



**Live Odyssey**  
Unit 99 The Stables Market, Chalk Farm Road, NW1 8AH  
Noise Impact Assessment

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On behalf of: Live Odyssey Promotions Ltd  
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## **1.0 Qualifications and experience**

- 1.1 My name is Richard Vivian. I am the founder and director of Big Sky Acoustics Ltd. Big Sky Acoustics is an independent acoustic consultancy that is engaged by local authorities, private companies, public companies, residents' groups and individuals to provide advice on the assessment and control of noise.
- 1.2 I have a Bachelor of Engineering Degree with Honours from Kingston University, I am a Member of the Institution of Engineering & Technology, the Institute of Acoustics and the Institute of Licensing.
- 1.3 I have over thirty years of experience in the acoustics industry and have been involved in acoustic measurement and assessment throughout my career. My professional experience has included the assessment of noise in connection with planning, licensing and environmental protection relating to sites throughout the UK. I have given expert evidence in the courts, in licensing hearings, in planning hearings and in inquiries on many occasions.

## **2.0 Introduction**

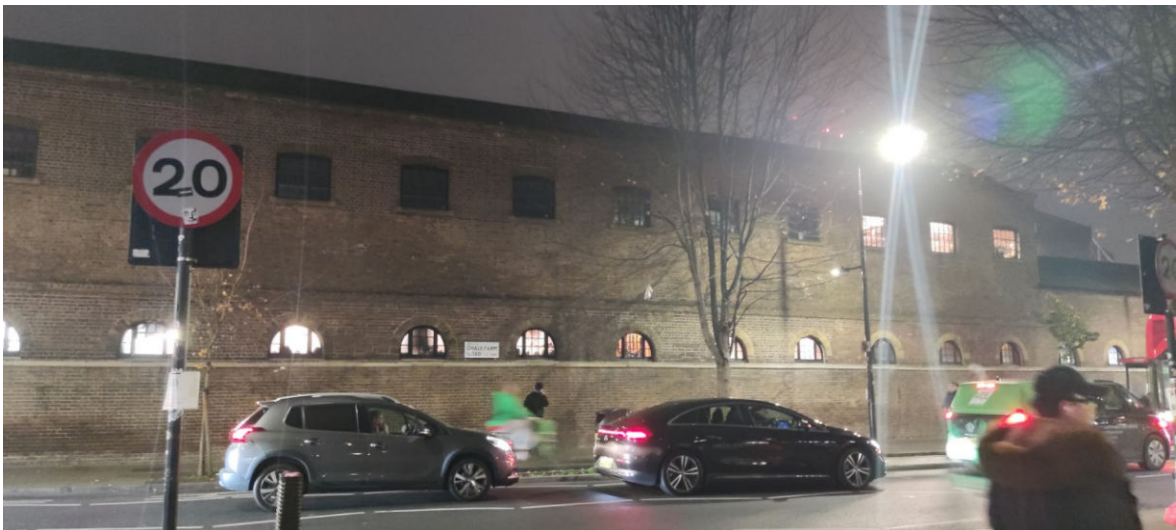
- 2.1 Big Sky Acoustics Ltd was instructed by Live Odyssey Promotions Ltd to carry out an assessment of the building, sound system design and operational procedures for noise management at the application site at Unit 99 The Stables Market, Chalk Farm Road, London, NW1 8AH.
- 2.2 The proposal is to operate the premises as a boutique heritage music venue. The proposed opening hours are 11:00 - 01:00hrs Monday to Sunday. All licensable activities would cease between half an hour and an hour before these times allowing for a managed and gradual dispersal.
- 2.3 This report was prepared following discussions with the client team, examination of the planning and licensing history for the site, a visit to the application site and an inspection of the building. I was already very familiar with the location of the building on the market site, and the area around the site.
- 2.4 A glossary of acoustical terms used in this report is provided in Appendix A.
- 2.5 All sound pressure levels in this report are given in dB re: 20µPa.

## **3.0 Application site and surrounding area**

- 3.1 The application site occupies seven small units at first floor level in The Stables Market. These are subdivided stabling associated with the historic use of the market site.
- 3.2 The nearest residential uses are flats above shops on the opposite of Chalk Farm Road and a mix of houses and flats on Hawley Street. Chalk Farm Road is a busy road, and the side streets that lead north east from Chalk Farm Road are quieter further away from the main road.



**Figure 1: View of the 99s on the right with the top of The Clash Steps in the centre of the image**



**Figure 2: View from Chalk Farm Road**



**Figure 3: Interior view of one of the seven units**

- 3.3 The application site has excellent access to public transport and the second highest PTAL<sup>1</sup> rating of 6a. Camden Town underground station is 430m to the south and Chalk Farm 520m to the north west. Camden Road rail station is 540m to the east. The site is served by many bus routes, including routes 24, 27, 31, 46, 88, 134, 168, 214, 274, 393 and C2 all serving the area.
- 3.4 During my recent site visit I walked around the area, which I already knew well. I have carried out many noise measurement surveys and observations in the vicinity and am familiar with the location of existing noise sources and general activity in the area during the day and the night. The noise climate at this location is characterised by continuous traffic, rail noise, commercial aircraft and significant pedestrian footfall as well as general activity in the market area. Daytime and early evening activity on the market site is primarily retail and food led, and in the summer, there is significant footfall in the market and along Chalk Farm Road from visitors to Camden. The commercial office space in the area also contributes to daytime footfall. There is activity in the evening associated with restaurants, bars and other leisure uses both on the market estate and in the wider Camden area.
- 3.5 It is important when assessing the impact of noise from an individual premises in an area that the concept of *additional* noise associated with the specific activity of that premises is taken into account. The incremental change to noise levels caused by the controlled operation of the proposed boutique heritage music venue in an area where there is already established noise and activity could be so small as to be undetectable when it is masked by the existing noise in the area.
- 3.6 It is also a consideration that a bona-fide commercial premises that is open at night can reduce street drinkers, rough sleeping, squatting, vandalism, littering and other anti-social behaviour as the commercial operation seeks to eliminate this type of activity from the public realm around the premises for the benefit and safety of their own patrons and employees. This is achieved through good lighting, CCTV coverage, and litter removal, as well as the presence of premises staff and trained security personnel on the market. This can discourage anti-social behaviour and therefore enhance pedestrian amenity, safety and usability, as well as reduce the perception and fear of crime to passers-by.

## 4.0 Criteria

### **NPPF**

- 4.1 The revised National Planning Policy Framework (NPPF) was last revised on 12 December 2024 and sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018, updated in February 2019, revised in July 2021 and updated in September 2023 and revised in December 2023.

