

Item No: 7.1 & 7.2	Classification: Open	Date: 30 January 2019	Meeting Name: Planning Sub-Committee A
Report title:		Addendum Late observations, consultation responses, and further information.	
Ward(s) or groups affected:		London Bridge & West Bermondsey and Dulwich Village	
From:		Director of Planning	

PURPOSE

1. To advise Members of observations, consultation responses and further information received in respect of the following planning applications on the main agenda. These were received after the preparation of the report and the matters raised may not therefore have been taken in to account in reaching the recommendation stated.

RECOMMENDATION

2. That Members note and consider the late observations, consultation responses and information received in respect of each item in reaching their decision.

FACTORS FOR CONSIDERATION

3. Late observations, consultation responses, information and revisions have been received in respect of the following planning applications on the main agenda:

Item 7.1 – Application 18/AP/3338 for: Full Planning Permission – 2-3 Black Swan Yard, Bermondsey Street, London SE1 3XW

Clarification and correction of the main report

4. Paragraph 44 highlights that the mezzanine level would be accommodated by reducing the height of the ground floor. To clarify, the new area of mezzanine would be accommodated by reducing the head height at ground floor level.
5. Paragraph 45 states the appearance and colour of the timber used can be conditioned to ensure that it positively contributes to the streetscene and wider conservation area. This is an error in the report; no condition to this effect is recommended as it is not necessary due to the door not being visible from Bermondsey Street.

Addendum noise report

6. An addendum to the acoustic report (see appendix 1) has been submitted which provides further clarification on the predicted noise breakout of the A3 unit. Using a precautionary source sound level of 79dB(A) within the A3 use, noise emission to surrounding receivers will be at least 10 dB below the measured background noise level. This demonstrates that the proposal would not have a detrimental impact on the neighbouring premises.

Late observations

7. A late observation has been received which asks for a condition requiring that affordable office space be provided. While the applicant has stated it would be 'affordable workspace' there is no policy requirement for them to do so; a condition for this is not necessary or relevant to the development proposed. Comments have also been received about highway safety. This matter is addressed in paragraphs 40-43 of the main report.

Additional condition

8. As the site would become mixed use an additional condition is recommended to limit the scope of A3 Use Class. This is to protect B1 floorspace and the amenity of neighbouring premises from disturbances arising from unregulated expansion of the A3 Use Class.

The A3 floorspace shown on drawing No.100 shall be provided as shown and there shall be no extension or enlargement floorspace.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity and that the B class floorspace on the site is retained in accordance with the National Planning Policy Framework 2018, Strategic Policies 11 Jobs and businesses and 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 1.4 Employment Sites outside the Preferred Office Locations and Preferred Industrial Locations and 3.2 Protection of Amenity of the Southwark Plan 2007.

Item 7.2 – Application 18/AP/3490 for: Full Planning Permission Dulwich Picture Gallery Road, London, SE21 7AD

Time of construction of the pavilion and overall term of the pavilion programme.

9. The applicant has advised that preparatory ground works on the site would start in mid May 2019, with an additional two weeks required for construction. The pavilion would then be completed for and open to the public from either the last day of May or the first day of June 2019. The total pavilion programme period will run for a total of four months across June, July, August and September 2019.

Disabled access to the raised level gantry

10. The raised level gantry walkway would not be accessible by particular groups of users, for example users with mobility issues such as wheelchair users, or people with buggies. This is due to the requirement to utilise stairs in order to access the gantry walkway which located approximately 2.1m above ground level.
11. The justification provided by the applicant for this is that the provision of a lift for a temporary structure such as this would not be possible for practical, financial and spatial reasons.
12. It is not considered that these visitors would be substantially deprived of the intended effect and unique selling point of the pavilion by virtue of the effect still being able to be experienced from a number of positions around and under the pavilion structure from ground floor level. That the gantry level is not accessible by wheelchair users is therefore considered to be on balance acceptable considering the constraints of the scheme and its temporary nature.

