



Haringey Council

Licensing Sub Committee A

THURSDAY, 28TH MAY, 2015 at 7.00 pm HRS – Civic Centre, High Road Wood Green.

MEMBERS: Councillors Ahmet, Basu and Carter

AGENDA

6. BILL'S, 107-109 MUSWELL HILL ROAD N10 3HS (PAGES 1 - 18)

To consider an application for a new premises licence.

Additional documentation

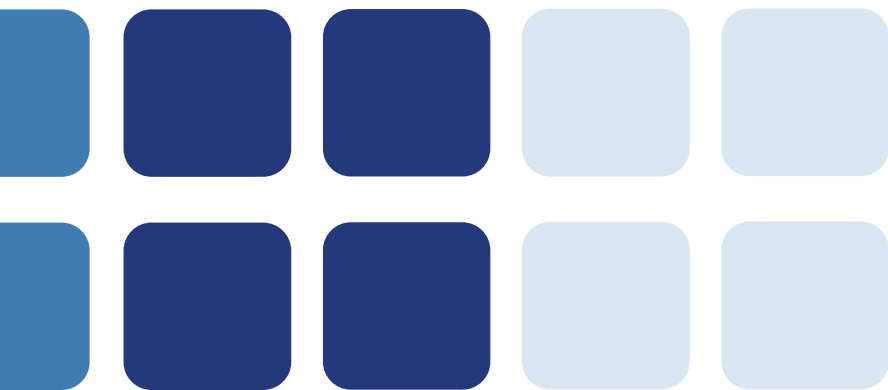
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Wednesday, 27 May 2015

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BILL'S RESTAURANT
107 MUSWELL HILL
ROAD
LONDON N10

Acoustic Assessment
Report

REPORT 6851/AAR
Prepared: 26 May 2015
Revision Number: 0

Poppleston Allen London
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Acoustic Assessment Report



BILL'S RESTAURANT
107 MUSWELL HILL ROAD

REPORT 6851/AAR

Prepared: 26 May 2015

Revision	Comment	Date	Prepared By	Approved By
Zero	First issue of report	26 May 2015	Torben Andersen	Robert Barlow

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1.0 INTRODUCTION

It is proposed to open and operate a branch of the successful Bill's restaurant group at an existing retail unit located at 107 Muswell Hill Road, London N10.

The restaurant will also include an external terrace area for dining.

There are residential properties adjacent to the proposed premises and concern has therefore been raised with regard to potential noise disturbance from operation of the restaurant on the residential occupants. These concerns have related to evening periods only and as such our assessment has concentrated on activities after 6pm.

As part of the general scheme design, a baseline noise survey was undertaken (by others) on behalf of the building landlords in order to determine the prevailing noise climate.

RBA Acoustics have subsequently been employed by the operators of the Bill's restaurant to undertake detailed acoustic analyses of the potential noise issues and to comment on the associated impact to local residents. As part of these studies, typical noise levels within an existing Bill's premises were made in order to assist the assessment of noise break-out from the premises. In addition, detailed acoustic modelling of the external terrace area was undertaken in order to predict noise levels at the nearest residential property.

In summary, neither noise break-out from the premises nor patrons within the external dining area are predicted to give rise to any significant noise increase.

2.0 KEY PROPOSALS

The key proposals for the Bill's restaurant (with regard to acoustic issues) are summarised below:

Licensing Hours (premises)

Monday to Saturday: to 23:00 hours (plus 30 minutes)
Sundays: to 22:30 hours (plus 30 minutes)

External Seating

Everyday: to 21:30 hours
No. seats: 54
Other: No music

3.0 ENVIRONMENTAL NOISE SURVEY

Baseline noise measurements were made by Acoustic Design Technology (on behalf of the landlord) over the period 16:00 on 23 January 2014 to 06:00 hours on 27 January 2014.

Measurements were made at 3 locations, however for the sake of simplicity, only details regarding the location most relevant to the area under consideration are repeated below. For clarification, the microphone was located on the external façade of 115 Muswell Hill Road as shown on the attached Site Plan 6851/SP1.

