

sharps acoustics

**Lief House, 3 Sumpter Close, NW3
5HR**

Change of Use, Office to Residential under Permitted
Development

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Contents

1.0	Introduction	1
2.0	Assessment Criteria	1
3.0	Site visit	4
4.0	Conclusions	5

Appendices

Appendix A: Site location plan

Appendix B: Photos of site and surroundings

1.0 Introduction

- 1.1 Sharps Acoustics LLP (SAL) has been instructed by Kennedy Alternative Investments Limited with respect to a change of use under permitted development at Lief House, 3 Sumpter Close, NW3 5HR from offices to residential end use. The proposal is to convert the existing office building into self-contained flats. SAL have been instructed to advise on noise impacts from this neighbouring commercial site.
- 1.2 The relevant assessment criteria for the assessment of sound impacts from commercial sound sources identified are broadly set out in Section 2 of this report. Site observations and assessment are presented in Section 3, and the conclusions can be found in Section 4.
- 1.3 A plan showing the site location and an aerial view of the site are shown in Figures A1 and A2, respectively, in Appendix A. Photos taken at the site showing nearby buildings are provided in Appendix B.

2.0 Assessment Criteria

- 2.1 The current permitted use is for offices. Under general permitted development rights, no planning application is necessary in order to change the use of the building between Use Class B1 – Business, and Planning Use Class C3 – Dwelling houses.
- 2.2 In relation to the new use classes introduced in 2020, advice on the Government's Planning Portal states:

"From 1 September 2020, for purposes of Use Class, A1/2/3 & B1 to be treated as Class E

For any planning applications submitted before 1 September 2020, the Use Classes in effect when the application was submitted will be used to determine the application.

For any reference to Permitted Development rights, and for restrictions to them or applications for Prior Approval, the Use Classes in effect prior to 1 September 2020 will be the ones used until the end of July 2021 (this is defined as the 'material period' in legislation so may be referred to as such)."

- 2.3 The development would be within the description for "Prior Approval" under Part MA of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - 2.4 A noise assessment is required under Schedule 2, Part 3, Class MA of the Permitted Development Order Regulations. The provisions of the order require that the assessment of *"impacts of noise from commercial premises on the intended occupiers of the development"*.
 - 2.5 SAL have therefore considered noise from adjacent commercial premises to establish the potential effect of this on the proposed residential end use and to ensure that it will meet national and local planning policy objectives and acoustic standards.
 - 2.6 This report is supplied in respect to seeking prior approval from the local authority for the change to residential and specifically with reference to noise from commercial premises.
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2.7 The legislative context for this assessment is [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015, as amended.](#)

2.8 The permitted development and prior approval requirements are set out above. The National Planning Practice Guidance provides the following advice with respect to the approach and level of details needed for prior approval:

"The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is deliberate, as prior approval is a light-touch process which applies where the principle of the development has already been established. Where no specific procedure is provided in the General Permitted Development Order, local planning authorities have discretion on what processes they put in place. It is important that a local planning authority does not impose unnecessarily onerous requirements on developers, and does not seek to replicate the planning application system."

Paragraph: 028 Reference ID: 13-028-20140306 <https://www.gov.uk/guidance/when-is-permission-required#What-are-permitted-development-rights>

2.9 In the absence of any further specific guidance, it is considered that the principles of National Planning Policy and requirements within Local Planning Policies with respect to noise are relevant. The relevant assessment criteria for commercial sound sources identified are broadly set out below.

National Policy (NPPF)

2.10 Though the prior approval system is intended as a light touch process and not to replicate the planning system, the aims of national planning policy with respect to noise are relevant and therefore should be considered for new development.

2.11 The Government's overarching policy in relation to planned development is contained in the National Planning Policy Framework (NPPF).

2.12 Paragraph 187 of the NPPF states that

"Planning policies and decisions should contribute to and enhance the natural and local environment by.....

e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of.....noise pollution."

2.13 Paragraph 198 of the NPPF states that Planning policies and decisions should 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 ...”

2.14 The NPPF does not provide prescriptive advice on how to avoid noise from giving rise to significant adverse impacts on health and quality of life. Therefore, it is necessary to consider advice in other guidance documents. This advice is discussed below.

2.15 In relation to the statement in sub para a) about significance, there is a footnote stating:

“See Explanatory Note to the Noise Policy Statement for England (Department for Environment, Food & Rural Affairs, 2010)” (NPSE – discussed below).

2.16 The Noise Policy Statement for England was prepared by DEFRA and is dated March 2010.

2.17 Paragraph 1.5 of the NPSE states that the advice within the document applies to all forms of noise including environmental noise, neighbour noise and neighbourhood noise.