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<sup>1</sup> The public transport accessibility level (PTAL) is a method used to assess the access level of geographical areas to public transport. The result is a grade from 1–6 (including sub-divisions 1a, 1b, 6a and 6b), where a PTAL of 1a indicates extremely poor access to the location by public transport, and a PTAL of 6b indicates excellent access by public transport.

- 4.2 References to noise can be found in Section 15 titled "Conserving and enhancing the natural environment". The NPPF states at Paragraph 187 sub-paragraph (e) *"Planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans"*.
- 4.3 The NPPF states at Paragraph 198 that *"Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason"*.
- 4.4 The comments about *adverse impacts on health and quality of life* are referenced<sup>2</sup> to the Noise Policy Statement for England (NPSE) published by the Department for Environment, Food & Rural Affairs in 2010. The NPSE is intended to apply to all forms of noise, including environmental noise, neighbour noise and neighbourhood noise.
- 4.5 The NPSE sets out the Government's long-term vision to *'promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development'* which is supported by the following aims:
- *Avoid significant adverse impacts on health and quality of life;*
  - *Mitigate and minimise adverse impacts on health and quality of life.*
- 4.6 The NPSE defines the concept of a 'significant observed adverse effect level' (SOAEL) as *'the level above which significant adverse effects on health and quality of life occur'*. The following guidance is provided within the NPSE: *'It is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times. It is acknowledged that further research is required to increase our understanding of what may constitute a significant adverse impact on health and quality of life from noise. However, not having specific SOAEL values in the NPSE provides the necessary policy flexibility until further evidence and suitable guidance is available.'*

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<sup>2</sup> NPPF at footnote 69

- 4.7 The Planning Practice Guidance (PPG) on Noise published by the Ministry of Housing, Communities & Local Government in March 2014 (last revised on 22 July 2019) is written to support the NPPF with more specific planning guidance on how planning can manage potential noise impacts in new development.
- 4.8 The PPG reflects the NPSE and states at Paragraph 001 that noise needs to be considered when development may create additional noise, or would be sensitive to the prevailing acoustic environment (including any anticipated changes to that environment from activities that are permitted but not yet commenced).

Perception	Examples of Outcomes	Increasing Effect Level	Action
<b>No Observed Effect Level (NOEL)</b>			
Not present	No Effect	No Observed Effect	No specific measures required
<b>No Observed Adverse Effect Level (NOAEL)</b>			
Present and not intrusive	Noise can be heard, but does not cause any change in behaviour, attitude or other physiological response. Can slightly affect the acoustic character of the area but not such that there is a change in the quality of life	No Observed Adverse Effect	No specific measures required
<b>Lowest Observed Adverse Effect Level (LOAEL)</b>			
Present and intrusive	Noise can be heard and causes small changes in behaviour, attitude or other physiological response, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a small actual or perceived change in the quality of life	Observed Adverse Effect	Mitigate and reduce to a minimum
<b>Significant Observed Adverse Effect Level (SOAEL)</b>			
Present and disruptive	The noise causes a material change in behaviour, attitude or other physiological response, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in acoustic character of the area	Significant Observed Adverse Effect	Avoid
Present and very disruptive	Extensive and regular changes in behaviour, attitude or other physiological response and/or an inability to mitigate effect of noise leading to psychological stress, e.g. regular sleep deprivation/awakening; loss of appetite, significant, medically definable harm, e.g. auditory and non-auditory	Unacceptable Adverse Effect	Prevent

**Figure 4: PPG Noise Exposure Hierarchy Table (revision date: 22.07.2019)**



- 4.9 The PPG clarifies at Paragraph 002 that it is important to look at noise in the context of the wider characteristics of a development proposal, its likely users and its surroundings, as these can have an important effect on whether noise is likely to pose a concern.
- 4.10 The PPG expands upon the concept of SOAEL (together with Lowest Observed Adverse Effect Level, LOAEL and No Observed Effect Level, NOEL) as introduced in the NPSE and provides a table of noise exposure hierarchy for use in noise impact assessments in the planning system.
- 4.11 Figure 4 above is reproduced from PPG Paragraph 005 and summarises the noise exposure hierarchy, based on the likely average response.
- 4.12 The PPG at Paragraph 005 considers that a noise impact with an effects level which is lower than SOAEL is acceptable but that consideration needs to be given to mitigating and minimising those effects (taking account of the economic and social benefits being derived from the activity causing the noise).
- 4.13 When the significant observed adverse effect level boundary is crossed noise causes a material change in behaviour such as keeping windows closed for most of the time or avoiding certain activities during periods when the noise is present. If the exposure is predicted to be above this level the planning process should be used to avoid this effect occurring, for example through the choice of sites at the plan-making stage, or by use of appropriate mitigation such as by altering the design and layout. While such decisions must be made taking account of the economic and social benefit of the activity causing or affected by the noise, it is undesirable for such exposure to be caused.
- 4.14 At the highest extreme, noise exposure would cause extensive and sustained adverse changes in behaviour and/or health without an ability to mitigate the effect of the noise. The impacts on health and quality of life are such that, regardless of the benefits of the activity causing the noise, this situation should be avoided.

### **The London Plan 2021**

- 4.15 The London Plan 2021 is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and is the Mayor's vision for Good Growth.
- 4.16 **Policy HC5** recognises London's rich cultural offer includes visual and performing arts, music, spectator sports, festivals and carnivals, pop-ups and street markets, and a diverse and innovative food scene, which is important for London's cultural tourism. It supports the continued growth and evolution of London's diverse cultural facilities and creative industries. Development Plans and development proposals should protect existing cultural venues, facilities and uses where appropriate and support the development of new cultural venues in town centres and places with good public transport connectivity.

