Cheriton Parish Council

‘BOOMTOWN’

NOISE BASELINE MONITORING & EVENT 2024

Report No. 24-0116-0 R01

♦ PROTECT ♦ ENHANCE ♦ CONNECT

Noise Baseline and Event Monitoring 2014

Cheriton Parish Council

'BOOMTOWN'

Report number:
24-0116-0 R01

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CONTENTS

1 INTRODUCTION

1.1 Sustainable Acoustics Ltd. has been appointed to provide an independent noise monitoring service for Cheriton Parish Council at two positions, to include periods when there was no event occurring, to define typical backgrounds and during the event known as 'Boomtown'. Monitoring took place between the Thursday 25th July and Sunday the 11th August 2024. The results are reported in a noise impact assessment report style. The event took place between the 7th and the 11th, with music beginning on the 8th.

1.2 Peter Rogers, a registered expert, also provide a commentary on the results for the 2024 and implications for the compliance with licensing conditions and for the planning application and SDNP policy.

2 SURVEY & METHODOLOGY

2.1 Two locations in the village of Cheriton were selected, which to some extent reflected locations where there had been complaints on previous years, and where the Boomtown acoustic consultants ('F1') were planning to monitor near too.

2.2 The event takes place on land owned by the Mattereley Estate, which is a dairy farm, in the Matterley bowl which is located in Temple Valley. The site is on the east side of Winchester. Cheriton village is approximately 4km from the festival site boundary.

2.3 The approximate locations are shown on the ariel map in Figure 1.

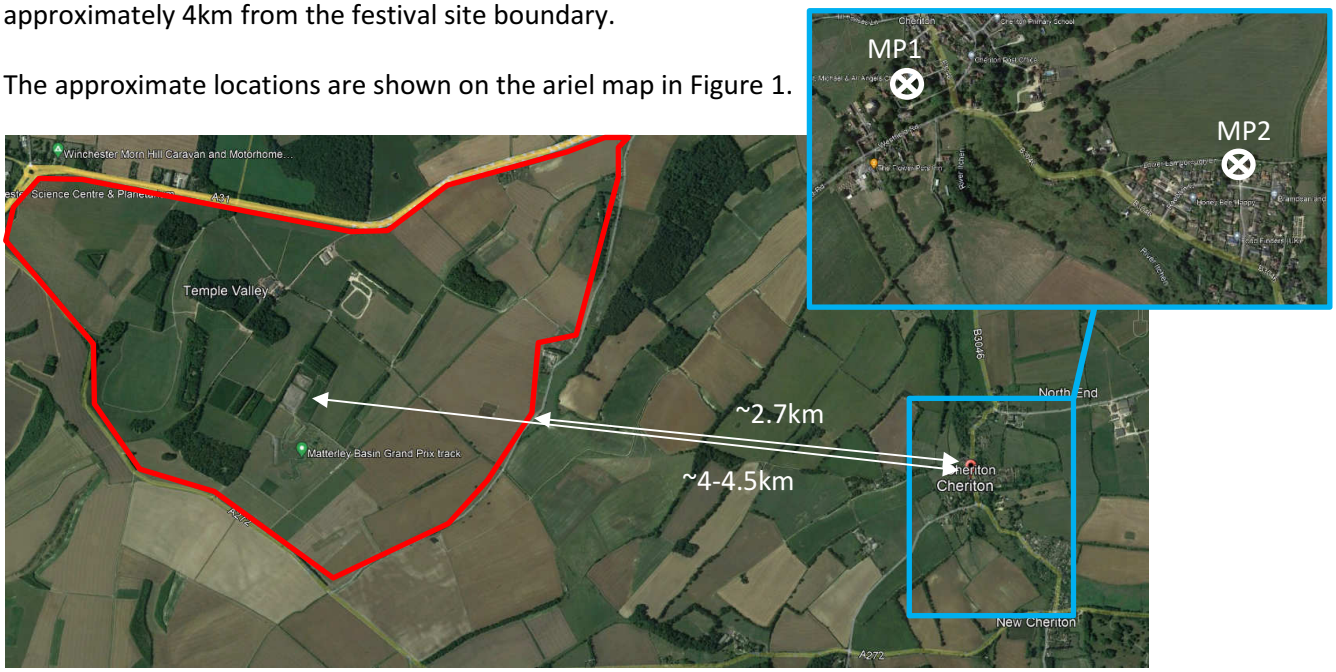

Figure 1: Ariel Site plan, with the festival site boundaries approximately marked and the village of Cheriton identified and expanded with approximate distances and monitoring positions marked

Instrumentation

2.4 The following instrumentation was used to monitor the sound, during an unattended survey:

Equipment	Type	Serial Number	Calibration	
			Date	Certificate no
MP1				
Svantek Class 1 Sound Level Meter	SV307	78601	12/02/24	1507749-3
Microphone	ST30	101525	12/02/24	1507749-3
MP2				
Svantek Class 1 Sound and Vibration Analyser	958A	59140	04/11/22	1503768-1S
Microphone	MK 255	12582	04/11/22	1503768-1S
Preamplifier	SV 12L	57964	04/11/22	1503768-1S

Table 1: Survey Instrumentation

Measurement method

2.5 The instruments were set up with the microphones representing first floor height for the locations used. They were put on a mast and pole. They were calibrated before and after the survey with no significant drift noted. Laboratory calibration certificates for the equipment are available on request.

2.6 Measurements parameters were set to collect logging parameters every 1 minute.

2.7 Because of the duration of the survey a battery change was planned, and took place.

2.8 The locations of the meters are shown in pictures, with the addresses withheld for privacy reasons. These are available from the CPC on request and with consent.

Figure 2: Location of MP1

Figure 3: Location of MP2

3 LICENSING CONTROLS

License limits at designated locations agreed with the Local authority ($L_{Aeq,\ 15min}$) according to the Boomtown festival License PRM773 to promote the licensing objective to prevent public nuisance are as follows:

For overall limits ($L_{Aeq,\ 15min}$)

55dBA 10:00 – 23:00

45dBA 23:00 – 04:00

For low frequency *63 & 125Hz* ($L_{eq,\ 15min}$)

Wednesday	Inaudible
Thursday	65dB 10:00 – 00:00
Friday & Saturday	65dB 10:00 – 21:00
	68dB 21:00 – 23:00
	65dB 23:00 – 04:00
Sunday	65dB 10:00 – 00:00

4 RESULTS

Ambient noise conditions

4.1 The summary for the 11 days monitored at MP1 before the event is summarised in Table 1 below, with the variation for each day shown graphically in Figure A1 in Appendix 1 for the overall parameters of L_{Aeq} (average) and L_{AMax} (Maximum) and L_{A90} (Background) over 15 minute averages in dB(A), where ambient is the residual noise as an average with no music, and the background level is the noise levels exceeded for 90% of the time. The later is always the lowest figure.

		Ambient noise level, dB $L_{Aeq,\ 15\ min}$		Maximum noise level, dB $L_{Amaz,\ 15\ min}$		Background noise level, dB $L_{A90,\ 15\ min}$	
		Range (15 min)	Period	Range	Typical[1]	Range	Typical[2]
Daytime	07:00-23:00	26 - 61	47	26 - 85	69	17 - 48	32
	07:00-19:00	38 - 61	46	40 - 85	68	29 - 46	35
Evening	19:00-23:00	32 - 59	47	26 - 83	64	17 - 42	23
Night	23:00-07:00	18 - 52	39	19 - 77	62	16 - 38	17

1 Typical maximum noise level taken as the 10th highest of 2min samples during the period.
2 Typical background noise level shown is arithmetic average during day and 20th percentile at night and in the evening periods.

Table 1: Measured sound levels at MP1 from Thursday 25th of July to Tuesday 6th of August

		Ambient noise level, dB $L_{Aeq,\ 15\ min}$		63 Hz Octave Band noise level, dB $L_{eq,\ 15\ min}$		125 Hz Octave Band noise level, dB $L_{eq,\ 15\ min}$	
		Range (15 min)	Period	Range	Typical[1]	Range	Typical[2]
Daytime	07:00-23:00	26 - 61	47	26 - 85	69	28 - 68	46
	07:00-19:00	38 - 61	46	40 - 85	68	40 - 68	48
Evening	19:00-23:00	32 - 59	47	26 - 83	64	31 - 53	41
Night	23:00-07:00	18 - 52	39	19 - 77	62	24 - 50	29

1 Typical maximum noise level taken as the 10th highest of 2min samples during the period.
2 Typical background noise level shown is arithmetic average during day and 20th percentile at night and in the evening periods.

Table 2: Key Octave Bands measured sound levels at MP1 from Thursday 25th of July to Tuesday 6th of August

4.2 The results are presented as a time history for the bass frequencies in Figure A2 in Appendix 1 for MP1.

4.3 At MP2 there was a technical malfunction which meant a reduced set of data was gathered for the ambient, although this still remains useful in enabling a comparison with levels during the event, which were captured for each day in Table 3 and 4 also shown in the time histories Figure 6 and 7 respectively.