Additional condition

13. An additional condition is recommended to ensure that music is controlled from the pavilion to protect residential amenity as below:

No electronically amplified music other than background music (defined as the level at which a conversation can take place without the need to raise voices) shall be played in the pavilion and live music and performance in the pavilion shall not take place after 21:30.

Reason

To safeguard the amenity of neighbours in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007

REASON FOR URGENCY

14. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the Planning Committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications and would inconvenience all those who attend the meeting

REASON FOR LATENESS

15. The new information, comments reported and corrections to the main report and recommendation have been noted and/or received since the committee agenda was printed. They all relate to an item on the agenda and Members should be aware of the objections and comments made.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Individual files	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries Telephone: 020 7525 5403

APPENDICES

No.	Title
Appendix 1	Noise Impact Assessment Letter

30 January 2019

Ref: 13576-190130-L2 RevA

Lucy Chilvers
Black Swan Studios
By email on: lucy@blackswanstudios.co.uk

London office	Manchester office
1B(c) Yukon Road	105 Manchester Road
London	Bury
SW12 9PZ	BL9 0TD
Tel: 0203 475 2280	Tel: 0161 850 2280

Dear Lucy,

13576: BLACK SWAN STUDIOS, 2-3 BLACK SWAN YARD

Further to recent discussions regarding the noise impact assessment undertaken for the above site, we are pleased to confirm the following:

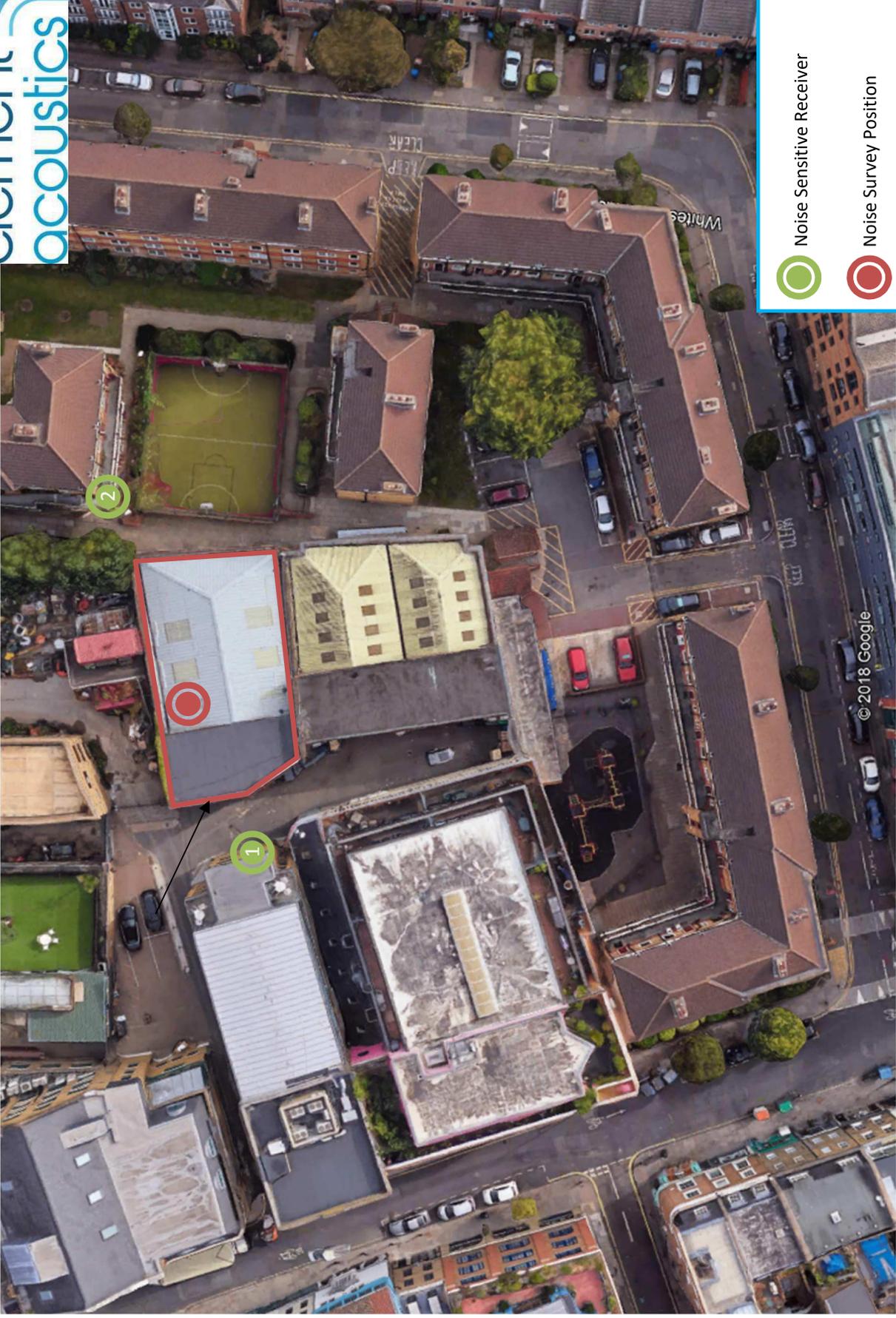
- Additional calculations have been undertaken to predict the noise breakout from the proposed A3 unit.
- Source noise has been predicted using measured levels taken in a typical busy café, with music played at a background level. This is considered suitably robust source noise level for the proposed 43m² A3 Unit, with only non-amplified music permitted.
- Based on the proposed orientation of the site, effected lobby areas are created around the A3 unit, with buffer zones also provided by offices, storage and WCs etc.
- The weakest transmission point to either façade is therefore considered to be through external doors into the building.
- Calculations have been undertaken for the impact of proposals on a commercial unit to the front façade and residential windows to the rear, using the formula and corrections shown in attached Appendix B. These receivers were selected as the closest noise sensitive uses to the proposed A3 unit.
- Calculations show that noise emissions to all receivers will be at least 10 dB below the measured background noise level. This demonstrates that background noise levels would not be increased by proposals, and inaudibility would be expected.

