
Addendum Advice

Date: 3 April 2012

Application Reference: HGY/2010/1924

Site Address: 555 White Hart Lane, London N17 7RN

Application

- The Application is made under Section 73 of the Town and Country Planning Act 1990.
- The Application is made by Mr D Dervish; Steamhouse Group Ltd, 555 White Hart Lane, London N17 7RN.
- The Applicant seeks planning permission for an extension to an industrial building for use as commercial laundry, erection of a vehicle maintenance building, acoustic fence, formation of two loading bays, car parking and retention of / works to existing retaining wall, and hardstanding.

Recommendation

1. The Applicant should undertake further detailed acoustic monitoring, including further submissions in accordance with BS4142:1997 and nuisance / amenity assessments at nearby noise sensitive residential receptors, to demonstrate compliance with the local development plan policies and all other material considerations in respect of impact to the amenities of neighbouring residential occupants. The current application is deficient in it does not provide adequate evidence of suitable noise mitigation or environmental protection in accordance with the provisions of the local development plan and other material considerations.

Introduction

2. Sanctum Consultants are instructed by the London Borough of Haringey Council to provide a written response to the Spectrum report dated 14

February 2012 by conducting an on-site visit and noise impact assessment including acoustic monitoring at nearest noise sensitive residential receptor.

3. Sanctum Consultants are instructed to provide comments and advice to the London Borough of Haringey Council, having carried out an on-site assessment, reviewed the above Application documents: reference HGY/2010/1924; for the proposed development at 555 White Hart Lane, London N17 7RN.

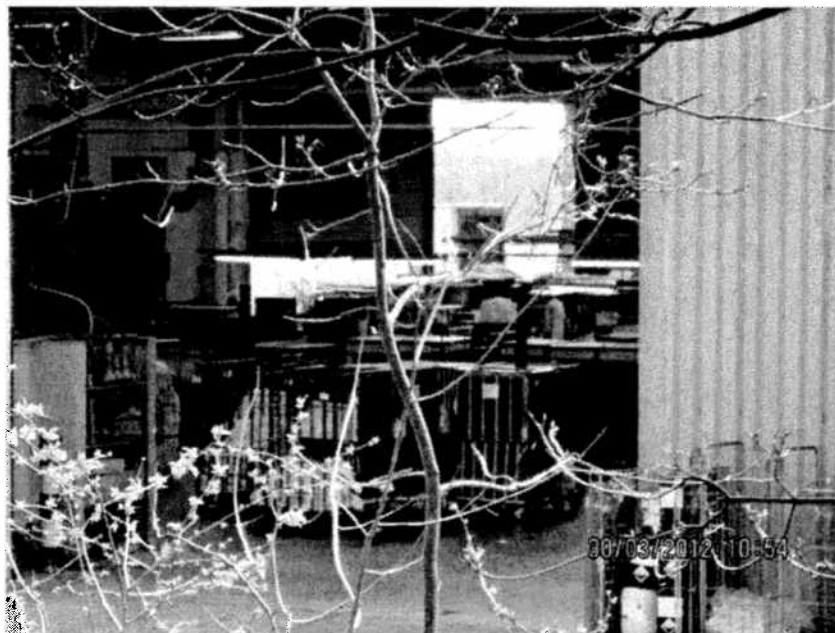
Main Issues

4. The on-site assessment undertaken at 142 Norfolk Avenue, London N13 6AJ on 30 March 2012 between 10.00 – 11.30 hours included a subjective and objective noise impact assessment, and acoustic monitoring.
5. The Environmental Health Department confirms that noise from current site operations is clearly audible at residential properties located in Norfolk Avenue, and that Thetford Close did not provide a suitable monitoring position to gather representative noise data. This was confirmed by the site visit. The noise environment at the site of the proposed noise barrier, adjacent to residents of Thetford Close, is subjectively, noticeably quieter than at Norfolk Avenue. Residents of Norfolk Avenue are significantly more exposed to noise emanating from immediately adjacent laundry operations.
6. The noise monitoring site was located at the site of the nearest noise sensitive receptor to the proposed development site, at 142 Norfolk Avenue, London N13 6AJ. The residential accommodation comprises a ground floor self-contained floor flat, with residential accommodation above, located in close proximity, adjacent, to the proposed development site at 555 White Hart Lane. The rear garden is adjacent to the proposed development, separated by open metal security fencing.
7. During the noise impact assessment, the laundry was operational and received laundry deliveries. The roller shutter doors to the laundry remained open throughout the noise impact assessment, as depicted in photographs 1 and 2 below:

Photograph 1: Depicting the close proximity of the laundry operation at 555 White Hart Lane, to the nearest noise sensitive receptor at 142 Norfolk Avenue. The photograph depicts the view of the laundry from the rear garden of the monitoring site.



