

**Application reference: 21/2533/DD09**  
TEDDINGTON WARD

Date application received	Date made valid	Target report date	8 Week date
11.07.2024	11.07.2024	05.09.2024	05.09.2024

**Site:**

Elleray Hall Site North Lane Depot and East Car Park, Middle Lane, Teddington,

**Proposal:**

Details pursuant to conditions NS28 - Noise Insulation (Community Centre) and NS48 - Fire Safety (Community Centre) of planning permission 21/2533/FUL.

Status: Pending Consideration (If status = HOLD please check that all is OK before you proceed any further with this application)

**APPLICANT NAME**

.  
Civic Centre  
44 York Street  
Twickenham  
TW1 3BZ

**AGENT NAME**

Dominic Battrick  
Goldvale House  
27-41 Church Street West  
Woking  
GU21 6DH  
United Kingdom

**DC Site Notice:** printed on and posted on and due to expire on

**Consultations:****Internal/External:****Consultee**

LBRuT Non-Commercial Environmental Health Noise Issues

**Expiry Date**

02.08.2024

**Neighbours:**

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**History: Development Management, Appeals, Building Control, Enforcements:**Development Management

Status: GTD

Date: 23/06/2022

Application: 21/2533/FUL

Provision of new community centre on existing North Lane Depot, East Car Park site, together with demolition of existing community centre and provision of affordable housing on existing Elleray Hall site.

Development Management

Status: PCO

Date:

Application: 21/2533/DD01

Details pursuant to conditions U0130634 - Condition NS2: Sale of the land, and U0130638 - NS86 Arrangements prior to

construction, of planning permission 21/2533/FUL.

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Development Management

Status: GTD

Date:28/09/2023

Application:21/2533/DD02

PART APPROVAL AND PART REFUSAL DECISION:

APPROVED: Details pursuant to conditions U0130562 - NS12: Ecological CMP (CC), U0130564 - NS14: Contaminated land (Com Centre), U0130565 - NS16: Contaminated land method (Com centre) (Partial discharge in relation to part 1) , U0130566 - NS17: Archaeology (Community Centre) (Partial discharge in relation to parts A and B), U0130568 - NS19: Refuse Storage (comm centre), U0130585 - NS36: Bat Survey, of planning permission 21/2533/FUL. REFUSED: Details pursuant to conditions U0130560 - NS10: CMS / Logistics Plan (com. centre), U0130584 - NS35: Ecological Enhance (Community centre), U0130595 - NS46: Electric vehicle charging points, of planning permission 21/2533/FUL.

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Development Management

Status: GTD

Date:26/07/2023

Application:21/2533/DD03

Details pursuant to condition U0130570 - NS21: Materials (Community centre), and U0130571 - NS22: Specified Details (Community Centre) of planning permission 21/2533/FUL.

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Development Management

Status: WON

Date:14/02/2024

Application:21/2533/DD04

Details pursuant to condition NS18: Public Engagement (Comm Centre), of planning permission 21/2533/FUL.

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Development Management

Status: GTD

Date:30/05/2024

Application:21/2533/DD05

Details pursuant to condition U0130566 - NS17: Archaeology (Community Centre) (Part C) (Phase 1), U0130567 - NS18: Public Engagement (Community Centre) (Phase 1), and U0130595 - NS46: Electric Vehicle Charging Points (Phase 1), of planning permission 21/2533/FUL.

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Development Management

Status: GTD

Date:29/05/2024

Application:21/2533/DD06

Details pursuant to condition U0130560 - NS10: CMS / Logistics Plan (Phase 1 Community Centre) , U0130588 - NS39: Air Quality (Phase 1 Community Centre), and U0130592 - NS43: Sustainable Urban Drainage (Phase 1 Community Centre) of planning permission 21/2533/FUL.

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Development Management

Status: GTD

Date:24/05/2024

Application:21/2533/DD07

Details pursuant to condition U0130561 - NS11: Dust Management Plan (Phase 1 Community Centre), U0130563 - NS13: AMS and Tree Protection (Phase 1 Community Centre), and U0130584 - NS35: Ecological Enhance (Phase 1 Community Centre), of planning permission 21/2533/FUL.

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Development Management

Status: GTD

Date:24/05/2024

Application:21/2533/DD08

Details pursuant to conditions NS41 - Energy Reduction (Phase 1 Community Centre) and NS83 - Highway works for Community Hall for planning permission 21/2533/FUL

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Development Management

Status: PCO

Date:

Application:21/2533/DD09

Details pursuant to conditions NS28 - Noise Insulation and

NS48 - Fire Safety of planning permission 21/2533/FUL.

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Building Control

Deposit Date: 20.12.2020

Two storey Community Centre with multi-purpose hall

Reference: 20/1731/FP

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Building Control

Deposit Date: 26.10.2021

Two storey Community Centre with multi-purpose hall (now known as The Ellera Centre 23 North Lane Teddington TW11 0HJ)

Reference: 21/1801/FP

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**Recommendation:**

The determination of this application falls within the scope of Officer delegated powers - YES

**I therefore recommend the following:**

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

This application is CIL liable  YES\*  NO  
 (\*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement  YES\*  NO  
 (\*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online  YES  
 (which are not on the file)

This application has representations on file  YES

Case Officer (Initials): EMC

Dated: 17.10.24

**I agree the recommendation:**

Team Leader Lucy Thatcher

Dated: 28 October 2024

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Head of Development Management: .....

