

MEMO

TO	Zoe Curran, Boyer Planning	FROM	Toby Lewis
DATE	02 January 2024	CONFIDENTIALITY	Public
SUBJECT	Pollution Control Comment Noise: F/22/93194 – The Ageas Bowl		

I write in connection with the additional comments provided by Mr Scott (Senior Pollution Control Officer), dated 19 December 2023. These comments were further to his earlier memorandum, dated 17 November 2023, and my response to that, dated 21 November 2023.

Mr Scott acknowledges the clarifications in my earlier response but still cites the following outstanding concerns:

- 1) The determination of the baseline sound levels which, Mr Scott says, are important in determining the degree of noise impact.
- 2) The absence of any assessment of noise from concerts and ‘other activities’.
- 3) The ‘*approach to considering the effects that existing business can cause with respect to the agent of change principle*’.

Mr Scott states that he is unable to support the application ‘*given the status of the Ageas as an international sporting venue and the potential impact on it...*’.

I will not repeat the themes presented in my earlier response but will briefly address each of the above points in turn.

- 1) **The determination of the background sound levels.** The baseline sound levels have been adequately quantified to underpin all the necessary assessments. Insofar as they are useful, Mr Scott focusses on the ‘*background sound levels*’ in his most recent comments although these are not particularly relevant or helpful in the assessment of noise from the Ageas Bowl.

Where background sound levels have been used (the additional assessments of Pitters Commercials presented in Appendix E of the application noise report), precautionary values have been adopted. These being the lowest of the derived hourly mean/mode values logged at the point of the development site which is furthest away from the M27 motorway (the dominant determinant of the background sound level).

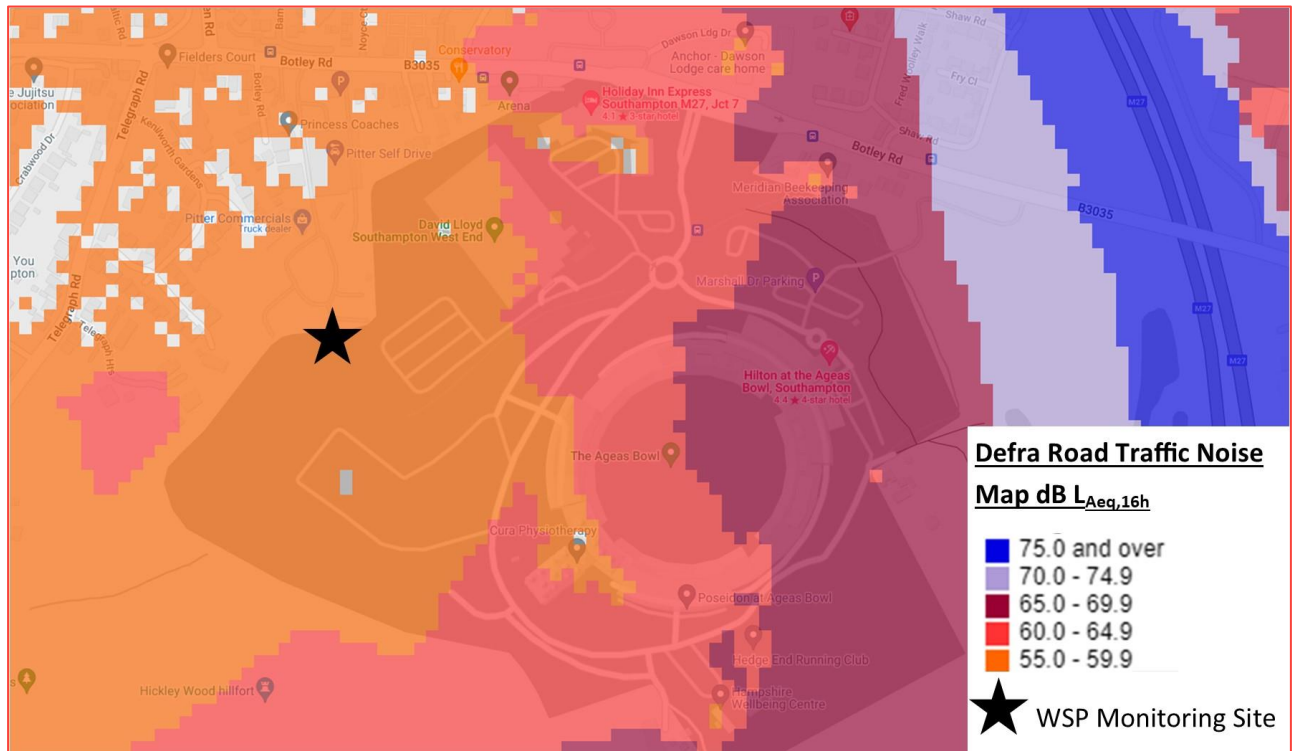
The adopted value of 46 dB is at least 10 dB lower than the average daytime ($L_{Aeq,16h}$) sound level predicted by Defra¹ for road traffic noise alone, as shown in Figure 1, which is a direct extract from the Defra noise maps. Figure 1 indicates that road traffic sound levels are typically over 55 dB $L_{Aeq,16h}$ across the entirety of the development site during the day.