Photograph 2: Roller shutter doors to the laundry operation at 555 White Hart Lane remained open throughout the noise impact assessment.



8. A subjective assessment was carried out of the daytime noise environment between 10.00 – 11.30 hours. An external free field noise monitoring position was chosen adjacent to habitable rooms, within the rear garden area. Noise measurements were recorded between 10.05 – 11.05 hours; of background, ambient noise, and peak levels of noise emanating from the laundry operation at 555 White Hart Lane.

9. The noise emanating from the site was clearly audible at the noise monitoring site. The noise was loud, impulsive, tonal, and intrusive. The occupier of 142 Norfolk Avenue confirmed that noise levels were often higher than at the time of the assessment, as the laundry operation was seasonal and busier during the summer months. The principal sources of noise nuisance recorded included;
 - **Bangs, wheel squeaking and clatter from moving laundry on trolleys**
 - **High pitch whining of machinery (spinning laundry)**
 - **Constant droning of plant and machinery**
 - **Warning sirens and beepers**
 - **Loud voices**
 - **On-site vehicular movements and delivery lorries idling.**

10. There were no obvious noise mitigation measures in place to prevent noise nuisance or detriment to aural amenity. The roller shutter doors to the laundry were open throughout the assessment. Photographs 1 and 2 above depict that the building housing the laundry operation is constructed of lightweight fabric. As the roller shutter doors remained open throughout the assessment period, a comparison between noise levels emanating from the site with the roller shutter doors open and or closed could not be undertaken.

11. Noise levels from the site were subjectively assessed as clearly audible, tonal, intrusive, and likely to cause detriment to local amenity and noise nuisance.

12. For noise to be deemed a statutory nuisance, the nuisance complained of must be, or likely to become, prejudicial to people's health or well-being or cause unreasonable interference with a person's legitimate use and enjoyment of their land.
13. Excessive noise from premises is deemed to be a statutory nuisance under Section 79(1)(g) of the Environmental Protection Act 1990. Environmental Health Professionals are the recognised experts for assessing statutory nuisances and abating them through enforcement action by service of an abatement notice under Section 80 of the Environmental Protection Act 1990.
14. There is no set level at which a noise becomes a nuisance. As a general rule, noise recordings are not necessary for an assessment of statutory nuisance, as the test is one of reasonableness under common law.
15. The 'test' of whether a noise amounts to a nuisance is usually by way of a subjective assessment taking into consideration the level, character, frequency, time of occurrence, duration and effect of the noise against an objective test of what is 'reasonable and acceptable' to the ordinary decent person typified by the *man on the Clapham Omnibus*.
16. A frequent, unreasonable, obtrusive noise out of character with the area causing interference with a person's use or enjoyment of their land is likely to amount to a statutory noise nuisance. Impulsive noise such as loud bangs, clatters, whining and droning of machinery interspersed with intrusive noise, which is irregular and unpredictable in nature, are all likely to significantly increase the likelihood of statutory noise nuisance and detriment to local aural amenity.
17. The background and ambient noise levels recorded in the rear garden at 142 Norfolk Avenue were influenced by the constant noise from the laundry operation, raising background and ambient noise levels as detailed in Graph 1 and Table 1 below:

Graph 1: Day time background noise levels in the rear garden at 142 Norfolk Avenue.