Dated: .....

<b>REASONS:</b>
<b>CONDITIONS:</b>
<b>INFORMATIVES:</b>
<b>UDP POLICIES:</b>
<b>OTHER POLICIES:</b>

The following table will populate as a quick check by running the template once items have been entered into Uniform

**SUMMARY OF CONDITIONS AND INFORMATIVES**

**CONDITIONS**

**INFORMATIVES**

<b>Application Number</b>	<b>21/2533/DD09</b>
<b>Address</b>	Elleray Hall Site North Lane Depot and East Car Park Middle Lane, Teddington
<b>Proposal</b>	Details pursuant to conditions NS28 - Noise Insulation (Community Centre) and NS48 - Fire Safety (Community Centre) of planning permission 21/2533/FUL
<b>Contact Officer</b>	Emer Costello
<b>Target Determination Date</b>	EOT

**1.DESCRPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

The Proposal

Details pursuant to conditions NS28 - Noise Insulation (Community Centre) and NS48 - Fire Safety (Community Centre) of planning permission 21/2533/FUL

Planning permission was granted on 23/06/2023 for *Provision of new community centre on existing North Lane Depot, East Car Park site, together with demolition of existing community centre and provision of affordable housing on existing Elleray Hall site.*



Figure 1. Proposed Site Plan (21/2533/FUL)

Key Planning History

The comprehensive list of planning history can be found above however the most relevant planning history is as follows:

21/2533/DD08 Details pursuant to conditions NS41 - Energy Reduction (Phase 1 Community Centre) and NS83 - Highway works for Community Hall for planning permission 21/2533/FUL. Granted 24/05/2024

21/2533/DD07 Details pursuant to condition U0130561 - NS11: Dust Management Plan (Phase 1 Community Centre), U0130563 - NS13: AMS and Tree Protection (Phase 1 Community Centre), and U0130584 - NS35: Ecological Enhance (Phase 1 Community Centre), of planning permission 21/2533/FUL. Granted 24/05/2024

21/2533/DD06 Details pursuant to condition U0130560 - NS10: CMS / Logistics Plan (com. centre), U0130588 - NS39: Air Quality (Community Centre), and U0130592 - NS43: Sustainable Urban Drainage (Community centre) of planning permission 21/2533/FUL. 21/2533/FUL. Granted 29.05.24

21/2533/DD05 Details pursuant to condition U0130566 - NS17: Archaeology (Community Centre), U0130567 - NS18: Public Engagement (Comm Centre), and U0130595 - NS46: Electric vehicle charging points, of planning permission 21/2533/FUL. Granted 24.05/24

21/2533/DD03 Details pursuant to condition U0130570 - NS21: Materials (Community centre), and U0130571 - NS22: Specified Details (Community Centre) of planning permission 21/2533/FUL. Granted 26/07/2023

**21/2533/DD02 PART APPROVAL AND PART REFUSAL DECISION:**

- **APPROVED:** Details pursuant to conditions
  - U0130562 - NS12: Ecological CMP (CC),
  - U0130564 - NS14: Contaminated land (Com Centre),
  - U0130565 - NS16: Contaminated land method (Com centre) (Partial discharge in relation to part 1) ,
  - U0130566 - NS17: Archaeology (Community Centre) (Partial discharge in relation to parts A and B),
  - U0130568 - NS19: Refuse Storage (comm centre),
  - U0130585 - NS36: Bat Survey, of planning permission 21/2533/FUL.
- **REFUSED:** Details pursuant to conditions
  - U0130560 - NS10: CMS / Logistics Plan (com. centre),
  - U0130584 - NS35: Ecological Enhance (Community centre),
  - U0130595 - NS46: Electric vehicle charging points,

of planning permission 21/2533/FUL. Granted Permission 27/09/2023

21/2533/DD01 Details pursuant to conditions U0130634 - Condition NS82: Sale of the land, and U0130638 - NS86 Arrangements prior to construction, of planning permission 21/2533/FUL. Pending

**2. CONSULTATION**

<b>LBRUT Environmental Health (Noise)</b>	No objection to the supplied to discharge Planning Condition NS28 Acoustic Review 03 Sep 2024	24056 002 PC REV A.
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	<p>In respect of part of the condition which states:          'The developer shall certify to the Local Planning Authority that the noise mitigation measures agreed have been installed'.          This is a compliance component and will remain in full force.</p> <p>It is recommended that this condition is discharged.</p>
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An objection from the Teddington Residents Association has been received. This is summarised below.

<b>Teddington Residents Association</b>	<b>Officer Response</b>
<p>Objection. Noise breakout when the new facility. Contest Applied Acoustic Design from 9th July 2024 with Ref: 24056/002/pc for the reasons set out below.</p>	<p>Noted.</p>
<p>For context I am a professional Sound Engineer and have studied Electro Acoustics for over 30 years, I have the advantage of knowing how sound behaves and propagates, and I consider my comments to be a professional opinion. The points raised below are also the official comments of the Teddington Residents Association and are made on behalf of directly affected local residents.</p>	<p>Noted.</p>
<p>The acoustic review focuses on and only pertains to ACOUSTIC speech based on a group of 15 people talking with raised voices, it has completely missed the mark by excluding amplified activities that will take place within the hall. As shown in Appendix 2 of the review, the predominate use of the hall will involve amplified speech and music.</p> <p>Excludes amplified music or singing.</p>	<p>Amplified music activities are addressed in separate conditions NS29: Noise limiter and NS30: Noise Management Plan.</p> <p>An acoustic assessment and report are required to be submitted and approved for the condition NS29 Noise Limiter. This assessment will include sound from both speech and amplified music. Appropriate noise controls are also in place in the noise limiter condition and these will remain in full force. Noise above these levels will not be acceptable.</p> <p>It should also be noted the raised voice reference which takes account of the 'The Lombard Effect or Lombard Reflex' which is the involuntary tendency of speakers to increase their vocal effort when speaking in loud noise to enhance the audibility of their voice. Thus, the potential impact of amplified music on speech is accounted for.</p> <p>NS28 Noise insulation condition states that "(NS28 does not apply to amplified music, refer to NS29)." Amplified music is not within the scope of this condition.</p>