- 4.17 **Policy HC6** promotes the night-time economy<sup>3</sup>, where appropriate, particularly in the Central Activities Zone, strategic areas of night-time activity, and town centres where public transport such as the Night Tube and Night Buses are available. It protects and supports evening and night-time cultural venues such as pubs, nightclubs, theatres, cinemas, music and other arts venues, and encourages the management of the night-time economy through an integrated approach to planning and licensing.
- 4.18 **Policy D13** tables the Agent of Change principle and states that new noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.
- 4.19 **Policy D14** addresses the reduction, management and mitigation of noise. It encourages good acoustic design and notes that the management of noise should be an integral part of development proposals and considered as early as possible. It recognises that consideration of existing noise sensitivity within an area is important to minimise potential conflicts of uses or activities, for example in relation to internationally important nature conservation sites which contain noise-sensitive wildlife species, or parks and green spaces affected by traffic noise and pollution.
- 4.20 **Policy DM 15.7 Noise and light pollution** requires developers to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces. Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise attenuation and restrictions on operating hours will be implemented through appropriate planning conditions.
- 4.21 **Policy DM 21.3 Residential environment** states that the amenity of existing residents within identified residential areas will be protected by resisting other uses which would cause undue noise disturbance, fumes and smells and vehicle or pedestrian movements likely to cause disturbance and requires new development near existing dwellings to demonstrate adequate mitigation measures. It acknowledges that the City is predominately a centre of business, with activity taking place 24 hours a day, 7 days a week and this sometimes results in noise and disturbance to residents and that it is inevitable that living in such a densely built-up area will result in some disturbance from a variety of sources.
- 4.22 **Policy DM 3.5 Night-time entertainment** states that proposals will only be permitted where it can be demonstrated that, either individually or cumulatively, there is no unacceptable impact on the amenity of residents and other noise-

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<sup>3</sup> The night-time economy refers to all economic activity taking place between the hours of 6pm and 6am, and includes evening uses. Night-time economic activities include eating, drinking, entertainment, shopping and spectator sports, as well as hospitality, cleaning, wholesale and distribution, transport and medical services, which employ a large number of night-time workers - paragraph 7.6.1 The London Plan.

sensitive uses. Applicants will be required to submit Management Statements detailing how these issues will be addressed. The policy acknowledges that night-time entertainment uses in the City include premises and cafés (A3), drinking establishments (A4), hot food takeaways (A5) and other related uses including, for example, a nightclub or a mix of such uses and that they form part of the City's wider night-time economy, which includes 24-hour trading with other financial centres around the globe. The control of night-time entertainment and licensed premises is undertaken through the operation of both planning and licensing regimes and, in general, the planning regime controls the location, design and planning use of premises to protect the amenity of an area or local residents, whilst the licensing regime is used, having regard to licensing objectives, to control specific activities at premises to prevent, for example, noise and other public nuisance.

### **Camden Local Plan Policies A4 and A1**

- 4.23 The Local Plan was adopted by Camden Council on 3 July 2017 and has replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions and future development in the borough. Noise and vibration can have a significant impact on amenity, quality of life and well-being. Local Plan Policies A4 (Noise and vibration) and A1 (Managing the impact of development) seek to protect residents of both existing and new residential developments and the occupiers of other noise-sensitive developments from the adverse effects of noise and vibration.
- 4.24 Appendix 3 of the Local Plan supports these policies and sets out expected standard in terms of noise and vibration. Table D proposes noise levels applicable to proposed entertainment premises and indicates that night time noise levels in gardens that does not exceed the higher of 45dB  $L_{Aeq,5mins}$  or 10dB below the existing  $L_{Aeq,5mins}$  would be rated as LOAEL (see Figure 1) and noise that does not exceed the higher of 46-50dB  $L_{Aeq,5mins}$  or 9-3dB below the existing  $L_{Aeq,5mins}$  would be rated as LOAEL to SOAEL. It also proposes internal levels in bedrooms at night (23:00-07:00hrs) that do not exceed NR25 when measured as a 15-min  $L_{eq}$ .

### **Licensing Act 2003**

- 4.25 The Licensing Act 2003 requires the London Borough of Camden, in its role as Licensing Authority, to carry out its various licensing functions to promote the following four licensing objectives:
- The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harm
- 4.26 Each objective is of equal importance. It is important to note that there are no other licensing objectives, therefore these four are of paramount importance at all

times. The Licensing Authority must base its decisions about determining applications and attaching any conditions to licences, on the promotion of these four licensing objectives.

- 4.27 The Licensing Act 2003 further requires the Licensing Authority to publish a Statement of Licensing Policy (SLP) that sets out the policies the Licensing Authority will apply to promote the licensing objectives when making decisions on applications made under the Act. The current SLP covers the period from 31 January 2022 to 30 January 2027 and recognises that licensed premises provide a valuable service to people living in, working in, and visiting the borough. The role of the Licensing Authority is to exercise its statutory powers to promote the licensing objectives, and it must not impose restrictions on existing or proposed activities except where it is deemed appropriate and proportionate to do so.
- 4.28 Public Nuisance is addressed in paragraph 4.39-4.44 of the SLP. Paragraph 4.39 states: *"We expect the operation of licensed premises not to unreasonably interfere with the personal comfort or amenity of immediate neighbours of the nearby community"*.
- 4.29 When it comes to the evaluation of noise under the Licensing Act an understanding of the concept of *public nuisance* is essential. Public nuisance is not narrowly defined in the Licensing Act and retains its broad common law meaning. It may include the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.
- 4.30 Once those involved in making licensing decisions are satisfied of the existence of a public nuisance, or its potential to exist, the question is how to address it. Home Office Guidance<sup>4</sup> is useful in this regard and explains that, in the context of noise nuisance, conditions might be a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time, noting that conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable.
- 4.31 The guidance is clear that any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community.
- 4.32 The guidance also states that any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 23:00 and 08:00hrs even though it is deregulated at other times.

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<sup>4</sup> Revised Guidance issued under section 182 of the Licensing Act 2003, December 2023

- 4.33 As with all premises licence conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises.

### **Other relevant legislation**

- 4.34 In addition to the protection afforded under planning controls and the Licensing Act 2003, members of the public are protected from noise that is a nuisance.
- 4.35 The Environmental Protection Act 1990 part III deals with statutory nuisance which includes noise. This Act allows steps to be taken to investigate any complaints which may then result in the issuing of an abatement notice and a subsequent prosecution of any breach of the notice. A statutory nuisance is a material interference that is prejudicial to health or a nuisance.
- 4.36 The Clean Neighbourhoods and Environment Act 2005 deals with many of the problems affecting the quality of the local environment and provides local authorities with powers to tackle poor environmental quality and anti-social behaviour in relation to litter, graffiti, waste and noise. A fixed penalty notice can be issued when noise exceeds the permitted level at night as prescribed under the Noise Act 1996 as amended by the Clean Neighbourhoods and Environment Act. The permitted noise level using A-weighted decibels (the unit environmental noise is usually measured in) is 34dBA if the underlying level of noise is no more than 24dBA, or 10dBA above the underlying level of noise if this is more than 24dBA.
- 4.37 The Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as "*conduct that has caused, or is likely to cause, harassment, alarm or distress to any person*"; "*conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises*"; or "*conduct capable of causing housing-related nuisance or annoyance to a person*". The Act contains a range of powers intended to support Local Authority and partner bodies dealing with anti-social behaviour. These include powers of premises closure in cases of nuisance or disorder which may support primary legislation.