		Ambient noise level, dB $L_{Aeq,\ 15\ min}$		Maximum noise level, dB $L_{Amaz,\ 15\ min}$		Background noise level, dB $L_{A90,\ 15\ min}$	
		Range (15 min)	Period	Range	Typical[1]	Range	Typical[2]
Daytime	07:00-23:00	33 - 55	49	41 - 86	73	28 - 46	39
	07:00-19:00	44 - 54	50	50 - 86	69	38 - 46	41
Evening	19:00-23:00	33 - 55	46	41 - 82	70	28 - 42	35
Night	23:00-07:00	27 - 37	33	34 - 80	74	23 - 28	26

1 Typical maximum noise level taken as the 10th highest of 2min samples during the period.
2 Typical background noise level shown is arithmetic average during day and 20th percentile at night and in the evening periods.

Table 3: Measured sound levels at MP2 on Thursday 25th and Monday 29th of July

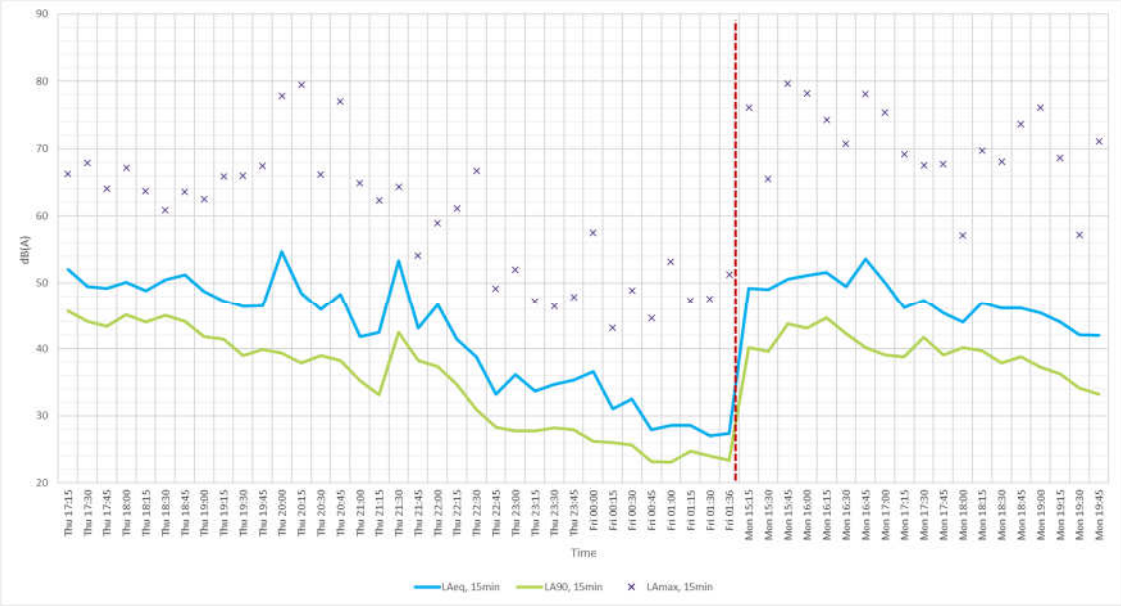

Figure 4: Measured sound levels at MP2 on Thursday 25th and Monday 29th of July

		Ambient noise level, dB $L_{Aeq,\ 15\ min}$		63 Hz Octave Band noise level, dB $L_{eq,\ 15\ min}$		125 Hz Octave Band noise level, dB $L_{eq,\ 15\ min}$	
		Range (15 min)	Period	Range	Typical[1]	Range	Typical[2]
Daytime	07:00-23:00	33 - 55	49	41 - 86	73	37 - 57	45
	07:00-19:00	44 - 54	50	50 - 86	69	42 - 57	46
Evening	19:00-23:00	33 - 55	46	41 - 82	70	37 - 46	40
Night	23:00-07:00	27 - 37	33	34 - 80	74	32 - 45	32

1 Typical maximum noise level taken as the 10th highest of 2min samples during the period.
2 Typical background noise level shown is arithmetic average during day and 20th percentile at night and in the evening periods.

Table 4: Key frequency Octave Bands measured sound levels at MP2 on Thursday 25th and Monday 29th of July

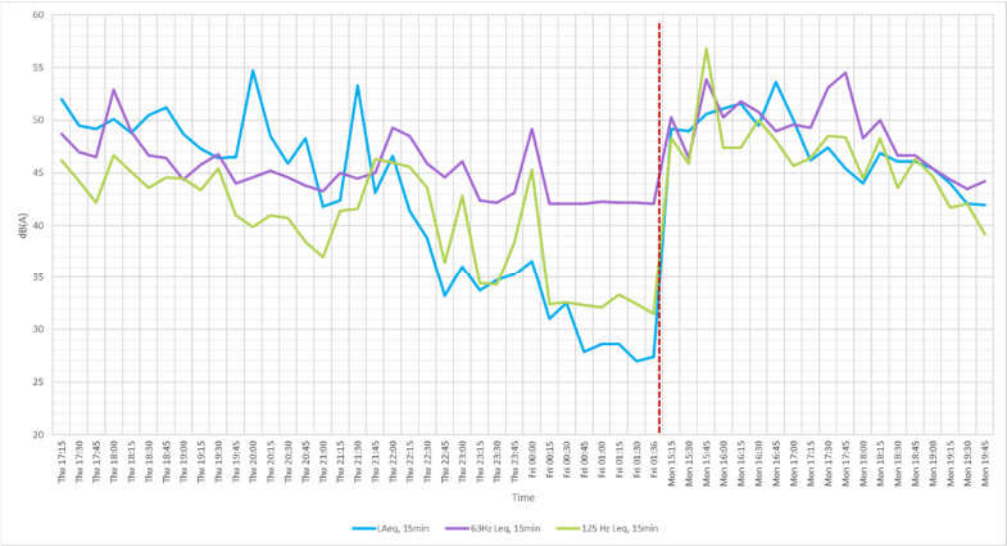

Figure 5: Key Octave Frequency *Bands* for Bass were *measured sound levels at MP2 from Thursday 25th and Monday 29th of July*

Soundscape Quality

4.4 No objective soundscape assessment has been completed as part of this study, but observations are made about factors that are likely to affect the 'relative tranquillity', which is relevant to consider according to the SDNP policy for planning in particular. Relative Tranquillity is considered by the South Downs National Park Authority (SDNPA) to be one of the more important 'special qualities' of the SDNP.

4.5 'Tranquillity' is generally understood to include an absence of human sound (such as transportation noise primarily) but perception of 'relative tranquillity' also includes other no acoustics factors like its visual aspects and other contextual information such as personal experience. This means that the perception of sound is not the whole storey of tranquillity but it is part of it, and must be taken into account rather than disregarded.

4.6 For context the village of Cheriton lies with the northern part of the South Downs National Park, prized for its beauty and for being the source of one of the England's' most important chalk streams (the River Itchen). The soundscape during the daytime in the village centre near to MP1 includes regular chimes from the church clock, sound from local traffic and people walking and talking. The extended village is bordered by farmland, and agricultural vehicles can often be heard operating in the fields, especially around harvest time which often coincided with the event. In addition, the sound of nature, including birds, wind through foliage and water from the stream that runs through the village are central to the character of the soundscape. At night the sound levels fall to very low levels, as the ambient monitoring shows. It would be reasonable to describe the soundscape as of high quality, and the acoustics elements of relative tranquillity high at night, and present at times during the day also.

During 'Boomtown' the event

4.7 A time history plot for each day and night for MP1 and MP2 for overall LAeq and the bass frequencies of 63Hz and 125Hz for each event day.

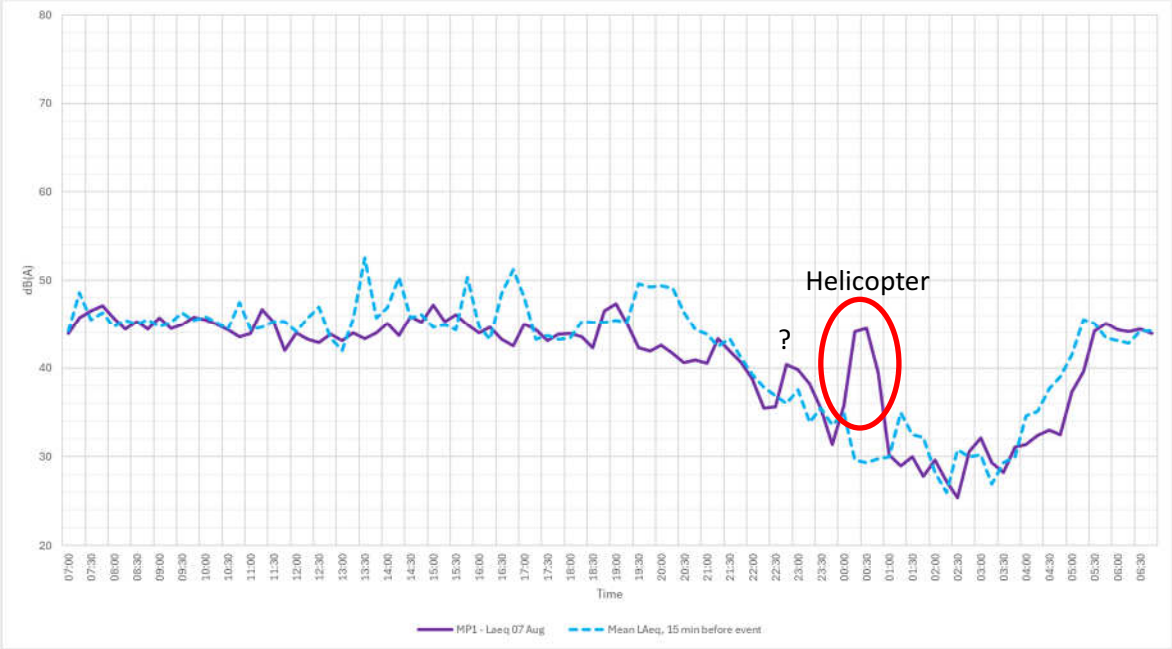

Figure 6: Comparison plot of overall L_{Aeq} at MP1 as the average of all days with no music with the Wednesday 7th when Boomtown commenced with an expectation of inaudibility. MP2 data was not available.