2.18 The Noise Policy Aims of the NPSE (NPSE paragraphs 2.22 to 2.24) can be summarised as follows:

- avoid significant adverse impacts on health and quality of life...;
- mitigate and minimise adverse impacts on health and quality of life...; and
- where possible, contribute to the improvement of health and quality of life.

2.19 All three of these aims are to be considered in the context of Government policy on sustainable development.

2.20 The first two aims require that no significant adverse impact should occur and, where noise falls between a level representing the lowest observable adverse effect (LOAEL) and a level representing a significant observed adverse effect (SOAEL), then according to the NPSE:

“... all reasonable steps should be taken to mitigate and minimise adverse effects on health and quality of life whilst also taking into consideration the guiding principles of sustainable development. This does not mean that such effects cannot occur.”

2.21 Although prior approval should be a light touch process as described in national Planning Practice Guidance, the national planning policies with respect to noise and relevant standards should still be applied to the protection of the proposed residential use at the proposal.

Local plan

2.22 The Camden Local Plan 2017 contains Policy A4 and Appendix 3 which are relevant to the extent that they aim to ensure there is no adverse impact from commercial noise to future occupants. The relevant thresholds in Appendix 3, therefore, would be limited to noise from entertainment noise, of which there is none nearby.

Relevant Guidance and Standards

- 2.23 It is possible to apply objective standards to the assessment of noise and the design of new dwellings should seek to achieve these objective standards. Such guideline values are given in the World Health Organisation (WHO) document "Guidelines for Community Noise" (partially superseded, but still valid in relation to night time maximum levels which could lead to sleep disturbance from certain noise sources) and within British Standard, BS 8233:2014 which is principally intended to assist in the design of new dwellings.
- 2.24 Guideline values in BS8233 are described as "desirable" and, as such can be considered to represent a robust level below which there would be no adverse effect (so below the LOAEL). Likewise, the maximum level recommended by the WHO guidance is an internal level required to avoid critical health effects and, thus would result in levels below the LOAEL.
- 2.25 Table 2.1 below contains a summary of the recommended internal noise guideline levels to achieve levels below LOAEL.

Table 2.1: Internal design guideline for noise from WHO / BS8233: 2014

Activity	Location	Period		
		Day (0700 to 2300 hours)	Night (2300 to 0700 hours)	
Resting	Living Room	35dB LAeq, 16hr	-	-
Dining	Dining Room	40dB LAeq, 16hr		
Sleeping	Bedroom	35dB LAeq, 16hr	30dB LAeq, 8hr	45dB LAmax

- 2.26 This is considered a robust but balanced view in the context of current policy towards supporting residential development. Where a development is considered necessary or desirable, despite external noise levels above WHO guidelines, the internal targets may be relaxed by up to 5dB and reasonable internal conditions still achieved.

Sound character

- 2.27 It should be noted that, where a commercial noise source has a tonal, impulsive or intermittent character which would be noticeable, a penalty can be added (such as those set out in British Standard BS4142:2014+A1:2019) to account for the fact that such acoustic features would be more annoying than a more "anonymous sound" at the same level.

3.0 Site visit

- 3.1 A site visit was carried out on 2nd April 2025 to identify and evaluate sources of commercial noise nearby. No significant sources of commercial noise could be discerned in the vicinity of the site.

- 3.2 Noise in the area is dominated by road traffic movements on Finchley Road. There are many shops and commercial uses in the area on Finchley Rd but none of these produces noise at an audible level at the site during the day and none has the potential to produce an adverse effect at night. Any noise from the heating, cooling or ventilation systems would be significantly lower than noise from Finchley Road throughout the whole 24 hour period.
- 3.3 To the east of the site is the Holy Trinity Church which does not have any external plant or equipment apparent; to the rear there is a small commercial car park (noise levels here were 62-65dB, $L_{Aeq,T}$, entirely due to road traffic in Finchley Road) and other than that all other adjacent buildings house residential uses.
- 3.4 Further from the site, there are restaurants, retailers and an underground train station. None of these produce noise at an audible level during the day and a visual inspection showed that there was no plant or equipment which had the potential to produce noise at a level requiring mitigation at night. An inspection of the aerial view shown in Figure A2 also shows that there are no commercial sources of noise nearby, with the only exception being air handling units and other HVAC plant on the roofs of two of the neighbouring premises. This plant is considerably closer to existing residential flats in the vicinity, which are also higher up than Lief House and would therefore be more exposed to any noise from them. It follows that any noise from these units would be considerably lower at the closest proposed residential façade than at existing residential facades and must therefore be acceptable.
- 3.5 Whilst noise mitigation to deal with road traffic noise is likely to be desirable, this is not required to be assessed for a permitted development application. Commercial noise, which is required to be assessed, is not present at the site to any noticeable degree and it was not possible to obtain any measurements of this, as it was so far below other sources of noise at the site.

