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Will de Cani
Kitewood
7 Dacre Street
London
SW1H 0DJ

Date: 10th May 2023
Reference: R9784-2 Rev 1

Dear Will

Re: Willow Way Sydenham – Noise Addendum

I am pleased to provide the following addendum in relation to noise, to support the appeal at the above site.

1.0 Introduction

1.1 Planning consent has been refused by Lewisham Council for the proposed mixed-use development at the site, and the decision notice includes the following reasons for refusal.

"2. *The lack of detail on the proposed uses across the masterplan site results in a failure to demonstrate that the intensified co-location of uses can function at the proposed capacity of the masterplan site. Furthermore, it results in officers being unable to conclude that the proposal would meet the relevant transport, design, public realm or environmental policy (noise, air quality as well as sustainable urban drainage, energy and biodiversity) requirements. The granting of this application in absence of these details would fetter the development opportunity of the adjoining sites and undermine the objectives of the wider site allocation and masterplan area. The proposal would therefore fail to meet policies D3, D13, E6, E7 and SI 11 in the London Plan (2021), Policy E3 in the Lewisham Core Strategy (2011) as well as emerging policies (Site Allocation 9: Willow Way, EC2, EC3, EC6) in the Lewisham Local Plan Proposed Submission Document- Regulation 19 Stage (January 2023)."*

"6. *The submitted noise, flood risk and ecology reports have missing and conflicting information and therefore officers cannot confirm the proposals meet the requirements of the relevant policies. The proposal is therefore contrary to policies G1, G5 and GG6 of the London Plan (2021) as well as paragraphs 8c, 159, 170, 174 and 185 of the NPPF."*

1.2 More detailed comments on noise were provided in the consultee response from the Environmental Health Officer, with reference to 24 Acoustics' Noise impact Assessment report R9784-1 Rev 1 submitted with the application. The specific points raised by the officer are addressed in the following section.

2.0 Response to Environmental Health Comments

- 2.1 The consultation response from environmental health is provided in email correspondence dated 24 January 2023, with reference to 24 Acoustics' report R9784-1 Rev 1. These comments are also included and referenced in the Planning Officer's Report (Sections 49 and 175-179).

Section 5.8 of 24 Acoustics' report – External Amenity

- 2.2 The officer's comments relating to Section 5.8 of 24 Acoustics' report are reproduced below.

"I note the acoustic submission prepared by 24 Acoustics ref. R9784-1 Rev 1 which reports at Section 5.8:

'External communal amenity spaces are proposed on the east side of the new building at ground floor level and in three roof terrace areas on the fourth floor. The noise measurement results indicate that external noise levels within all the communal amenity spaces would be comfortably below 55 dB LAeq, 16 hour and therefore acceptable.'

"However, from the data presented at Table 1 – Measured Noise Levels at Location 1 – Overlooking High Street the representative daytime (LAeq16hr) is reported at 59 dB i.e. in excess of the value above. Further, with the Planning Statement dated 20th December 2022 states:

'The amenity space provided for the residential element of the Proposed Development comprises private balconies for each unit plus communal open space located on the 4th floor.'

As such is it possible to seek clarification from the Applicant's Acoustic Consultant as to why it appears the data presented in Table 1 has been 'screened out' and reliance placed upon the data presented in Table 2 or provide details of any additional mitigation measures proposed."

- 2.3 The proposed external spaces for residential amenity will be on the fourth floor roof terraces, as shown in Figure 1. The ground floor amenity space at the rear of the building will be a visual amenity area used as a breakout space by the staff of the commercial units only.
- 2.4 Table 1 of 24 Acoustics' report presents the measured noise levels at the western boundary of the site facing Willow Way, with 59 dB LAeq, 16 hour as the representative daytime noise level at this location. In order to determine external noise levels within the proposed fourth floor external amenity spaces, the measured noise levels at location 1 were corrected for losses due to distance and acoustic screening from the building itself.
- 2.5 With corrections for distance and screening as described, calculations confirmed that noise levels within the fourth floor external amenity spaces would be comfortably below 55 dB LAeq, 16 hour and therefore acceptable.
- 2.6 Private balconies are proposed for each apartment, between 5 m² and 12 m² in size. Given the small size of the balconies, an assessment of noise levels within the balconies is not considered necessary, and this view is supported by paragraph 7.7.3.2 from BS 8233: 2014 reproduced below:

"Other locations, such as balconies, roof gardens and terraces, are also important in residential buildings where normal external amenity space might be limited or not available, i.e. in flats, apartment blocks, etc. In these locations, specification of noise limits is not necessarily appropriate. Small balconies may be included for uses such as drying washing or growing pot plants, and noise limits should not be necessary for these uses."

Section 5.11 of 24 Acoustics' report – Plant Noise Limits

- 2.7 Further comments from the Environmental Health Officer in relation to Section 5.11 of 24 Acoustics' report are reproduced below:

"Moving on, Section 5.11 of the acoustic submission states:

'The daytime and night-time plant noise level criteria, for new plant associated with the development, are shown in Table 5 below.'

It would appear this is a typo and should refer to Table 4. However, it is unclear the basis of the Plant Noise Limits presented, i.e. are the lowest values or representative L90 values used to derive the values."

- 2.8 The reference to Table 5 is a typo; section 5.11 should refer to Table 4 for plant noise limits.
- 2.9 The plant noise limits were derived based on the representative L_{A90} values, as presented in Section 4.8 of 24 Acoustics' report, 37 dB $L_{A90,5min}$ during daytime periods (07:00 – 23:00) and 29 dB $L_{A90,5min}$ during the night (23:00 to 07:00 hours).
- 2.10 The plant noise limits set out in 24 Acoustics' report (Table 4) would be achievable, subject to the appropriate selection, design and attenuation of building services plant associated with the development.

3.0 Review of Officer's Recommended Planning Conditions

- 3.1 Email correspondence from Lewisham Council dated 21st March 2023 includes recommendations from the Environmental Health Officer for 4No. noise-related planning conditions – the correspondence and conditions are reproduced in Appendix A and summarised below:
- (i) Noise Protection Scheme
 - (ii) Mechanical Services Noise Control
 - (iii) Noise Impact on Structurally Adjoining Properties/Premises
 - (iv) Construction Environmental Management Plan
- 3.2 The recommended conditions are considered reasonable and appropriate for this development and are in line with the assessment criteria in 24 Acoustics' report.
- 3.3 Compliance with the recommended conditions would secure an appropriate acoustic environment for the proposed residential properties, both externally and internally, and would also ensure that the impacts of noise from the development upon sensitive receptors is controlled and minimised.

4.0 Impact on Wider Masterplan

- 4.1 Paragraphs 128 of the Planning Officer's Report refers to the wider masterplan site and potential noise impacts in relation to Site A as reproduced below:

"The lack of detail on the proposed uses across the masterplan site and failure to demonstrate that the intensified co-location of uses can function at the proposed capacity of the masterplan site: whilst its appreciated policy supports flexibility in employment uses to attract a range of end users, in the absence of some testing of options on the type of employment uses to show how this would work with adjacent uses (including some design development and testing of servicing and environmental conditions of these options), officers are unable to conclude that the proposal would meet LP colocation tests to avoid conflicting with the residential uses. Nor can officers conclude the proposal would meet the relevant transport, design, public realm or environmental policy (noise, air quality as well as sustainable urban drainage, energy and biodiversity) requirements. The granting of this application in absence of these details could fetter the development opportunity of the adjoining sites and undermine the objectives of the wider site allocation and masterplan area."