Although the survey was not undertaken by RBA Acoustics, calibration information for the equipment used for the survey has been received and verified. As such, it can be considered that this data is suitable for use in this assessment.

Results

The results of the baseline measurements are shown in graphical form on the attached chart. For simplicity, the table below contains a summary of the key information (minimum measured $L_{Aeq,15min}$ and $L_{A90,15min}$ noise levels) relevant to our assessment. Scenario 1 information will be used in our assessment of noise from the external terrace area, whereas Scenario 2 & 3 information will be used in the assessment of noise break-out from the premises themselves.

Table 6851/T1 – Measured Noise Levels

Scenario	Minimum Measured $L_{A90,15mins}$ (dB)	Minimum Measured $L_{Aeq,15mins}$ (dB)
1 – Levels up to 21:30 hours (Monday- Sunday)	50	61
2 – Levels up to 23:30 hours (Monday – Saturday)	51	60
3 – Levels up to 23:00 hours (Sunday)	46	60

4.0 ASSESSMENT CRITERIA

4.1 Institute of Environment Management & Assessment (IEMA) and Institute of Acoustics Guidelines on Noise Impact Assessment

When assessing the subjective impact of any development it is important to consider the specific circumstances of the site. The characteristics of the various sources must therefore be considered in addition to factors common to all noise impact assessments such as existing background noise level comparisons.

The Institute of Environmental Management and Assessment (IEMA) document "Guidelines on Noise Impact Assessment" gives guidance as to how basic noise changes may be categorised.

Table 68518/T2 repeats the guidance within the document in order to categorise "effect descriptors". This identifies the impact of different levels of noise above the prevailing background noise.

Table 6851/T2 - Significance of Noise Level Change

Noise Change (dBA)	Category
0-2.9	None/Not Significant
3.0 to 4.9	Slight Impact (at a receptor of some sensitivity)
3.0 – 4.9	Moderate Impact (at a sensitive or highly sensitive receptor)
5.0 – 9.9	Substantial Impact
10.0 and above	Very Substantial Impact

In addition to the comparison of the difference in background noise levels it is important to understand the potential subjective effect of such changes in the noise level. Table 6851/T3 compares the subjective response of typical subjects to variations in sound pressure level.

Table 6851/T3 – Subjective Response to Noise Levels

Change In Sound Level (dB)	Change in Power		Apparent Change in Loudness
	Decrease	Increase	
3	1/2	2	Just Perceptible
5	1/3	3	Clearly Noticeable
10	1/10	10	Half or Twice as Loud
20	1/100	100	Much Quieter or Louder

5.0 ASSESSMENT OF TERRACE NOISE

5.1 Proposals

It is proposed to accommodate up to 54 patrons of the Bill's restaurant within an external dining area. There will however be no music reproduction within the external area. In order to predict the noise levels at most affected receptors an acoustic model of the proposed external terrace and the existing surrounding buildings, has been generated using the CadnaA platform.

The software allows the site topography, existing buildings and sound sources to be built into the model such that the noise climate and behaviour of the area is accurately represented.

The proposed terrace along with different noise scenarios are subsequently built into the model and calculations using the methodology outlined in ISO9613 are undertaken to predict noise levels at the most sensitive receivers.

5.2 Noise Model

Acoustic modelling of people talking within the external dining area has been modelled. Predicted noise levels used within our model are based on published data for one person speaking with a normal raised voice as shown in Table 6851/T4 and accordingly factored for 54 patrons. This can be considered a typically worst-case scenario since it is likely that only a small proportion of people on the terrace will be talking simultaneously, as it is usually the case that when one person is talking the other(s) will be listening.

Table 6851/T4 – Sound Power Level of One Person Speaking

Voice Type	Octave-Band Sound Power Level								Overall (L _{WA})
	63	125	250	500	1k	2k	4k	8k	
Normal Voice	61	61	65	69	63	56	50	45	68

The spread of voices has been distributed evenly over the area of the terrace and all have been assumed to be directed towards the receptor. In reality voices are more likely to be grouped together, many of which groups will be further away from the receptor than has been assumed in the model. All voices will not be directed towards the receptor.