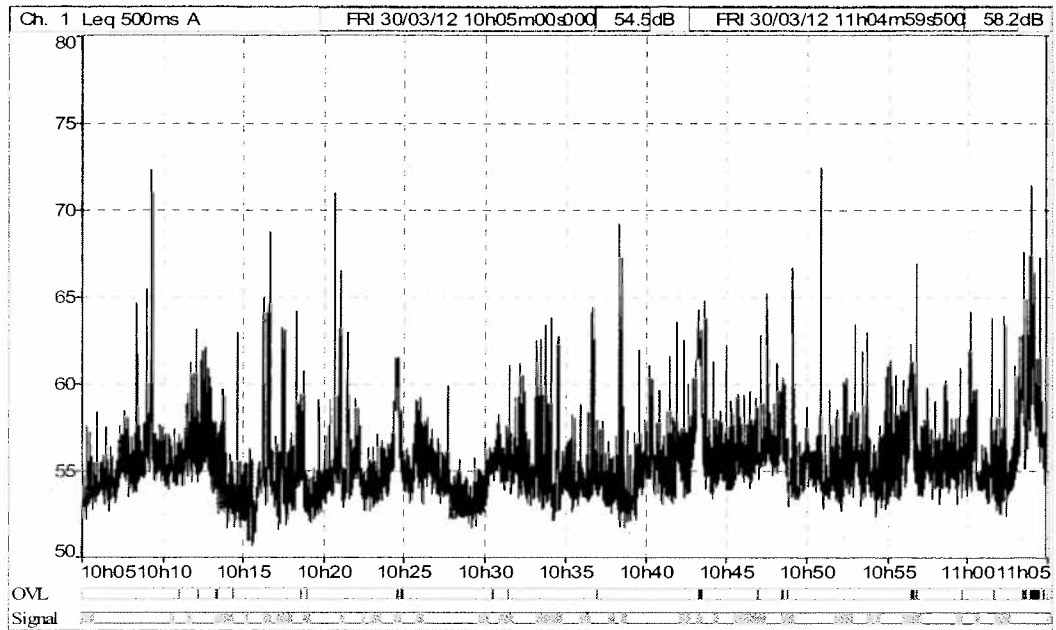
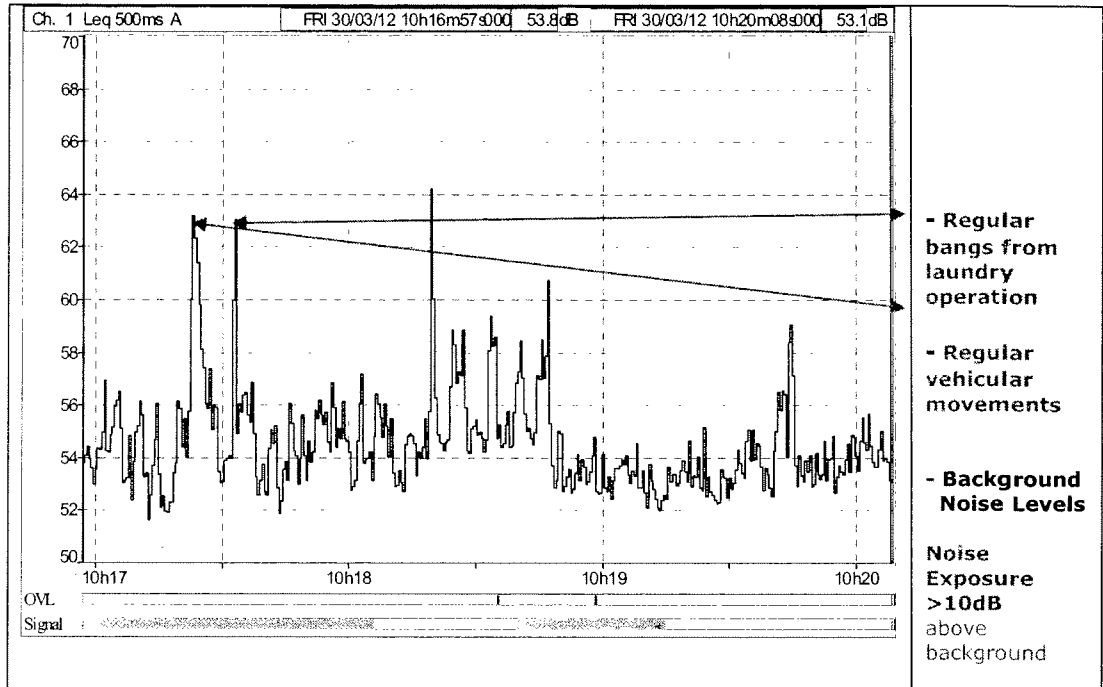