Based on recent WSP studies, the relationship between the average ($L_{Aeq,16h}$) and the background ($L_{A90,T}$) sound level, less than 1 km from a motorway or dual carriage way, is a differential of between 1 and 5 dB (with the background sound level lower than the average). This further

¹ <http://www.extrium.co.uk/noiseviewer.html>

demonstrates that the adopted background sound level is suitably precautionary and further measurements are unnecessary.

Figure 1 – Extract from the Defra Noise Maps



- 2) **The assessment of noise from concerts.** The approach to the assessment of noise from concerts has been explained in the application noise report (at Appendix E) and in my response to Mr Scott's earlier comments.

In brief, the Ageas Bowl is only used for concerts infrequently, partly due to the impracticality of scheduling them around sporting events. Typically, one or two concerts take place each year. The venue is licensed as a Sports Stadium, so concerts are subject to temporary event notices which are conditioned and approved on an individual basis. It is understood that music noise limits are imposed at the closest noise sensitive receptors based on the number of events per annum (up to three²) and are not related to the background sound level. As existing noise sensitive receptors (Loftus Road – 35 m, The Hilton – immediately adjacent) are significantly closer to the venue than those proposed, the development would not necessitate a tightening of noise limits.

With respect to any risk of future noise complaints – the proposed development is designed to protect future residents from the noise from the venue, via the layout and with appropriate acoustic mitigation protecting habitable rooms and external amenity areas. As such, residents will be less exposed to noise than most existing residents in proximity to the venue and, additionally, will have moved to the development with knowledge of its proximity to the stadium.

To summarise, therefore, the proposed development is not expected to introduce any additional risks of restrictions to the use of the Ageas Bowl, or other businesses, and, on that basis, there is no justification for a refusal on 'agent of change' policy grounds.

² Code of Practice on Environmental Noise Control at Concerts. The Noise Council. 1995.

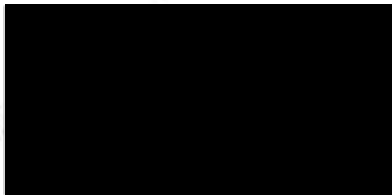
3) The approach to considering the agent of change principle. The assessment approach adopted to the agent of change principle in the application noise assessment is adequate and appropriate.

Mr Scott raises the need for assessments to consider noise from business or facility activities that are permitted, even if they were not taking place at the time of the assessment. It is agreed that this is a legitimate policy consideration. However, the policy objective is to avoid the introduction of unreasonable restrictions on existing businesses or facilities. It does not need to allow for unanticipated noisy activities that would be inherently unacceptable to existing noise sensitive neighbours.

As the proposed development has been subject to a good acoustic design, which incorporates a sympathetic layout and noise mitigation measures, it will create no noise restrictions that do not already exist by virtue of existing noise sensitive receptors. As such the proposed development is compliant with the agent of change policy.

I do, of course, accept that the Ageas Bowl is an international sporting venue and I understand Mr Scott's wish to avoid noise conflicts between existing and future occupiers. However, in this instance, the application noise assessment is adequate and appropriate and there is no evidence that would support a refusal of the application on noise grounds.

I am, naturally, happy to discuss this directly with Mr Scott if that would be helpful.



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