### **British Standard 8233**

- 4.38 BS8233:2014 states that for steady external noise sources, it is desirable that the internal ambient noise level in dwellings does not exceed the guideline values in the table shown below.

<b>Activity</b>	<b>Location</b>	<b>07:00 to 23:00</b>	<b>23:00 to 07:00</b>
Resting	Living room	35 dB $L_{Aeq,16hour}$	-
Dining	Dining room/area	40 dB $L_{Aeq,16hour}$	-
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq,16hour}$	30dB $L_{Aeq,8hour}$

**Figure 5: Indoor ambient noise levels for dwellings (from BS8233 Table 4)**

- 4.39 Annex G of BS8233 informs that windows, and any trickle ventilators, are normally the weakest part of a brick and block façade. Insulating glass units have a sound insulation of approximately 33 dB  $R_w$  and, assuming suitable sound-attenuating trickle ventilators are used, the resulting internal noise level ought to be determined by the windows. If partially open windows are relied upon for background ventilation, the insulation would be reduced to approximately 15 dB.

## 5.0 Balancing planning and licensing noise conditions

- 5.1 The guidance issued under Section 182 of the Licensing Act 2003 is clear in its general principles (Para 1.16) that *"[licencing conditions] should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation"*. Therefore if the objective of the prevention of public nuisance is satisfactorily upheld because there already exist tests of nuisance through The Environmental Protection Act 1990; The Noise Act 1996; and The Clean Neighbourhoods and Environment Act 2005, then additional conditions on a premises licence that merely duplicates these statutory requirements should not be necessary according to Home Office guidance.
- 5.2 Similarly planning guidance has, for a long time, stated that additional planning conditions which duplicate the effect of other legislation should not be imposed, and current planning practice guidance is clear that conditions requiring compliance with other regulatory requirements will not meet the test of necessity and may not be relevant to planning.
- 5.3 The House of Lords Select Committee in its 2017 post-legislative scrutiny of the Licensing Act<sup>5</sup> found that *"it is not only permissible but logical to look at licencing as an extension of the planning process"*. In its follow-up report<sup>6</sup> of 2022, the Committee concluded that it *"is disappointed that no practical progress has been made to address the lack of coordination between the licencing and planning systems. It is clear that issues between the two systems remain and we regret that there has been no initiative from Government to take forward the work undertaken to explore solutions"* (paragraph 31) and adds *"The Government must consider the coordination between the licencing and planning systems in its ongoing planning reforms in the Levelling-up and Regeneration Bill to ensure new proposals do not further exacerbate tensions between the two systems"* (paragraph 34).
- 5.4 The Local Government Association Licensing Act 2003 Councillor's handbook<sup>7</sup> states that *"Whilst there is a clear distinction and separation between licencing and planning in terms of their remit, councillors have a key role in ensuring that these two different services are fully joined-up and aligned. Where this doesn't happen councils can struggle to shape their areas as they would like them to be."*

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<sup>5</sup> Select Committee on the Licensing Act 2003, The Licensing Act 2003: post-legislative scrutiny (Report of Session 016–17, HL Paper 146)

<sup>6</sup> Liaison Committee on the Licensing Act 2003, The Licensing Act 2003: post-legislative scrutiny follow-up report (2<sup>nd</sup> Report of Session 2022–23, HL Paper 39)

<sup>7</sup> Local Government Association, Licensing Act 2003 – Councillor's handbook (England and Wales) (July 2021)

## **Operational objectives**

- 5.5 Live Odyssey Promotions Ltd is committed to promoting good relationships with their commercial and residential neighbours and therefore, in addition to all statutory obligations, it will be a primary operational objective that noise from the proposed use will not have a detrimental impact on the neighbourhood.
- 5.6 To support this commitment a suite of conditions to support the licensing objective for the prevention of public nuisance have been proposed and these can be found in Appendix C of this report.
- 5.7 In addition, best-practice noise management and dispersal procedures have been developed for the site. A Noise Management Policy has been prepared as well as a Dispersal Policy, and these can be found at Appendix D and Appendix E respectively.

## **6.0 Predicted noise of patrons leaving the premises**

- 6.1 To assist in the understanding of actual noise levels produced by people leaving the premises it is important to understand the effects of the noise source (i.e. people talking) and how that noise level increases as the number of people talking increases.
- 6.2 Referring to relevant international standards<sup>8</sup> for human speech sound level, and also data held in our library, normal conversation is typically in the range of 54-60dBA when measured at 1 metre.
- 6.3 In assessing for typical conditions then I have considered a group of 10 people talking together outside as they leave at the end of the evening.
- 6.4 In normal conversation no more than 50% of them would be talking (there will be at least one listener for each talker). If we now consider people to be talking at the upper end of the normal speaking range and look at the worst-case scenario of half of the people talking concurrently at 60dBA, then to calculate the total noise level we logarithmically sum 3 sources of 60dB as follows:

$$\Sigma = 10 \log \left( n \times 10^{\left(\frac{60}{10}\right)} \right)$$

where  $n$  is the number of people talking

- 6.5 The formula above gives a value for the total sound pressure level for a group of 10 people talking loudly to be 67dBA<sup>9</sup>.

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<sup>8</sup> ISO 9921:2003 Ergonomics - Assessment of speech communication, Annex A, Table A1 shows the vocal effort of a male speaker and related A-weighted speech level (dB re 20  $\mu$ Pa) at 1 m in front of the mouth. The table indicates that relaxed vocal effort is 54dB, and normal vocal effort is 60dB.

<sup>9</sup> Alternative calculation method according to Growcott, D (Consideration of Patron Noise from Entertainment Venues, Australian Association of Acoustical Consultants Guideline, Australia, 2009) using  $L_{Aeq} = 21 * \log(N) + 43$  gives 64dBA and therefore the simple calculation above may be something of an exaggeration and as such a very worst-case example.

6.6 It is important to remember that this is a worst-case value when 50% of the people are talking simultaneously and loudly. In reality, general lulls in the conversation, smoking, or conversations where there is more than one listener to each talker mean that less than 50% of an average group will be talking simultaneously. I have also observed that groups walking close to each other will splinter into smaller groups of two, and talk with more hushed voices than static groups of people spread out, for example, in a pub beer garden seated for a long time around a large table and surrounded by other talkers.