The predicted noise levels within the external dining area have been checked for validity against our database of measured noise levels under similar conditions. The predicted noise levels agree with measured noise levels under similar conditions.

5.3 Nearest Residential Receptors

The potentially worst affected residential windows due to the use of the terrace are likely to be the first floor windows at the front and rear of the property located at 105 Muswell Hill Road. We have been informed that the resident of the property has advised that these are bedroom windows.

5.4 Noise Model Results

Façade incident noise levels for each of the scenarios have been calculated with CadnaA Software which has indicated a level of 53 dBA at the worst affected window (1st floor front of 105 Muswell Hill Road).

In accordance with the approach outlined in the IEMA document, the predicted and the measured levels have been used to calculate the possible increase of the noise climate at the assessed receptors for each of the possible scenarios. For this purpose the minimum measured $L_{Aeq,15min}$ and the predicted L_{Aeq} have been combined.

We understand that potential annoyance caused by people talking can be higher than any other type of noise, since it also contains words that can increase the subjective audibility. Because of this reason, we have applied a penalty correction of +5dBA to every predicted value.

The increase of the existing noise climate due to noise emitted from the proposed terrace for both scenarios is calculated below in Table 6851/T5.

Table 6851/T5 – Predicted L_{Aeq} vs Measured Minimum $L_{Aeq, 15min}$

Scenario	Maximum Predicted L_{Aeq} Noise Level at Receiver [dB]	Correction (dBA)	Total Corrected Noise Level at Receiver (dBA)	Lowest Prevailing L_{Aeq} (18:00 to 21:30 hours)	Overall Predicted L_{Aeq} (dB)	Change in existing Noise Climate
1 st floor rear window	40	+5	45	61	61	0
1 st floor front window	53	+5	58	61	63	+2dB

Our calculations show the noise climate would increase by 2dB assuming normal voice levels sustained by 54 people simultaneously. An increase of 2dB of the minimum $L_{Aeq,15min}$ noise level, as indicated in Table 6851/T3 is not likely to be perceivable and is classified within the IEMA guidelines as being non-significant.

It should again be noted that it is highly unlikely that all external tables are occupied and all patrons are speaking simultaneously. In fact, our experience of similar sites is that less than 50% of patrons would be speaking simultaneously and therefore a reduction of at least 3dB to the predicted noise level due to the dining area would be expected.

6.0 ASSESSMENT OF RESTAURANT NOISE BREAK-OUT

6.1 Noise Breakout

Our predictions assume that the door between the restaurant area the terrace are open which is very much a worst-case assumption. The sound reduction across the unit front with an open door (taken from measurements at other similar sites) are shown in Table 6851/T6.

Table 6851/T6 – Assumed Octave-Band Level Differences

Parameter	Octave-band Sound Reduction Indices (dB)							
	63	125	250	500	1k	2k	4k	8k
Open Door	10	15	12	15	16	15	15	15

6.2 Internal Noise Levels

Noise levels within an existing Bill's premises were measured as part of our studies. Following discussions with the operators of Bill's, the Hoxton Square/Shoreditch premises was selected as this is understood to represent a typically busy operation.

The measurement was taken in the centre of the dining area located equidistant between two ceiling mounted Bose speakers (which were used to play background/ambient music only). The dining area had a reasonable amount of reflective materials such as metal lamp shades and shiny table surfaces. Large window about 1meter away. The diving areas at the sides of the restaurant were varnished wood.

Measurements were made over a 30 minute sample period between 20:00 and 20:30 hours (typically the busiest hours of service) and are summarised below.