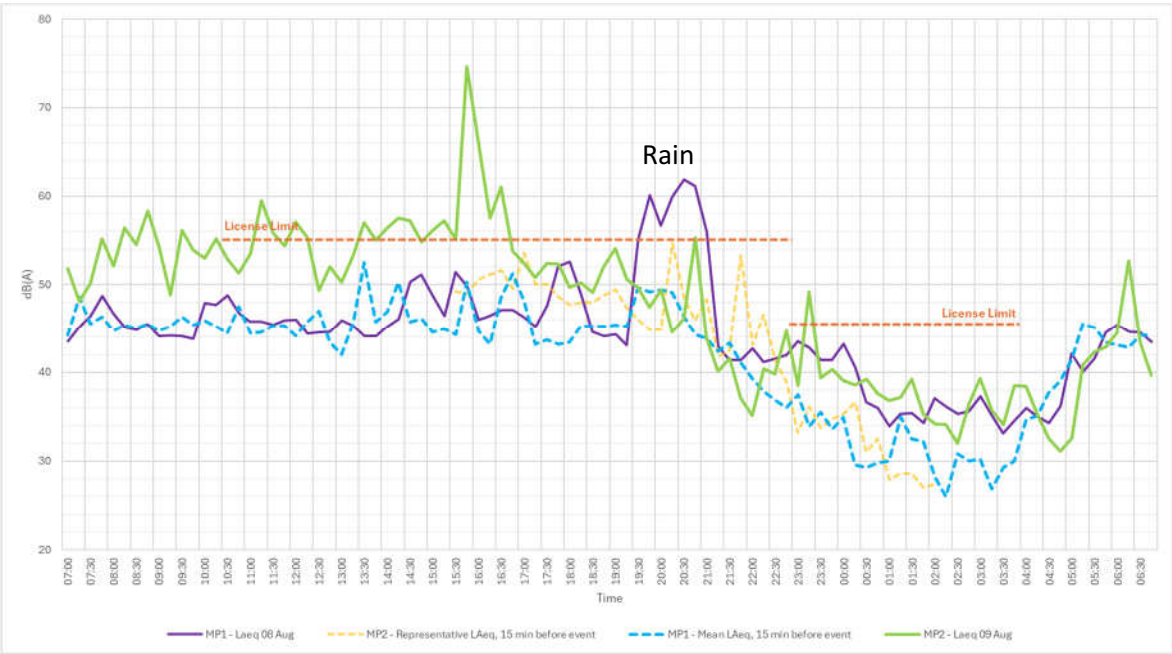

Figure 7: Comparison plot of overall L_{Aeq} at MP1 as the average of all days with no music with the Thursday 8th when Boomtown commenced with an expectation of meeting the noise limits shown. Both MP1 and MP2 are plotted and MP2 is consistently over the target for day and night, whereas at MP1 only potentially for a limited time most likely due to precipitation.

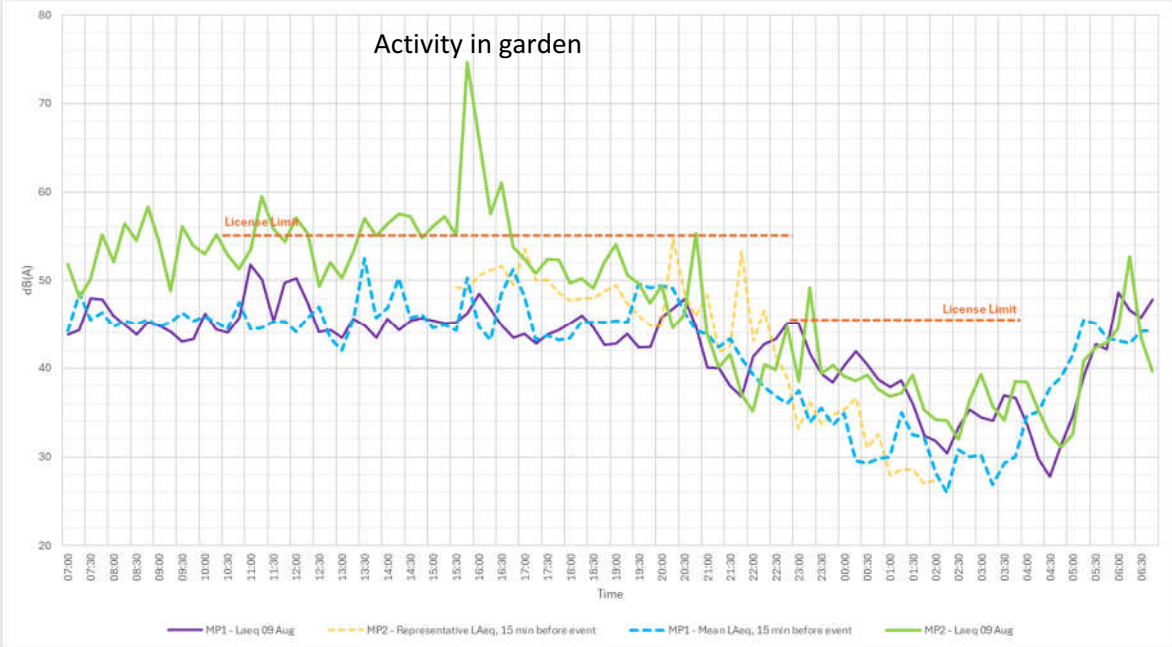

Figure 8: Comparison plot of overall L_{Aeq} at MP1 as the average of all days with no music with the Friday 9th when Boomtown was underway, with an expectation of meeting the noise limits shown. Both MP1 and MP2 are plotted and at night the targets are generally met, whilst at MP2 during the day this is more doubtful.

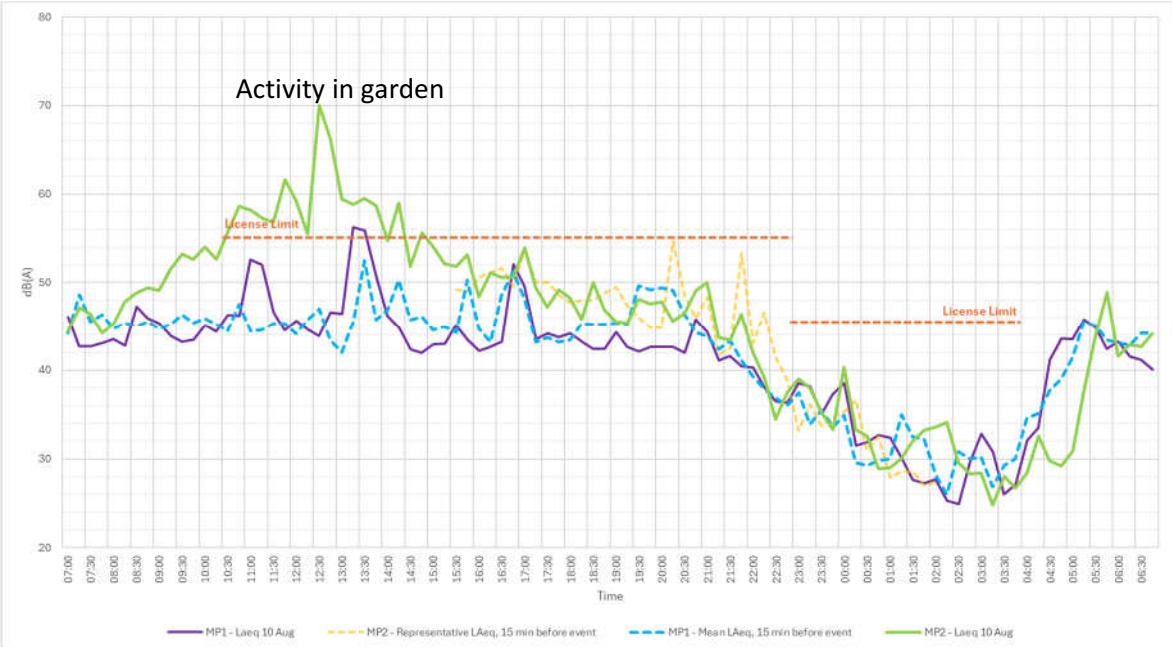

Figure 9: Comparison plot of overall L_{Aeq} at MP1 as the average of all days with no music with the Saturday 10th when Boomtown was underway, with possible exceedance between 10:00 and 14:30 at MP2. The noise limits shown. Both MP1 and MP2 are plotted and evening and night found to be close to low to no impact on the no music condition.

