Manchester City Council
Planning Department
P.O. Box 532
Town Hall
Manchester
M60 2LA

Our Ref: 62262149

24 March 2021

Dear Sir/Madam,

DISCHARGE OF CONDITION 5B OF PLANNING PERMISSION REF: 123025FO2019
11 ST JAMES'S SQUARE, MANCHESTER, M2 6DN
NOISE VERIFICATION TESTING

On behalf of St James Estates Ltd, please find enclosed an application to discharge Condition 5b of planning permission ref: 123025FO2019 for elevational alterations, to include replacement windows on second to fourth floors, alterations to existing curtain walling system at first floor to allow for openable windows, removal of glass roof and replacement with metal cladding, and installation of new and altered windows at the above address.

The following documents are submitted in support of this application:

- Application Form; and
- Internal Noise Verification Report (March 2021 ref: 0007) prepared by Wardell Armstrong.

The planning application fee of £116 has been paid to Manchester City Council via the Planning Portal.

CONDITION 5

Condition 5 states:

> *"a) Before the development commences a scheme for acoustically insulating the approved residential accommodation within the building against noise from John Dalton 123025/FO/2019 Page 4 of 7 Street, Cross Street and neighbouring streets shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration such as the Metrolink Second City Crossing line on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied and a verification report submitted for approval by the City Council as Local Planning Authority.*
>
> *Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The internal noise criteria are as follows:*
>
> *Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not normally exceed 45 dB LAmax,F by more than 15 times)*
> *Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq*
> *Gardens and terraces (daytime) 55 dB LAeq*

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Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

Due to the proximity of the development to the Metrolink Line 2nd City Crossing it will be necessary for vibration criteria to apply which can be found in BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Groundborne noise/re-radiated noise should also be factored into the assessment and design.

b) Upon completion of the development and before the new residential use becomes operational, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the acoustic consultant's report, as will be approved under part a) of this condition. The report shall also undertake post completion testing to confirm that above criteria is met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the noise criteria. The report and any necessary measures shall be approved in writing by the City Council as Local Planning Authority and the development shall be implemented in full in accordance with the approved details before the new use becomes operational.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policy DM1 of the Core Strategy."

BACKGROUND

Planning permission was granted at 11 St James's Square on 16 July 2019 for elevational alterations, to include replacement windows on second to fourth floors, alterations to existing curtain walling system at first floor to allow for openable windows, removal of glass roof and replacement with metal cladding, and installation of new and altered windows. Subsequently, and of relevance to this application, Condition 5a (set out above) was discharged on 19 June 2020 under application ref: CDN/20/0057, based on the approval of the following information:

- Noise and Vibration Assessment (Discharge of Condition Report) dated April 2020, prepared by Wardell Armstrong (ref: 0006 V2.0 received via email on 27 May 2020); and
- Fraser Dann's email (27 May 2020) with regard to an explanatory note to accompany the submitted acoustic report.

As such, the sound attenuation measures agreed as part of the above application were installed in line with the approved details.

Wardell Armstrong then contacted the Council's Environmental Health Officer via Carolyn Parry (Case Officer) in January 2021 to agree the methodology for the noise verification testing required under Condition 5b, given that Covid restrictions were in place and therefore internal and external noise levels would not be representative of typical levels. The EHO advised that verification testing should be delayed until restrictions are relaxed, and more representative noise levels are present in the immediate noise climate. However, in order to prevent delays to the client's programme and to comply with tenancy agreements, the completed building became occupied in February 2021 and noise verification testing was then undertaken on 4 March 2021.

CONDITION 5B

The enclosed Internal Noise Verification Report (March 2021 ref: 0007) prepared by Wardell Armstrong (WA) provides a summary of the correspondence undertaken between WA and the

Council, the methodology of the testing carried out internally and externally, and an assessment of the noise attenuation provided by the façade of the completed development.

The methodology that has been adopted is considered to be the most appropriate option, given the Covid restrictions in place and the client's programme.

The report explains that the measured façade sound insulation level is compared against the façade attenuation requirements that are set out in the documents approved to discharge Condition 5b. The testing was undertaken within the completed studio apartments of the completed, and largely occupied, development. However, the noise measurements included noise from both external and internal noise sources.

The contribution of internal noise sources (ie noise created by there being people living in the building) is an artificially measured noise level which results in the sound attenuation appearing to be less effective than it is. Furthermore, due to Covid restrictions, the external noise level is likely to be lower than usual, which also results in an adverse impact on the demonstratable sound attenuation.

As a result of the above artificial impacts, the results of the testing do not appear to meet the requirements set out in the approved documents. However, the true attenuation is likely to be higher than shown and, as such, it is suggested that further noise measurements are taken at a later stage, when typical activities resume following the lifting of Covid restrictions. That is, when external noise levels are at more typical levels and at a time when there will be less internal noise contributing to the assessment results (ie when people are not required to stay at home).

The instances of non-conformity in the submitted report are caused by the effect of Covid 19 restrictions on the internal and external noise environment. The intention of the proposed further testing is to demonstrate that additional attenuation measures are not required to meet the necessary noise criteria when internal and external noise levels are at more typical levels.

CONCLUSION

We trust that the Council agrees that the above and enclosed information represents the most appropriate approach to noise verification testing at 11 St James's Square, given the Covid restrictions that have been, and are currently still, in place.

The developer is endeavouring to comply with the conditions as far as possible in these challenging circumstances. Further noise testing will be carried out once restrictions are relaxed, and a further report will be submitted to the Council. However, it would be appreciated if Condition 5b could be discharged based upon the information submitted with this application, subject to a requirement for the further testing results to be submitted in due course.

Please let me know if you have any queries.

Yours faithfully

Fraser Dann
Senior Planner

cc: David Smith (WSP)