6.7 Sound is attenuated in air and this effect is noticeable as the listener moves away from the source. In a free field for every doubling of distance from a noise source, the sound pressure level  $L_p$  will be reduced by 6 decibels:

$$\begin{aligned} L_{p2} - L_{p1} &= 10 \log (R_2 / R_1)^2 \\ &= 20 \log (R_2 / R_1) \end{aligned}$$

where

$L_{p1}$  = sound pressure level at location 1 (dB)

$L_{p2}$  = sound pressure level at location 2 (dB)

$R_1$  = distance from source to location 1

$R_2$  = distance from source to location 2

A "free field" is defined as a flat surface without obstructions.

6.8 Attenuation due to distance means that a separation distance of 40 metres (the approximate distance to nearest flats on Chalk Farm Road) from the noise source to the receiver position will reduce the noise to below the lowest measured background noise level<sup>10</sup> at the receptor position. (Attenuation due to a distance of 40 metres is 32dB).

6.9 A further, and in this case substantial, attenuation of the noise source is achieved by the insertion of any physical barrier that obscures line-of-sight to the receptor position and this is achieved by the perimeter wall to the market. An effective physical barrier will provide typically around 12dB of additional sound attenuation.

6.10 Inside a residential property all external noise sources are attenuated by the glazing, by the distance from the noise source to the window, and by any physical obstruction of clear line of sight to the noise source.

6.11 Noise from a group of people leaving the premises is predicted to be below the Lowest Observed Adverse Effect Level (LOAEL) according to the criteria given in Appendix D, Table 3 of Camden Local Plan 2017 and therefore no specific measures are required.

6.12 Calculations indicate that the resultant noise level will be significantly below the background noise level at all residential properties and comfortably in compliance with the relevant standards and guidance, and subjectively inaudible.

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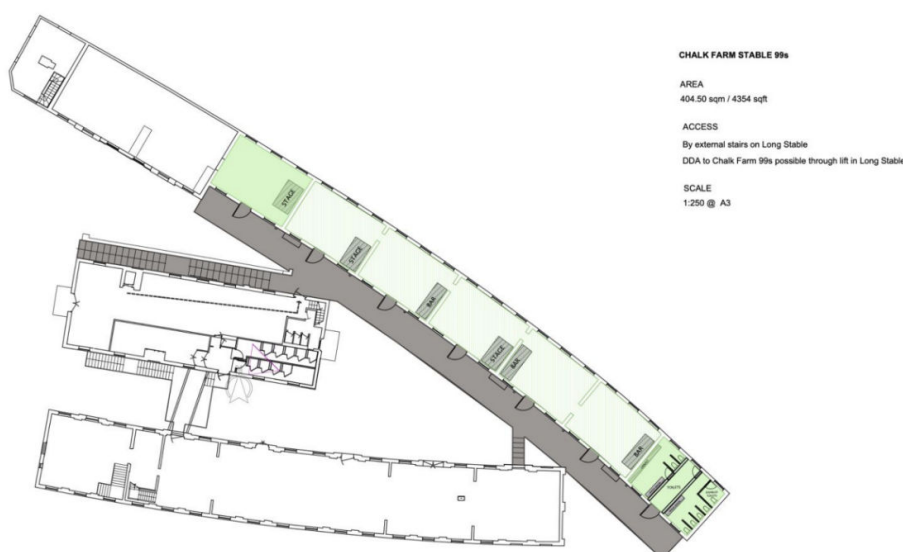
<sup>10</sup> Historic surveys in the area indicate background noise levels on Chalk Farm Road in the late evening of 58-61dB  $L_{A90}$  (Ref: multiple attended noise surveys by Big Sky Acoustics in previous 5 years covering periods from 22:00-01:00hrs).



- 6.13 Another consideration for patrons leaving the premises at night is the use of cars or taxis. Only a significant increase in traffic flow (i.e. doubling the rate of vehicle passes per hour) would give rise to a noticeable increase in road traffic noise level above that already established for the area.
- 6.14 When assessing noise from cars or taxis collecting people maximum noise levels may arise from a car door being closed. Data from similar sites (measured by ourselves and held at our office) indicates that values from 65dB  $L_{Amax}$  (normal closing) to 70dB  $L_{Amax}$  (slam closing) as measured at 5 metres are typical.
- 6.15 The predicted internal noise level from a car door being closed when extrapolated to a first-floor window immediately above the car would be approximately 59dB  $L_{Amax}$ . This value is below the highly stringent WHO guidance<sup>11</sup> value of 60dB  $L_{Amax}$  outside a bedroom window.
- 6.16 To summarise, the noise arising from car doors being closed is not likely to generate any loss of amenity even at a first-floor flat window directly above the car door being slammed, assuming clear line-of-sight, and with a window partially open in an urban environment.
- 6.17 New residential developments in the area are required to take into account the existing noise climate and will therefore have to provide suitable internal noise levels for normal living. This is typically achieved with modern glazing and ventilation systems.

## 7.0 Mitigation strategy - remedial works to building

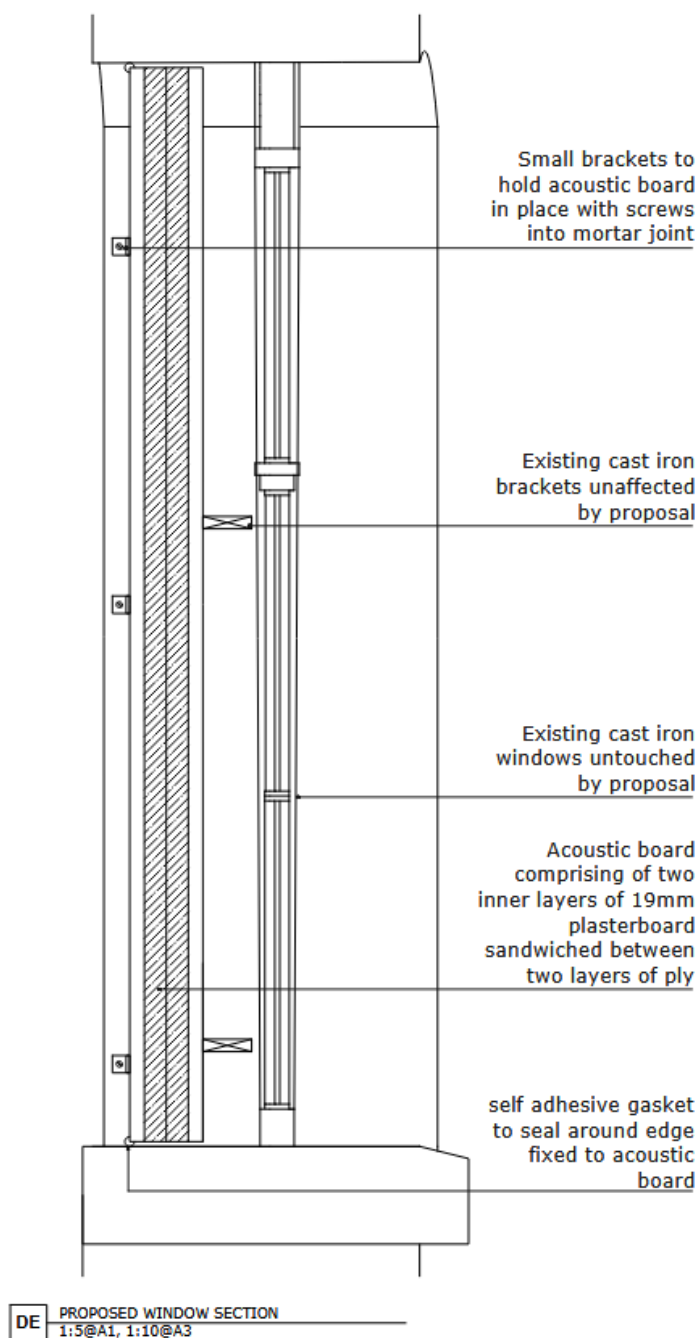
- 7.1 All high-sound activity is contained by the building envelope which is a substantial brick construction.