<p>The quoted measurements that are used to judge sound breakout are A-weighted, not taking into account low frequencies from amplified music which are much more likely to travel further and penetrate solid surfaces like our exterior walls etc. Amplified music, not acoustic speech, is going to be our problem when activities take place, with low frequency breakout being of particular concern. Amplification MUST be included as part of the building sound containment profile.</p>	<p>As discussed above, amplified music is addressed in separate conditions NS29: Noise limiter and NS30: Noise Management Plan. It is not within the scope of NS28.</p> <p>In terms of application of an A weighted scale this is reflected generally within many acoustic British Standards, for example BS4142, BS8233 and BS5225, and widely applied by acousticians.</p> <p>The C-weighting correlates better with the human response to high noise levels for example noise induced hearing loss and not applicable in this case given the controls in place. The c weighting also does not apply any significant weighting at low frequency.</p> <p>To avoid concerns around low frequency, which are more heavily weighted within the A scale, Condition NS29 requires the entertainment noise (EN) to comply with NR 25 daytime and NR 15 nighttime.</p> <p>NR refers to Noise Rating Curves and are used to 'rate' a noise source, the rating will derive in a single figure noise rating level that is generated from a review of the associated octave band levels. In which compliance at each frequency is required which includes low frequency.</p>
<p>Noise generated when people are outside in the garden by the cafe area is not being taken into account as a building use. It is noted in the review, but only to state that this will be a nuisance. This will be a disturbance to residents across 16-24 Elleray Road, with close proximity noise pollution from people gathering in groups. This is of particular concern to those residents who have young children sleeping during the day, in rooms that face the new development. How will this be managed? What happens when the rear doors to the hall are open in warmer weather during activities? How will sound breakout be managed then?</p>	<p>The scope of this condition NS28 - Noise Insulation (Community Centre) is to test the sound insulation performance of the building envelope.</p> <p>The noise generated from the garden area is subject to separate conditions. These include the following:</p> <ul style="list-style-type: none"> <li>• NS31: Noise Control Community garden</li> <li>• NS32: Amplified Music (restricts any music in the garden area).</li> </ul> <p>Additionally, the application of a NMP as secured under condition NS30 is well established methodology to control noise in such circumstances.</p>
<p>Who is going to monitor and police amplified music levels within the hall? Sound levels managed by users for classes, parties, events amplified speech and music will easily runaway with sound breakout of the building</p>	<p>The site is subject to the below conditions:          U0130578 NS29: Noise limiter          U0130579 NS30: Noise Management Plan</p>



<p>becoming audible to the residents. Again, low frequencies WILL penetrate walls and windows and be audible to residents inside their homes, which is unacceptable.</p>	<p>In the event of complaint for the matter would be investigated in the usual manner with Planning Enforcement investigating with the support of Officers from the Environmental Protection Team with enhanced acoustic qualifications providing additional support. The Environmental Health Department also operates an out of hours noise service which is available should additional support be required. There are numerous premises within the District with planning conditions which include for a noise limiter which have operated successfully with this approach.</p>
<p>The mandated sound level 1m from the closest residential boundary is stated as not to exceed 10db(A) below the current average ambient noise, which 40db LA90 1 hour. This might work for acoustic speech, but it will not work for amplified speech or music, and the measurement should be C weighted to include low frequencies.</p>	<p>See above.</p>
<p>Neglecting to included amplified speech and music in the acoustic review is a gross oversight and proper management of amplification WILL need to be put in place in order for the hall to operate successfully and not disturb residents.</p>	<p>This condition excludes amplified music (see the wording of the condition).  It is considered that the amplified music noise conditions will manage the noise levels on the site adequately within EH requirements.</p>
<p>It would be my suggestion that an automatic level limiter be installed for any loudspeaker systems that are in use in the hall, so that if a pre-determined sound level agreed on by the residents is breached, the amplification is automatically shut off and only restored when the level reduces below the limiter threshold.</p>	<p>The site is subject to the below condition: U0130578 NS29: Noise limiter This requires a sound limiting device to be fitted. When the limiter is set, if the level is exceeded the system will 'shut off'. To avoid any subjectively the noise limit is set in clear acoustic terms which are measurable and enforceable. Please also see above.</p>
<p>The low frequency profile of any amplified systems in the hall should also be tuned so that very low frequencies cannot leak through the buildings and into residents homes.</p>	<p>The noise limitations are set by the U0130578 NS29: Noise limiter and these are considered to be sufficient. See above.</p>

Additionally, 5 neighbour objections were also received. These are summarised below:

<b>Neighbour Objection</b>	<b>Officer Response</b>
<p>NS28 is one of a number of planning conditions relating to noise for the new Community Centre.</p>	<p>Noted.</p>

<p>These include  NS29 Noise Limiter  NS30 Noise Management Plan  NS31 Noise Control  NS32 Amplified Music</p>	
<p>These planning conditions are interrelated but are required to be discharged at different stages of the development. An earlier discharged has been set for NS28 than the other. However, what matters is the overall noise management arrangements set out in these 5 planning conditions are put in place. Because of the phasing it is important that NS28 is considered in the context of the other requirements NS29 -NS32.</p>	<p>The planning conditions and their triggers were approved by Planning Committee under 21/2533/FUL. Their triggers are not within the scope of this condition.</p>
<p>15 people is an unrealistic number of people when considering the number of people involved in daily activities.</p>	<p>Further to a review by the Council's Environmental Health Officer (Noise), this assessment is considered robust. See the officer assessment below.</p>
<p>What provision made for when the doors are left open in the summer.</p>	<p>If excessive noise is generated (i.e. due to site management issues) this should be reported to the Council's Environmental Health Team.</p> <p>Any noise complaints should be made using the below link:  <a href="#">Report a nuisance - London Borough of Richmond upon Thames</a></p>
<p>If the amenity of local residents is to be safeguarded all these conditions need to be put in place and integrated. There is perhaps an argument that all these submission should be made before individual conditions are discharged?</p>	<p>The planning conditions and their triggers were approved by Planning Committee under 21/2533/FUL.</p>
<p>Perhaps an argument that all these submission should be made before individual conditions are discharged?  The comments made on behalf of TRANEH raise the concerns I have about the proposal made by the applicant for the discharge of planning condition N28 Noise Insulation for the new community centre and set these in the wider context. These comments set out the type of controls needed for noise management both within and outside of the centre. It is important that the planning authority ensure that the applicant puts in place the mitigation measures set out in all the planning conditions and the TRANEH comments</p>	<p>As above.</p>

<p>One important aspect of the overall arrangements for noise management is enforcement. As the centre is to be leased to a third party, the Elleray Hall Community Association, the planning authority should require the applicant to include in the lease terms that require the tenant to comply with the noise management arrangements set out by all the planning conditions and in the TRANEH comments and the penalties that will apply if these are not complied with.</p>	<p>The Council's Enforcement Team will take action if there is a breach of planning control.</p>
<p>The Planning Authority should also ensure that directly affected local residents should also be informed of these arrangements, how to access monitoring information and how to raise concerns if limitations are not adhered to. Please can I be informed about the outcome of discussions between the Authority Planning and the applicant on the noise management arrangements.</p>	<p>Any noise complaints should be reported to the Council's Enforcement Team:  <a href="#">Report a breach of planning control - London Borough of Richmond upon Thames</a></p>
<p>A number of planning conditions were put in place to safeguard the amenity of the local residents with regards to noise pollution. The applications for discharge appear at different stages failing to provide a holistic picture of impacts, measure to mitigate these and the overall noise management strategy for the operational hours of the hall.</p>	<p>See above.</p>
<p>NS28 condition lacks details – for instance it does not address the level of sound break from the hall during the spring/summer when the weather is warmer with the windows open.</p>	<p>See above.</p>
<p>Point 3.3 of the NS28 report states that currently scheduled activity information suggests the hall to be only in use during daytime hours. Our understanding is that the suggested operational hours of the hall go way beyond daytime hours.</p>	<p>For the purposes of the noise assessment daytime is 07:00 – 23:00 hrs and night-time is 23:00 – 07.00 hrs. The Community Centre will be shut within the specified 'night-time' hours.</p>
<p>The proposed operational hours of the hall are a considerable concern (noise disturbance up to 10pm.)</p>	<p>Not within the scope of this condition.</p>
<p>The noise calculations neglect the impact of noise generated by people using the outdoor spaces. The proposed mitigation measures are not robust enough to protect the</p>	<p>See above.</p>

amenity of the affected residents and ensure a reasonable quality of life for them.	
The report does not specify any measures for enforcement.	If there is a breach of planning Control, the case will be assessed by the Council's Enforcement Team.
It is important that NS28 is considered together with other conditions including NS29 and NS32 for a cohesive and integrated approach.	See above.
The lease conditions for all potential tenants should specify the noise limitations and should include punitive enforcement measures to ensure they are respected.	If there is a breach of planning Control, the case will be assessed by the Council's Enforcement Team.
My professional opinion as a doctor who has worked for the NHS for 35 years that excessive noise can have a significant impact on wellbeing and mental health of residents. It can increase stress levels, affect overall quality of life and disrupt sleep patterns.	Noted.
Right now, when the current Elleray Hall is rented out especially at weekends for birthday parties et al, there seem to be no effective arrangement in place. The doors are regularly left open, amplified music blasts close to neighbours as does group signing.	See above.

One observation was received. This is summarised below.

<b>Neighbour Observation</b>	<b>Officer Response</b>
With regard to the potential noise pollution from amplified speech and music, I support the call for (a) an automatic level limiter be installed for any loudspeaker systems that are in use in the hall so that if a pre-determined sound level agreed on by the residents is breached, the amplification is automatically shut off and only restored when the level reduces below the limiter threshold:	NS29: Noise Limiter See above.
(b) the low frequency profile of any amplified systems in the hall be turned so that very low frequencies cannot leak through the buildings and into residential homes.	Noted. See above.

