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17 March 2016

Your contact is: Richard Eatough, Planning

Dear John,

Application for approval of details reserved by condition (141043)
Condition 14: plant emission details
Thames Tower, 35-45 Station Road, Reading

I refer to our meeting on 25 February with your client and noise consultant and the letter from Matthew Cruttenden of Bowmer and Kirkland dated 3 March.

Background

Condition 14 of permission 141043 states:

No occupation of the development shall take place until sound emission details of the proposed plant have been submitted to and approved in writing by the Local Planning Authority. The emission levels shall attain the levels outlined in the submitted document, Thames Tower, Reading: Noise Impact Assessment (dated 19 June 2014) by Ramboll (ref.: 33095-AC-R02). The plant shall thereafter only be installed as approved and be retained thereafter, to continue to achieve the levels indicated in the noise impact assessment, in accordance with BS4142:1997 methodology. Reason: as no details of fixed plant have been submitted and to ensure that plant noise does not disturb the nearest noise-sensitive receptors.

Policies: CS34, DM4

Material submitted to satisfy the condition

You have submitted document reference 20523R04KDmdw “MECHANICAL SERVICES PLANT NOISE IMPACT ASSESSMENT, THAMES TOWER, READING” by Environoise, dated 6 November 2015.

Decision

Officers agree that the information submitted is acceptable and therefore Condition 14 of planning permission 141043 is hereby discharged, providing that the development is undertaken in accordance with the approved details.

Further advice in relation to potential noise complaints

Notwithstanding the decision above that the above planning condition has been discharged, it remains the view of both the Council’s Planning and Environmental Protection Officers that the noise levels to be produced by the equipment are highly likely to be a cause of concern in relation to emerging residential developments on adjacent sites and will lead to a potentially unacceptable level of residential amenity as a result of your development when windows are open or balconies are used and a ‘creeping’ increase in background noise levels.

Our meeting agreed that the nearest affected residential receptors were going to be the new dwellings which would be accommodated (in some form) in the 29-35 Station Road site. However, at the time of the consideration and granting of your permission, there was no extant planning permission on this neighbouring site. Your view is that this future development should accommodate the existing noise environment and that your development should not have to be sensitive to these future residential receptors. Officers will ensure that this development is as protected from this noise source as it can be.

Nonetheless, the advice from our EHO is that if the plant is installed as approved, disturbance to neighbouring residential properties at 29-35 is likely.

Were this to become a proven Statutory Nuisance, this could lead to the serving of one or more Noise Abatement Notices under the Environmental Protection Act 1990 (EPA), requiring the plant noise to be mitigated to a suitable level, which could be extremely costly to rectify and may put the use of the building at risk.

Therefore in order to minimise the future likelihood of complaints and possible serving of (a) abatement notice(s) under the EPA, we would encourage your client to consider the following:

- Provide plant noise mitigation in the form of some kind of lightweight ‘hat’ or brim to the units, to provide a barrier (line of sight) to the upper floor units of 29-35 Station Road (see planning application 151962 on our website for relative floor levels)

- Investigating to what extent the units can be controlled to ensure that the noise levels are lower at night
- Look at re-orientating the units
- Look at providing quieter plant units.

Officers will work to assist in any way possible to achieve any of the above options, including advising on the necessity for further approvals (e.g. under the Minor Amendment procedure, which avoids the need to return to the Planning Applications Committee) in order to approve any works which appear to differ from the approved plans.

Please let me know if I can assist further in the meantime.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'rm', followed by a long, horizontal, slightly wavy line that tapers off to the right.

Richard Eatough
Principal Planning Officer (North/Central)

cc. Rebecca Moon, RBC Environmental Protection