Table 6851/T7 – Summary of Measured Internal Noise Levels

Time	L_{eq} (dBA)	L_{Max} (dBA)	L_{90} (dBA)
20:00 – 20:05	77	84	73
20:05 – 20:10	80	86	77
20:10 – 20:15	80	89	77
20:15 – 20:20	79	87	75
20:20 – 20:25	79	89	76
20:25 – 20:30	79	85	76

In order to provide a worst case assessment, we have assumed the highest measured levels for our analyses (20:10 – 20:15 hours) and octave band information for these are provided below:

Table 6851/T8 –Octave Band Internal Noise Levels

Leq Sound Pressure Level (dB)								
63	125	250	500	1k	2k	4k	8k	Overall (dBA)
62	69	72	78	77	72	68	54	80

6.3 Noise Break-Out

Based upon the internal levels indicated above, the typical “in-to-out” level difference measured on previous projects and a distance of 10m between the Bill’s premises and the existing residential property 105 Muswell Hill Road), our calculations predict a typical L_{Aeq} noise level of 45 dBA due to noise break-out from within the Bill’s premises.

6.4 Assessment of Noise Impact

In accordance with the approach outlined in the IEMA document, the predicted and the measured levels have been used to calculate the possible increase of the noise climate at the assessed receptors for each of the possible scenarios. For this purpose the minimum measured $L_{Aeq,15min}$ and the predicted L_{Aeq} have been combined.

We understand that potential annoyance caused by restaurant noise break-out can be higher than any other type of noise, since it also contains words that can increase the subjective audibility. Because of this reason, we have applied a penalty correction of +5dBA to every predicted value.

The increase of the existing noise climate due to noise break-out from the proposed restaurant is calculated below in Table 6851/T9.

Table 6851/T9 – Predicted L_{Aeq} vs Measured Minimum $L_{Aeq, 15min}$

Scenario	Maximum Predicted L_{Aeq} Noise Level at Receiver (dB)	Correction (dBA)	Total Corrected Noise Level at Receiver (dBA)	Lowest Prevailing L_{Aeq} (over relative period) up to 23:30 hours Monday – Saturday and 23:00 hours Sunday	Overall Predicted L_{Aeq} (dB)	Change in existing Noise Climate
2 – Restaurant Noise Break-out Monday – Saturday	45	+5	50	60	60	0dB
3 – Restaurant Noise Break-out Sunday only	45	+5	50	60	60	0dB

Our calculations show the L_{Aeq} noise climate at 105 Muswell Hill Road would not increase and noise break-out from the restaurant under the conditions assessed can therefore be considered “negligible”.

