SHARPS REDMORE



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Report

Taco Bell

75 Southampton Row, London, WC1B 4ET

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1.0 Introduction

1.1 Sharps Redmore have been instructed to carry out a noise assessment for extension of opening hours of the existing Taco Bell, 75 Southampton Row, London, WC1B 4ET. The site location is shown in Figure 1 below.

FIGURE 1: Site Location



- 1.2 The site is located is located on the south-west side of Southampton Row, which is in the administrative area of London Borough of Camden (LBC). The site is currently occupied by Taco Bell who currently trade between 10 am and midnight. Southampton Row is a busy area within the Holborn Growth Area, part of the Central London Area with many commercial premises, including similar restaurants in the vicinity of the site. The site is on the ground floor, above which are residential apartments called Hamilton House. Planning permission¹ for the site was granted by LBC subject to restrictions (Condition 5) on trading hours as follows:
 - Monday to Saturdays (07:00 00:00 hours)
 - Sundays and Bank Holidays (09:00 00:00 hours)
- 1.3 An application to vary the premises licence (Ref no 125732) was recently approved by LBC to enable the sale of late-night refreshments between the following hours
 - Sunday to Wednesday up-to 01:00 hours
 - Thursday to Saturday up-to 04:00 hours
- 1.4 Planning permission is being sought to vary the trading hours to match the premises licence (e.g. Sunday – Wednesday up to 01:00, Thursday to Saturday up to 04:00 hours. During this period the restaurant will be open as a 'dark kitchen' serving on-line orders only.

¹ Planning application reference 2018/2176/P Change of use of ground floor premises from a restaurant (Class A3) to a hot food takeaway (Class A5) and installation of plant equipment to the rear.

- 1.5 The purpose of this report is to assess the impact of noise from the proposed variation of trading hours on noise sensitive properties in the vicinity of the site, including the residential properties to rear of the site, apartments above and residential properties opposite the site. This report considers relevant national noise policy and noise guidance which are discussed in detail in section 2.0 of this report.
- 1.6 Section 3.0 of this report sets out the findings of an environmental noise survey, undertaken at a location representative of the noise climate at the closest noise sensitive properties to the proposal site. An assessment of the impact of noise from the site is included in section 4.0 with the report conclusions summarised in section 5.0
- 1.7 A guide to the acoustic terminology used in this report is shown in Appendix A.

2.0 Assessment methodology and criteria

Noise Policy

2.1 The National Planning Policy Framework (NPPF), December 2024 sets out the Government's planning policies for England and "these policies articulate the Government's vision of sustainable development." In respect of noise, Paragraph 198 of the NPPF states the following:

"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 impact 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; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation."
- 2.2 Guidance on the interpretation of the policy aims contained within the NPPF is contained within National Planning Policy Guidance (NPPG). The NPPG introduces the concept of a noise exposure hierarchy based on likely average response. The guidance contained in the NPPG is summarised in the table below:

Response	Examples of Outcomes	Increasing Effect Level	Action					
No Observed Effect Level								
Not present	No Effect	No Observed Effect	No specific measures required					
	No Observed Adverse Effect Level							
Present and not intrusive	Noise can be heard but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life.	No Observed Adverse Effect	No specific measures required					
	Lowest Observed Adverse Effect Leve	el						
Present and intrusive	Noise can be heard and causes small changes in behaviour and/or attitude, 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 perceived change in the quality of life.	Observed Adverse Effect	Mitigate and reduce to a minimum					
Significant Observed Adverse Effect Level								
Present and disruptive	The noise causes a material change in behaviour and/or attitude, 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	Significant Observed Adverse Effect	Avoid					

TABLE 1: Noise Exposure Hierarchy

Response	Examples of Outcomes	Increasing Effect Level	Action
	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.		
Present and very disruptive	Extensive and regular changes in behaviour and/or an inability to mitigate effect of noise leading to psychological stress or physiological effects, e.g. regular sleep deprivation/awakening; loss of appetite, significant, medically definable harm, e.g. auditory and non-auditory	Unacceptable Adverse Effect	Prevent

2.3 The NPPF and NPPG reinforce the March 2010 DEFRA publication, "Noise Policy Statement for England" (NPSE), which states three policy aims, as follows:

"Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:

- 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."
- 2.4 Together, the first two aims require that no significant adverse impact should occur and that, where a noise level which falls between a level which represents the lowest observable adverse effect and a level which represents a significant observed adverse effect, then according to the explanatory notes in the statement:

"... 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."