I trust the above clarifications are of use but, should you have any questions, please do not hesitate to contact us.

Yours Sincerely,

Duncan Martin MIOA
Director





13576-SP1 Indicative site plan indicating noise monitoring position and nearest noise sensitive receiver

Date: 29 January 2019

GLOSSARY OF ACOUSTIC TERMINOLOGY

dB(A)

The human ear is less sensitive to low (below 125Hz) and high (above 16kHz) frequency sounds. A sound level meter duplicates the ear's variable sensitivity to sound of different frequencies. This is achieved by building a filter into the instrument with a similar frequency response to that of the ear. This is called an A-weighting filter. Measurements of sound made with this filter are called A-weighted sound level measurements and the unit is dB(A).

L_{eq}

The sound from noise sources often fluctuates widely during a given period of time. An average value can be measured, the equivalent sound pressure level L_{eq} . The L_{eq} is the equivalent sound level which would deliver the same sound energy as the actual fluctuating sound measured in the same time period.

L₁₀

This is the level exceeded for not more than 10% of the time. This parameter is often used as a "not to exceed" criterion for noise

L₉₀

This is the level exceeded for not more than 90% of the time. This parameter is often used as a descriptor of "background noise" for environmental impact studies.

L_{max}

This is the maximum sound pressure level that has been measured over a period.

Octave Bands

In order to completely determine the composition of a sound it is necessary to determine the sound level at each frequency individually. Usually, values are stated in octave bands. The audible frequency region is divided into 10 such octave bands whose centre frequencies are defined in accordance with international standards.

