

BS4142 provides a means of evaluating noise by comparing the noise level from a new fixed installation with the background noise in the absence of the “new” noise.

To allow the air conditioning/ventilation equipment to operate at any time, its permitted noise emission needs to have regard to background noise levels at night. The “rating level” of the equipment (as defined in BS4142) should therefore not exceed the background noise level by more than 3dBA. I recommend that permission be granted, subject to the following condition:

The rating noise level attributable to the operation of all fixed air conditioning and ventilation plant/equipment at the application site shall not exceed 34 dB LAeq measured over the reference time interval at the boundary between the South Aylesford Retail Park and houses in Russett Close.

The “rating level” and “reference time interval” are defined in British Standard 4142:1997.

4.3 Private Reps: 15/0X/2R/0S. Objections received on the following grounds:

- Existing noise levels exacerbated by addition of extractors.
- No soundproofing indicated.
- No noise report submitted.
- Units should be moved to the front of the store or screened.

5. Determining Issues:

- 5.1 The condenser units are sited in the rear servicing area and surrounded by a metal pallisade fence. Given that this area is not open to public view it is considered that the main issue is that of noise and disturbance from the equipment and the consequential impact on the residential properties in Russett Close.
- 5.2 The air conditioning units are situated approximately 40m from the rear walls of the nearest houses in Russett Close. These properties are situated considerably higher than the retail park itself. The units as installed do not feature any methods of acoustic attenuation. DHH initially requested that the applicants demonstrate that the air conditioning equipment would be capable of meeting an appropriate acoustic standard. However, following a number of requests for further information, none has been received although DHH does consider that there would be a technical solution to overcome the problem.
- 5.3 There are no objections in principle to the provision of air conditioning and ventilation in buildings, subject to the works not being detrimental to the amenity of adjacent buildings. It is clear that noise arising from operation of the air conditioning units, especially when combined with that from the roof-mounted

units, does currently cause disturbance and harm to the amenities of nearby residents. Unless some form of acoustic treatment is applied, therefore, this proposal as it stands is not acceptable. However, it would not be appropriate to refuse the application outright as there are a number of possible technical solutions that could be applied in order to make the works acceptable in terms of their impact on residential amenity. It would also be possible to achieve the required control over noise levels through the imposition of a suitable condition on a planning permission.

- 5.4 It would have been preferable to have details of the noise attenuation measures set out in the application itself. However, given the retrospective nature of the application and the lack of information from the applicants regarding noise levels or any mitigation measures I have now formed the view that the imposition of a condition is the most practical step that can be taken to overcome the local concerns. The application is therefore considered to be acceptable subject to a condition setting a maximum noise level for the equipment.
- 5.5 Should the applicants fail to adhere to the stipulated condition, it would be my intention to seek to secure such compliance through service of a Breach of Conditions Notice. It would be appropriate to allow a certain amount of time, having first warned them, for the necessary works to be carried out, but this period should, in my view, be minimal. It would be necessary to carry out technical tests before serving such a Notice and the ability to do this properly may be influenced by atmosphere conditions.

6. Recommendation:

6.1 Grant Planning Permission subject to the following condition:

- 1 The rating noise level attributable to the operation of all fixed air conditioning and ventilation plant/equipment at the application site shall not exceed 34 dB LAeq measured over the reference time interval at the boundary between the South Aylesford Retail Park and houses in Russett Close.

The “rating level” and “reference time interval” are defined in British Standard 4142:1997.

Reason: In the interests of the aural amenity of the residents of the adjoining properties.

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