Local Plan

- 2.5 In terms of local policy regard is had to Policy A4 of the London Borough of Camden Local Plan 2017 which states that the *"Council will seek to ensure that noise and vibration is controlled and managed."* It is advised in Policy A4 that development should have regard to Camden's Noise and Vibration Thresholds (Appendix A3) and will not grant planning permission for development likely to generate 'unacceptable' noise and vibration impacts.
- 2.6 The noise and vibration thresholds in Appendix 3 along with local design requirements on noise which are contained in the Camden Planning Guidance on Amenity (January 2021) are discussed in more detail below.
- 2.7 Local policy is consistent with national policy that the significance of the impact must be considered, the fact that a noise can be heard and even causes adverse impact is not reason to refuse planning permission.

Design Guidance

2.8 It is possible to apply objective standards to the assessment of noise and the effect produced by the introduction of a certain noise source may be determined by several methods, as follows:

- i) The effect may be determined by reference to guideline noise values, such as those contained in the World Health Organisation (WHO) "Guidelines for Community Noise."
- ii) Alternatively, the impact may be determined by considering the change in noise level that would result from the proposal, in an appropriate noise index for the characteristic of the noise in question. There are various criteria linking change in noise level to effect. This is the method that is suited to, for example, the assessment of noise from road traffic because it is capable of displaying impact to all properties adjacent to a road link irrespective of their distance from the road.
- iii) Another method is described within BS 4142:2014 to determine the significance of sound impact from sources of industrial and/or commercial nature. The sources that the newly revised standard is intended to assess are sound from industrial and manufacturing processes, sound from fixed plant installations, sound from loading and unloading of goods at industrial and/or commercial premises and the sound from mobile plant and vehicles, such as forklift, train, or ship movements.

Guideline noise values

- 2.9 The WHO advice is the most useful, comprehensive, and pertinent advice in this case, because it is not specific to the circumstances of the assessment. Instead, it provides guidance on acceptable limits in, for example, schools, dwellings, and offices from noise occurring within the community.
- 2.10 The WHO guideline values are appropriate to what are termed "critical health effects". This means that the limits are at the lowest noise level that would result in any psychological or physiological effect. They are, as defined by NPSE, set at the Lowest Observed Adverse Effect Level (LOAEL), but do not define the level above which effects are significant (the SOAEL). Compliance with the LOAEL should, therefore, be seen as a robust aim.
- 2.11 The National Physical Laboratory document "Health Effect based noise assessment methods; a review and feasibility study", (September 1998) contains an "interpretation" of the WHO guidelines (then in draft form) for the DETR. The summary of this section of the NPL report states "In essence, the WHO guidelines represent a consensus view of international expert opinion on the lowest threshold noise levels below which the occurrence rates of particular effects can be assumed to be negligible. Exceedances of the WHO guideline values do not necessarily imply significant noise impact and indeed, it may be that significant impacts do not occur until much higher degrees of noise exposure are reached" (paragraph 5.4).
- 2.12 The World Health Organisation guideline noise values are summarised in the Table 2 below.

Level	Guidance		
	Serious annoyance, daytime, and		
$L_{AeqT} = 55 \text{ dB}$	evening.		
	(Continuous noise, outdoor living areas)		
	Moderate annoyance, daytime, and		
L_{AeqT} = 50 dB	evening. (Continuous noise, outdoor		
	living areas).		
	Level L _{AeqT} = 55 dB L _{AeqT} = 50 dB		

TABLE 2: WHO guideline noise values

		Moderate annoyance, daytime, and			
	$L_{AegT} = 35 \text{ dB}$	evening. (Continuous noise, dwellings,			
		indoors)			
	$L_{AeqT} = 30 \text{ dB}$	Sleep disturbance, night-time (indoors)			
	L _{Amax} = 60 dB L _{Amax} = 45 dB	Sleep disturbance, windows open at			
		night. (Noise peaks outside bedrooms,			
		external level).			
		Sleep disturbance at night (Noise peaks			
		inside bedrooms, internal level)			

2.13 For L_{AeqT} criteria the time base (T) given in the documents is 16 hours for daytime limits and 8 hours for night time limits. When assessing impact, this has the tendency to smooth out the hourly variations in noise level. As such, our calculations are carried out to a 1-hour time base, which is a more stringent assessment than is given in WHO document.

