

Mr D Padalino  
DPA (London) Ltd



Dear Domenico,

I write following the comments received from Watford Borough Council regarding the acoustic report for 41 Market Street.

The first point I would make is that for applications relating to permitted development, the approach is supposed to be a light-touch. The report provided, not only closely examined the impact of commercial noise sources; but also took measurements over almost 2 days to determine the internal sound pressure levels due to all noise sources. This goes beyond the requirements for developments such as 41 Market Street, as Class MA in The Town and Country Planning (General Permitted Development) Order 2015 (as amended) requires that such developments under condition MA2-(1)(d) examine the impacts of noise from commercial premises on the intended occupiers of the development.

Having read the comments from Michael Dunn, a number of them go beyond the scope of the GPDO but as the report also went beyond the scope of the Order, I will address those comments that are relevant to the acoustic report in the following paragraphs.

The report has internal measurements over a 43-hour period, so almost 2 full days. The report was written to demonstrate that the internal sound levels meet the recommended internal sound pressure levels in BS8233:2014 Guidance on sound insulation and noise reduction in buildings. The results of the survey clearly show that the internal sound levels measured meet those recommended sound levels. This is a quiet acoustic environment which is not unduly affected by noise.

BS8233:2014 does not have any recommended sound pressure levels for  $L_{AF Max}$ , but the World Health Organisation (WHO) Guidelines for Community Noise recommend that  $L_{AF Max}$  events should not normally exceed 45dB  $L_{AF Max}$  more than 10-15 times per night. At both the measurement points at this site, the 10<sup>th</sup> highest night time  $L_{AF Max}$  level was 45dB, which meets those recommendations.

Mr Dunn states in his comments:

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*'The figures for maximum noise exceeding 45dBA (a limit set by BS8233:2014) are exceeded a number of times which implies at night occupants of the development (as proposed) would be significantly impacted.'*

As stated above, there are a number of exceedances of 45dB  $L_{AF Max}$ , but there are only 10 occasions when this occurred, which is in line with the WHO recommendations. For this reason, the suggestion that at night occupants would be severely impacted is not correct. As mentioned earlier, BS8233:2014 does not make any recommendations for  $L_{AF Max}$ .

Mr Dunn also states that the report was not written in line with BS4142:2014. The only noise source that could be assessed using the methodology in BS4142:2014 was the extraction system at Cerbul Carpatin; road traffic noise cannot be assessed using BS4142:2014. Mr Dunn goes on to say that:

*'The result being an under representation of night time events as these were averaged over 15 minutes rather than over 5 minutes.'*

Cerbul Carpatin closes at 23:00 and is the only noise source that would be assessed in this locality, using BS4142:2014. As this comment relates to night-time measurements, it is not relevant as there are no sources to be assessed; 15 minutes is also the correct time period for night time, as stated in BS4142:2014. Further to this he is referring to internal measurements; BS4142:2014 is applicable at outdoor locations only.

Externally the extraction system was just audible at the façade of 41 Market Street when the road traffic noise on Exchange Road dropped, it was not tonal and as it is undoubtedly lower than the residual ambient environment so no penalties for intermittency would be taken into consideration in regard to the external measurements made at first floor level. I have added a table to the acoustic report to this effect.

Mr Dunn also states in his comments that:

*'The plant and equipment of local the closest business [37 Market Street "Cerbul Carpatin"] being currently in a state of disrepair - so impact likely to be more significant than stated in the report.'*

The plant was functioning normally at the time of the survey and it is impossible to predict whether or not an item of mechanical plant will malfunction and what the effect might be. This is not a matter the acoustic report can address and it is more sensible to approach the impact of the plant functioning normally as this would be the usual state of affairs.

The comments also noted:

*'Additionally, the estimate of the distance from the proposed development of Cerbul Carpatin's plant is 20m rather than 30m - this equates to about 3dB difference in sound levels - a discernible difference to the human ear.'*

I accept that my estimate may have been too large; however, an estimate is what it is. I would say that the comment about 3dB is not relevant as I had measured the external sound pressure level at the façade of 41 Market Street; this would only be relevant if I had calculated the sound from the extraction system at the facade 41 Market Street. Also a difference of 3dB is just audible, noticeable adverse impacts are around 5dB.

The comments received also say:

*'There are references to the impact of traffic noise but no figures to provide an objective determination of the impact of traffic noise.'*

The measurements were taken internally, as stated earlier, at two different locations. These measurement points would have measured all sound sources affecting 41 Market Street, including road traffic. As both measurement points met the recommended internal sound pressure levels in both BS8233:2014 and the WHO Guidelines for Community Noise ( $L_{AF Max}$ ) there is no negative impact from either road traffic or commercial sources.

Mr Dunn goes on to say:

*'The proposed change of use for 41 Market Street amounts to an introduction of an agent of change. Should it proceed, those occupying the development need to be protected from the already rich and diverse acoustic environment of what is a busy urban environment with businesses and traffic noise extending into night time hours 23.00hrs to 07.00hrs.'*

The measurements taken at this site already demonstrate that the internal sound levels are suitable for occupation for both daytime and night-time. The location is well protected from the road traffic noise due to screening by existing buildings. The other buildings in the courtyard style area and the extraction system at 37 Market Street had no impact.

The results of the report demonstrate that none of the commercial noise sources had an adverse impact inside 41 Market Street. The report also shows the internal acoustic environment is suitable for occupation by residents, as the recommended internal sound pressure levels measured meet those recommended in BS8233 and the WHO guidelines.

Yours sincerely

A handwritten signature in black ink, appearing to read 'N. Johnson', is placed on a light grey rectangular background.

Ned Johnson MSc. MIOA, MCIEH, CEnvH

Director