



To	Head of Planning	FAO: Steven McCoombe
From	Head of Compliance, Enforcement and Community Safety	
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Date:	02 March 2023	Telephone: 31374

Consultation on Planning Application

Application No: 135048/FO/2022

Description: Erection of an 8.3 metre high building to house two padel tennis courts, with associated lighting and infrastructure

Location: Northern Lawn Tennis And Squash Club, Palatine Road, Manchester, M20 3YA

I write in response to questions/concerns raised at the Planning Committee Meeting of the 16th February 2023 regarding the above application.

The role of Environmental Health as a planning consultee

Environmental Health (EH) are consulted by the Planning Department on all planning applications within Manchester.

EH consider a number of environmental issues including noise and vibration, before making a recommendation to the Planning Department. Typically, this recommendation is that the application be approved, be approved subject to appropriate conditions, or be refused.

The recommendations made by EH are not binding on the Planning Authority who will consider all relevant issues concerning a planning application.

Noise Policy Statement for England

The Noise Policy Statement for England (NPSE) states the long-term vision of Government noise policy is 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”.

The long-term vision is supported by the following aims; 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;
- Where possible, contribute to the improvement of health and quality of life.

The intention is that the NPSE should apply to all types of noise apart from noise in the workplace (occupational noise).

Noise Planning Policy Framework

The NPPF sets out the Government’s planning policies for England and how these are expected to be applied.

The framework states (among other commitments) that the planning system should contribute to and enhance the natural and local environment by:

“preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability”.

The express inclusion of noise in the NPPF means that it is a material planning consideration for local planning decisions.

Paragraph 123 states that planning policies and decisions should aim to:

- A.** Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- B.** Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- C.** Recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- D.** Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

National Planning Practice Guidance

The National Planning Practice Guidance (PPG) is a [web-based resource](#), launched by the Department for Communities and Local Government (DCLG) in March 2014 to support the NPPF and make it more accessible.

It advises on how planning can manage potential noise impacts in new development. The guidance is regularly reviewed and updated and noise is listed as a specific category. The guidance is for ad hoc developments (such as this application), as major infrastructure is covered by overarching National Policy Statements.

A summary of the effects of noise exposure (in terms of health and quality of life) associated with both noise generating developments and noise sensitive developments is presented within the PPG and reproduced in Table 1.

Table 1: Noise Exposure Hierarchy

Perception	Examples of Outcomes	Increasing Effect Level	Action
Not noticeable	No Effect	No Observed Effect	No specific measures required
Noticeable 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 (NOAEL)	No specific measures required
Lowest Observed Adverse Effect Level (LOAEL)			
Noticeable 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 (SOAEL)			
Noticeable 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 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
Noticeable and very intrusive	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

Local Policy

The Core Strategy Development Plan Document 2012 -2027 (the Core Strategy) was adopted by the City Council in July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long-term strategic planning policies for Manchester's future development.

Policy DM 1 - Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise;
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport mode;
- Community safety and crime prevention;
- Design for health;
- Adequacy of internal accommodation and external amenity space;
- Refuse storage and collection. Vehicular access and car parking;
- Effects relating to biodiversity, landscape, archaeological or built heritage;
- Green Infrastructure including open space, both public and private;
- The use of alternatives to peat-based products in landscaping/gardens within development schemes;
- Flood risk and drainage; and
- Existing or proposed hazardous installations;

Core Development Principles

Development in all parts of the City should make a positive contribution to neighbourhoods of choice including:

- creating well designed places that enhance or create character;
- making a positive contribution to the health, safety and wellbeing of residents considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income;
- protect and enhance the built and natural environment;
- minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Citywide Development Control Policies -26 Development and Noise

DC26.4 Where the Council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant

to provide an assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following:

- a) engineering solutions, including reduction of noise at source, improving sound insulation of sensitive buildings or screening by purpose-built barriers;
- b) layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it and screening by natural barriers or other buildings or noncritical rooms within a building; and
- c) administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit. Any or all of these factors will be considered appropriate for inclusion in conditions on any planning permission.