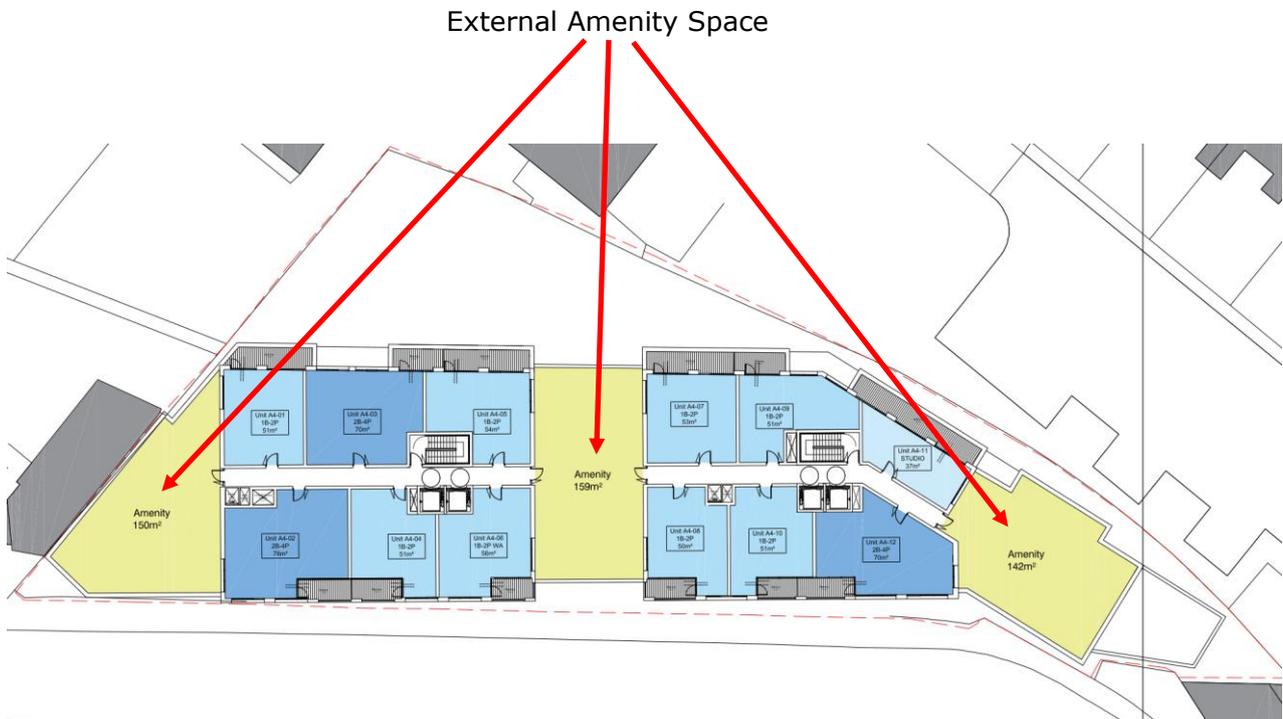
- 4.2 It is noted that this application is for Site A only and that a detailed masterplan including sites B, C, D and E is yet to be developed.
- 4.3 24 Acoustics' Noise Impact Assessment report R9784-1 Rev 1 for Site A has demonstrated that, with appropriate mitigation, the residential and commercial uses can co-locate without material noise impacts. Compliance with the recommended conditions for Site A would also ensure that the impacts of noise associated with Site A upon the other sites within the masterplan is controlled and minimised.
- 4.4 Sites B and C will be located on the opposite side of Willow Way and will comprise of similar uses and relationships to the principles of Site A, i.e. workspace/commercial space on ground floors with residential floors above.
- 4.5 Any future applications for other sites within the masterplan will require a site-specific noise impact assessment, to ensure that the impacts of noise from these sites upon sensitive receptors (including Site A) is controlled and minimised. For Sites B and C, with consideration to appropriate design and mitigation including layout, internal separation, glazing, ventilation and limiting plant noise criteria, it would be feasible to co-locate residential and commercial uses without conflict in noise terms.
- 4.6 On the above basis, it is concluded that there would be no conflict in noise terms between the proposals for Site A and the proposed uses across the masterplan site.

I trust the above is in order – please call if you have any queries.

Yours sincerely
For 24 Acoustics Ltd

Chris McConnell BSc MSc MIOA
Senior Consultant

FIGURE 1 – FOURTH FLOOR PLAN SHOWING EXTERNAL AMENITY



APPENDIX A – EMAIL FROM LEWISHAM COUNCIL WITH RECOMMENDED CONDITIONS

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: FW: Willow Way - noise and ecology
Date: 21 March 2023 09:20:09

CAUTION: This message originated from outside of [Redacted] Use caution when opening attachments, clicking links or responding to requests for information.