**Figure 6: Proposed internal layout**

<sup>11</sup> World Health Organisation. Guidelines for Community Noise, 2000.

7.2 There is the potential for some noise break-out to Chalk Farm Road via the glazing and to address this a set of dedicated acoustic shutters would be constructed and installed while the premises is in operation.



**Figure 7: Demountable acoustic shutter construction**

7.3 The proposed window shutters have been designed to provide a high-level of sound attenuation by using two layers of high density 19mm plasterboard plank, sandwiched between two layers of 18mm plywood, providing a nominal mass of 53.8kg/m<sup>2</sup>. The shutters will include a perimeter seal to create a nominally airtight seal in the window reveal.

7.4 The acoustic shutters will be demountable.

### **Room acoustics - design considerations**

- 7.5 Where the internal space has flat walls, flat hard surfaced floors, and parallel walls the acoustic space can be problematic for high-quality sound reproduction and also for the comfort of patrons. Interior designs that favour soft furnishings, upholstered seating and carpeted areas will increase the acoustic absorption in the space and enhance the quality of sound reproduction. This will also create a more comfortable environment for conversation.
- 7.6 As a general rule of thumb soft furnishings, irregularity of room shape, and clutter will improve the acoustics of any space. Tables and chairs will help to break up the space and the room acoustics will improve as the space fills up with patrons. However discreet use of acoustic absorption (hidden in wall and ceiling linings or three-dimensional artworks) can also be used, as can the use of (fire rated) drapes.
- 7.7 In summary the desirable acoustic objectives in an interior design scheme for good sound reproduction and comfortable conversation are:
- ✓ To increase absorption by using soft wall coverings, soft furnishings and carpets or where this is not appropriate to introduce discreet dedicated acoustic absorption panels.
  - ✓ To break up large expanses of flat hard surfaces by the introduction of furniture and decorative features.
- 7.8 Improving the acoustic qualities of the room gives an improvement, not just in the quality of the sound system, but also in the perceived loudness as amplified music will be subjectively assessed as more dynamic and more exciting.
- 7.9 Reducing reverberation also reduces noise in staff work areas and therefore assists with controlling staff noise exposure levels.

### **8.0 Mitigation strategy - sound system configuration**

- 8.1 A high-quality sound system that is optimally configured will sound dynamic and more involving to customers than a low-quality system that is poorly set up. Low-grade music systems tend to be operated at a higher level in an attempt by operators to make the system sound more involving. The result is poor-quality sound and a higher risk of music noise breakout.
- 8.2 Consideration should be given to the directivity of loudspeakers. Location and directivity characteristics of loudspeakers should be selected to achieve even dispersion in customer areas only without overlapping from multiple sources.
- 8.3 Crossover points to wall-mounted mid-high loudspeakers should be >100Hz.
- 8.4 Multiple locations of bass speakers should be avoided, ideally placing bass loudspeakers in one central location in smaller rooms. Bass loudspeakers should be fed with a mono signal.
- 8.5 All signal processing equipment should be secured in a locked room/rack to restrict unauthorised adjustment of controls. It is good practice when setting up a system that amplifier gains should either be set to maximum, with the gain controlled

upstream in system processing equipment or if signal quality issues dictate using the maximum dynamic range of the signal processing equipment (a common design approach when using DSP controllers) then amplifier gain controls will be reduced and so should be secured behind tamper-proof panels. All other positive gain controls should be behind tamper-proof covers or, in the case of a DSP-based system controller, protected by a security password.

- 8.6 The sound systems must be configured so that a defined maximum operating level cannot be exceeded regardless of the input level.
- 8.7 Once installed the sound system should be periodically checked to ensure that the maximum operating level does not cause a nuisance at the nearest noise-sensitive property. Assessment should be carried out, wherever possible, from the nearest noise-sensitive property itself at a time when ambient noise is at its lowest (but within normal operating hours of the premises).
- 8.8 In summary, the sound system must be installed and operated to efficiently reproduce sound in the internal customer areas without causing excessive noise elsewhere. Correct speaker locations, fixing methods and system configuration (crossover points, limiter settings, and system equalisation) can achieve high-quality sound without causing excessive noise breakout to other properties. A dedicated limiter device may not be required if a suitable digital system controller is programmed with compression/limiting/gain functions to accurately control maximum sound level and then locked so that it cannot be adjusted.
- 8.9 The proposed system, to be installed by a professional sound installation company, consists of L-Acoustics A10 2-way passive 10" loudspeakers for mid-highs and L-Acoustics SB15 compact bass loudspeakers and L-Acoustics 8XT passive coaxial loudspeakers for infill in the performance music areas. In the bar area small L-Acoustics 5XT coaxial loudspeakers will be used for background music. Amplification will be using L-Acoustics LA2Xi amplifiers. The zoning, and limiting will be controlled via and Allen & Heath AHM-64 audio matrix processor which can be set and locked so that it is tamperproof.

## **9.0 Mitigation strategy - operational controls**

- 9.1 Proposed premises licence conditions have been prepared and these can be found in Appendix C.
- 9.2 A Noise Management Policy has been prepared, as well as a Dispersal Policy, and these can be found at Appendix D and Appendix E respectively.
- 9.3 All noise management procedures are an integral part of employee training and will be regularly reviewed.