National & International Standards

The following reference documents and guidance constitute some of the more important sources of information relating to noise and the planning process:

World Health Organisation (WHO) Guidelines for Community Noise 1999

The guidelines were prepared as a practical response to the need for action on community noise at a local level, as well as the need for improved legislation, management and guidance at the national and regional levels.

The health-based guidelines serve as the basis for deriving noise standards within the framework of noise management. Key issues for noise management include models for forecasting and assessing noise.

WHO says that the health effects of noise exposure are considered to be a public health problem of growing importance, where specific effects include sleep disturbance, annoyance responses, cardiovascular/psychological effects, performance reduction effects and effects on social behaviour. The guideline values have been derived from scientific studies over many years.

Table 2 provides guideline values for community noise in specific environments which are repeated in the table below:

Table 2: WHO community noise guideline values

Specific environment	Critical health effect(s)	LAeq (dB)	Time base (hours)	LAm _{ax} , fast (dB)
Outdoor living area	Serious annoyance, daytime and evening	55	16	-
	Moderate annoyance, daytime and evening	50	16	-
Dwelling, indoors	Speech intelligibility and moderate annoyance, daytime and evening	35	16	-
Inside bedrooms	Sleep disturbance, night-time	30	8	45
Outside bedrooms	Sleep disturbance, window open (outdoor values)	45	8	60

British Standard BS 8233: 2014 Guidance on Sound Insulation and Noise Reduction for Buildings

British Standard BS 8233 provides design guidelines for appropriate internal and external acoustic environments within buildings according to their function. Table 3 provides internal noise levels for residential dwellings which are shown below:

Table 3: BS 8233 internal noise levels for residential dwellings

Activity	Location	07.00 to 23.00	23.00 to 07.00
Resting	Living room	35 dB LAeq, 16hour	-
Dining	Dining room/area	40 dB LAeq, 16hour	-
Sleeping (daytime resting)	Bedroom	35 dB LAeq, 16hour	30 dB LAeq, 8hour

BS 8233 design criteria for external noise at a residential dwelling

For traditional external areas that are used for amenity space, such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB LAeq,T, with an upper guideline value of 55 dB LAeq,T which would be acceptable in noisier environments. However, it is also recognised that these guideline values are not achievable in all circumstances where development might be desirable.

Other locations, such as balconies, roof gardens and terraces, are also important in residential buildings where normal external amenity space might be limited or not available, i.e. in flats, apartment blocks, etc. In these locations, specification of noise limits is not necessarily appropriate. Small balconies may be included for uses such as drying washing or growing pot plants, and noise limits should not be necessary for these uses.

However, the general guidance on noise in amenity space is still appropriate for larger balconies, roof gardens and terraces, which might be intended to be used for relaxation. In high-noise areas, consideration should be given to protecting these areas by screening or building design to achieve the lowest practicable levels. Achieving levels of 55 dB LAeq,T or less might not be possible at the outer edge of these areas, but should be achievable in some areas of the space.

MCC assessment criteria

In the context of government policy, the Council require that developments aim for:

1. A noise level between the **No Observed Effect Level** (this is the level of noise exposure below which no effect at all on health or quality of life can be detected) and the **Lowest Observed Adverse Effect Level** (this is the level of noise exposure above which adverse effects on health and quality of life can be detected). Conditions may be attached.

If point 1 cannot be achieved, then:

2. If the assessment results in a level between the **Lowest Observed Adverse Effect Level** and the **Significant Observed Adverse Effect Level** (this is the level of noise exposure above which significant adverse effects on health and quality of life

occur), mitigation will be necessary to reduce the level and thus conditions will be attached.

If points 1 & 2 cannot be achieved, then:

3. If the assessment results in a **Significant Observed Adverse Effect Level** after mitigation, the application will be recommended for refusal.