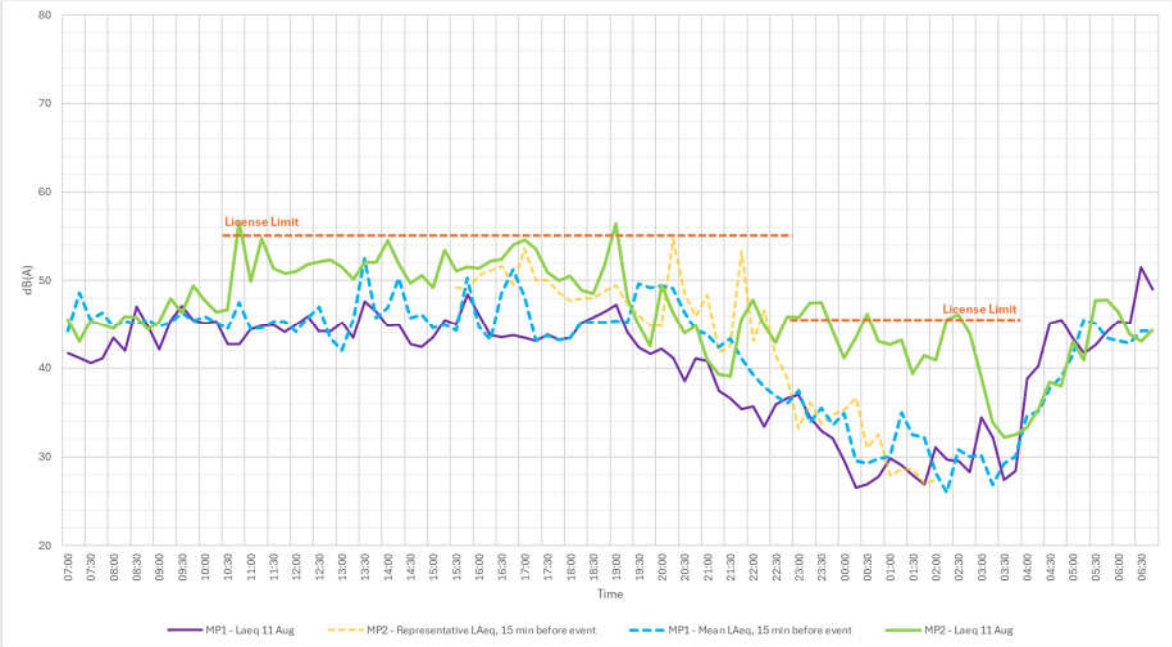

Figure 10: Comparison plot of overall L_{Aeq} at MP1 as the average of all days with no music with the Sunday 11th when Boomtown was underway at both MP1 and MP2. Some possible exceedances against the noise limits shown at night at MP2.

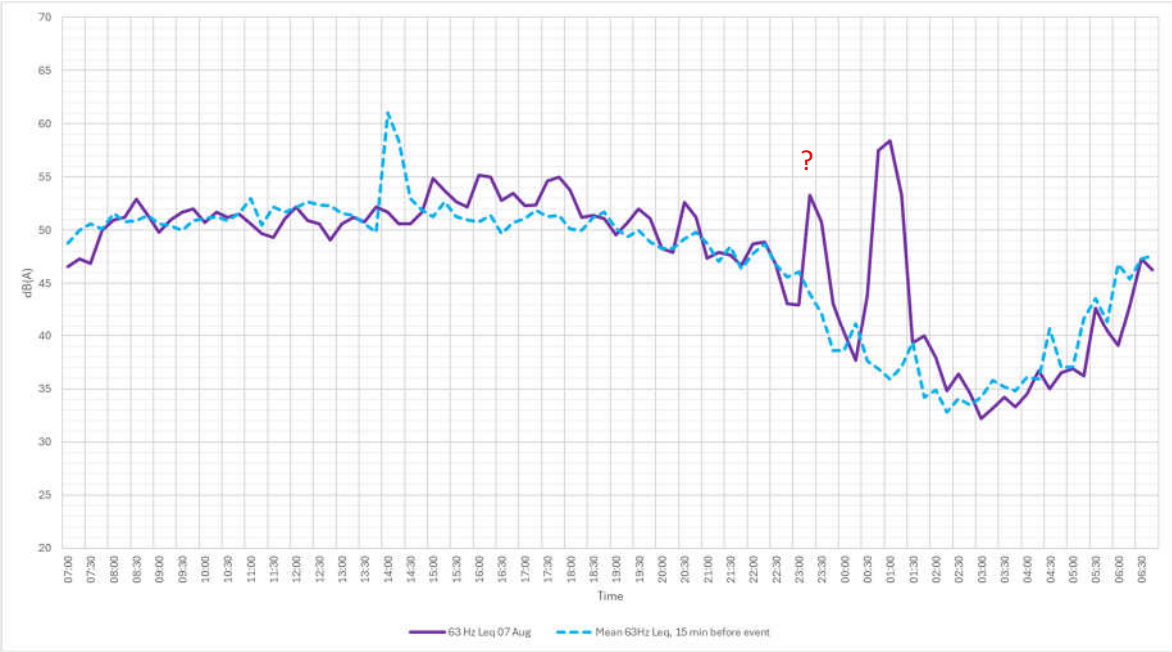

Figure 11: Comparison plot of low frequency 63Hz bass region at MP1 as the average of all days with no music with the Wednesday 7th when Boomtown was underway. The possible deviations are expected to be helicopters from listening to sound files at MP1. There is some potential evidence supporting that music may have been present and audible as a bass beat between 15:00 and 17:30 hours, which would be a breach of the licence condition.

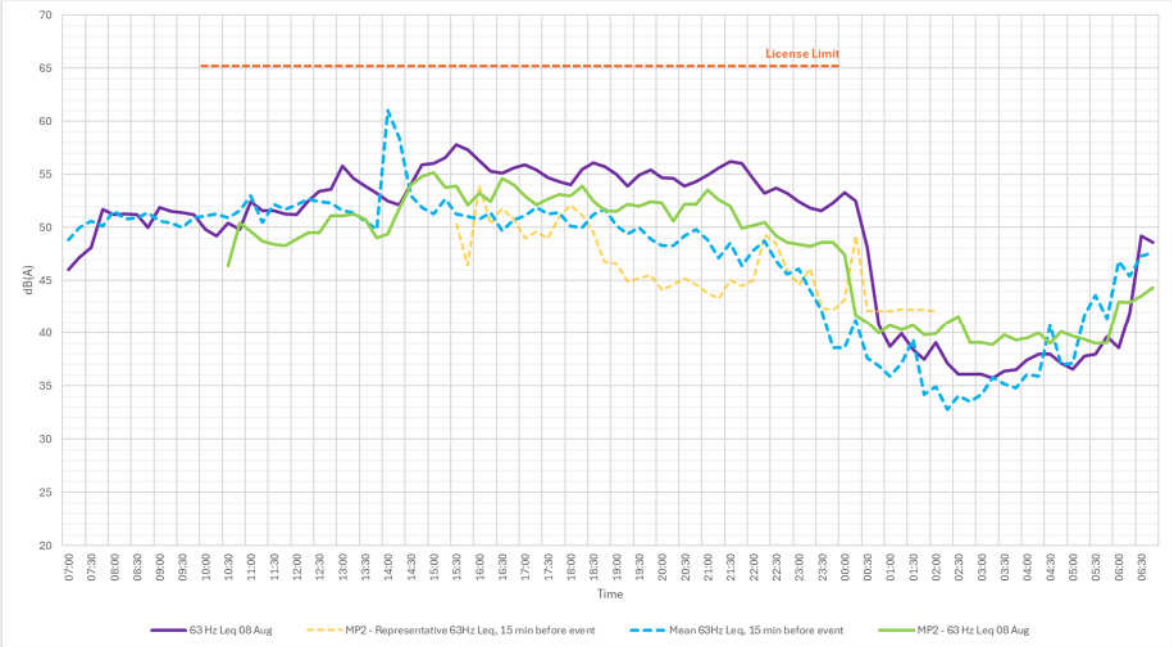

Figure 12: Comparison plot of low frequency 63Hz bass region at MP1 and MP2 against the average of all days with no music (at MP1) for the Thursday 8th when Boomtown was underway. The possible deviations are expected to be helicopters from listening to sound files at MP1. There is no evidence supporting that music exceeded the limits.

