the roundabout and junction of the Horton Road with the London Road. This means that potentially some background sound measurements and calculations may have been incorrectly elevated by road traffic noise.

It is not clear but 16 Bailey Close appears to be used in the report as the nearest noise sensitive receptor. Before the survey results can be relied upon the nearest residential receptors in each direction should be clearly identified and additional measurements carried out at appropriate locations over a further 7-day period.

2. Compliance with Wiltshire Council Technical Guidance

The report refers generally to Wiltshire Council's position and Policy 98 but does not demonstrate compliance with Wiltshire Council's Noise and Planning Technical Guidance.

The applicant should demonstrate how the assessment accords with Wiltshire Council's Technical Guidance and methodology requirements.

3. Plant Noise Assessment

The report acknowledges that we generally seek operational plant noise rating levels at least 5 dB below background sound levels where reasonably achievable.

However, the assessment predicts:

Night-time background level = 36 dB LA90,T
Night-time plant rating level = 36 dB LAr,Tr
resulting in a rating level equal to the background sound level.

The applicant has not demonstrated why the Council's preferred design objective of achieving a rating level at least 5 dB below background cannot be achieved and should confirm whether additional attenuation measures have been considered and discounted and justify why the Council's preferred criterion cannot be met.

4. Customer Activity Noise

The assessment primarily addresses vehicle movements, engine noise and door slams. Insufficient consideration has been given to noise from customer voices; groups congregating in the car park; late-night customer activity; waiting drivers; delivery riders; and other behavioural noise associated with a 24-hour fast-food premises. These sources have the potential to adversely affect residential amenity, particularly during the night-time period (2300-0700 hours) and have not been adequately assessed.

5. Customer Order Display (COD) Noise

The report states that the Customer Order Display system will use automatic ambient level control. However, the assessment does not provide source sound levels, maximum operational levels, predicted receptor noise levels, or detailed assessment of the COD speakers.

Additional information should be provided to demonstrate that COD operation will not adversely affect nearby residential receptors.

6. Waste Handling and Collections

The assessment considers delivery activities but does not adequately assess noise associated with refuse collections, bottle disposal, bin movements, any other external waste handling operations.

7. Night-time Operations

The proposal seeks permission for unrestricted 24-hour trading. The assessment places considerable reliance on predicted changes in average noise levels (LAeq). However, potential impacts arising from intermittent events, changes in acoustic character and customer behaviour during night-time hours have not been sufficiently examined. Further justification is required to demonstrate that night-time operation would not result in adverse impacts, including sleep disturbance, on residential amenity.

Conclusion

I therefore have insufficient information to determine that the proposed development would not adversely affect nearby residential amenity and further information is required, addressing the aforementioned issues.

Kind regards

Mrs Annabel Wilkinson

Environmental Health Officer
Environmental Control & Protection Team