<p>In addition, there needs to be firm enforceable hours for events that generate amplified noise and bafflers at the rear of the new hall on the walls/fencing to deaden noise from the planned garden and when rear doors are open.</p>	<p>Noted. See above.</p>
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### 3.AMENDMENTS

Community Centre was added to the titles of NS28 - Noise Insulation and NS48 - Fire Safety as the conditions are for Phase 1 of the project only.

The Fire Safety Strategy documents were received on 18 September 2024 to address the Fire Safety condition:

- Fire Strategy 20137-FS-02 Issue D dated received 18 September 2024
- Site Plan Fire Strategy 4422-BPG-XX-XX-DR-A-1005 REV C01 received 18 Sep 2024
- Construction Materials Fire Safe, Beard Construction REF: G0129 DATED 12.09.24 received 18 Sep 2024

### 4. EXPLANATION OF OFFICER RECOMMENDATION

#### U0130577 NS28: Noise insulation (Community Centre)

Prior to the commencement of any superstructure works on the proposed Community Centre hereby permitted, details of the proposed sound insulation scheme shall be submitted to and approved by the Local Planning Authority. The sound insulation scheme shall be designed to ensure that noise from within the Multi-Purpose Hall and community hall when measured at one metre from the facade of the nearest noise sensitive premises should not exceed 10dB(A) below the typical LA90 1Hour day or LA90 5 min night. Details should include airborne sound insulation. The developer shall certify to the Local Planning Authority that the noise mitigation measures agreed have been installed. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter. (NS28 does not apply to amplified music, refer to NS29).

**REASON: To safeguard the amenities of neighbouring residents.**

#### Application Form 21/2533/FUL

Proposed opening hours of the community centre:

09:00 – 22:00 Monday to Saturday and 10:00 – 15:00 on a Sunday.

#### Committee Report (09 March 2022/15 June 2022)

##### *09 March 2022*

Paragraph 1.7 Flood Risk and Pollution “Further, the scheme meets air quality neutral, and with safeguarding conditions the scheme will not result in unacceptable noise pollution.”

Paragraph 8.172 An acoustic design report has been submitted, which quantifies the ambient noise levels, including in respect of future mechanical plant, and makes recommendations for sound insulation requirements. The report includes a noise survey which was undertaken to establish baseline noise levels. Daytime (07:00 – 23:00) levels were found to be 40dB and night time (23:00-07:00) levels were found to be 31dB. These have then been used to set

mechanical service plant noise limits 5dB below baseline in line with policy, which will be secure via condition. Proposed items of plant will be required to operate in line with these limits.

Paragraph 8.173 In terms of internal noise levels, the report notes that the Ellera Community Association operates the existing Ellera Hall between 09:30 and 15:30, outside of these hours the hall is available for use by other organisations for teaching and recreational activities, some of which are likely to include amplified music such as parties and dance classes. As the proposed community centre is re-providing the existing facilities, it is likely that such uses will continue within the new building, with the submission stating the opening hours of the centre to be as follows: 09:00 – 22:00 Monday to Saturday and 10:00 – 15:30 on a Sunday.

Paragraph 8.174 The report makes room specific internal noise limit recommendations and concludes that controlling noise ingress to suitable levels should be achievable with typical building envelope construction elements, including double glazed windows and appropriate insulation. It is not considered that the proposed hours of operation are not unreasonable, subject to the inclusion of relevant conditions. This will include use of the outside area.

Paragraph 8.175 With respect to the residential development, by reason of its nature and location in a suburban area surrounded by other residential development, this is not deemed to result in suburban noise disturbance.

Paragraph 8.176 The submitted acoustic report has been reviewed by the Councils Environmental Health Officer who raises no objections, subject to the inclusion of the conditions securing the following:

- Noise insulation
- Mechanical Services Noise Control
- Construction Management Statement
- Noise Management Plan
- Garden Noise Management Plan
- Amplified music

The Councils Environmental Health Officers have been consulted on the proposal and are satisfied that, subject to the inclusion of recommended conditions, the proposals would not result in unacceptable light, noise, or air pollution. The proposal is therefore considered to comply with the aims and objectives of policies LP8 and LP10 of the Local Plan.

#### Committee Addendum (09 March 2022/15 June 2022)

*09 March 2022*

Revisions to Conditions at Section 12 NS28 – The note ‘disturbance to surrounding occupiers’ to be removed as the condition sets fixed limits of sound insulation that must be achieved. An additional note to be inserted saying ‘NS28 does not apply to amplified music, refer to NS29’. NS29 – A note to be added to say ‘demonstrate by calculation the expected internal noise limits being achieved’, as there is no legal right to enter a neighbour’s property for sound measurement.

5 additional representations were received which raised similar concerns to those raised previously and addressed in the officer’s report, they are summarised as follows:  
Increased noise and disturbance.

#### Committee Minutes (09 March 2022/15 June 2022)

Revisions to Conditions at Section 12

- NS28 – The note ‘disturbance to surrounding occupiers’ to be removed as the condition sets fixed limits of sound insulation that must be achieved. An additional note to be inserted saying ‘NS28 does not apply to amplified music, refer to NS29’.

