

INTERNAL MEMO

To: Development Control
From: James Allen
Tel: 01992 531482
Date: 5th February 2024
Planning Ref: 3/23/1447/OUT
Subject: Land East Of The A10, Buntingford, Hertfordshire

I have reviewed the comments made by RPS on 5th January 2024 regarding application 3/23/1447/OUT at Land East Of The A10, Buntingford, Hertfordshire and on behalf of Environmental Health (**Noise & Nuisance**) can confirm that I have the following comments to make:

Separation of noise sensitive rooms in neighbouring flats - Environmental Health Officers recommend this condition on a majority of developments which include flats or apartments. This is our standard condition for non-stacking rooms as sound transmission between flats is notoriously poor, resulting in a large number of nuisance complaints. This is further justified within our condition wording: *Sound insulation between converted properties can be less than desired, which can lead to intrusive noise from one flat having a detrimental effect on the occupiers of another, especially where 'stacking arrangements' are incompatible e.g. living rooms / kitchens / bathrooms of one property adjacent to the bedroom of a separate property. Noise from 'ordinary living' often falls short of being regarded as a statutory noise nuisance for the purposes of the Environmental Protection Act 1990 but can still affect the living amenity of occupiers. Retro-fitting sound insulation between properties is usually difficult, disruptive to occupiers and costly, and may not be as effective as being done at the design / construction stage.*

Separation of commercial and noise sensitive premises - If this is not relevant at this time, I am happy for it to be removed but if there are any walls/floors separating commercial premises and dwellings introduced at full application stage, this condition will be recommended.

External noise from air source heat pumps - We agree that a full BS 4142 assessment would be appropriate for a development of this type. The fixed tonality penalty is that which is recommended by the IOA/CIEH in the absence of spectral data (which is common).

External noise from other plant/machinery - We disagree with the proposal and reasoning for a noise rating level of 5dB above the background noise level. Allowing the external noise from plant on a development to have a rating up to and including the level that indicates an adverse impact would not constitute 'minimising adverse impacts'. I would be happy to explore an amendment in the wording of the condition to include a caveat for context, but there is no justification for allowing background noise levels to be significantly increased by every new development. The noise exposure hierarchy under NPPF also states that once the LOAEL is exceeded, noise should be 'mitigated and reduced to a minimum' i.e. as low as reasonably practicable. 10dB below the background noise level is an indication of low impact and is a condition widely used by urban and rural local authorities alike to ensure that residents are adequately protected from adverse impacts caused by additions to the prevailing noise environment as well as to prevent background creep. The requirement for external plant to achieve 10dB below background will therefore not be relaxed; each application is of course assessed on its own merit which can only be appropriately undertaken once any plant details and context has been provided, which will likely be at the full application stage.

ENDS

Kind regards,

James Allen
Senior Technical Officer (Environment)
Environmental Health