Changes in noise level

- 2.14 Changes in noise levels of less than 3 dBA are not perceptible under normal conditions and changes of 10 dBA are equivalent to a doubling of loudness. This guidance has been accepted by inspectors, at inquiry, to encompass changes in noise levels in the index L_{AeqT}.
- 2.15 Table 3 below shows the response to changes in noise (known as a semantic scale); this table has been developed from general consensus opinion of acousticians.

Change in noise level L _{AeqT} dB	Response	Impact
<3	Imperceptible	None
3 – 5	Perceptible	Slight/moderate
6 - 10	Up to a doubling	Moderate/significant
11 – 15	More than a doubling	Substantial
>15	-	Severe

TABLE 3: Change in noise level

2.16 Where the existing ambient noise level is already above the criteria developed from the various guidance documents, it may be considered unreasonable to adopt such criteria. It would be reasonable, however, given the above statement, to consider criteria which do not exceed the existing noise climate, thus giving rise to an overall 3 dB increase i.e. the minimum perceptible. If it is less than the minimum perceptible it cannot be described as disturbing or to affect the amenity of residents.

Assessment using BS 4142:2014+A:2019

2.17 As outlined, this British Standard enables the significance of sound impact to be determined in relation to industrial and commercial sources, such as noise from fixed plant serving the restaurant. The significance of sound impact is to be determined according to the following summary process:

- i) Determine the background sound levels, in terms of the index L_{A90}, at the receptor locations of interest.
- Determine the specific sound level of the source being assessed, in terms of its L_{AeqT}
 level (T = 1 hour for day or 15 minutes for night), at the receptor location of interest.
- iii) Apply a rating level acoustic feature correction if the source sound has tonal, impulsive, intermittent, or other characteristics which attract attention.
- iv) Compare the rating sound level with the background sound level; the greater the difference between the two, the higher the likelihood of adverse impact.
- v) A difference (rating background) of around +10 dB is an indication of significant adverse impact, depending on the context; a difference of +5 dB is an indication of an adverse impact, depending on the context. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending upon context.
- vi) The intent of the planning system is to ensure that a development does not result in "significant adverse impacts on health and quality of life." BS 4142:2014 considers that the threshold of significant adverse impact is "a difference around +10 dB or more ... depending upon the context". However, the NPPF and NPPG state that where a noise level which falls between a level which represents the lowest observable adverse effect and a level which represents a significant observed adverse effect, then according to the explanatory notes in the statement "...all reasonable steps should be taken to mitigate and minimise adverse effects in health and quality of life while together taking into account the guiding principles of sustainable development. This does not mean that adverse effects."
- 2.18 BS 4142 introduces the concept of 'context' to the process of identifying noise impact. Section 11 of BS 4142:2014 explains "The significance of sound of an industrial and/or commercial nature depends upon both the margin by which the rating level of the specific sound source exceeds the background sound level and the context in which the sound occurs (our emphasis). An effective assessment cannot be conducted without an understanding of the reason(s) for the assessment and the context in which the sound occurs/will occur. When making assessments and arriving at decisions, therefore, it is essential to place the sound in context" (our emphasis).
- 2.19 There are many *context* points to consider when undertaking an assessment of sound impact including:
 - The absolute level of sound;
 - The character and level of the specific sound in the context of the existing noise climate; for example, is the sound to occur in a location already characterised by similar activities as those proposed?
 - The sensitivity of the receptors;
 - The time and duration that the specific sound is to occur;
 - The conclusions of assessments undertaken using alternative assessment methods, for example WHO guidelines noise values or change in noise level;

2.20 It is therefore entirely possible that whilst the numerical outcome of a BS 4142:2014 assessment is indicative of adverse or significant adverse impact, when the proposal is considered in *context* the significance of the impact is reduced to an acceptable level.