- NS29 – A note to be added to say ‘demonstrate by calculation the expected internal noise limits being achieved’, as there is no legal right to enter a neighbour’s property for sound measurement.
- NS30 a) iii – To be removed, as the previous conditions must be met to restrict sound, and if there is a complaint then Environmental Health can request a monitoring test. The following additional wording to the reasoning of condition NS62: “and to protect the amenities of nearby residents from the development causing unacceptable visual and overlooking impact and noise disturbance”.

Approved Noise Assessment

- Site Noise Survey and RIBA Stage 2/3 Acoustic Design Ref: 20301/001/p by AAD, 21 March 2021 (Noise Report, 2021) [Microsoft Word - 20301 001 Site Noise Survey and Stage 2 Report v1.docx \(richmond.gov.uk\)](#)

Summary

The scope of this condition NS28 is on whether noise from within the Multi-Purpose Hall and community hall when measured at one metre from the facade of the nearest noise sensitive premises should not exceed 10dB(A) below the typical LA90 1 Hour day or LA90 5 min night. This is the scope of the condition.

Supplied Information

- 24056 002 PC REV A NS28 Acoustic Review received on 03 Sep 2024

Officer Assessment

*Sound insulation scheme:*

The building design envelope was consented under 21/2533/FUL. An example section is below. Section 5 of Acoustic Review Ellera Hall 24056/002/pc by AAD, July 2024 (Noise Report, 2024) tests the sound insulation performance of the building envelope. The findings are set out in section 5.32 and Appendix 1.

*Not exceed 10dB(A) below the typical LA90 1Hour day or LA90 5 min night:*

Existing background noise levels in this location are 40 dB in the daytime (07.00 – 23.00) and 31 dB at night (23.00 – 07.00). This corresponds with the findings of the Noise Report 2021 (Site Noise Survey and RIBA Stage 2/3 Acoustic Design Ref: 20301/001/pc by AAD) at page 5, paragraph 3.2.2 submitted in 21/2533/FUL.

The dB limits upon noise sensitive premises would be below 30dB in the daytime which is acceptable against this established benchmark “should not exceed 10dB(A) below the typical LA90 1Hour day” when measured against the nearest sensitivity receptors.

Section 6, of the Noise Report 2024 sets out that the findings of the report are within the acceptable levels.

Table 1. Noise Report, 2024 Section 6, Paragraph 6.409

Receiver(s)	Sound Level	Daytime Noise Limit
No.21 North Lane	22 dB LAeq,1hr	30 dB LAeq,1hr
No. 20 - 26 Ellera Road	26 dB LAeq,1hr	
No. 21 Middle Lane	16 dB LAeq,1hr	

Activities are not proposed by the (23.00 – 07.00). The Council are satisfied that noise levels will be below 21dB at night.

*Airborne sound insulation:*

The Noise Report 2021 contains a Section 6, Table 7 cover's airborne sound insulation.

Table 2. Noise Report 2021, Section 6, Table 7

<b>Adjacency</b>	<b>Airborne Sound Insulation Performance</b>
Quiet Room 05 to Specialist Room 06	D <sub>nT,w</sub> 45 dB
Specialist Room 07 to Specialist Room 06	D <sub>nT,w</sub> 45 dB
Activity Room 09 to Office/Admin 10	D <sub>nT,w</sub> 45 dB
Disable Toilet to Activity Room 08	D <sub>nT,w</sub> 45 dB
Ground Floor to 1 <sup>st</sup> Floor Spaces	D <sub>nT,w</sub> 50 dB

The Noise Report 2021 also notes at paragraph 6.2.4 that for partitions that include entrance doors to rooms it is recommended that a construction with a laboratory rated airborne sound insulation performance of Rw 40dB is used.

Table 3. Noise Report 2024 Table 4 section 5.



Building Envelope Element	Description	Airborne Sound Insulation Performance
Cavity Masonry Wall Facade	102.5mm brick 150mm cavity with Knauf Dritherm cavity slab insulation 100mm Celcon Hi-Strength Concrete Block 12.5mm plasterboard on dabs	R <sub>w</sub> 48 dB <sup>1</sup>
Roof Type 1	Zinc roofing on 17.5mm plywood Timber joists and counter battens forming 300mm void with 200mm rigid insulation 12.5mm plasterboard with 25mm PIR insulation backing	R <sub>w</sub> 46 dB <sup>1</sup>
Roof Type 3c	Zinc roofing on 180mm rigid insulation 17.5mm plywood deck 175mm timber joist 16mm Gypframe Resilient Bars 19mm Gyproc Wallboard 12.5mm Gyproc Fireline	R <sub>w</sub> 54 dB <sup>1</sup>
Roof Windows/Windows	6.4mm laminated glass, 12mm Argon filled cavity, 3mm glass, 12mm Argon filled cavity, 4mm glass	R <sub>w</sub> 35 dB <sup>2</sup>
Notes: 1) Airborne Sound Insulation Performance determined using proprietary calculation software and include a -3 dB correction for calculation uncertainty 2) 1) Airborne Sound Insulation Performance published by Velux for Glazing Type 69 triple glazed windows		

The agreed levels of airborne insulation will remain as confirmed in the Noise Report 2021. In addition, the airborne insulation has been tested of the building envelope element. The findings range from R<sub>w</sub>48 dB to R<sub>w</sub> 54 dB which is acceptable. This was confirmed via email by the Council's Environmental Health Officer (Noise).

