



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

Our Ref: 70101583

4 October 2022

Dear Sir/Madam,

**DISCHARGE OF CONDITION 3B OF PRIOR APPROVAL REF: 122770/P3OPA/2019
11 ST JAMES'S SQUARE, MANCHESTER, M2 6DN
NOISE VERIFICATION TESTING (RESUBMISSION)
PLANNING PORTAL REF: PP-11541474**

On behalf of St James Estates Ltd, please find enclosed an application to discharge Condition 3b of prior approval ref: 122770/P3OPA/2019 for change of use of first, second, third and fourth floor from offices (Use Class B1a) to 60no. studio apartments (Use Class C3) at the above address.

The following documents are submitted in support of this application:

- Application Form; and
- Internal Noise Verification Report (October 2022 – V0.2) prepared by Wardell Armstrong.

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

BACKGROUND

Prior approval was granted at 11 St James's Square on 29 April 2019 for change of use of first, second, third and fourth floor from offices (Use Class B1a) to 60no. studio apartments (Use Class C3).

Condition 3 states:

"Notwithstanding condition 2, before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from commercial premises on John Dalton Street, Cross Street and neighbouring streets shall be submitted to and approved in writing by the City Council as local planning authority. 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 L_{Amax,F} by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq*

Gardens and terraces (daytime) 55 dB LAeq

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.

b) Notwithstanding condition 2 and part a, upon completion and prior to first occupation of the development, a verification report will be required to validate that all agreed mitigation and acoustic insulation measures such as glazing and ventilation recommendation and any building improvements have been implemented and complied with. Validation should include final sound testing to confirm that the internal noise criteria has not been exceeded during day or night time. Any instances of non-conformity with the above criteria shall be detailed along with any measures required to ensure compliance. The report and any necessary measures shall be submitted to and 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 plant is first brought into use.

Reason: To secure a reduction in noise from commercial premises in order to protect future residents from noise disturbance pursuant to Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and policy DM1 of the Core Strategy for the City of Manchester and saved Unitary Development Plan Policy DC26."

Condition 3a (set out above) was then discharged on 14 October 2020 under application ref: CDN/19/0656, based on the approval of the following information:

- Noise Assessment Report (July 2019 ref: 001) prepared by Wardell Armstrong;
- Acoustic Assessment Of First Floor Partition (October 2019 ref: 0004) prepared by Wardell Armstrong;
- Acoustic Specification Of Separating Wall;
- Email correspondence from Fraser Dann regarding acoustic specification of separating wall and assessment of noise transfer from the ground floor commercial units (1 October 2019).

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 3b, 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 hold off 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, the completed building became occupied in February 2021 and noise verification testing was then undertaken on 4 March 2021.

On 24 March 2021, an application to discharge Condition 3b (including a Wardell Armstrong Internal Noise Verification Report – March 2021) was submitted to the Council. A consultation response was then subsequently received from Environmental Health, stating that further assessment was required to determine the actual noise level in the apartments during more normal noise levels. Environmental Health also suggested that the testing should be undertaken without the building being occupied.

The applicant was unable to commission further testing as the building was fully occupied. As a consequence, the application was refused on 3 August 2022.

ADDITIONAL TESTING

Subsequently, further noise measurements were undertaken on the 7th and 8th September 2022 during the daytime (1652hrs to 2300hrs) and night-time (2300hrs to 0208hrs). All the internal noise measurements were undertaken in studio apartments (combined living and bedroom).

During the noise measurements the building was occupied, although there were no residents present in the studio apartments being tested. All building services were operational at the time of the survey, and any noise from the equipment is included into the noise measurements.

The internal and external noise measurements were taken simultaneously so that the measured noise levels could be directly compared. Internal noise measurements were undertaken within the apartments in three locations and for a period of approximately 10 minutes in each location.

Full details of the methodology and findings of the survey are provided in the enclosed Internal Noise Verification Report.

In summary, the report concludes that, with the exception of apartment 48, the measured sound level during the daytime in apartments is equal to or less than the guideline value of 35dB LAeq,T required by the condition. The measured sound level in apartment 48 is 38dB(A) which is only 3dB higher than the guideline value.

Furthermore, with the exception of apartments 24 and 60, the measured sound level in apartments during the night-time meets with or is equal to or less than the guideline value of 30dB LAeq,T, as required by the condition. The measured sound level in apartments 24 and 60 is 32dB(A) which is only 2dB higher than the guideline value.

The corresponding measurements carried out during the night-time in apartment 48 and the daytime in apartments 24 and 60 show that the façade of the building is providing a good level of sound attenuation. This indicates that the exceedances are caused by internal sound sources, such as from occupants, or electrical appliances, and not a failure in the design/build.

The report also found that there were 3no. exceedances of the guideline level of 45dB LAf,Max in Apartment 6, 2no. exceedances in Apartment 14, and 1no. exceedance in Apartments 24 and 40. However, the noise level measurements were undertaken during the busiest part of the night-time, when then LAf,Max is likely to be highest. Wardell Armstrong advise that it is generally regarded that 3dB is the limit of a perceived change in sound, therefore a change in the sound level of up to 3dB is not considered to be significant.

In light of the findings of the report, on balance Wardell Armstrong consider that the internal measured sound level is satisfactory in all apartments and further noise mitigation measures are not required.

Furthermore, the noise and vibration impact assessment report, which was prepared at the initial planning application stage, identified that vibration from the adjacent Metrolink line was very low, and significantly below any threshold for an adverse impact. Therefore, internal vibration measurements were not undertaken, and the vibration level from passing Metrolink trams is anticipated to be very low.



CONCLUSION

We trust that the enclosed information provides sufficient comfort that the apartments at 11 St James's Square benefit from adequate levels of amenity and that Condition 3b can therefore be discharged. However, please let me know if you have any queries.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Fraser Dann', with a long horizontal stroke extending to the right.

Fraser Dann
Associate (Planning Consultancy)

cc: David Smith (WSP)