Local Design Guidance

- 2.21 As advised above local noise design guidance in contained within Appendix 3 of the Local Plan and within the planning guidance on 'Amenity'. In relation to food, drink, entertainment and leisure noise, there are no specific thresholds however reference is made to any assessment of noise having regard to amplified and unamplified music, human voices, footfall, vehicle movements and other general activity.
- 2.22 For plant and other noise generating equipment reference is made to the requirements of BS 4142 and in Appendix 3 of the Local Plan (Table C) it is recommended that the rating level of plant should be at least 10dB below existing background noise levels. Condition 7 of the extant planning consent is consistent with approach.
- 2.23 As advised in section 1.0 LBC have recently granted a late-night refreshment licence to enable the site to trade Sunday to Wednesday up to 01:00 hours, Thursday to Saturday up to 04:00 hours. As advised in the Camden Statement of Licensing Policy 2022-2027, when granting the licence regard must be had to the possible causes of public nuisance, including noise, deliveries, collection and plant and machinery. The licence was granted following consultation with Environmental Health Department (a copy of the correspondence is attached as Appendix C). Following this consultation the following conditions were recommended:
 - 1. Street furniture shall be removed quietly inside premises by 10pm each night and placed outside again for customer use 8am onwards.
 - 2. No deliveries by motorised vehicles (other than electric vehicles) after 11pm.
 - 3. All couriers not engaged in the delivery of customer orders shall wait inside the premises for the customer order.
 - 4. All vehicles shall be parked legally and not give rise to obstruction of the public footpaths.
 - 5. All deliveries will be made to a verified address and not to an open space.
 - 6. Public access shall cease by midnight with any later sales being carried out by contracted courier only.
 - Arrangements for the storage and disposal of refuse will not cause a nuisance. All business deliveries and collections (not customer related) servicing the direct needs of the licence holder shall be undertaken during the hours of 7am to 8pm Monday to Saturday, 10am – 8pm Sunday.
 - 8. No street promoters to be used for business.
 - 9. No noise or odour generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance.

3.0 Noise Survey

3.1 To determine existing noise levels a site visit and survey was carried out between 31 March and 1 April to determine existing noise levels. Measurements were carried out from a location overlooking Southampton Row as shown in Figure 2 below.

FIGURE 2: Noise measurement location



- 3.2 Measurements were carried from a hotel room at second floor level over-looking Southampton Row. The location was chosen to be representative of the residential properties in Hamilton House, and residential properties opposite which overlook the front of the Taco Bell.
- 3.3 Measurements were carried using a Norsonic type 1 sound level meter which was field calibrated before and after the survey with no drift in accuracy found. Weather conditions during the survey were dry with light winds. Measurements were taken between 22:00 hours on 31 March 2025 until 09:00 hours on 1st April to cover the additional hours being sought. The results of the survey are shown in Figure 3 below. Full details of the survey are available if required.



FIGURE 3: Survey results

3.4 As observed during the survey, Southampton Row is a busy road with a high level of pedestrian activity and steady traffic throughout the night. Ambient noise levels were reasonably constant throughout the survey period, typically around 65 dB, with maximum noise levels, L_{Afmax} , from passing traffic between 70 – 80 dB. During the survey it was observed that there was an event taking place at restaurant Swiss Butter which is the opposite side of Southampton Row to Taco Bell. Customers were queuing outside the premises until early hours of the morning and noise from people was clearly evident.

4.0 Noise Impact Assessment (NIA)

- 4.1 As advised in section 1.0 of this report the proposed additional hours are being sought to enable the site to operate as a 'dark kitchen' serving on-line orders only. The trading hours to visit the site will remain the same, therefore there will be no additional impact from customers. The main noise impacts from the proposed development are therefore considered as follows:
 - Noise from kitchen activity on adjoining noise sensitive properties;
 - Noise from kitchen extract plant, and
 - Noise from deliveries/pick-ups

Noise from internal kitchen activity

- 4.2 The site is located on the ground level and sits on the ground level of a block of flats known as Hamilton House. To determine the impact of kitchen activity a series of measurements were carried out whilst the site was operating. Reverberant noise levels in the kitchen were found to be around 65 dB L_{Aeq1hr} with maximum noise levels of around 87 dB L_{Afmax}.
- 4.3 To predict noise levels in the adjoining properties calculations have been carried out to predict noise levels in the apartment above and adjoining property. The predicted noise level will depend on construction of the floor/wall and configuration of adjoining residential properties. The calculations are therefore based on a series of assumptions based on the site visit.
- 4.4 At night the main consideration will be maximum noise levels from kitchen activity. Based on the calculations carried out maximum noise levels in neighbouring properties from kitchen activity would be no greater than 24 dB L_{Afmax}. This is at least 21 dB below the recommended criteria for the onset of sleep disturbance of 45 dB L_{Afmax}.
- 4.5 Unlike applications for new premises in this case the site has been open for several years and operating up-to midnight throughout that period without any complaints regarding kitchen activity from adjoining properties. Furthermore, as discussed in section 2.0 of this report an application to vary the premises licence to allow sale of hot food up to 0400 hours was recently approved by LBC. Based on the EHO's response to licence application, there have been no noise complaints from local residents regarding existing activity and no objections were raised by residents directly adjoining the site. Therefore, whilst there is a level of uncertainty in the calculations the lack of complaints/objections in relation to existing use or proposed use provides confirmation that noise from use of kitchen is not causing significant adverse impact to adjoining residents.