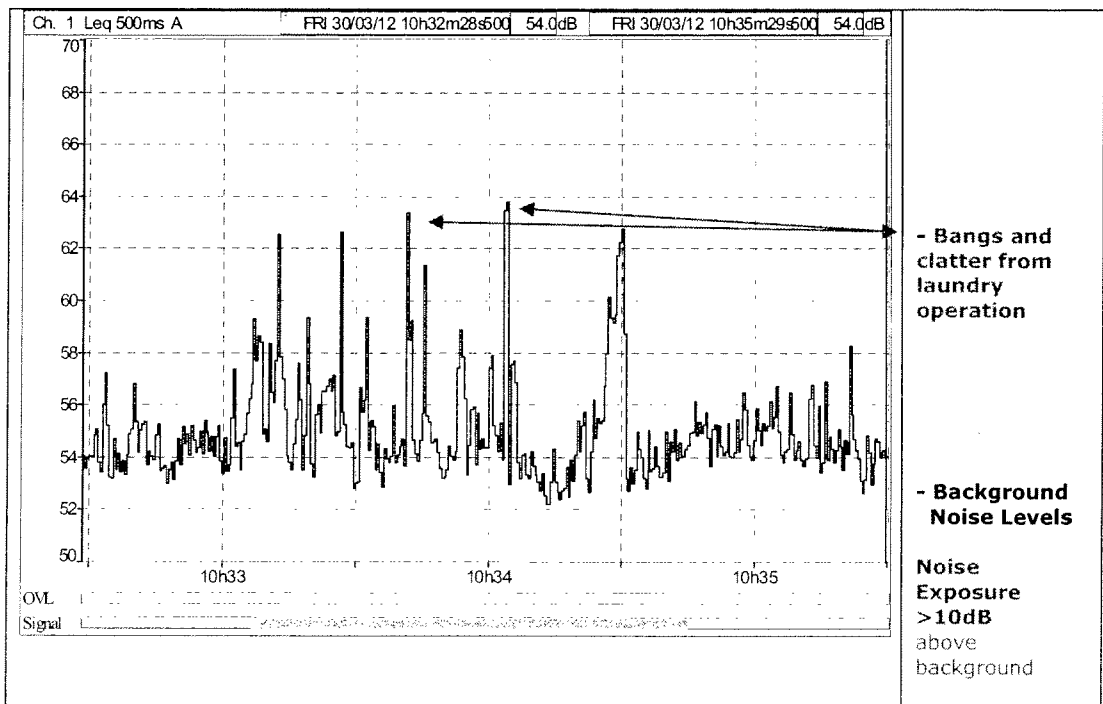
Table 1: Day time noise levels in the rear garden at 142 Norfolk Avenue.

File	Norfolk Avenue N13_120330_100344.CMG		
Periods	15m		
Start	30/03/12 10:05:00:000		
End	30/03/12 11:05:00:000		
Location	Ch. 1		
Weighting	A		
Data type	Leq		
Unit	dB		
Period start	Leq	Lmax	L90
30/03/12 10:05:00:000	56.4	75.3	52.6
30/03/12 10:20:00:000	55.8	73.0	52.8
30/03/12 10:35:00:000	56.5	73.2	53.2
30/03/12 10:50:00:000	57.0	76.0	53.5
Overall	56.4	76.0	53.0