#### U0130577 NS28: Noise Insulation Assessment Summary

Prior to the commencement of any superstructure works on the proposed Community Centre hereby permitted, details of the proposed sound insulation scheme shall be submitted to and approved by the Local Planning Authority.	Yes. The consented sound insulation within the Community Hall envelope is tested in the, AAD Applied Acoustic Design Report Ref: 24056/002/pc dated 09 July 2024 (Noise Report 2024). The findings of the sound insulation are set out in Section 5.32 and Appendix 1.
The sound insulation scheme shall be designed to ensure that noise from within the Multi-Purpose Hall and community hall when measured at one metre from the facade of the nearest noise sensitive premises should not exceed 10dB(A) below the typical LA90 1Hour day or LA90 5 min night.	Yes. Noise levels will be a range of 26 dB to 16 dB on sensitivity receptors which is below the benchmark of 30 dB in the daytime. At nighttime the noise levels will be below 21 dB. This is demonstrated in Section 3 of the Noise Report 2024.
Details should include airborne sound insulation.	Yes. Section 5, table 4 tests the building envelope elements including the wall façade, cavity masonry, roof types 1 and 3c and the range is R <sub>w</sub> 48 dB to R <sub>w</sub> 54 dB which is acceptable.

The developer shall certify to the Local Planning Authority that the noise mitigation measures agreed have been installed.	This requirement remains in full force. Notification as per the wording of the Condition shall be given to the Council.
The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter. (NS28 does not apply to amplified music, refer to NS29).	This is a compliance element and remains in full force in perpetuity. Please note that amplified music is not within the scope of this condition.

#### **U0130597 NS48: Fire Safety (Community Centre)**

**Prior to the commencement of above ground works of the community centre hereby approved, a Fire Strategy Statement shall be submitted to and approved in writing by the local planning authority. The development shall not be implemented or occupied other than in accordance with the approved details, which shall be retained as approved. The Fire Strategy Statement shall include the following:**

- **Specific reference to policies D5 and D12 of the London Plan**
- **Evidence of the competency of the authors of the fire strategy statement**
- **Commentary as to how the strategy is in general conformity to inclusive design policy, noting The London Plan states that emergency carry down or carry up mechanical devices or similar interventions that rely on manual handling are not considered to be appropriate and lifts which can be used for evacuation purposes (accompanied by a management plan) should be provided.**
- **Confirmation of construction materials to ensure there are no additional fire safety risks associated with these, such as timber frame construction**
- **Identify suitable evacuation assembly point.**

#### Committee Report (09 March 2022/15 June 2022)

*09 March 2022*

Paragraph 8.294 Two separate Stage 4 Fire Strategy Reports, one for each part of the site, have been prepared by Fire Engineering & Fire Risk Management Consultants for the development, including details of access and equipment for firefighting and appliances; fire assembly points; details of evacuation routes and means of escape; confirmation that the building is to be designed to meet Building Regulations, using fire resistant materials, intumescent paint; and features to reduce the risk of life and injury, such as emergency lighting, alarms, sprinklers, firefighting equipment.

Paragraph 8.295 The submitted Fire Strategy Reports have been reviewed by independent consultants acting for the LPA. It is concluded that, whilst the reports provided have not been prepared to specifically address the intent of the London Plan, the proposed fire safety measures are generally in accordance with the intent of the London Plan. As such, it is considered that the level of information provided is appropriate for this stage in the development process and as such, meets the aims and aspirations of the policies. Additional detail will be secured by way of condition. In addition, any building would also be covered by the requirement to meet Building Regulations.

#### Committee Addendum (09 March 2022/15 June 2022)

None

#### Committee Minutes (09 March 2022/15 June 2022)

None

#### Approved Fire Safety Strategy

Lawrence Webster Forrest Fire Engineer and Fire Risk Management Consultants Report Reference 20137-FS-01-A Stage 4 Fire Safety North Lane Depot/East Car Park Teddington, April 2021 (FSS, 2021)

Summary

London Plan (2021) Policies D5 & D12:

The proposed fire safety measures are generally in accordance with the intent of the London Plan. FSS 2021 did not specifically make reference to the London Plan Policies D5 or D12. Additional detail therefore was secured by this condition. The FSS submitted with this condition therefore needs to make specific reference to D5 and D12 and set out how these have been achieved.

Inclusive design:

It should be clarified how the FSS considers the inclusive design intent of the London Plan and specifically that emergency carry down or carry up mechanical devices or similar interventions that rely on manual handling are not used as these are not considered appropriate. Lifts should be used for evacuation purposes.

Supplied Material

- Fire Strategy 20137-FS-02 Issue D dated received 18 September 2024
- Site Plan Fire Strategy 4422-BPG-XX-XX-DR-A-1005 REV C01 received 18 Sep 2024
- Construction Materials Fire Safe, Beard Construction REF: G0129 DATED 12.09.24 received 18 Sep 2024

Officer Assessment

<b>U0130597 NS48: Fire Safety (Community Centre)</b>	
<b>Prior to the commencement of above ground works of the community centre hereby approved, a Fire Strategy Statement shall be submitted to and approved in writing by the local planning authority.</b>	Yes. Lawrence Webster Forrest Fire Engineer and Fire Risk Management Consultants Report Reference 20137-FS-02-issue D has been supplied received 18 September 2024 (FSS Issue D)
<b>The Fire Strategy Statement shall include the following:</b>	
- <b>Specific reference to policies D5 and D12 of the London Plan</b>	Yes. Section 2.6 Disabled Evacuation sets out the requirements of D5 in Inclusive Design.
- <b>Evidence of the competency of the authors of the fire strategy statement</b>	Yes. <a href="#">Lawrence Webster Forrest</a> (LWF) are Fire Engineering and Fire Risk Management Consultants. The Council are satisfied that LWF are suitably qualified Fire Safety consultants.