7.0 CONCLUSION

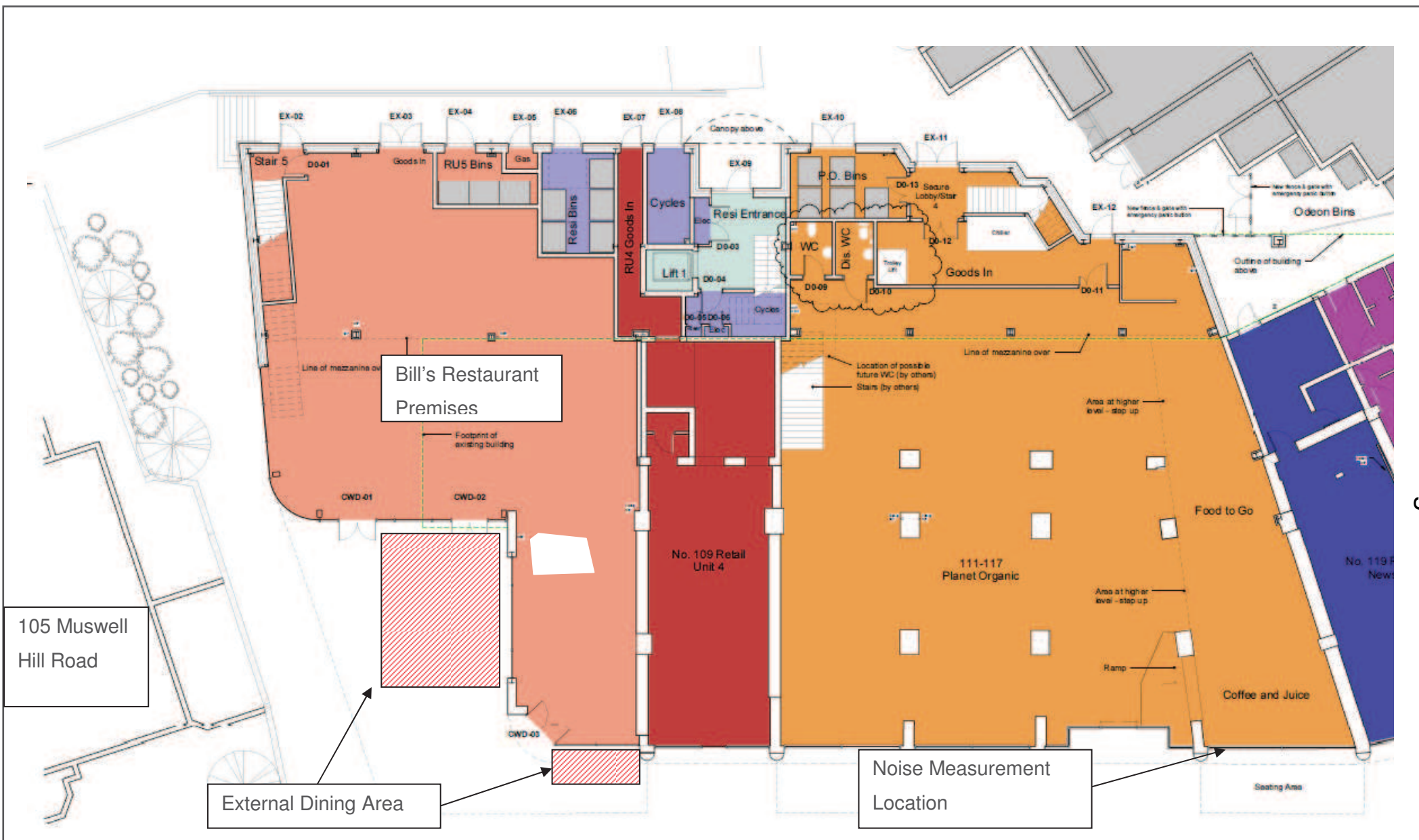
An environmental noise survey has previously been undertaken by others to determine the prevailing noise climate along Muswell Hill Road. This has enabled an assessment to be made of both noise break-out from the premises (assuming open doors) and also noise from patrons within the external seating area.

The results of the predictions have demonstrated that noise break-out from the premises will have no impact on the prevailing noise levels at the worst affected residential property. With regard to patron noise from the external dining area, under worst case (full occupancy with all patrons talking simultaneously) conditions, overall noise levels at the worst affected residential property are predicted to increase by less than 2dB. Such an increase would not be perceptible, and would be described as "not significant" in line with the guidelines contained within the Institute of Environmental Management and Assessment (IEMA) document "Guidelines on Noise Impact Assessment".

With the above in mind, it can be seen that the use of the premises in line with the current application will have no significant impact on the prevailing noise climate at the nearby residential properties.

Appendix A - Acoustic Terminology

dB	Decibel - Used as a measurement of sound pressure level. It is the logarithmic ratio of the noise being assessed to a standard reference level.
dB(A)	The human ear is more susceptible to mid-frequency noise than the high and low frequencies. To take account of this when measuring noise, the 'A' weighting scale is used so that the measured noise corresponds roughly to the overall level of noise that is discerned by the average human. It is also possible to calculate the 'A' weighted noise level by applying certain corrections to an un-weighted spectrum. The measured or calculated 'A' weighted noise level is known as the dB(A) level. Because of being a logarithmic scale noise levels in dB(A) do not have a linear relationship to each other. For similar noises, a change in noise level of 10dB(A) represents a doubling or halving of subjective loudness. A change of 3dB(A) is just perceptible.
L_{eq}	L_{eq} is defined as a notional steady sound level which, over a stated period of time, would contain the same amount of acoustical energy as the actual, fluctuating sound measured over that period (1 hour).
L_{Aeq}	The level of notional steady sound which, over a stated period of time, would have the same A-weighted acoustic energy as the A-weighted fluctuating noise measured over that period.
L_{An} (e.g. L_{A10} , L_{A90})	If a non-steady noise is to be described it is necessary to know both its level and the degree of fluctuation. The L_n indices are used for this purpose, and the term refers to the level exceeded for n% of the time, hence L_{10} is the level exceeded for 10% of the time and as such can be regarded as the 'average maximum level'. Similarly, L_{90} is the average minimum level and is often used to describe the background noise.
$L_{max,T}$	The instantaneous maximum sound pressure level which occurred during the measurement period, T. It is commonly used to measure the effect of very short duration bursts of noise, such as for example sudden bangs, shouts, car horns, emergency sirens etc. which audibly stand out from the general level of, say, traffic noise, but because of their very short duration, maybe only a very small fraction of a second, may not have any effect on the L_{eq} value.