Noise from kitchen extract plant

- 4.6 A noise assessment, prepared by Acoustic Consultancy Partnership (ACP report) was submitted as part of the application for the change of use in 2018. The ACP report included a noise survey carried out at the rear of the site and concluded that noise levels from the plant would be at least 10 dB below the existing background noise levels measured in accordance with the LBC's recommended guidance.
- 4.7 Based on noise data measured by ACP at the time of application (as summarised in Table 5 below) between midnight (the current opening hours) and 0400 hours (the proposed hours) there is no significant difference in background noise levels measured, with typical background noise levels, L_{A90,15min} during this period around 48 dB. There is a slight

unexplained reduction in background noise levels between 0200 – 0230 hours however this not considered significant in terms of the assessment.

	Measured Sound Pressure Level dB					
Time	LAFmax	LAeq,T	LA90,T			
00:00 - 00:15	62.2	51.1	48.9			
00:15 - 00:30	54.9	49.9	48.4			
00:30 - 00:45	60.2	50.2	48.4			
00:45 - 01:00	61.1	50.2	48.5			
01:00 - 01:15	59.8	49.9	48.3			
01:15 - 01:30	56.1	49.8	48.2			
01:30 - 01:45	1:30 - 01:45 57.4		48.1			
01:45 - 02:00	62.0	49.7	48.1			
02:00 - 02:15	0-02:15 65.8		48.1			
02:15 - 02:30	73.3	52.7	44.9			
02:30 - 02:45	54.9	46.8	42.4			
02:45 - 03:00	68.4	51.5	48.6			
03:00 - 03:15	67.8	53.2	48.4			
03:15 - 03:30	60.5	50.5	48.3			
03:30 - 03:45	68.7	51.7	48.3			
03:45 - 04:00	63.4	50.6	48.0			

TABLE 4: Extract from ACP Report (Appendix 1) – 20.4.18

- 4.8 As advised above the kitchen extract system has been designed so that the rating sound level from the plant does not exceed 34 dB at nearest noise sensitive receptors. This is 14 dB below typical background noise levels measured. It is noted that from the Environmental Health response to late-night refreshment licence (Appendix C) that no noise complaints have been received from local residents regarding the operation of the kitchen extract.
- 4.9 Based on the above it is not considered the impact of noise from operation of the kitchen extract fan up to 04:00 hours will cause adverse impact to local residents.

Noise from deliveries/pick-ups

- 4.10 As advised after midnight the site will operate as a 'dark kitchen' and there will be no customers visiting the site. All orders between 00:00 and 04:00 will be for delivery only. In line with the recommendations made at the time of the late-night refreshment licence to mitigate the impact of noise from delivery picks-ups the following measures will be implemented as part of the noise management plan for the site:
 - No deliveries by motorised vehicles (other than electric vehicles) after 11pm;
 - All couriers not engaged in the delivery of orders shall wait inside the premises for the customer order.
- 4.11 As advised in section 3.0 of this report, the site is a busy area with activity throughout the night time period. As shown in Figure 3 there was no noticeable difference between noise levels measured at midnight and the noise levels measured between the proposed hours being sought.

- 4.12 The level of activity between the hours being sought will be less as there will be no direct customer contact and couriers picking up orders will be managed through the mitigation measures agreed as part of the amendments to the premises licence.
- 4.13 Having regard to the existing noise climate in the area and mitigation measures proposed it is therefore concluded that noise from couriers picking up orders will not cause significant or unacceptable impacts to local residents.

5.0 Summary and Conclusions

- 5.1 Sharps Redmore has undertaken an environmental noise assessment for the variation of trading hours at Taco Bell, 75 Southampton Row, London to enable the site to operate upto 04:00 hours. The following noise impacts have been assessed:
 - Noise from internal kitchen activity;
 - Noise from operation of kitchen extract; and
 - Noise from deliveries/pick ups

Noise from internal kitchen activity

5.2 Noise from internal activity has been assessed and shown to be significantly below the recommended internal noise levels for the onset of sleep disturbance. The site currently operates up-to midnight, and no complaints have been received from either residents living directly above or adjacent to the site.

Noise from operation of kitchen extract

5.3 The kitchen extract fan has been designed to meet LBC's noise criteria of 10dB below background noise levels. There is no significant difference between the background level at midnight and the levels recorded between 00:00 and 04:00. Noise from operation of the kitchen extract plant will therefore be at least 10dB below background noise levels in line with the design criteria recommended by LBC.