<p>- <b>Commentary as to how the strategy is in general conformity to inclusive design policy, noting The London Plan states that emergency carry down or carry up mechanical devices or similar interventions that rely on manual handling are not considered to be appropriate and lifts which can be used for evacuation purposes (accompanied by a management plan) should be provided.</b></p>	<p>Yes. Inclusive Design Policy D5 and paragraph 3.5.10 of the London Plan (see criteria in Appendix 1 for ease of reference).</p> <p><u>Lifts for evacuation purposes</u></p> <p>The first floor is served by a single protected stair and a lift. The Fire Safety Strategy confirmed that this will be an evacuation lift. Section 2.4.1 and 2.6 discuss how the evacuation lift will be used in the event of a fire to allow people with disability to evacuate in line the London Plan. Carry up and carry down mechanical devices or similar are not being used here and are not considered to be appropriate in the London Plan (London Plan paragraph 3.5.10).</p>
<p>- <b>Confirmation of construction materials to ensure there are no additional fire safety risks associated with these, such as timber frame construction</b></p>	<p>Yes. Construction Materials Fire Safe, Beard Construction REF: G0129 DATED 12.09.24 received 18 Sep 2024 provides confirmation of construction materials.</p>
<p>- <b>Identify suitable evacuation assembly point.</b></p>	<p>Yes. Site Plan Fire Strategy 4422-BPG-XX-XX-DR-A-1005 REV C01 received 18 Sep 2024. This identifies the place for assembly west of the site.</p>

### Informative

Lawrence Webster Forrest Fire Engineer and Fire Risk Management Consultants Report Reference 20137-FS-02-issue D has been supplied received 18 September 2024

The recommendations of this report must be followed. In particular:

- Fire detection and alarm systems to be installed as recommended and tested regularly.
- The maximum occupancy of the building/each room as set out in this report must be adhered to.
  - the main hall cannot be used by more than 120 people, including any staff who may be present at any event.
  - If the hall is sub-divided, then there can be no greater than 60 people in each section. The first floor cannot have more than 60 people occupying that level.
- A robust fire safety management plan will be prepared by Building Management to the relevant areas of the building, which will include but is not limited to the following:
  - Actions to be taken in the event of a Fire Emergency including specific evacuation protocols with coordinated fire alarm system cause and effect arrangements.
  - A defined assembly point outside and away from the property.
  - Evacuation strategy for the building (i.e. 'simultaneous' strategy).
- Personal/or General Emergency Evacuation Plans.
- Housekeeping
- Maintenance of active and passive fire safety systems

### London Plan (2021) Policies D5 and D12 of the London Plan (2021)

The requirements of Policies D5 and D12 are discussed in section 2.6 of the FSS Issue D.

### Inclusive Design

An evacuation lift has been designed into the scheme to allow people with a disability to evacuate (if necessary) with dignity in line the London Plan. This is discussed in section 2.6 of the FSS Issue D.

## **6. RECOMMENDATION**

Upon full assessment of the submitted material supporting the application, taking into account all material considerations, it is considered the requirements of NS28 - Noise Insulation (Community Centre) and NS48 - Fire Safety (Community Centre) of planning permission 21/2533/FUL are acceptable. These conditions may be **DISCHARGED**.

## **APPENDIX 1.**

For ease of reference the London Plan Policy D5 and Policy D12 are set out below.

### London Plan Policy D5 Inclusive Design:

A Boroughs, in preparing their Development Plans, should support the creation of inclusive neighbourhoods by embedding inclusive design, and collaborating with local communities in the development of planning policies that affect them.

B Development proposal should achieve the highest standards of accessible and inclusive design. They should:

- 1) be designed taking into account London's diverse population
- 2) provide high quality people focused spaces that are designed to facilitate social interaction and inclusion
- 3) be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment
- 4) be able to be entered, used and exited safely, easily and with dignity for all
- 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

C Design and Access Statements, submitted as part of development proposals, should include an inclusive design statement.

*London Plan Paragraph 3.5.10 'Carry down and Carry Up Reference':*

*"Buildings should be designed and built to accommodate robust emergency evacuation procedures for all building users, including those who require level access. All building users should be able to evacuate from a building with dignity and by as independent means as possible. Emergency carry down or carry up mechanical devices or similar interventions that rely on manual handling are not considered to be appropriate, for reasons of user dignity and independence. The installation of lifts which can be used for evacuation purposes (accompanied by a management plan) provide a dignified and more independent solution. The fire evacuation lifts and associated provisions should be appropriately designed, constructed and include the necessary controls suitable for the purposes intended. See also Policy D12 Fire safety."*

London Plan Policy D12 Fire Safety

A In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

- 1) identify suitably positioned unobstructed outside space:
  - a) for fire appliances to be positioned on
  - b) appropriate for use as an evacuation assembly point
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) are constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

B All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. The statement should detail how the development proposal will function in terms of:

- 1) the building's construction: methods, products and materials used, including manufacturers' details
- 2) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
- 3) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
- 4) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these

- 5) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
- 6) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.