

FAO Simon Davies
Planning Department

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

13th January 2022

REF: Discharge of Conditions 5 & 6 for Application Ref A/197/21/PL
Site Address: Stitches & Frames, The Square, Angmering BN16 4EA

Dear Mr Davies,

Conditions 5 & 6 of the above application requires additional information to be submitted for your approval in writing. Conditions 5 & 6 are set out below for reference.

5. *Before the restaurant is first brought into use, an acoustic assessment shall be undertaken to determine the impact of noise arising from the development site and the results of the assessment and details of any mitigation measures submitted and approved in writing by the Local Planning Authority. Noise from commercial premises should be controlled, such that the noise rating level (L_{Ar},T_r) emitted from the development does not exceed the background noise level (L_{A90},T), by more than 3dB. All measurements shall be defined and derived in accordance with BS 4142:2014. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.*
6. *The sound insulation of the floor/ceiling between the ground and first floor shall achieve a minimum airborne sound insulation value of 50 dB (D_{nT,w} + C_{tr}). Before the restaurant is first brought into use, a test shall be undertaken by a competent acoustician and submitted to the Local Planning Authority to demonstrate compliance with this level.*

To discharge condition 5, Acoustic Associates Sussex Ltd have undertaken an acoustic assessment for the site in accordance with BS 4142:2014. This is submitted with this application for your consideration.

Before commencing on the assessment, Martyn Chambers of Acoustic Associates noted that BS4142:2014 covers noise generated by fixed plant and not noise generated by people, so sought clarification on the requirements from the Environmental Health Officer that commented on the application, Craig Milligan.

Their email correspondence is appended to this cover letter, but essentially the additional requirements set out by the Environmental Health Officer, would effectively render the terrace approved by this application unuseable. The criteria requested meant that noise levels within the residential apartment would need be considered with open windows, and the sound volume generated by people speaking at normal levels on the terrace would be exceed the 3dB above existing background noise levels limit set out in this condition.

To state clearly, these requested assessment criteria are additional to the that set out by condition.

We are aware that a bar on The Square (The Resourceful Squirrel) has an outdoor terrace. It is two buildings further along from this site and obtained an extension to the terrace opening hours in March 2021 (Planning ref: A/13/21/PL).

We recognise the proximity of the Stone Room's terrace to residential property, and do not wish to be unreasonable neighbours and therefore request that the outdoor noise of patrons is controlled through limited opening hours that match those of the Resourceful Squirrel:

21:00 Monday to Saturday and 18:00 Sunday and Bank Holidays

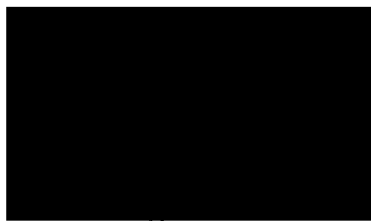
We trust this proposal meets with your requirements for condition 5.

For condition 6, the submitted report contains proposed construction details that will meet the airborne sound insulation value of 50 dB (DnT,w + Ctr) set out in the condition (See Section 9.3 – Pages 20 -25). The developer will be working to these details as set out.

Will the LPA accept these mitigation measures for the discharge of condition 6?

We trust the information included in this application will address your requirements. We remain at your disposal should you require further information.

Kind Regards,



Sybille Haefliger
Project Director
For and on behalf of
Chalk Architecture Ltd

Appendix: Email Correspondence re Acoustic Assessment Requirements for condition 5.

EMAIL CORRESPONDENCE RE ACOUSTIC ASSESSMENT REQUIREMENTS

From: Martyn Chambers <[REDACTED]>
Sent: 09 December 2021 12:35
To: Craig Milligan <Craig.Milligan@arun.gov.uk>
Cc: Sybille Haefliger <[REDACTED]>
Subject: Angmering Stone Room - Planning Application reference: A11971211PL

Hi Craig,

I am working on the noise assessment for the planning application reference: A11971211PL. The previous Stitches And Frames store on The Square Angmering BN16 4EA, which is being proposed to be turned into a restaurant. I believe you previously passed comments on the project on 19/10/2021 and I was just hoping to get some clarification if that is ok?