Noise from deliveries/pick-ups

- 5.4 Between 00:00 and 04:00 the site will operate as a 'dark kitchen' only and will be open for couriers to pick up orders only. Mitigation measures will be implemented to reduce noise from couriers picking up orders, including restricting use of motorised vehicles and preventing couriers waiting outside.
- 5.5 The impact of noise from trading activity between 00:00 and 04:00 has already been considered as part of the amendments to the premises licence which has been granted by LBC. As part of the consultation process, the Environmental Health Department have made recommendations to control noise. These have been agreed by Taco Bell. In approving the amendments to the premises licence LBC have accepted that, subject to agreed mitigation measures, noise from sale of hot food between 00:00 and 04:00 will not cause public nuisance.
- 5.6 Having assessed the impact of noise from proposed change of trading hours it is concluded that noise from operation of the restaurant will not cause adverse or unacceptable impact to local residents in line with national and local policy aims.

APPENDIX A

ACOUSTIC TERMINOLOGY

Acoustic Terminology

A1 Noise, defined as unwanted sound, is measured in units of decibels, dB. The range of audible sounds is from 0 dB to 140 dB. Two equal sources of sound, if added together will result in an increase in level of 3 dB, i.e. 50 dB + 50 dB = 53 dB. Increases in <u>continuous</u> sound are perceived in the following manner:

1 dB increase - barely perceptible.

3 dB increase - just noticeable.

10 dB increase - perceived as twice as loud.

- A2 Frequency (or pitch) of sound is measured in units of Hertz. 1 Hertz (Hz) = 1 cycle/second. The range of frequencies audible to the human ear is around 20Hz to 18000Hz (or 18kHz). The capability of a person to hear higher frequencies will reduce with age. The ear is more sensitive to medium frequency than high or low frequencies.
- A3 to take account of the varying sensitivity of people to different frequencies a weighting scale has been universally adopted called "A-weighting". The measuring equipment has the ability automatically to weight (or filter) a sound to this A scale so that the sound level it measures best correlates to the subjective response of a person. The unit of measurement thus becomes dBA (decibel, A-weighted).
- A4 the second important characteristic of sound is amplitude or level. Two units are used to express level, a) sound power level L_w and b) sound pressure level L_p. Sound power level is an inherent property of a source whilst sound pressure level is dependent on surroundings/distance/directivity, etc. The sound level that is measured on a meter is the sound pressure level, L_p.
- A5 External sound levels are rarely steady but rise or fall in response to the activity in the area cars, voices, planes, birdsong, etc. A person's subjective response to different noises has been found to vary dependent on the type and temporal distribution of a particular type of noise. A set of statistical indices have been developed for the subjective response to these different noise sources.
- A6 The main noise indices in use in the UK are:
 - L_{A90}: The sound level (in dBA) exceeded for 90% of the time. This level gives an indication of the sound level during the quieter periods of time in any given sample. It is used to describe the "background sound level" of an area.
 - L_{Aeq}: The equivalent continuous sound level in dBA. This unit may be described as "the notional steady noise level that would provide, over a period, the same energy as the intermittent noise". In other words, the energy average level. This unit is now used to measure a wide variety of diverse types of noise of an industrial or commercial nature, as well as aircraft and trains.
 - L_{A10}: The sound level (in dBA) exceeded for 10% of the time. This level gives an indication of the sound level during the noisier periods of time in any given

sample. It has been used over many years to measure and assess road traffic noise.

- L_{AMAX}: The maximum level of sound measured in any given period. This unit is used to measure and assess transient noises, i.e. gun shots, individual vehicles, etc.
- A7 The sound energy of a transient event may be described by a term SEL Sound Exposure Level. This is the L_{Aeq} level normalised to one second. That is the constant level in dBA which lasting for one second has the same amount of acoustic energy as a given A weighted noise event lasting for a period of time. The use of this unit allows the prediction of the L_{Aeq} level over any period and for any number of events using the equation;

$$L_{AeqT} = SEL + 10 \log n - 10 \log T dB.$$

Where

n = Number of events in time period T.