Good morning [Redacted]

I have received the correspondence below from [Redacted] but still nothing about the strategy moving ahead...

Hopefully Michael Forrester will phone you back today and we can decide on the next step!

Thanks,

[Redacted]

[Redacted]

[Redacted]

Any offers contained in this email are Subject to Contract and are without prejudice. Kitewood Estates Ltd is registered in England with number 02852063. The Company's registered address is 7 Dacre Street, London SW1H 0DJ

From: Harrison, Kate <Kate.Harrison@lewisham.gov.uk>
Sent: Tuesday, March 21, 2023 8:51 AM
To: [Redacted]
Cc: Clegg, Gareth <Gareth.Clegg@lewisham.gov.uk>
Subject: Willow Way - noise and ecology

Hi [Redacted]

[Redacted] Just logging in quickly this am to send you the full noise comments and ecology comments- the latter came in Friday.

I will ask admin to help with full comments on anything else today.

Best wishes,



Noise Comments

I note the acoustic submission prepared by 24 Acoustics ref. R9784-1 Rev 1 and dated 16th December 2022 and recommend the following conditions be attached to any consent:

Noise Protection Scheme

Façade sound insulation shall be of a standard to achieve noise levels within bedrooms and living rooms of the residential dwellings as recommended in Table 4 of BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings'. Where achieving the recommended internal levels requires windows to be closed shut then alternative ventilation, as necessary shall be provided.

Details of the final glazing fabrication and acoustic specifications shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and shall be installed prior to occupation of the relevant part of the development and be so maintained.

In respect of any mechanical plant I recommend the following:

Mechanical Services Noise Control Condition

(a) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.

(b) Details of a scheme complying with paragraph (a) of this condition shall be submitted to and approved in writing by the local planning authority prior to first installation.

(c) The development shall not be occupied until the scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. Thereafter the scheme shall be maintained in perpetuity.

In respect of the separating elements between commercial and residential I recommend the following:

Noise Impact on Structurally Adjoining Properties/Premises

(a) No development beyond piling shall commence until full written details, including relevant drawings and specifications of the proposed works of sounds insulation against airborne noise to meet $D'nT,w + Ctr$ dB of not less than 55 for walls and/or ceilings where residential parties non domestic use shall be submitted to and approved in writing by the local planning authority.

(b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.

(c) The soundproofing shall be retained permanently in accordance with the approved details

Whilst I note the submitted outline construction and Environmental Management Plan prepared by Kitewood Estates dated December 2022 I would recommend the following condition be attached to any consent:

Construction Environment Management Plan

No development (excluding demolition and required below ground works circa. 1 meter) shall commence on site until such time as a Construction Management Plan, in general accordance with the Outline Construction Logistics Plan (prepared by Kitewood Estates dated December 2022) has been submitted to and approved in writing by the local planning authority. The Plan shall cover:

(a) Dust mitigation measures with regard to Mayor's "Control of Dust and Emissions During Construction and Demolition" (SPG) dated July 2014

(b) The location and operation of plant and wheel washing facilities

(c) Details of best practical measures to be employed to mitigate noise, Vibration arising out of the construction process

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

(e) Security Management (to minimise risks to unauthorised personnel).

(f) Details of the training of site operatives to follow the Construction Environment Management Plan requirements.

(g) An Operational Unexploded Ordnance (UXO) Emergency Response Plan

Moving on to matters relating to contaminated land I note the findings of the Phase I Desk Study and Site Reconnaissance prepared by Leap Environmental Limited Report Reference: LP3169 dated 19th December 2022 and recommend the following condition be attached to any consent:

Ecology Comments (Came through Friday)

Reviewed documents:

- Preliminary Ecological Assessment (PEA)
- Outline Construction and Management Plan (CMP)
- Proposed Drawings
- Landscape Design Statement