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Our ref: P18-587-L03v1  
7 January 2019

By email only: [J.Gerring@sstaffs.gov.uk](mailto:J.Gerring@sstaffs.gov.uk)

Dear John,

**Re: West Midlands Interchange, Four Ashes :  
Comments on Resound Acoustics Technical Note dated 10<sup>th</sup> December 2018**

## IN CONFIDENCE

Further to your recent instruction to review the noise chapter (and Addendum) of the Environmental Statement, I am writing with some additional comments on the arguments presented by yourself and Mike Brownstone of Resound Acoustics Ltd (RAL) which are set out in the RAL Technical Note of 10<sup>th</sup> December 2018.

Much of the argument between the two parties in the Technical Note relates to different interpretations of national planning documents i.e. the NPS, NPSE and National Planning Practice Guidance. I can follow your reasoning and, in many respects that of RAL. However, I suspect that the planning inspector would have little interest in exploring what might be considered to be rather academic arguments about nuances of national noise policy.

In our experience the Inspector is likely to adopt a more pragmatic approach when it comes to environmental noise, the main questions being:- is a reasonable scheme of noise mitigation being provided and, if so, will there remain any unacceptable harm?

On the first question, it is clear that the applicant is proposing an extensive noise mitigation scheme. This includes substantial earth bunding and sound insulation of the warehouse buildings.

We think that the RAL statement in the noise chapter about 'unacceptable impact' and the trigger levels of the NIR 1975 and NIR 1996 is a red herring. Of course, the applicant has a duty to adhere to the statutory requirements of those insulation schemes. However, in this particular case a bespoke sound insulation scheme is proposed for operational noise based on criteria taken from BS4142. This of course would trigger sound insulation at noise levels far lower than those required under the statutory schemes.

Regarding 'eligibility distance' for sound insulation it is clear that the statutory insulation schemes must adhere to the 300m cut off distance. On the face of it, for the bespoke scheme a similar cut off distance of 300m from the nearest site boundary would not appear to be an unreasonable distance. However, we agree with you that this would be quite arbitrary and if it is the case that properties that would be significantly adversely affected by noise lie outside that distance, then they should be eligible for sound insulation irrespective of an arbitrary distance.

It does not appear to be unreasonable to limit the sound insulation scheme to residential properties, particularly if the eligibility criteria are based upon BS4142.

The key aspect, as you have identified and as we have stated in our review, is that the sound insulation scheme will not ameliorate noise levels outside dwellings. As the RAL noise calculations and assessment already take into account the effect of the proposed acoustic bunding the predicted levels of operational noise will remain as tabled in the noise chapter and Addendum.

On the face of it, BS4142 Rating Levels which exceed the daytime background noise by 'around 10 dB' or more in outdoor amenity areas of dwellings (including mitigation) would amount to 'significant adverse impact'. Thus, this fails to avoid a SOAEL situation (as defined in the PPG) where the quality of outdoor living conditions would be diminished due to a change in the acoustic character of the area. The outdoor noise impact is highlighted in our review and presumably this aspect will be the main thrust of your objection.

However, this analysis is just an initial assessment and BS4142 requires that due regard also needs to be given to contextual factors including the absolute levels. The example of Crateford Lane given in our review report highlights the fact that in absolute terms, the level of predicted operational noise is actually low, at 41 dB  $L_{Aeq}$  at this location. That represents a low level of noise in the daytime from a strategic national network facility. Moreover, as RAL have identified, even including an allowance for the character of the noise, the Rating Levels at all assessment locations would be within the upper limit recommended for gardens within BS8233. This is important in terms of your objection to the proposal.

The NPS accepts (in 3.4) that whilst national networks should be delivered in an environmentally sensitive way 'some adverse local effects of development may remain'. Thus, if the applicant can demonstrate to the Inspector that all reasonably practicable noise mitigation measures will be implemented, and that the remaining local effect of noise in gardens will actually be within levels recommended in an adopted British Standard, they would appear to have a valid noise planning case.

In terms of possible further work to assist you we do not have any reason to suspect the veracity and accuracy of the RAL background noise readings, noise modelling and data analysis. In our view, considerable time and expense could be used up unnecessarily if you wish us to investigate these aspects. We would suggest that a possibly more productive avenue would be to carry out a more detailed investigation into the potential effect on outdoor living conditions at a sample of the assessment locations. This would essentially be a desk study interrogation of the RAL noise data in more detail and backed up by some site visit work to understand the location/orientation/extent of gardens of dwellings at the relevant assessment locations.

Yours sincerely,  
For Hepworth Acoustics Ltd



Paul Bassett BSc MSc FIOA  
Technical Director