4.0 Conclusions

- 4.1 An assessment was carried out of the potential adverse effects which might arise from noise from commercial sources in the vicinity on proposals to convert offices for residential use at Lief House, 3 Sumpter Close, London.
- 4.2 Based on the results of an inspection of the site and surroundings, it is considered that noise from commercial sources of sound would not need to be mitigated in order to achieve the necessary internal noise levels.
- 4.3 As stated in National Planning Practice Guidance, "*prior approval is a light-touch process which applies where the principle of the development has already been established*". In this case, the proposal could be permitted to change to residential end use (Planning Use Class C3) without any specific mitigation measures to deal with commercial noise being required.
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Appendix A: Site location plan

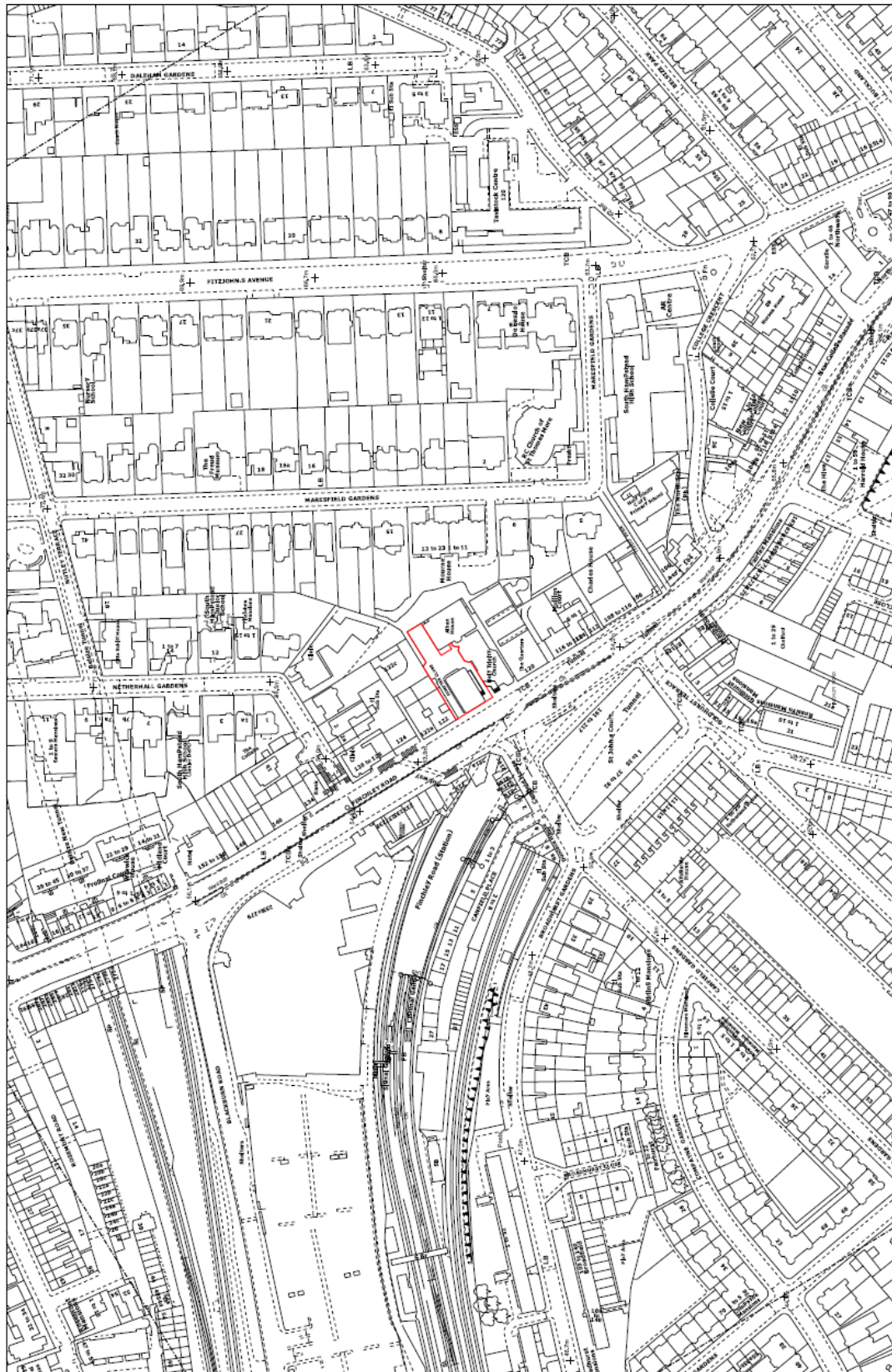
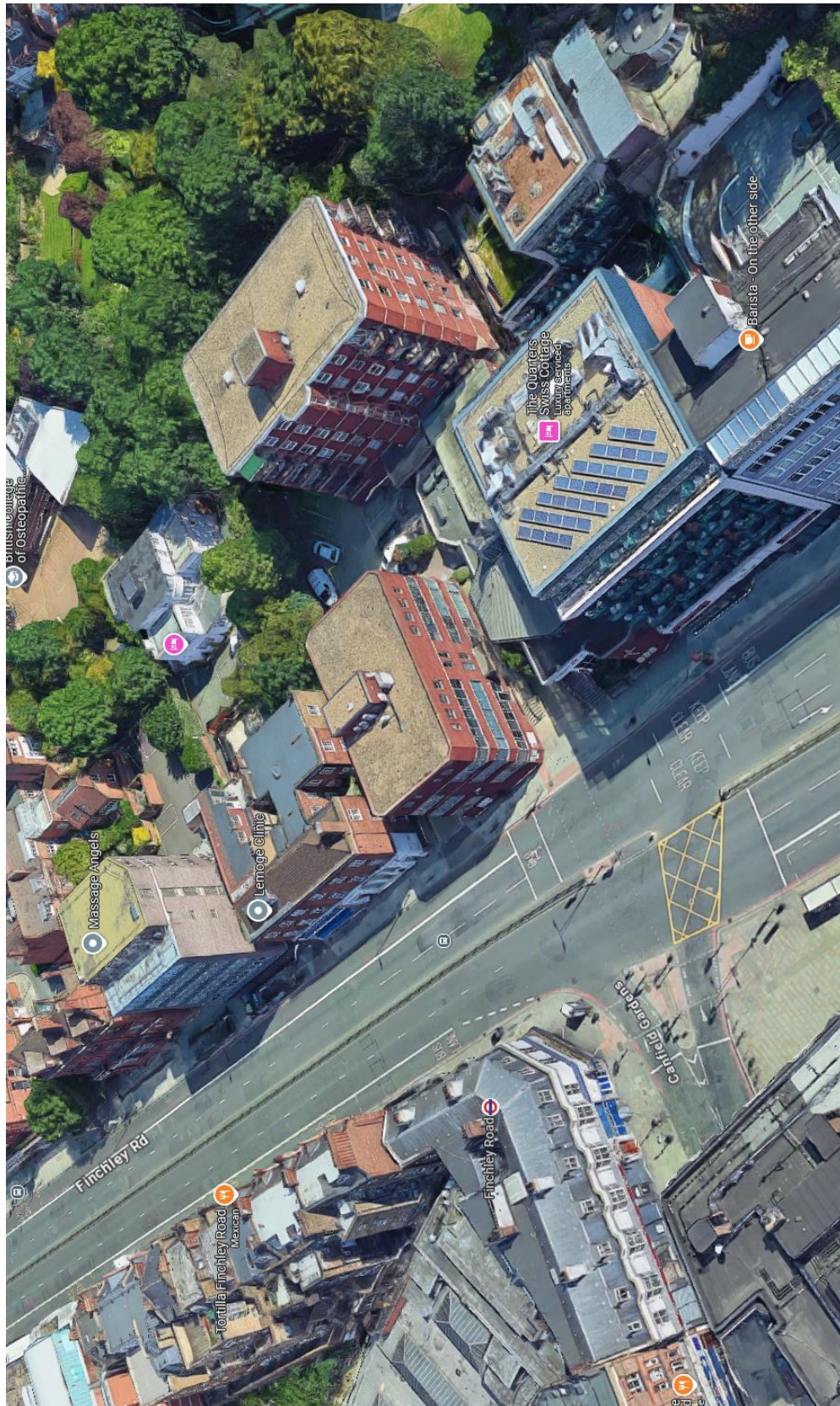


Figure A2: Aerial view of site



Appendix B: Photos of site and surroundings

Lief House from Finchley Rd



Neighbouring church and restaurant with flats above



Passage between church and Lief House with residential building behind



Waitrose store with flats above on opposite side of Finchley Rd



Entrance to Finchley Rd underground station - opposite



Commercial premises (ground floor) on opposite side of Finchley Road



Adjacent commercial premises on the same side of Finchley Road



Commercial car park to the rear of Lief House looking towards Church with flats behind