Bill's Restaurant, 107 Muswell Hill Road
 Site Plan

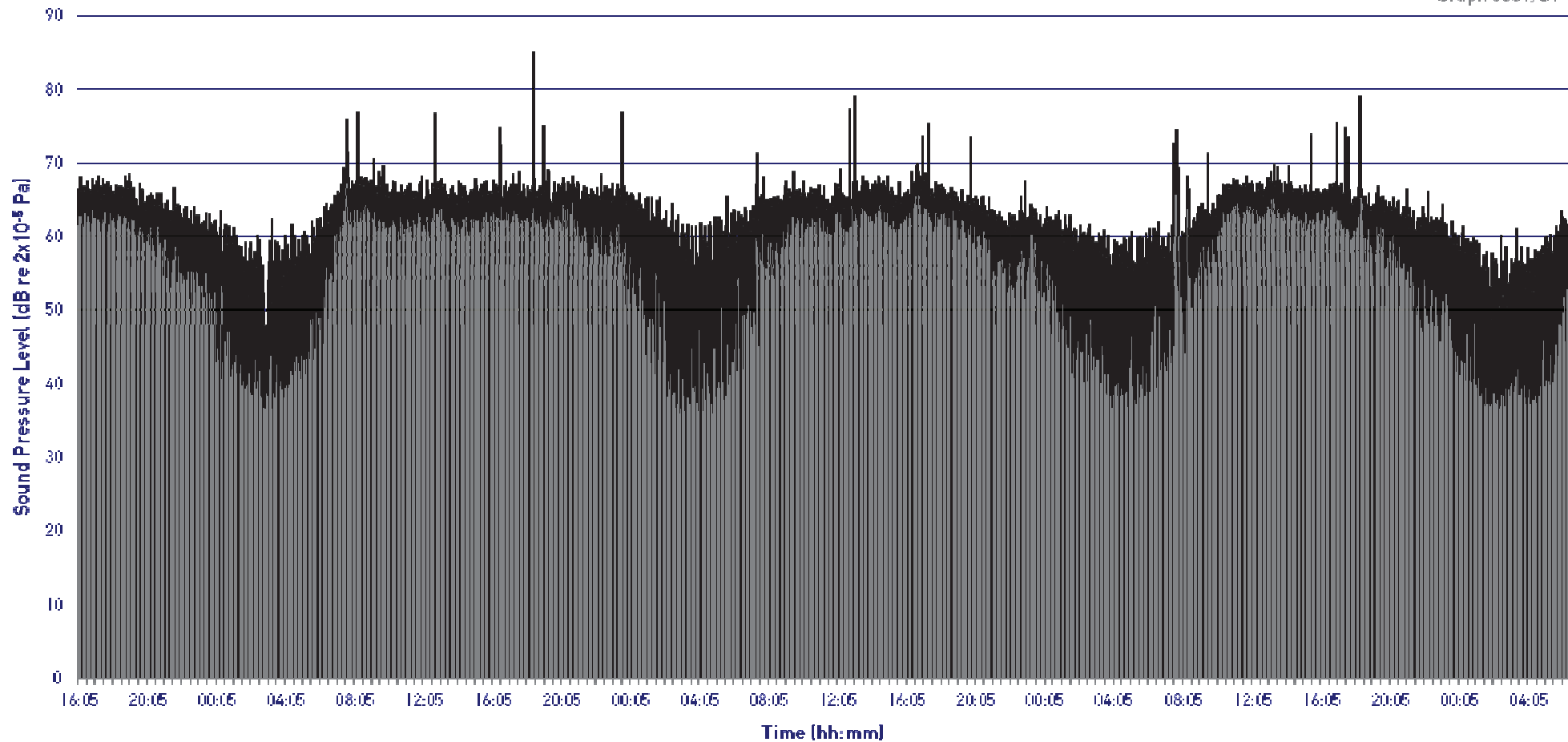
Site Plan 6851/SP1
 26 May 2015
 Not to Scale