- T = Total sample period in seconds.
- A8 In the open, known as free field, sound attenuates at a rate of 6 dB per each doubling of distance. This is known as geometric spreading or sometimes referred to as the Inverse Square Law. As noise is measured on a Logarithmic scale, this attenuation in distance = 20 Log (ratio of distances), e.g. for a noise level of 60 dB at ten metres, the corresponding level at 160 metres is:

 $60 - 20 \log \frac{160}{10} = 60 - 24 = 36 \text{ dB}.$

APPENDIX B

CALCULATIONS

Appendix B: Calculations

Calculation 1: noise transfer from kitchen										
				Mid fr	oquoney	Octavo Ban	de (H7)			
	63		25	250	500		US (HZ) 2k	/k	8k	dBA
Rey I n in kitchen	86		78	230	80	21 81	2K 82	4K 81	0K 77	UDA 87.6
		<u> </u>	70	12	80	61	02	81	//	87.0
I n (ground floor room) = I n (kitchen) - R	+10log S	+ 10 log	T/0 10	61\/						
Ep (ground noor room) – Ep (kitchen) - K	+ Tolog S	+ IU IUg	1/0.10							
S = surface area, r = Octave band sound redu	ctio S =		12							
	t		0.5		ν	40.8				
215mm solid masonry wall	43		42	45	53	60	65	70	70	
Correction for surface area of wall	11		11	11	11	11	11	11	11	
Reverberant correction	-3.	0 -	3.0	-3.0	-3.0	-3.0	-3.0	-3.0	-3.0	
Room correction	-8	-	-8	-8	-8	-8	-8	-8	-8	
Reverberant Lp in ground floor room	43		36	27	27	21	17	11	7	28.1
Coloulation 4: noise transfer from kitche										<u>,</u>
Calculation 1: hoise transfer from kitche	'n		_							
				Mid frea	uency Oc	tave Bands	s (Hz)			
	63	125		250	500	1k	2k	4k	8k	dBA
Rey Lp in kitchen	86	78		72	80	81	82	81	77	87.6
						-				
Lp (1st floor room) = Lp (kitchen) - R +	10log S +	10 log T	70.161	1V						
S = surface area, r = Octave band sound rec	S =	37	7.9							
	t	().5	v		91				
200mm concrete slab with light suspen	44	42		56	65	74	75	76	76	
Correction for surface area of slab	16	16		16	16	16	16	16	16	
Reverberant correction	-3.0	-3.0		-3.0	-3.0	-3.0	-3.0	-3.0	-3.0	
Room correction	-12	-12		-12	-12	-12	-12	-12	-12	
Reverberant Lp in 1st floor room	43	37		17	16	8	8	6	2	24.0
Calculation 1: noise transfer from kitchen										
				Mid fr	equency	Octave Ban	•			
	63	; 1	25	250	500	1k	2k	4k	8k	dBA
Rev Lp in kitchen	86		78	72	80	81	82	81	77	87.6
Lp (1st floor room) = Lp (kitchen) - R +10	log S + 10) log T/0.	161V							
S = surface area, r = Octave band sound reduction			13							
	t		0.5		v	31.2				
200mm concrete slab with light suspended g		- ·	42	56	65	74	75	76	76	
Correction for surface area of slab			11	11	11	11	11	11	11	
Reverberant correction		- U	3.0	-3.0	-3.0	-3.0	-3.0	-3.0	-3.0	
Room correction	-7		-7	-7	-7	-7	-7	-7	-7	
Reverberant Lp in 1st floor room	43		3/	17	16	8	8	6	2	24.0

APPENDIX C

EHO RESPONSE TO VARIATION OF PREMISES LICENCE

Date: Application Reference: Contact: E-mail:

15/1/2025

APP\PREM NEW 125732

Lee Perella (330847) Lee.perella@camden.gov.uk

Please quote our reference in any correspondence

Licensing (Contact Camden) Crowndale Centre 218 Eversholt Street London NW1 1BD



Public Protection Supporting Communities London Borough of Camden 5 Pancras Square LONDON N1C 1AG

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Licensing Act 2003 – Licence application. Re: Taco Bell 75 Southampton Row WC1B 4ET.

ENVIRONMENTAL HEALTH AUTHORITY REPRESENTATION

This representation is made by the Environmental Health Authority, and it relates to the following licensing objectives:

• Prevention of public nuisance

The Premises and Summary of Application

The application is for the licensing of an existing food premises takeaway which already holds a **PREM-LIC\2074** for Alcohol until midnight, late night refreshment until 00.30hrs. Also recorded music licence. Opening hours for current late-night refreshment up to 00.30hrs except Sunday midnight.

The premises is seeking Licenced activity for **late night refreshment** from 23.00 till 01.00hrs Sunday to Wednesday and 23.00 to 04.00hrs Thursday to Saturday.