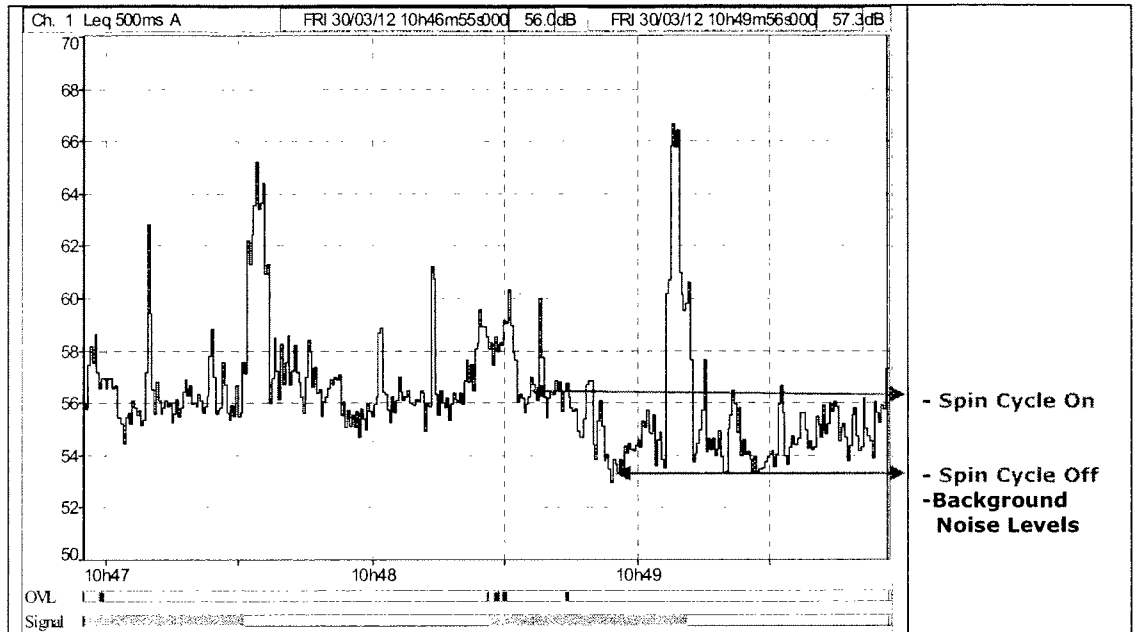
18. **Graph 2** below depicts the typical noise levels from regular on-site vehicular movements and bangs and clatter from the laundry operation recorded at 142 Norfolk Avenue on 30 March 2012 between 10.17 – 10.20 hours.



19. **Graph 3** below depicts the typical noise levels from bangs and clatter from the laundry operation recorded at 142 Norfolk Avenue on 30 March 2012 between 10.32 – 10.36 hours.



20. **Graph 4** below depicts the typical noise levels from the whining spin cycle of a laundry operation, clearly influencing background noise levels, recorded at 142 Norfolk Avenue on 30 March 2012 between 10.47 – 10.50 hours.



21. To quantify a noise measurement made in decibels, a measured increase of 3dB is usually regarded as the change in level that the average human ear can normally just detect. Our perception of loudness is not the same as sound pressure noise levels; generally as a rule of thumb, an increase of **10dB** represents a noise which sounds twice as loud. The increase in a sound level by **10dB** or more above ambient noise levels, along with the character and tone, the duration and effect of the noise can amongst other factors give rise to complaints of noise nuisance and detriment to aural amenity:

22. Typical changes in noise levels as a result of the laundry operations, depicted in Graphs 2-4 above, were greater than **10dB** above ambient noise levels.

23. Taking into account the nature of the constant, loud, impulsive, tonal, and intrusive noise, the character and levels of recorded above background and ambient noise levels, along with the frequency of noise events, and lack of appropriate noise mitigation measures to contain or reduce levels of operational noise. It is deemed that the noise emanating from the laundry operation at 555 White Hart Lane does not succeed in passing the test of reasonableness under common law and amounts to a statutory noise

nuisance, and detriment to the aural amenity of the nearest noise sensitive receptors at 142 Norfolk Avenue.

24. The Applicant maintains that the development site is a generally quiet location, which it is not.
25. The Applicant's Noise Assessment has not followed the appropriate British Standard (BS 4142:1997) methodology for Rating Industrial noise affecting mixed residential and industrial areas, and fails to demonstrate that there will be no detriment to local amenity.
26. The Applicant's Noise Assessment does not appear to consider the maximum or peak noise levels that are likely arise from the proposed vehicle maintenance garage, intensification of existing laundry operations, and the installation of additional plant and machinery.

Conclusion

27. After applying the 'test' of nuisance, by conducting a subjective nuisance impact assessment and acoustic monitoring; it is my professional opinion that the occupants of 142 Norfolk Avenue are suffering a detriment to their aural amenity and have been subjected to a statutory and common law nuisance, which is likely to continue and or recur, as a result of the laundry operations at 555 White Hart Lane, London N17 7RN.
28. Should planning permission be granted for the proposed development, resulting in additional levels of noise from further proposed laundry operations and on-site vehicle maintenance, it is likely that there will be increased detriment to the aural amenity of local residents.