## 10.0 Conclusions

- 10.1 Big Sky Acoustics Ltd was instructed by Live Odyssey Promotions Ltd to carry out an assessment of the building, sound system design and operational procedures for noise management in and around the application site at Unit 99 The Stables Market, Chalk Farm Road, London, NW1 8AH.
- 10.2 This assessment makes reference to the National Planning Policy Framework, the Noise Policy Statement for England, Planning Practice Guidance on Noise, Local Planning Policy, Licensing Act 2003, Camden's Statement of Licensing Policy, the Environmental Protection Act 1990, the Clean Neighbourhoods and Environment Act 2005, the Noise Act 1996, the Anti-Social Behaviour, Crime and Policing Act 2014, BS 8233, relevant industry guidance and best practice, and the operational objectives of the applicant
- 10.3 The public nuisance guidance in Camden's SLP has been considered and addressed in the preparation of this application.
- 10.4 A suite of relevant noise management conditions has been proposed for inclusion on the premises licence.
- 10.5 All noise from activity inside the building is contained by the building envelope and additionally, the sound system will use high-quality professional products and will be set, and locked, so that a predetermined maximum operating level may not be exceeded. There will therefore be no music noise breakout from the premises.
- 10.6 Given this location, the style of operation, and the comprehensive noise and dispersal management procedures proposed it is my professional opinion that the operation at this location would not result in an increase to average noise levels in the area around the application site.



Richard Vivian BEng(Hons) MIET MIOA MIOL  
Principal Acoustic Consultant, Big Sky Acoustics Ltd

## Appendix A - Terminology

### Sound Pressure Level and the decibel (dB)

A sound wave is a small fluctuation of atmospheric pressure. The human ear responds to these variations in pressure, producing the sensation of hearing. The ear can detect a very wide range of pressure variations. In order to cope with this wide range of pressure variations, a logarithmic scale is used to convert the values into manageable numbers. Although it might seem unusual to use a logarithmic scale to measure a physical phenomenon, it has been found that human hearing also responds to sound in an approximately logarithmic fashion. The dB (decibel) is the logarithmic unit used to describe sound (or noise) levels. The usual range of sound pressure levels is from 0 dB (threshold of hearing) to 140 dB (threshold of pain).

### Frequency and Hertz (Hz)

As well as the loudness of a sound, the frequency content of a sound is also very important. Frequency is a measure of the rate of fluctuation of a sound wave. The unit used is cycles per second, or hertz (Hz). Sometimes large frequency values are written as kilohertz (kHz), where 1 kHz = 1000 Hz. Young people with normal hearing can hear frequencies in the range of 20 Hz to 20,000 Hz. However, the upper frequency limit gradually reduces as a person gets older.

### A-weighting

The ear does not respond equally to sound at all frequencies. It is less sensitive to sound at low and very high frequencies, compared with the frequencies in between. Therefore, when measuring a sound made up of different frequencies, it is often useful to 'weight' each frequency appropriately, so that the measurement correlates better with what a person would hear. This is usually achieved by using an electronic filter called the 'A' weighting, which is built into sound level meters. Noise levels measured using the 'A' weighting are denoted dBA. A change of 3dBA is the minimum perceptible under normal conditions, and a change of 10dBA corresponds roughly to doubling or halving the loudness of sound.

### C-weighting

The C-weighting curve has a broader spectrum than the A-weighting curve and includes low frequencies (bass) and so it can be a more useful indicator of changes to bass levels in amplified music systems.

### Noise Indices

When a noise level is constant and does not fluctuate over time, it can be described adequately by measuring the dB level. However, when the noise level varies with time, the measured dB level will vary as well. In this case, it is therefore not possible to represent the noise level with a simple dB value. To describe noise where the level is continuously varying, a number of other indices are used. The indices used in this report are described below.

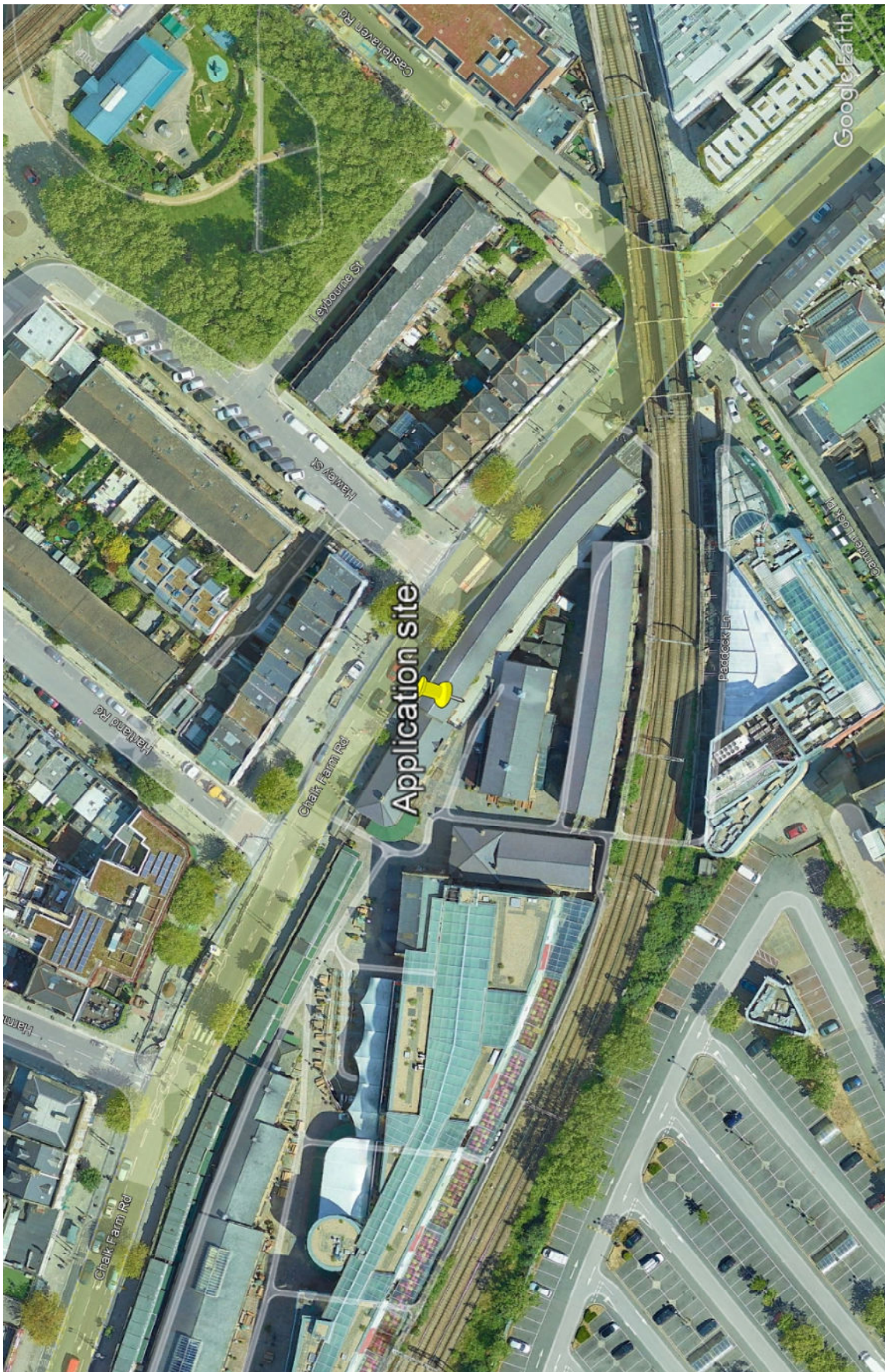
- L<sub>eq</sub>** The equivalent continuous sound pressure level which is normally used to measure intermittent noise. It is defined as the equivalent steady noise level that would contain the same acoustic energy as the varying noise. Because the averaging process used is logarithmic the L<sub>eq</sub> is dominated by the higher noise levels measured.
- L<sub>Aeq</sub>** The A-weighted equivalent continuous sound pressure level. This is increasingly being used as the preferred parameter for all forms of environmental noise.
- L<sub>Ceq</sub>** The C-weighted equivalent continuous sound pressure level includes low frequencies and is used for the assessment of amplified music systems.
- L<sub>Amax</sub>** is the maximum A-weighted sound pressure level during the monitoring period. If fast-weighted it is averaged over 125 ms, and if slow-weighted it is averaged over 1 second. Fast-weighted measurements are therefore higher for typical time-varying sources than slow-weighted measurements.
- L<sub>A90</sub>** is the A-weighted sound pressure level exceeded for 90% of the time-period. The L<sub>A90</sub> is used as a measure of background noise.

