
MEMO

From Jonathan Rigg, RP Acoustics Ltd
To Phil Fletcher
Project Land Adjacent Newton Court, Barnsley, S70 6DF
Reference 1148/memo/01
Date 6th May 2025



Thank you for forwarding the EHO Consultation Response in respect of Planning Application 2025/0108 'Discharge of Condition 6' Noise Impact Assessment of 2023/0369). I respond as follows:

Planning History

Planning Permission 2020/00023 for a 3 storey apartment block containing 4 no. apartments (outline permission) was granted by Barnsley Metropolitan Borough Council on 22nd April 2020, subject to conditions. Condition 5 stated *'Upon commencement of the development, details of the measures incorporated in the building to restrict noise pollution in line with BS 8233 shall be submitted to and approved in writing by the Local Planning Authority. Once agreed these shall be installed in the development and thereafter maintained.'*

This requirement was discharged with RP Acoustics Limited Noise Impact Assessment Reference CDIS/1148/23/190/v1.0/Newton Street Barnsley dated 15th May 2023. Note the Condition required an assessment in line with BS 8233 and therefore this was one of (but not the sole) assessment criteria contained in the report. I will return to this below.

Planning Permission 2023/0369 for a 3 storey apartment block containing 4 no. apartments (approval of reserved matters) was granted by Barnsley Metropolitan Borough Council on 30th April 2023, subject to conditions. Condition 6 stated *'Prior to development commencing, a Noise Impact Assessment (notwithstanding the required information to discharge Condition 5 of the Outline Application 2020/0023) shall be carried out to determine the noise impact from the 2 no. external extraction plant closest to the proposed development. The assessment must be carried out by a suitably qualified acoustic consultant / engineer and follow the principles contained in BS 4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound. The results of this assessment and recommended mitigation shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the development is first occupied or the use commences and shall be thereafter maintained.'*

Planning Application 2025/0108 discharge of Condition 6 (Noise Impact Assessment) of 2023/0369.

The comments from Pollution Control in respect of 2025/0108 are understood (as one cannot access the actual consultation response via Planning Explorer) to be:

'The Noise Impact Assessment (NIA) submitted with 2025/0108 appears to be the same report as was submitted previously. Condition 6 of the 2023/0369 application required a NIA to be

carried out to assess noise from the nearby extraction plant specifically, using BS4142 methodology. This has not been provided therefore I object to the discharge of this condition.'

For further reference, the Officer's Report for 2023/0369 contained the following:

'The proposed development has been supported by a noise survey which did not address the impact of the neighbouring extraction units on the flats. Colleagues in Pollution Control did not object to the scheme but requested a condition requiring a full noise impact assessment to be submitted and agreed by the LPA prior to development commencing.'

For the record, RP Acoustics Limited had not seen sight of Planning Permission 2023/0369. It was simply a case of the noise impact assessment for the outline permission being re-submitted by the applicant for 2023/0369.

Turning to the noise impact assessment submitted, it most certainly does consider the potential noise impact of the extraction units as I will now clarify by repeating and expanding upon the text from the assessment.

Firstly, the layout of the proposed apartments is such that there are living rooms at the front (facing Newton Street) and bedrooms at the rear. Secondly, there are two extracts in the locality, one serving Raja's at the corner of Summer Lane and Newton Street, and the other serving a Pizza Zone a short distance from Raja's. The extract at the rear (Raja's) is the principal extract, albeit it is not overly loud (I would very strongly presume that there has been no history of complaints from existing apartments and dwelling houses on Newton Street which are immediately adjacent to the application site).

Turning to the noise measurement data, and the consideration of the extract(s).

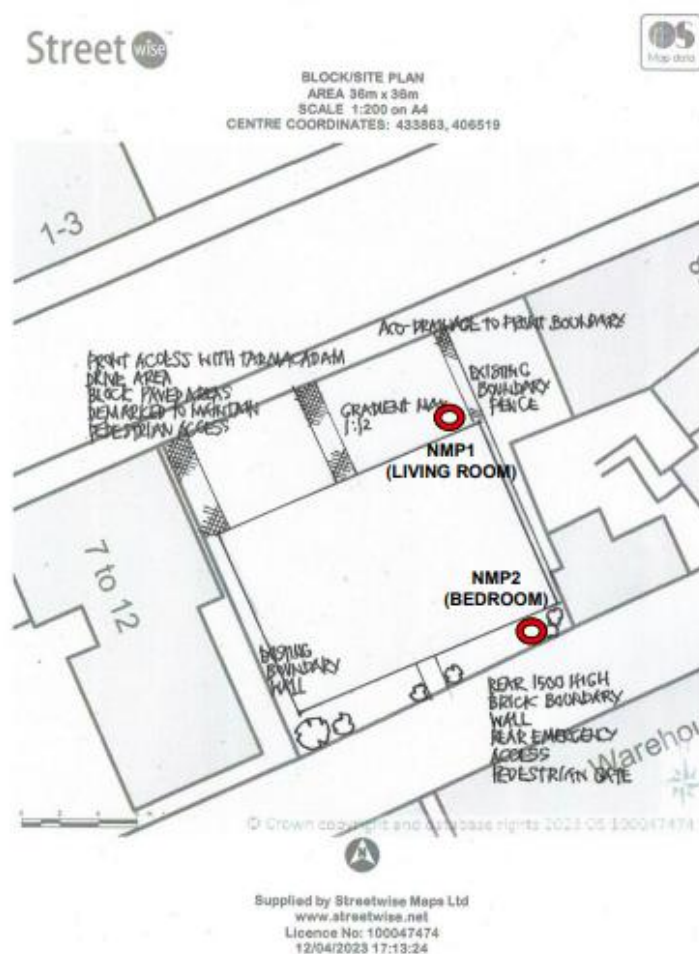
At NMP1 (front façade of the proposed apartments; living rooms), the daytime ambient noise level was 57 dB LAeq (0700–2300). This was entirely due to road traffic noise (see Table 3.1 of the NIA). The ambient noise level (LAeq) was unchanged with the onset of Rajas extract at circa 1730 hours. The background noise level was noted to increase slightly from 54 dB LA90 (1645–1730; extract off) to 56 dB LA90 (1730–1745). As Rajas operated continuously throughout the latter measurement, the extract LAeq $\approx$ LA90. The noise level of the extract was calculated by logarithmic subtraction of the LA90 residual background (i.e. extract off) from that of the LA90 residual background and the extract on i.e. $56 - 54 = 52$ dB(A) extract at NMP1. This is wholly commensurate with subjective aural observations made during the course of the noise survey. This is clearly set out in Paragraph 3.08 of the NIA. Road traffic is the dominant noise source during the daytime at NMP1 (living rooms). Appendix 6 of the NIA even included a tonality assessment to demonstrate that Raja's extract was broadband in character, not tonal.

