

ACCON'S RESPONSE TO THE OBJECTION COMMENTS RECEIVED ON BEHALF OF STONEGATE PUB GROUP IN RESPECT OF THE PROPOSED CHANGE OF USE DEVELOPMENT AT 20 CHURCH STREET, TWICKENHAM

This Technical Note has been produced in response to the comments received from Stonegate Pub Group on behalf of The Fox Public House (P.H) in respect of their objection to the planning application (reference: 24/31196/GPD26).

ACCON previously carried out a Noise Impact Assessment (Reference A5356/N/01, dated 11th October 2024), which outlined measures to address entertainment noise from the Fox Public House (P.H), and a Technical Note (dated 18th December 2024) to specify secondary glazing to achieve a Noise Rating Curve NR 20 in line with the Council's Environmental Health Officer's comments as part of the reason for refusal for the previous proposed change of use planning application (reference 24/2677/GPD26). The EHO's comments previously stated that the Premises License for The Fox allowed for live music up to 23:30.

Stonegate Pub Group Comment

The Fox pub currently directly employs c15 individuals and provides income for a further c20 indirectly employed people (including cleaners, DJs, SIA door staff and local suppliers, etc). This is a total of c35 people who rely on the pub operation for their livelihood. If the licensed operations are forced to close or have their hours of trading cut back, c35 people could be directly affected to the severe detriment by this.

ACCON Response

Paragraph 200 of the National Planning Policy Framework (NPPF) states that:

“Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

The ‘Agent of Change’ principle is in place to protect the future of existing establish businesses when a new development is to be permitted. The new development needs to ensure that they provide suitable mitigation measures for the proposed development to minimise any significant effect on the occupiers from existing surrounding businesses.

A detailed analysis has previously been carried out for the octave band frequency data of 31.5 Hz to 4kHz for the audible music events and a secondary glazing system has been specified in order to ensure that internal noise levels would be below the NR 20 Curve for windows to habitable rooms which face The Fox P.H. It will be noted that the internal noise levels would be below the proposed noise criterion and it can therefore be concluded that the updated proposed noise mitigation in

ACCON's Technical Note dated 18.12.2024 confidently addresses the Agent of Change Principle with respect to any entertainment/ live music noise impacts.

Stonegate Pub Group Comment

Premises Licence PL032036 allows for live and recorded music and other live entertainment until 23:30hrs on Sundays to Thursdays and until 00:30hrs on Fridays and Saturdays. Consequently, the applicant's submission does not address previous concerns regarding noise.

ACCON Response

ACCON utilised the information in the EHO's comments to address the reason for refusal in the previous Technical Note dated 18.12.2024 that considers entertainment noise until 2330 hrs which encroaches into the night-time period of 2300hrs to 0700hrs. ACCON have taken this into account and provided a glazing specification which will meet the NR20 Curve as required in the EHO comments for the whole of the night-time period. Therefore, the noise mitigation scheme of secondary glazing to achieve NR20 will appropriately mitigate any entertainment noise which takes place throughout the entire night-time period (2300hrs to 0700 hrs) including the permitted hours within the Premises Licence PL032036 for The Fox P.H.

Stonegate Pub Group Comment

Up to 195 customers could depart from the public house's front entrance at midnight on Sundays to Thursday and at 0100hrs on Fridays and Saturdays. A significant number of these customers could remain in the vicinity for some time after 0100hrs, as at present, and will create peaks of noise from raised voices, laughter and taxi doors slamming (the street is not pedestrianised beyond midnight). These peaks of noise are more likely to disturb sleeping residents than any calculated average noise levels.

ACCON Response

ACCON undertook a noise measurement survey over a typical extended weekend period between 1335 hrs on Friday 4th October 2024 and 1230 hrs on Monday 7th October 2024. Analysis and review of the recording audio files by ACCON personnel has identified regular ancillary noise into the early hours of the night, other than entertainment noise, which primarily consisted of people talking and laughing outside of the premises.

The WHO Guidelines for Community Noise state with respect to the L_{AFmax} threshold, that "for a good sleep, it is believed that indoor sound pressure levels should not exceed approximately 45 dB L_{Amax} more than 10-15 times per (Vallet and Vernet 1991)"

The L_{AFmax} noise levels for these ancillary events over the Friday night-time/ early Saturday hours has been utilised to calculate the internal L_{AFmax} taking into account the specified secondary glazing system and compliance with the internal noise level criteria of the WHO Guidance within habitable rooms during the night-time period. The Friday night-time noise measurements have been utilised as a worst-case due to the higher L_{AFmax} levels occurring on that occasion when compared to the Saturday and Sunday night noise levels. The proposed secondary glazing system (AGC 88.2 st /

16mm / 66.2 st - Thermobel Stratophone) installed behind the existing single-glazed sash window system would provide an overall sound reduction of 52 dB $R_w + C_{tr}$.

Table 1: Calculated Internal L_{AFmax} Noise Level from Ancillary Noise Associated with The Fox P.H.

Time	Measured Free-field L_{AFmax} (dB)	Glazing Reduction	Calculated Internal L_{AFmax} (dB)	Below the WHO Guidance Target of 45 dB L_{AFmax} internally?
23:00	83	52	31	✓
23:05	84	52	32	✓
23:10	84	52	32	✓
23:15	82	52	30	✓
23:20	91	52	39	✓
23:25	81	52	29	✓
23:30	81	52	29	✓
23:35	88	52	36	✓
23:40	84	52	32	✓
23:45	80	52	28	✓
23:50	82	52	30	✓
23:55	80	52	28	✓
00:00	79	52	27	✓
00:05	72	52	20	✓
00:10	79	52	27	✓
00:15	77	52	25	✓
00:20	78	52	26	✓
00:25	78	52	26	✓

Time	Measured Free-field L _{AFmax} (dB)	Glazing Reduction	Calculated Internal L _{AFmax} (dB)	Below the WHO Guidance Target of 45 dB L _{AFmax} internally?
00:30	80	52	28	✓
00:35	79	52	27	✓
00:40	73	52	21	✓
00:45	72	52	20	✓
00:50	72	52	20	✓
00:55	76	52	24	✓
01:00	77	52	25	✓

Table 1 demonstrates that the highest internal L_{AFmax} within habitable rooms which face The Fox P.H would be 39 dB from ancillary noise, this is 6 dB below the WHO Guidance level and therefore the proposed secondary glazing will provide more than adequate sound reduction of this specific potential source of noise.

On the basis of the above information, which includes a detailed analysis of noise emanating from The Fox P.H and also noise from patrons outside of the P.H, ACCON are of the professional opinion as experienced acousticians, that the 'Agent of Change' principle has been appropriately addressed, such that complaints of nuisance would not occur in the future and that the future viability of The Fox P.H would not be compromised.

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