The application does not mention although it should be made clear by the applicant that the current licence will be surrendered at the time of grant of the NEW licence should one be granted.

The premises is located on a main traffic route street Southampton Row. Properties are a long terrace with commercial on ground and residential above. Parking is restricted.

In general, motorised vehicle movements and parking are concerns for local residents across the Borough, with the growing trend of food delivery services. Namely noisy scooters, obstruction of footpaths from illegal parking, and riders behaviour outside premises. With have also recently received complaint on similar premises on activities

being heard within the shop premises affecting adjacent residential above, cooking activity, cleaning, moving of furniture, moving of street furniture late at night.



It is noted that the current licence PREM-LIC\2074 does not provide many conditions for promoting the public nuisance licence objective.

Conditions on the operating schedule

24 conditions offered on the application.

These relate to staff training on licensing matters, customer numbers, notices, Risk assessing need for SIA, use of electric mopeds, staff delivery personnel conduct, litter bins, area cleaning, provisions for delivery personnel, CCTV, incident log.

Comment on application

Comment on hours and activities

The application is seeking an extra 30 minutes to 3.5 hours per day on what is already permitted on the licence. The increased activity is likely to come to notice by those noise sensitive premises in the area, especially if persons are arriving late in an intoxicated state from midnight onwards, thereby creating a magnet for public nuisance in the area.

It is preferred that the later night activity into the early hours is conducted by delivery services rather than individuals or groups attending into the early hours to reduce the likelihood of public nuisance.

The application is likely to lead to an increase in courier activity in the area, with limited or no road parking near the premises. Applicant could explain how delivery vehicles are parked whilst awaiting collections, so as not to create nuisance or obstruction to other users.

Equipment on site will be in operation over longer time periods, and therefore these will need to be well maintained so as not to give rise to nuisance.

As an informative the applicant should check their **planning consents** / **permissions** to operate any plant equipment on site and opening hours for the proposed periods.

I am aware that the location although in a busy street in the daytime the area changes at night. Group activity, gatherings, arrivals in the street are noted by locals and resulted in complaint in this particular Southampton Row Street area at 3 nearby locations already. The increased activity as led to responsible authorities' engagement and warnings to those food premises, with 1 premises having its licence revoked. The commercial activity generally in this street ceases much earlier than that proposed in this application.

Complaint History

Complaint history focuses on the issue of commercial fan operation of located at the rear of the premises and noise from persons in the street at premises.

267144 4/2/2020 Noise complaint from persons outside premises and outside seating. Comment on noisy waste disposal. Remedy was to remove available street furniture from pavement earlier into premises. No fixed external seating to be used.

310718 13/6/2023 Odour smoke complaint from Taco Bell extract. Remedied by engineers post EH engagement.

317584 7/12/23 odour smoke from Taco Bell extract. Premises contacted.

Liaison with local interested parties

It is unknown if the applicant conducted any liaison with neighbours prior to the application.

Comments on conditions offered

Electric transportation or pedal cycles are preferred option for deliveries after 11pm. See offered condition 9.

On condition 14, It is expected that delivery personnel not engaged in actual delivery at the time will remain in the internal waiting area. No conditions offered on waste arrangements and deliveries to the shop.

No condition to remove street furniture by certain time e.g.10pm.

Other considerations/ conditions (in addition to comments above).

Should the panel determine to grant the licence, Environmental Health recommend the following:

<u>Query</u> on how licence holder will manage food couriers go to and from the premises and facilities for parking.

<u>Query</u> on how the premises currently carries out maintenance on plant equipment at this premises to prevent further complaints.

NEW CONDITIONS, should the panel view to grant:

- 1. Street furniture shall be removed quietly inside premises by 10pm each night and placed outside again for customer use 8am onwards.
- 2. No deliveries by motorised vehicles (other than electric vehicles) after 11pm.
- 3. All couriers not engaged in the delivery of customer orders shall wait inside the premises for the customer order.
- 4. All vehicles shall be parked legally and not give rise to obstruction of the public footpaths.
- 5. All deliveries will be made to a verified address and not to an open space.
- 6. Public access shall cease by midnight with any later sales being carried out by contracted courier only.
- Arrangements for the storage and disposal of refuse will not cause a nuisance. All business deliveries and collections (not customer related) servicing the direct needs of the licence holder shall be undertaken during the hours of 7am to 8pm Monday to Saturday, 10am – 8pm Sunday.
- 8. No street promoters to be used for business.

9. No noise or odour generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance.

Regards

Lee Perella EH Responsible Authority L.B.CAMDEN