Bill's Restaurant - 107 Muswell Hill Road
L_{Aeq} and L_{A90} Time History
Thursday 23 to Monday 27 January 2014



Graph 6851/G1



Bill's Restaurant, 107 Muswell Hill Road
Graph showing measured L_{Aeq} Noise Levels

Graph 6851/G1
26 May 2015



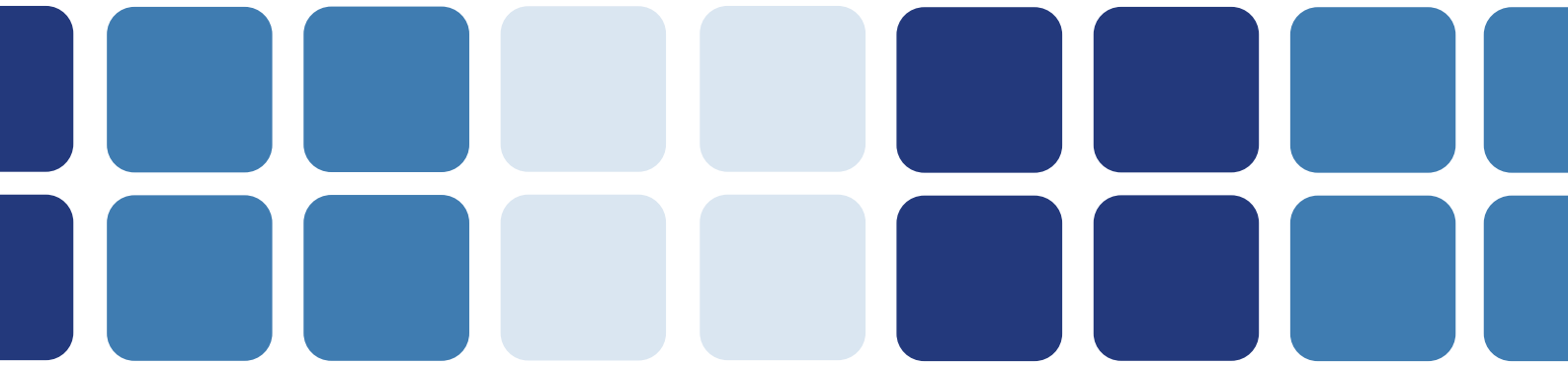
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Cc: Smith John (Env)

Subject: Bills, 107 Muswell Hill Road, London

Dear All

Firstly, may I again thank all of you that attended the meeting with my clients last night. We thought the meeting was extremely productive in highlighting the issues.

Following on from this I have now obtained my clients' further instructions in respect of amendments to the application which I trust will deal with the concerns that have been raised.

My clients are now proposing to make the following amendments to the application:-

1. The hours applied for the sale of alcohol will be reduced to 10.00 to 23.00 Monday to Saturday, 10.00 to 22.30 Sunday
2. Opening Hours will be reduced to 08.00 to 23.30 Monday to Saturday, 08.00 to 23.00 Sunday
3. The provision of late night refreshment will be removed from the application in its entirety.

My client is also proposing that the following additional conditions are added to the application.

1. The outside terrace will be closed at 21.30 Monday to Sunday
2. Deliveries shall only take place between 07.00 and 21.00

Please note that the above measures are in addition to those previously offered.

John, you will note that this email has been sent directly to all the residents who have provided me with email addresses. I will post a similar letter to all those that have submitted representations by post who have not provided an email address. I would be grateful if a copy of this email could be included in the Committee papers.

If there are any further queries, please do not hesitate to contact me.

Kind regards

Kevin

Kevin Jackaman | Paralegal

Poppleston Allen

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