### Example noise levels:

Source/Activity	Indicative noise level dBA
Threshold of pain	140
Police siren at 1m	130
Chainsaw at 1m	110
Live music	96-108
Symphony orchestra, 3m	102
Nightclub	94-104
Lawnmower	90
Heavy traffic	82
Vacuum cleaner	75
Ordinary conversation	60
Car at 40 mph at 100m	55
Rural ambient	35
Quiet bedroom	30
Watch ticking	20



## Appendix B - Site location



## **Appendix C - Proposed conditions**

The following conditions that promote the prevention of public nuisance licensing objective are proposed for inclusion on the premises licence:

No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

The premises shall maintain a complaints log detailing the nature of the complaint, the complainant (if known) and any action taken. The log is to be made available for inspection by Environmental Health upon reasonable request.

Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.

Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

The premises' management shall take all reasonable steps to ensure patrons wanting entry to the premises do not cause annoyance or nuisance to any other person living in the vicinity of the premises.

The premises will implement a dispersal policy and all relevant staff will be trained in its implementation. The policy will be reviewed regularly and whenever the licensee becomes aware of issues associated with dispersal.



## **Appendix D - Noise Management Policy**

We will aim to manage all noise from our premises so we do not disturb people resting and sleeping in the neighbourhood. We have a comprehensive approach to managing noise from our premises.

The following points are critical to our Noise Management Policy and are used in conjunction with our end of evening Dispersal Policy:

- We will ensure that noise emanating from all activities in our premises will not cause a nuisance at any noise sensitive property.
- All windows and doors are to remain closed from 23:00 hours when regulated entertainment is being provided, except for access and egress.
- Arrangements will be put in place to ensure that deliveries will only take place between the hours of 09:00 and 17:00hrs, Monday-Friday, except where access at other times is unavoidable and specific procedures are in place to limit disturbance.
- Glass recycling can make noise. No empty bottles will be tipped or thrown into outside storage receptacles between 23:00 and 09:00hrs the following day.
- All waste is collected at times defined for the area and outside of our control. We will ensure that waste is correctly packaged and that refuse can be removed quickly and efficiently.
- Persons wishing to leave the premises to smoke shall not be permitted to take drinks outside with them. The area immediately outside the premises will be swept and kept clean of debris.
- Our sound systems will be set and locked so that the system cannot operate beyond a preset maximum level. This will be periodically checked for effective operation.
- Any glass or bottles in the immediate vicinity of the premises will be cleared from street furniture, walls, pavements and gutters then safely disposed of. Bottles and glasses will not originate from our restaurant because we do not allow glass outside the premises, but we still make an effort to keep the public areas tidy and safe.
- We are proud of the area we work in. We will endeavour to keep the area clean and attractive for our patrons and for our neighbours. This means dealing with debris outside that may have nothing to do with us but in the interests of making this a better area we will still clear it up.
- We will constantly review our Noise Management Policy and respond quickly to the needs of our neighbours.

## Appendix E - Dispersal Policy

The dispersal policy is designed to ensure that the normal commercial operation of our restaurant does not have a negative impact on any neighbouring properties when people leave at the end of an evening.

- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- Licensed Black Cabs operate regularly and abundantly around the Chalk Farm area. Customers will be encouraged to use this safe and reliable service. Customers using phone apps to make their journeys home will be advised to move to Castlehaven Road or Morrison's corner shop for best outcome for "hailing" these services.
- There are clearly signed toilet facilities which are available for patrons at all times.
- All employees are given appropriate instructions and training to encourage patrons to leave the premises in a controlled manner. There will be a clearly visible management presence at the exit at the end of the evening.
- Patrons will not be permitted to congregate outside the premises at the end of the evening.
- We will attach the utmost importance to the careful investigation and prompt resolution of any complaint made in respect of the running of the premises. Particular emphasis will be placed on building and maintaining close links with our immediate residential, and commercial, neighbours. This includes hosting meetings where necessary to allow our neighbours to raise any issues and for those issues to be quickly resolved.
- The telephone number of the premises is published on our website. Any complaint made directly to us will be recorded noting the date and time of complaint, the approximate location of the complainant, a description of the noise and how it is affecting the complainant, and any follow up action.
- We will constantly review our Dispersal Policy and respond quickly to the needs of the local community.

*Live Odyssey management team, February 2025*

**All information contained in this document relates to the acoustic performance of a construction only, and inclusion of information in this document does not imply compliance with fire, structural or other regulations relating to building construction. Where a construction method or materials are unfamiliar to the construction team it is recommended that advice is sought in relation to the safe and reliable use of those methods and materials in specific relation to the project and in context with regulations in force at the time of construction.**