At NMP2 (rear façade of the proposed apartments; bedrooms), the daytime ambient noise level was 55 dB LAeq (1545–1645). This was entirely due to road traffic noise (see Table 3.1 of the NIA). For reference NMP2 has a slightly reduced line of sight to Summer Lane than NMP1, thus 2 dB lower. At NMP2 (rear façade of the apartments, bedrooms) with both extracts running (albeit the Raja's extract being the primary source of extract noise not Pizza Zone extract), the ambient noise level was 51 dB LAeq (2300–0000); this was entirely due to road traffic noise as evidenced by the LA10 being 3 dB higher than the LAeq. The background noise level was 48 dB LA90 (2300–0000) which is due to the residual climate with a contribution from Raja's extract (not Pizza Zone). For reference, with the development built out, the Raja's extract will be fully screened from NMP2 (rear façade of the apartments; bedrooms) by the building itself.

Table 3.1 – Baseline Noise Measurement Data (April 2023)

NMP	Date	Time	LAeq (dB)	LA90 (dB)	LA10 (dB)	LA1 (dB)	Comments
NMP1	Monday 20/04/2023	1345–1445	57	51	60	63	Summer Lane & Newton Street traffic
	Monday 20/04/2023	1445–1545	57	51	60	63	Takeaway extract switched on at 1730 hours; circa 52 to 53 dB(A) and broadband in character
	Monday 20/04/2023	1545–1645	57	51	60	63	
	Monday 27/04/2023	1645–1730	57	54	59	62	
	Monday 27/04/2023	1730–1745	57	56	60	61	
57 dB LAeq (0700–2300) and 49 dB LAeq (2300–0700) based on CRTN and TRL							
NMP2	Monday 27/04/2023	1545–1645	55	51	58	63	Summer Lane & Newton Street traffic;
	Monday 20/04/2023	2300–0000	51	48	54	58	Takeaway extract (broadband)

**APPENDIX 4
NOISE MONITORING POSITIONS**



If one recalls PPG 24 Planning and Noise (effectively repealed by NPPF), this had noise exposure categories. PPG 24 Annex 1 Paragraph 3 stated *'The NEC levels should not be used for assessing the impact of industrial noise on proposed residential development because the nature of this type of noise, and local circumstances, may necessitate individual assessment and because there is insufficient information on people's response to industrial noise to allow detailed guidance to be given. However, at a mixed source site where industrial noise is present but not dominant, its contribution should be included in the noise level used to establish the appropriate NEC.'*

It is clear, from both the noise measurement data set out in the NIA and by subjective aural observations, that extract noise is not dominant at the application site. It is at worst a mixed use site.

Now turning to the 'principles' contained in BS 4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound, this case is the introduction of a new noise sensitive receptor (apartments) into a mixed soundscape of road traffic and commercial flues. In this scenario, BS 4142 Paragraph 8.5 states *'Where a new noise-sensitive receptor is introduced and there is extant industrial and/or commercial sound, it should be recognized that the industrial and/or commercial sound forms a component of the acoustic environment. In such circumstances other guidance and criteria in addition to or alternative to this standard can also inform the appropriateness of both introducing a new noise-sensitive receptor and the extent of required noise mitigation.'*

So one has the situation where the principal noise source is road traffic noise, with an underlying contribution from primarily Raja's extract which has been proven to be non-tonal (and which will be completely eradicated from NM2 (rear façade of the proposed apartments; bedroom) when the development is built out).

In such a circumstance BS 4142 advises to use other guidance such as BS 8233 as the industrial / commercial sound is not dominant nor warrants any acoustic penalty.

In conclusion:

- The original noise impact assessment did consider the noise of the extracts
- Raja's is the primary extract not Pizza Zone (the latter being wholly insignificant)
- Raja's extract is not the dominant noise source incident upon living rooms to the front; it is Summer Lane traffic
- Raja's extract will have no impact whatsoever on bedrooms to the rear when the development is built-out as it will be fully and substantially screened (it has no impact now even when unscreened)
- The noise mitigation scheme is robust

I trust this answers in detail all of the queries raised by Pollution Control.

Best regards

Jonathan Rigg
Associate Member of the Institute of Acoustics
RP Acoustics Ltd