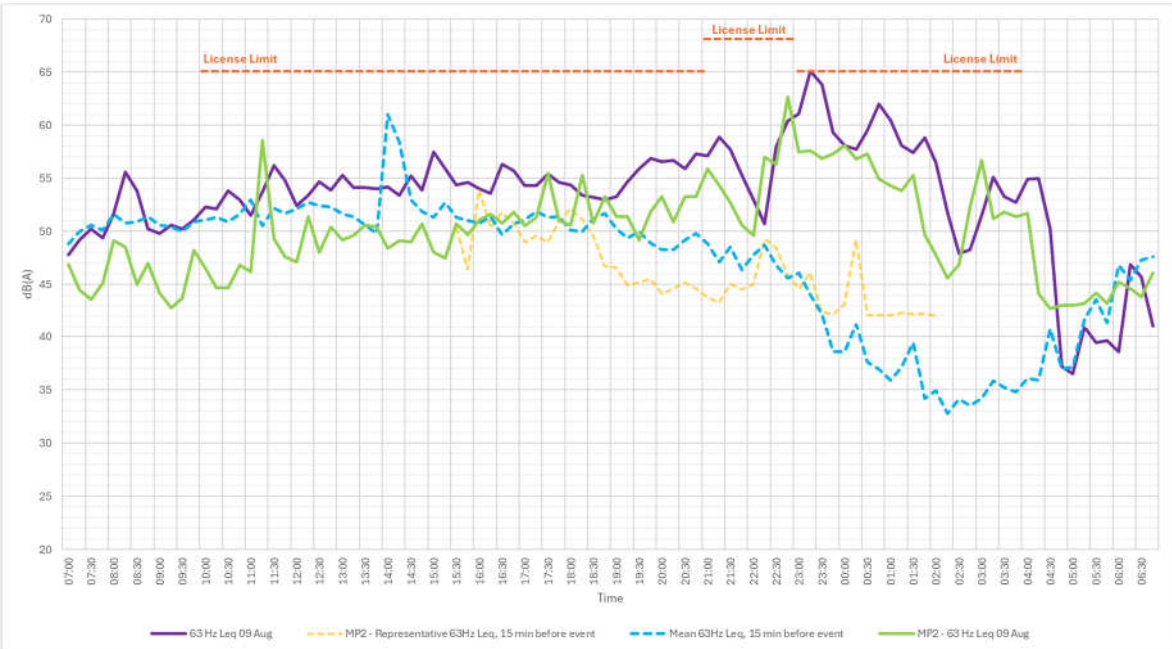

Figure 13: Comparison plot of low frequency 63Hz bass region at MP1 and MP2 against the average of all days with no music (at MP1) for the Friday 9th when Boomtown was underway. 23:30 hours is a potential exceedance having missed the relaxed time slot. There is no notable evidence supporting that music exceeded the limits. However, they were over 20dB above ambient values without music at 23:30 hours at 63Hz.

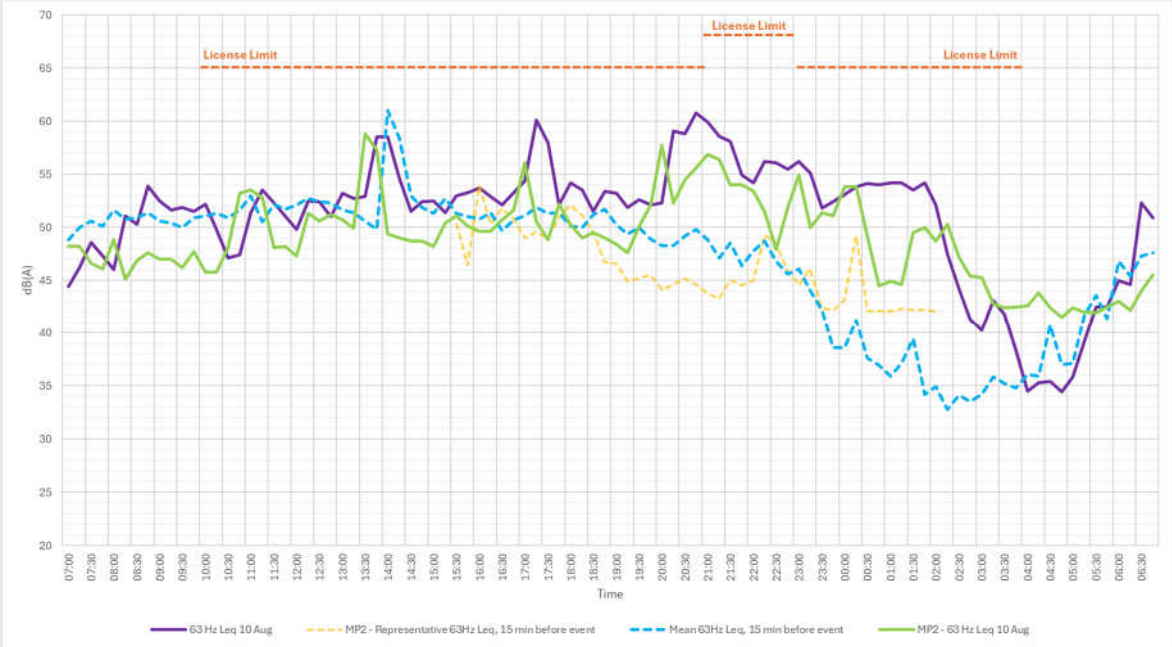

Figure 14: Comparison plot of low frequency 63Hz bass region at MP1 and MP2 against the average of all days with no music (at MP1) for the Saturday 10th when Boomtown was underway. There is no evidence supporting that music exceeded the limits at these locations, however event levels were just under 20dB above ambient values without music at 02:00 hours at 63Hz.

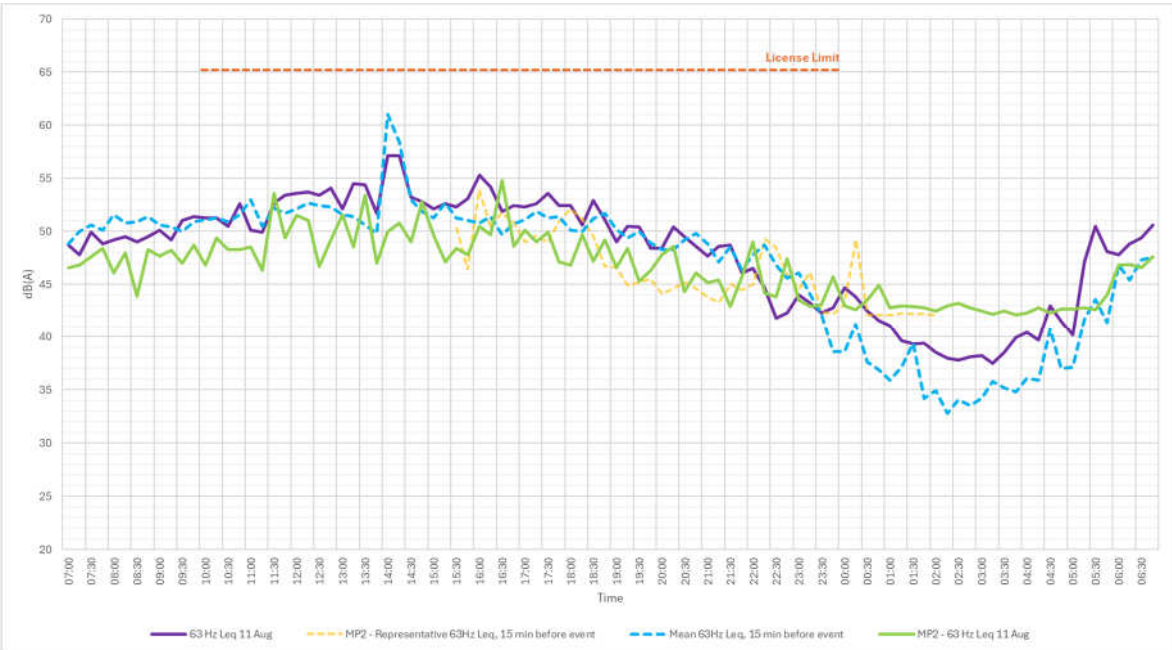

Figure 15: Comparison plot of low frequency 63Hz bass region at MP1 and MP2 against the average of all days with no music (at MP1) for the Sunday 11th when Boomtown was underway. There is no evidence supporting that music exceeded the limits at these locations.