The applicant's noise report

The noise survey, which was undertaken by Clement Acoustics, took readings at an existing covered Padel court to establish the likely noise levels that would be generated. The readings were taken in line with the net on the open side of the court, where there is just a mesh barrier (which will not reduce the noise). The ends and corners of the courts have glass walls and this provides attenuation of the noise within the court.

Noise readings were taken during a men's double match so it is likely that the noise from impacts of the ball on the rackets, the court, the glass walls and the mesh walls were loud and would present a 'worst case scenario' for the noise assessment.

The recorded figures were input into noise modelling software and Table 7.2 of the report shows the predicted external noise levels at the nearest residential properties. As shown, these are all below **50 dB LAeq,1hr** (this is the guidance value at which Sport England guidance states as acceptable).

Planning Committee 16 February 2023

At the previous Planning Committee meeting various issues were raised, which we hope to clarify in this note.

It was stated that the balls are hit off the walls of the court like playing squash. Whilst the walls are used, in padel the game is more like tennis meaning that the ball is mainly hit over a net. Although there will be impact noise from shots against the glass wall, the glass wall provides a degree of attenuation (noise reduction) against racket noise and speech, and the proposed courts are also covered which will further reduce noise.

The application site is in a suburban/mixed use area and there are other noise sources contributing to the ambient noise level including noise from road traffic on Palatine Road and noise from the adjacent Metrolink line. The existing noise climate in the area already includes noise from multiple tennis courts that are in use at the club, so although the padel courts will be an additional source of noise it will not out of character for the area and deemed to be acceptable. With reference to the noise exposure hierarchy set out in National Planning Practice guidance we consider the impact to be between the NOAEL and LOAEL – see Table 1 above. This means that the planning decision should be to grant the application subject to the noise being mitigated/reduced.

An acoustic barrier / fence is proposed as part of the application to reduce noise levels from the use of the courts. It was suggested that because a fence is proposed it must be noisy. The NPPG states that noise can be mitigated and the impact on nearby residents reduced to allow developments to go ahead. The application includes the installation of a

suitable fence (acoustic barrier), which will reduce the noise level from both the padel and tennis courts.

The question was raised as to how long a period the noise is assessed over. The noise levels at the residential properties are assessed in 1-hour periods during the daytime. The noise is averaged over the one-hour period. All these levels are assessed outside (externally). In noise terms the daytime period is 07.00 – 23.00hrs (16hrs) and the nighttime period is 23.00-07.00hrs (8hrs). The nighttime period, for obvious reasons, is classed at the most sensitive time of day. The proposed use of the padel courts will be within daytime hours only.

It was mentioned that people work from home, and this could affect them. Looking at the criteria from the various internal and national noise standards which have been summarised above we have no concerns about the noise adversely affecting people within their homes. Standard double glazing will provide around 30 dBA attenuation. An open window will provide 10-15 dBA attenuation. However, if we are considering an area of the home as an office, most offices are designed to have noise levels of 45-55 dBA. Bearing in mind existing external ambient noise levels, this will not adversely impact in internal spaces.



Photo 1: View across clay courts to residential property from near to rear end of proposed padel court



Photo 2: View across clay courts to residential properties from near to rear end of proposed padel court

Summary

Our recommendation is for the application to be approved subject to the proposed condition (which includes a validation requirement). In accordance with local and national policy, and considering relevant British standards and guidance, the noise from the use of the proposed padel courts, in context with the existing use of the site, will not give rise to significant adverse impacts to the surrounding residential properties and therefore should not be refused.

Note on Lighting

The proposed lighting scheme for the site ensures that the lighting levels at the nearby residential premises will comply with the E3 Zone requirements for suburban areas (10Lux maximum before 23.00hrs). A verification report and post completion testing is required to ensure these limits have been met.

Should you wish to discuss this matter further please contact Sharon McAndrew on extension 31374.

Fiona Sharkey
Head of Compliance, Enforcement and Community Safety