Addition of noise from several sources

Noise from different sound sources combines to produce a sound level higher than that from any individual source. Two equally intense sound sources operating together produce a sound level which is 3dB higher than one alone and 10 sources produce a 10dB higher sound level.

Attenuation by distance

Sound which propagates from a point source in free air attenuates by 6dB for each doubling of distance from the noise source. Sound energy from line sources (e.g. stream of cars) drops off by 3dB for each doubling of distance.

Subjective impression of noise

Sound intensity is not perceived directly at the ear; rather it is transferred by the complex hearing mechanism to the brain where acoustic sensations can be interpreted as loudness. This makes hearing perception highly individualised. Sensitivity to noise also depends on frequency content, time of occurrence, duration of sound and psychological factors such as emotion and expectations. The following table is a reasonable guide to help explain increases or decreases in sound levels for many acoustic scenarios.

Change in sound level (dB)	Change in perceived loudness
1	Imperceptible
3	Just barely perceptible
6	Clearly noticeable
10	About twice as loud
20	About 4 times as loud

Barriers

Outdoor barriers can be used to reduce environmental noises, such as traffic noise. The effectiveness of barriers is dependent on factors such as its distance from the noise source and the receiver, its height and its construction.

Reverberation control

When sound falls on the surfaces of a room, part of its energy is absorbed and part is reflected back into the room. The amount of reflected sound defines the reverberation of a room, a characteristic that is critical for spaces of different uses as it can affect the quality of audio signals such as speech or music. Excess reverberation in a room can be controlled by the effective use of sound-absorbing treatment on the surfaces, such as fibrous ceiling boards, curtains and carpets.

APPENDIX B2 - A3 Breakout Noise

13576

Black Swan Studios, 2-3 Black Swan Yard

Acoustic Calculation used for Indoor to Outdoor Transmission:

$$SPL_{outdoor} = SPL_{indoor} - SRI_{composite} + 10 \log_{10} S + 10 \log \left(\frac{Q}{4\pi r^2} \right) - 6dB$$

Receiver 1: Commercial Building at Front Façade

Source: Background Music Levels in A3 Unit

	Frequency, Hz								dB(A)
	63	125	250	500	1k	2k	4k	8k	
Internal Sound Pressure Level									
Predicted Source Noise Level Within A3 Unit	79	75	76	76	74	71	69	64	79
Predicted Sound Reduction of a single door, dB (SRI)	-20	-21	-24	-27	-37	-39	-38	-38	
Correction for total area of building facade (S = 12m ²)	11	11	11	11	11	11	11	11	
Correction for directivity (Q) and distance (r) (Q=2, r = 7m)	-25	-25	-25	-25	-25	-25	-25	-25	
Non reverberant correction	-6	-6	-6	-6	-6	-6	-6	-6	
Sound pressure level at receiver due to music play back	39	34	32	29	17	12	11	6	29

Operating Hours Background Noise Level

40

Difference between rating level and background

-11

Receiver 2: Residential Building at Rear Façade

Source: Background Music Levels in A3 Unit

	Frequency, Hz								dB(A)
	63	125	250	500	1k	2k	4k	8k	
Internal Sound Pressure Level									
Predicted Source Noise Level Within A3 Unit	79	75	76	76	74	71	69	64	79
Predicted Sound Reduction of a single door, dB (SRI)	-20	-21	-24	-27	-37	-39	-38	-38	
Correction for total area of building facade (S = 12m ²)	11	11	11	11	11	11	11	11	
Correction for directivity (Q) and distance (r) (Q=2, r = 9m)	-27	-27	-27	-27	-27	-27	-27	-27	
Non reverberant correction	-6	-6	-6	-6	-6	-6	-6	-6	
Sound pressure level at receiver due to music play back	37	32	30	27	15	10	9	4	27

Operating Hours Background Noise Level

40

Difference between rating level and background

-13