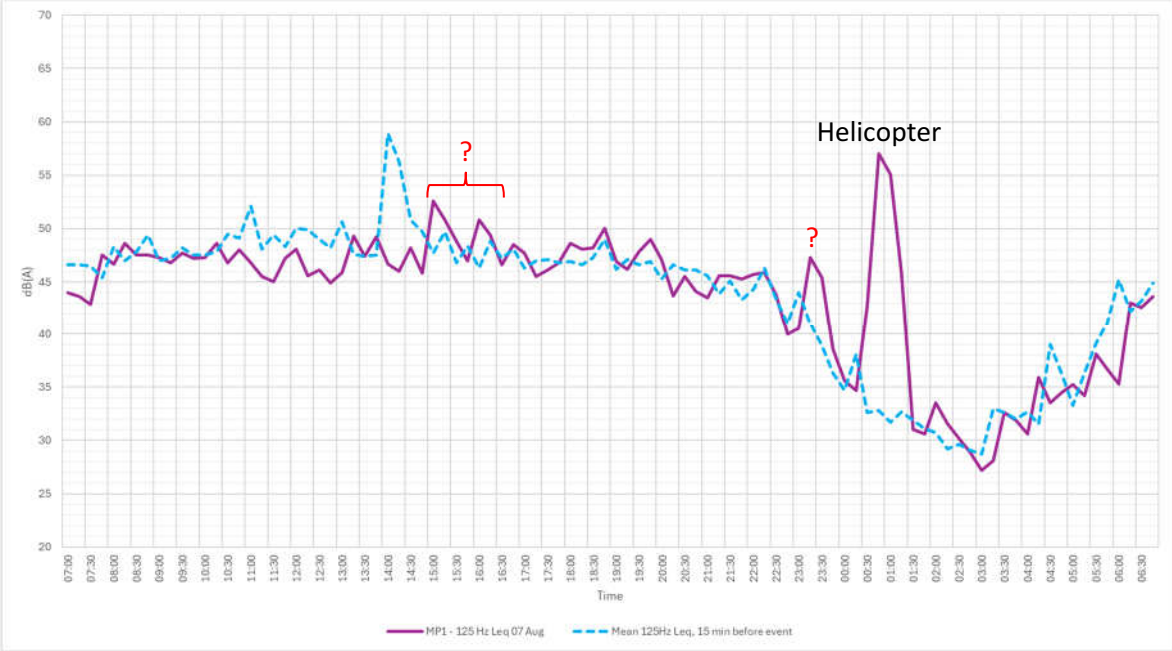

Figure 16: Comparison plot of low frequency 125Hz bass region at MP1 against the average of all days with no music (at MP1) for the Wednesday 7th when Boomtown was underway. There is some evidence supporting that music exceeded the 'inaudibility' limit may exist, at this location. This ties in with the residents comments.

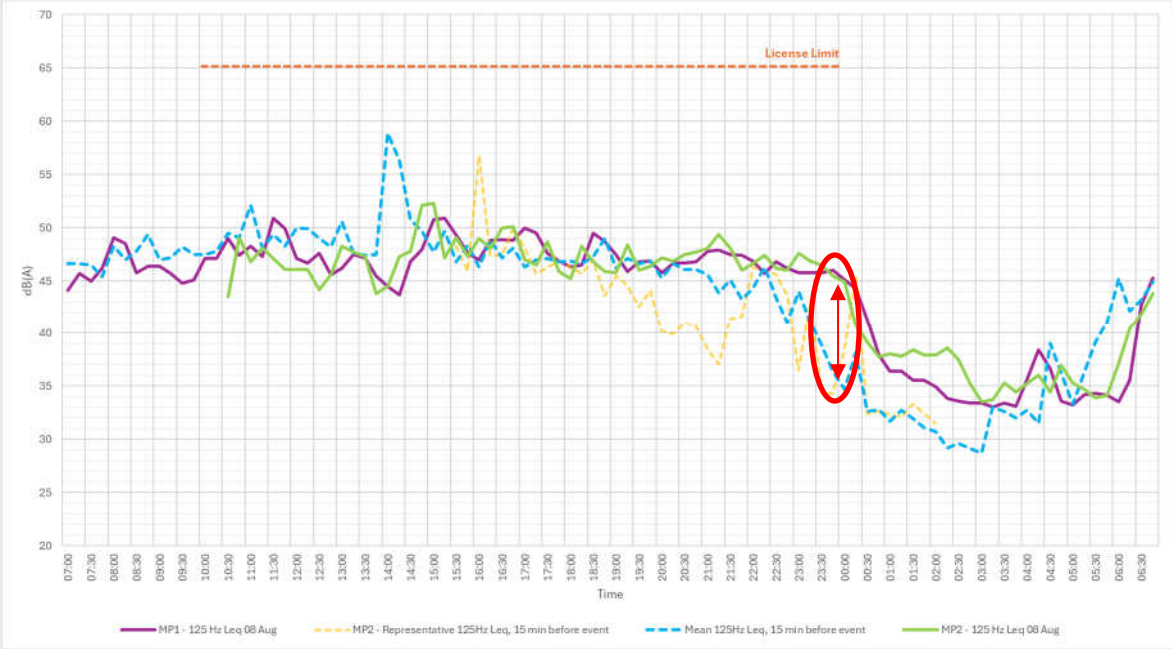

Figure 17: Comparison plot of low frequency 125Hz bass region at MP1 and MP2 against the average of all days with no music (at MP1 & MP2) for the Thursday 8th when Boomtown was underway. There is no evidence supporting that music exceeded the licence limit at these locations, although an impact of 10dB can be seen against the ambient levels at 00:00 hours (see red oval).

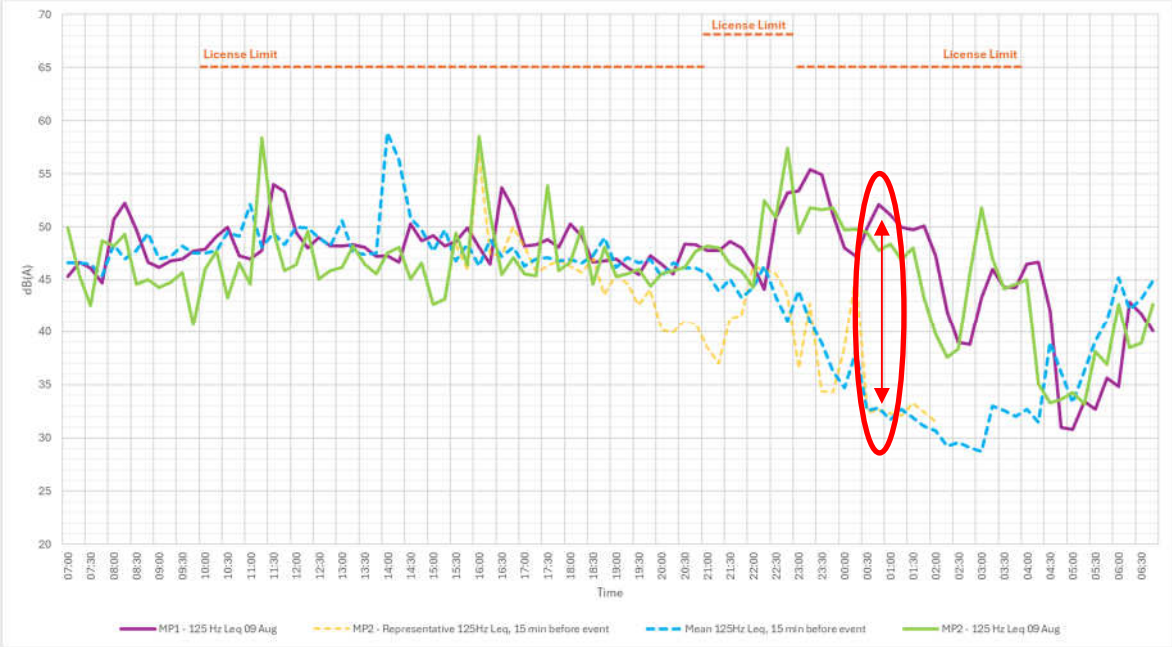

Figure 18: Comparison plot of low frequency 125Hz bass region at MP1 and MP2 against the average of all days with no music (at MP1 & MP2) for the Friday 9th when Boomtown was underway. There is no evidence supporting that music exceeded the licence limit at these locations, although an impact of 22dB can be seen against the ambient levels at 01:00 hours (see red oval).

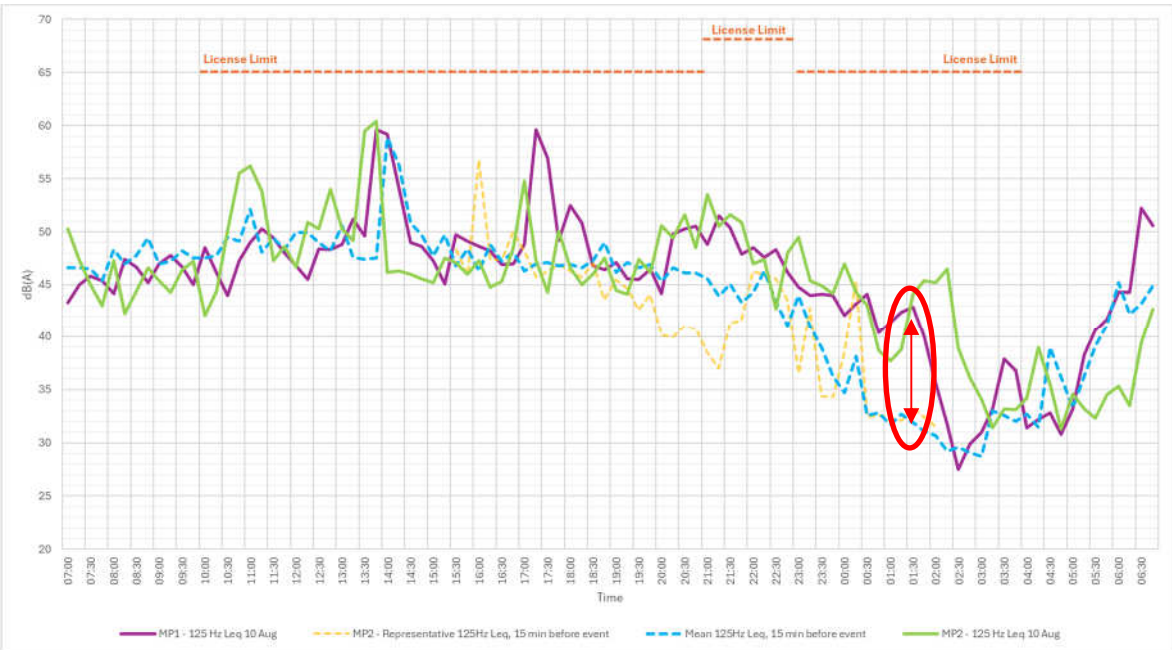

Figure 19: Comparison plot of low frequency 125Hz bass region at MP1 and MP2 against the average of all days with no music (at MP1 & MP2) for the Saturday 10th when Boomtown was underway. There is no evidence supporting that music exceeded the licence limit at these locations, although an impact of 20dB can be seen against the ambient levels at 01:30 hours (see red oval).

