

**DEVELOPMENT CONTROL COMMITTEE**

**29 APRIL 2024**

**AMENDMENT SHEET**

The Chairperson accepts the amendment sheet in order to allow for Committee to consider necessary modifications to the Committee report to be made so as to take account of late representations and corrections and for any necessary revisions to be accommodated.

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7	7	P/21/511/BCB

A Full DC Committee Site Visit was undertaken on Wednesday 3 April 2024.

As well as Development Control Committee Members and Officers (including Moira Lucas, Senior Conversation & Design Officer), a Porthcawl East Central Ward Member (Cllr. Graham Walter) and a representative from Porthcawl Town Council attended the site visit.

Further to recent discussions between the Noise Consultant for the scheme and Shared Regulatory Services (Noise) Officers, it has been agreed to amend the wording of condition 7 as follows:

*7. The noise rating level arising from all fixed plant and/or machinery at the development site when measured or where this is not possible by calculation or a combination of both at any residential premises shall not exceed the levels specified in table 1 below. The measurements and assessment shall be made in accordance with BS 4142:2014+A1:2019 in free field conditions.*

Table 1

<i>Time</i>	<i>Noise rating level</i>
<i>Day (07.00-18.00)</i>	<i>47 dB, LAeq, 1hour</i>
<i>Evening (18.00-23.00)</i>	<i>45 dB, LAeq, 1 hour</i>
<i>Night (23.00-07.00)</i>	<i>40 dB, LAeq, 15mins</i>

*Reason: To safeguard residential amenities.*

As the detailed design of the scheme has progressed, it is apparent that it would not meet the original aspiration for plant noise being '10 dB below background'.

For most plant elements, attenuation features are proposed but there are a few items of rooftop plant which can only be attenuated by noise barriers/screens and this is difficult because:

- a) the rooftop is overlooked by taller modern residential properties on all sides
- b) they have to keep the plant away from the existing heritage auditorium windows (which cannot be replaced),
- c) the heritage officer wants to minimise the height of modern looking plant screens, and
- d) the building services engineer is trying to bring a building with poor levels of thermal insulation up to 21st Century low-carbon standards, so there is a need for plant.

In addition '10 dB below background' is significantly lower than industry best practice (BREEAM, '5 dB below') and the "low impact" as defined by the British Standard (BS 4142, 'no greater than background'); the existing building services plant are well in excess of these limits (e.g. measured 59 dBA at one NSR position due to the existing kitchen extract fan, which is +19 dB above the limit), so the proposed development will result in a significant reduction in existing plant noise impact and some low-level constant noise from M&E plant is likely to provide beneficial noise masking for music noise break-out from the venue.

Shared Regulatory Services Officers have advised that a revision to the wording of condition 7 is necessary, reasonable and acceptable in this case as it would still ensure noise emissions from the re-developed building and associated fixed plant/machinery remain at an appropriate level and neighbouring residential amenity will still be safeguarded whilst also complying with the BS 4142 assessment.

Also, it would still effectively result in a significant reduction in plant noise impact compared to the existing situation.

Therefore, due to the constraints and reasonable justification, it is proposed to amend the planning condition to be '5 dB below background', which is realistic and achievable.

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**JONATHAN PARSONS**  
**GROUP MANAGER – PLANNING & DEVELOPMENT SERVICES**  
**29 APRIL 2024**