

From: Kate Powell (Culture and Environmental Protection)
Sent: 22 February 2024 16:49
To: Matthew Shepherd
Subject: 23/02094/FULMAJ
Attachments: Newbury Town Centre Redevelopment.docx

Hi Matthew

Please see my attached response.

Many thanks

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Having considered the Anderson Acoustics technical memo Ref: 7129_001M_5-0_DM I remain concerned about the impact of noise from the night time economy on the future occupiers of the proposed development.

The noise assessment was only carried out over one evening in November and therefore does not give a full picture of the noise climate in the area. It is clear however from this brief snapshot that live music on the terrace at The Newbury would result in significant noise levels within the future development which is likely to make the residential development undesirable.

The flats in block B are in extreme close proximity to the terrace and would directly overlook it. Flats in blocks E and F would also be significantly affected. It appears that there are around 100 flats with exposed facades.

To put the anticipated noise levels into context, the noise modelling indicates levels of up to 76dB at the residential facades. Typically within West Berkshire music noise levels for outdoor music concerts such as Newbury Real Ale Festival would be limited to 65dB at noise sensitive properties and this would be considered acceptable for up to three events within a 12 month period. Lower noise levels would be expected if there were a higher number of events.

The levels in this instance would be 10dB above the levels permitted for an outdoor concert. An increase of 10 dB is perceived as a doubling in loudness. This means the expected noise levels at the proposed residential properties would be significantly louder than the level we would typically permit for an outdoor concert. Those events would only occur on only a small number of occasions. Based on The Newbury's current operations this could potentially occur two or three times a week.

Low frequencies (music bass) is difficult to attenuate against as it readily passes through the structure of a building and a music bass beat is considered to have a higher annoyance factor when compared to other noise sources such as traffic.

If the proposed development is approved, good building design with high quality finishing will be essential. I would recommend that bedrooms should not be located on the exposed facades. The developer has proposed mitigation which they advise will achieve acceptable internal noise levels in the residential properties. The facades of the properties overlooking the terrace will require a high level of sound insulation and winter gardens as opposed to the proposed balconies. Mechanical ventilation will be required to eliminate the need to open windows for ventilation. Suitable attenuation for all openings would be required. The detail of this would need to be agreed and conditioned.

Even if acceptable internal noise can be achieved through good building design, the communal gardens will experience very high noise levels. The acoustic consultant states that the times at which the music events would take place would be the times at which the communal gardens would not typically be in use however, having experienced this level of music noise, I am of the opinion that this would make the living environment in this location undesirable with it occurring on such a regular basis. The noise levels would be significantly above what the average person would expect in a town centre location and I expect residents would quickly complain.

That said, the full picture is not known at this stage. The acoustic consultant's report states that the measurements were made while a live music event was taking place at The Newbury. It is my understanding that live music is not permitted on the terrace under the current Premises Licence for The Newbury. Recorded music is permitted externally, which could possibly include DJ events, however we do not know how the noise levels from a DJ on the terrace would compare.

In addition, it will not have been possible to fully assess the customer noise from voices while using the external spaces at all of the licenced premises surrounding the development site due to the assessment being carried out in winter at a time when these spaces would not have been in full use.

The unknowns at this stage are:

- Whether the measured noise levels are typical for events at The Newbury given that only one event was monitored
- What the noise levels are when there is recorded music such as a DJ on the terrace at The Newbury
- What the noise levels arising from customers voices using the outside spaces at all of the licenced premises will be during the summer months

It is clear that noise from the night time economy is going to significantly impact this development and I am therefore of the opinion that a further detailed noise assessment will be required to establish a greater understanding of the noise climate in the area and how future residents will be affected before a recommendation can be made as to whether the proposals could achieve an acceptable standard. **I would therefore recommend that this application is refused as there is insufficient information provided to be able to make a decision or a decision is deferred until such time as further information has been provided.**

Town centre living comes with significant benefits and it is reasonable to expect exposure to higher noise levels in this location however I am concerned that the noise exposure for the future residents of the properties overlooking the terrace at The Newbury would be excessive and would render the properties in this location undesirable places to live.

I am confident that suitable mitigation measures could be introduced for the noise sources that I would consider typical for a town centre location such as customers voices from beer gardens and music from within licenced premises but I have significant concerns about the impact of the use of the terrace at The Newbury.