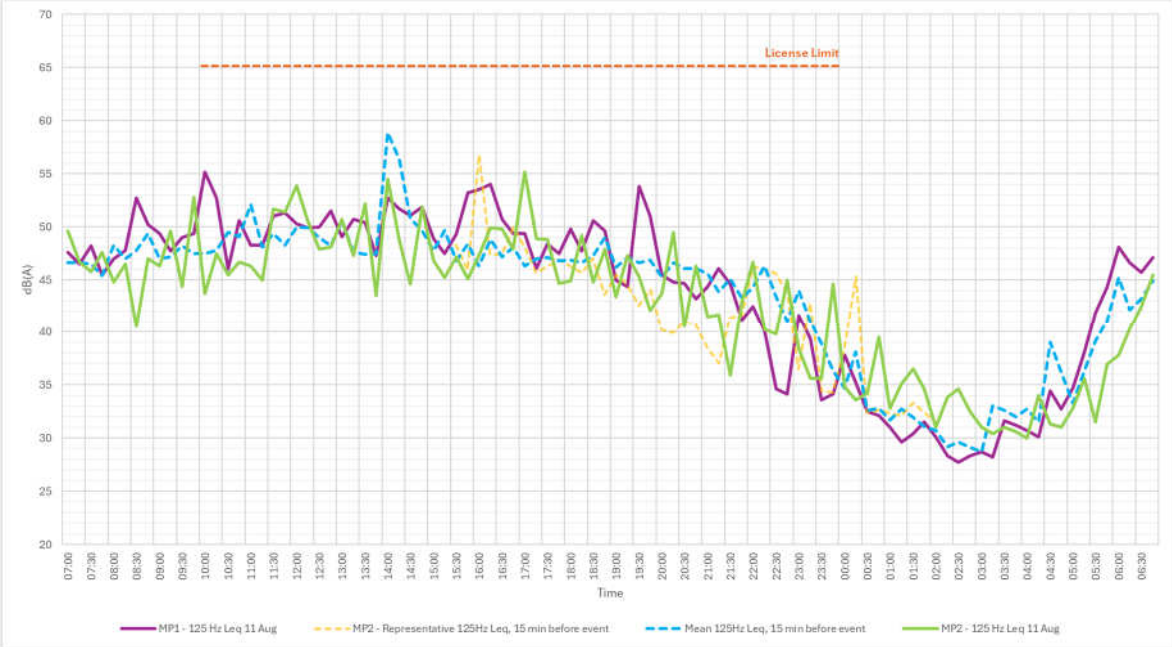

Figure 20: Comparison plot of low frequency 125Hz bass region at MP1 and MP2 against the average of all days with no music (at MP1 & MP2) for the Sunday 11th when Boomtown was underway. There is no evidence supporting that music exceeded the licence limit at these locations, also minimal impact can be seen against the ambient levels through the night, suggesting music was not occurring or the wind was favourable.

5 DISCUSSION

Compliance with licensing conditions

It would appear from the measurements and comparison plots in Figures 6 to 20 that largely the event comfortably complied with the licence limits at MP1 and 2.

The limited exceptions to this that are likely exceedances were:

- audible music on Wednesday 7th at MP1,
- daytime levels at MP2 on a number of days.

At face value this would seem to be a positive result for the organisers of 'Boomtown', as the evidence demonstrates that at these positions they complied with the licensing noise restrictions for the majority of the time.

The basis for the licensing conditions is existing technical guidance, and whilst this is under review I do not challenge that, but point out that this is only aimed at only avoiding public nuisance.

It is not apparently intended to protect relative tranquillity, which I understand to also be part of the SDNP licensing policy SD7 and the third aim of the NPSE (and so the current NPPF paragraph 191).

Comparison of ambient with sound levels during the event

The comparison plots show that the licensing limits for day and night-time have little bearing on the impact on ambient conditions, without the music being present. This is where the true perceived impact on residents can be quantified, rather than by use of absolute levels as a 15 minute average. The real-time experience will be the thing which determines the perceived impact on the underlying ambient noise climate.

This is something that should be considered when assessing a potential impact on 'relative tranquillity' and when assessing the impact for planning purposes, where a lower bar is appropriate than for meeting the licensing objective.

Event Days	(event level with music – ambient level with no music)			
	L_{Aeq}	$L_{eq,63Hz}$	$L_{eq,\ 125Hz}$	Comments
MP1 8th -9th Aug 23:15 – 00:45	+8 dB	+12 dB	+8 dB	10dB is a doubling of perceived loudness,
MP1 8th Aug 00:30 – 01:30	+10 dB	+18 dB	+20 dB	20dB is four times of perceived loudness. This indicates heavy bass is present.
MP1 and MP2 10th Aug 00:15 – 01:00	+11 dB	+22 dB	+17 dB	63Hz is a penetrating frequency, which means that closed glazing will not prevent occupants being affected in their bedrooms whilst trying to sleep
MP1 11th Aug 00:30 – 02:30	+0.1 dB	+17 dB	+9 dB	Note the bass levels only occurred at this high level early in the morning on this last day

Table 5 : Comparison of event levels verses ambient levels with no music

Residents Feedback

At the two monitoring positions it was generally the case that the feedback was less intrusive than for previous years. The wind direction was generally favourable for this direction, which is likely to have assisted and redistributed propagation and impact to other locations.

This is supported by a number of complaints that we understood were presented to the 'Boomtown' management team, the Local Council and the South Downs National Park administration, which included:

- Audible music during Wednesday 7th August evening at Cheriton village, when it should be inaudible.
- High music levels at Cheriton village (east area) and Beauworth, during Friday 9th August.
- High music levels at Cheriton Village (southeast area) on Sunday 11th.
- High music level at Cheriton Village (west area), close to A272 Rd., Saturday 10th night and Sunday night at 12:45am (when music deadline is 12:00).

Planning & Licensing

5.1.1 S182 of licensing guidance to the Licensing Act 2003 makes clear at 7.7 that use of Temporary Event Notice (TEN) does not relieve the premises from requirements under planning law for appropriate planning permission, where it is required.

5.1.2 It also clearly states at 8.97 that *"Any decision of the licensing authority on an application for a provisional statement will not relieve an applicant of the need to apply for planning permission*".

5.1.3 At 14.65 it states, "*Licensing committees are not bound by decisions made by a planning committee and officers should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs*." It goes on in 14.66 to say:" Proper *integration should be assured by licensing committees, where appropriate, proving regular reports to planning committees*".

5.1.4 Where any doubt remains that licensing decisions should take account of planning this is clarified by a recent letter from the Minster of State for Crime Policing and Fire, dated 15th January 2024, which can be found here: https://www.instituteoflicensing.org/media/w1qdeti4/15-01-24-minister-philp-to-licensing-and-planning-authorities.pdf . A relevant extract from it is below:

"We particularly wanted to highlight activity linked to two issues that have been the subject of ongoing post-legislative scrutiny of the Licensing Act 2003 by the House of Lords. These relate to the provision of training for licensing practitioners, and the collaboration between local licensing and planning regimes".

5.1.5 As a planning application is underway to seek a further temporary permission it is necessary to consider whether necessary safeguards are given by the adopted local plan to protect relative tranquillity and quality of life enjoyed by residents. It is likely that allowing impacts greater than 5dB on existing ambient and background noise levels would cause an observable adverse impact, and when weighed against the commercial benefits and the limited duration of occurrence might be extended to be +10dB, but even then the noise limits would look very different from the licensing limits, for the purpose of meeting adopted local policy and national planning policy. It is encouraged that the applicant takes into account the true impacts being caused by the event, and conducts a proper and thorough background soundscaping and relative tranquillity assessment, from which the impacts can be assessed and minimised for all residents affected by audible noise from the event.