The main query is regarding your comments on the noise assessment that I have copied below for ease of reference:

"No development hereby permitted shall commence until an acoustic assessment has been undertaken to determine the impact of noise arising from the development site and the results of the assessment and details of any mitigation measures submitted and approved in writing by the Local Planning Authority. Noise from commercial premises should be controlled, such that the noise rating level ($L_{Ar,Tr}$) emitted from the development does not exceed the background noise level ($L_{A90,T}$), by more than 3dB. All measurements shall be defined and derived in accordance with BS 4142:2014. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details."

As you reference noise rating level ($L_{Ar,Tr}$) and BS4142, it is assumed the above assessment is only required for the fixed plant (such as the proposed kitchen extract and condensers) and not to people noise? As BS4142:2014+A1:2019 says in section 1.3 point 'f', that the assessment methodology is not proposed for the assessment of people noise. Therefore any assessment of people noise using this methodology would be invalid. So I am assuming that the 3dB above the representative background noise level ($L_{A90,T}$) would only be related to the fixed plant and you are assuming that noise from patrons will be handled by your floor/ceiling testing above the proposed commercial unit comments. Again repeated below for ease:

The sound insulation of the floor / ceiling between the ground and first floor shall achieve a minimum airborne sound insulation value of 50 dB ($D_{nT,W} + C_{tr}$). Before the commercial unit is brought into first use, a test shall be undertaken by a competent acoustician and submitted to the Local Planning Authority to demonstrate compliance with this level.

So, in short, I'm trying to clarify that you are not looking for any additional assessment of the noise from diners either in the restaurant or the terrace and the restaurant will be acceptable to Arun if the below two points are met?

- The fixed plant does not exceed 3dB above the representative background noise level ($L_{A90,T}$) at the nearest noise-sensitive receptor
- The party floor between the restaurant and the first-floor flats achieves a $D_{nT,W} + C_{tr}$ of 50dB.

Thank you in advance for the clarification.

Kind Regards,

Martyn Chambers
Acoustic Associates Sussex Ltd. & Sound Solutions Products Ltd.

Address: Unit 8 Highdown House, Shoreham Airport, Shoreham-by-Sea, West Sussex, BN43 5PB.

<http://www.arun.gov.uk>

DX 57406 Littlehampton

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On Fri, 10 Dec 2021 at 12:07, Craig Milligan <Craig.Milligan@arun.gov.uk> wrote:

Hi Martin,

Good afternoon, thank you for getting in touch with me regarding this query.

Could you please also include an assessment for noise from diners on the terrace and in the restaurant?

Kind regards

Craig

Craig Milligan

Environmental Health Officer, Technical Services

T: 01903 737670

E: craig.milligan@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

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From: Martyn Chambers <martyn.chambers@arun.gov.uk>

Sent: 10 December 2021 16:17

To: Craig Milligan <Craig.Milligan@arun.gov.uk>

Cc: Sybille Haefliger <sybille.haefliger@arun.gov.uk>

Subject: Re: Angmering Stone Room - Planning Application reference: A11971211PL

Hi Craig

That can of course be included, can I ask if you have a specific criterion you wished the noise from the terrace to be compared against?

Again thank you for getting back to me so quickly I know you guys are really pushed at the moment.

Many thanks

Martyn

On Wed, 15 Dec 2021 at 13:59, Craig Milligan <Craig.Milligan@arun.gov.uk> wrote:

Hi Martyn,

Following on from our conversation, can you please compose the assessment in accordance with the following:

Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units will conform to the 'Indoor ambient noise levels for dwellings' guideline values

specified within Table 4 under section 7.7.2 of BS 8233:2014 and shall be complied by a competent acoustician on sound insulation and noise reduction for buildings and shall be submitted to and approved in writing by the Local Planning Authority. The scheme should take into account the correct number of air changes required for noise affected rooms. The works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter

Kind regards

Craig

Craig Milligan

Environmental Health Officer, Technical Services

T: 01903 737670

E: craig.milligan@arun.gov.uk

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From: **Martyn Chambers** <[REDACTED]>
Date: Thu, 16 Dec 2021 at 11:56
Subject: Re: Angmering Stone Room - Planning Application reference: A11971211PL
To: Craig Milligan <craig.milligan@arun.gov.uk>
Cc: Sybille Haeffliger <[REDACTED]>

Hi Craig,

Thank you for the time on the phone yesterday and for sending me through your requirements for the assessment. I will tailor the assessment of noise around your specification.

Kind regards

Martyn