5.1.6 Although planning and licensing are different regimes nevertheless it has now been clearly recognised by Government that licensing and planning decisions should take each other into account. This is strengthened by the fact that what the "ordinary use" of the land is has a bearing on whether a noise impact might be considered to be a nuisance or not[i]. As the use is decided by planning this is therefore relevant to consider carefully when considering the impact of residents within the SDNP. Should 'Boomtown' be considered to be part of the range of the ordinary use of the land (which is otherwise farmland) - this question will be important to answer in shaping the character of the area.

6 CONCLUSIONS

6.1 Sustainable Acoustics completed monitoring for a period before and during 'Boomtown' 2024 to establish the baseline soundscape and compare it with compliance from the event against licensing noise limits.

6.2 Whilst subjectively the impact was considered to be much improved by residents at the monitoring position, on previous years, music was reported as being audible on the Wednesday before the event and some evidence exists to support this; also intrusion into resident's properties was also reported at various point during the event, being particularly disruptive later at night.

6.3 It is likely that the objective targets for the licence were complied with, but this is aimed at preventing public nuisance rather than protecting 'relative tranquillity' and quality of life of residents, which is a planning test and so relevant for consideration of the pending planning application.

[i] Fearn v Tate case (supreme Court Ruling 2023) [2023] UKSC 4 :

6.4 The evidence gathered before and during this event run shows that at night these locations in Cheriton are very quiet. In large part this is supportive of moderate to high 'relative tranquillity' at night, as per the SDNP tranquillity map, which is materially relevant to planning decisions in the SDNP, according to the adopted Local Plan Strategic Policy SD7. Relative Tranquillity is one of the most important 'special qualities' of the SDNP as evidenced by Strategic Policy SD7: Relative Tranquillity following immediately after Strategic Policy SD6: Safeguarding Views in the landscape-led adopted Local Plan. To provide appropriate protection, even for an event of limited duration like this which occurs on an annual basis, this requires a rethink of conditions that would protect 'relative tranquillity', meet the third aim of national noise policy (NPSE) and limit adverse impacts for residents so they are not more than observable. It is likely this will need additional controls to those imposed by licensing.

6.5 It is concluded in the expert opinion of the author that the event does cause short term impact to the 'relative tranquillity' of Cheriton Parish, and that in order to satisfy local and national guidance in line with paragraph 191 of the NPPF that temporary permission should only be granted with additional conditions controlling noise from music generated during the event. To determine appropriate thresholds a detailed exercise should be carried out by the applicants, with co-ordination with WCC Environmental Health, to consider the ambient soundscapes in the surrounding areas and how to reasonably protect this to a degree where the impact is not more than observable for the limited time of the event. This objectively means that although the music from the site could be just audible during night-time hours, it should not be audible inside any homes. The evidence supports that additional control measures are reasonable and necessary in the National Park to address the SDNP local policy SD7, which could be objectively quantified, based on the existing noise climate.

GLOSSARY Acoustic Terminology

ACOUSTIC TERMINOLOGY

Environmental Noise

Environmental noise is normally described in terms of the single figure A-weighted sound pressure level, in decibels (dB). The A-weighting corresponds to the frequency sensitivity of the ear and, therefore, provides an approximation to the subjective response to sound at different frequencies. When a sound level is expressed in this way, the units can be denoted dB(A).

When sound is time varying, it is convenient to express the sound level using an indicator, or descriptor that takes account of this variation. Two types of indicators are in common use, the equivalent continuous sound level and the statistical indicators.

Equivalent continuous sound level

$L_{Aeq,\,T}$: This indicator provides the overall noise exposure to time varying sound and is the energy average of the sound over a specified time period. It is the notional steady level that would, over a given period of time, deliver the same sound energy as the actual fluctuating sound over the same period. It is denoted $L_{eq,\,T}$, or, if A-weighted, $L_{Aeq,\,T}$, where T is the time period of interest.

Statistical indicators

The statistical indicators are also single figure descriptors but provide additional information on the temporal variation of the noise level with time. The indicators are expressed as the sound level exceeded for a specified percentage of the time period of interest and the most commonly used are described below:

$L_{A90,\,T}$: the A-weighted noise level exceeded for 90% of the time period T. This indicator is representative of the noise level occurring in the absence of short-term events and is used in the UK to represent the background noise level.

$L_{Amax,\,T}$: the maximum A-weighted noise level that occurred during the time period T. It usually includes an additional subscript, slow (s) or fast (f), i.e. $L_{Amax,\,slow,\,T}$ or $L_{Amax,\,fast,\,T}$ which denotes the response time used in the analysis algorithm. The fast response tracks the maximum level of a rapidly changing sound more accurately than the slow response and the value is generally higher for impulsive or transient sounds.

Perception of sound

Acoustic parameters are useful for objectively describing the physics of the sound accurately, but the perception of sound , in context is more difficult to describe, as it will vary from person to person. Generally it is possible to describe sound which is unwanted as noise, such as the bass beat of music emanating from another source as it affects a person in their garden if within their house for instance. In general noise is associated with human (anthropic) sound. Sound which is pleasant is generally tends to be natural biological sound (biophonic), or geological sources such as wind (geophonic).

Relative tranquillity in acoustic terms is taken to mean a relative lack of noise, but this also relies on non-acoustic factors, such as visual pleasantness.

APPENDIX 1 Time Histories

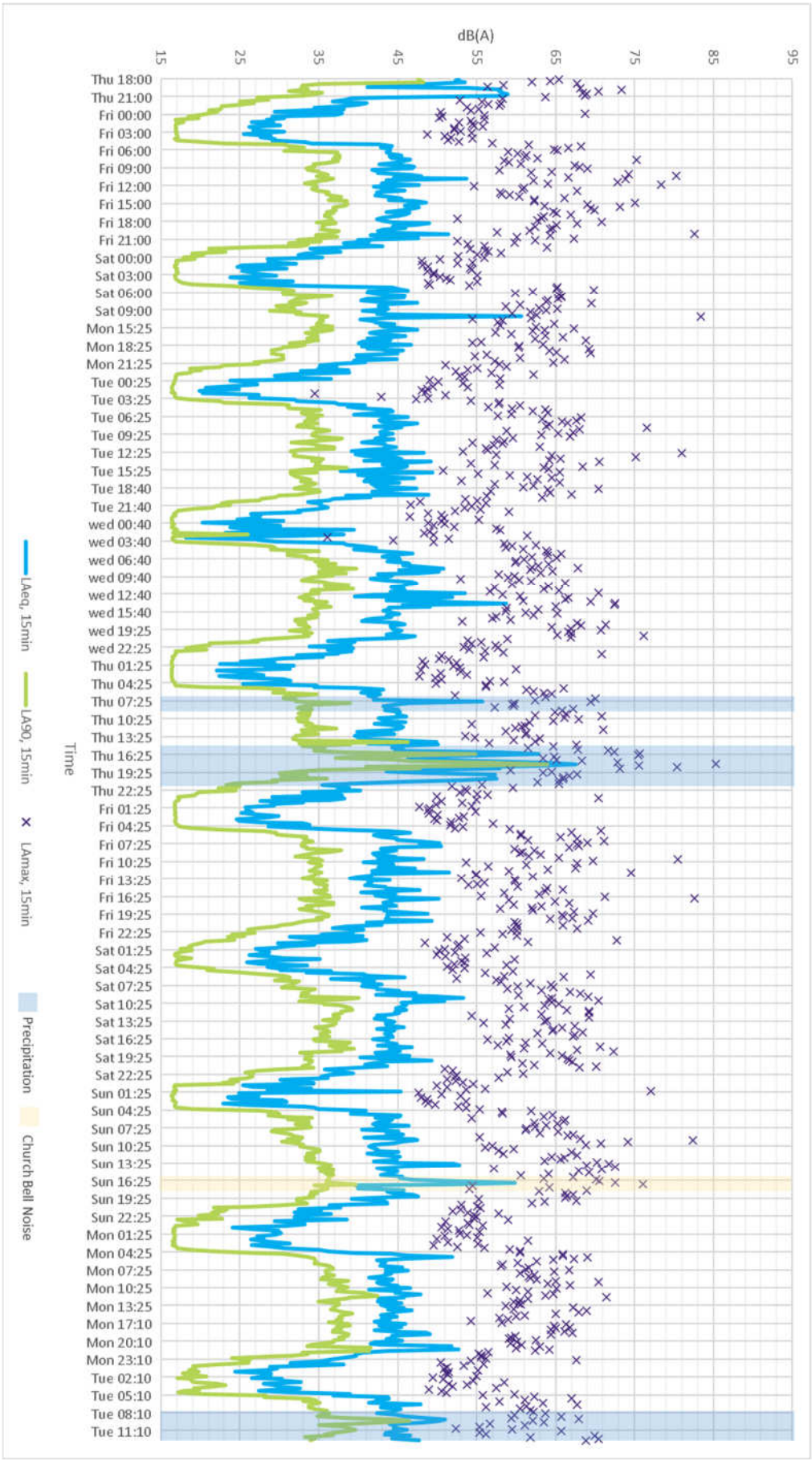

Figure A1: Measured sound levels at MP1 from Thursday 25th of July to Tuesday 6th of August

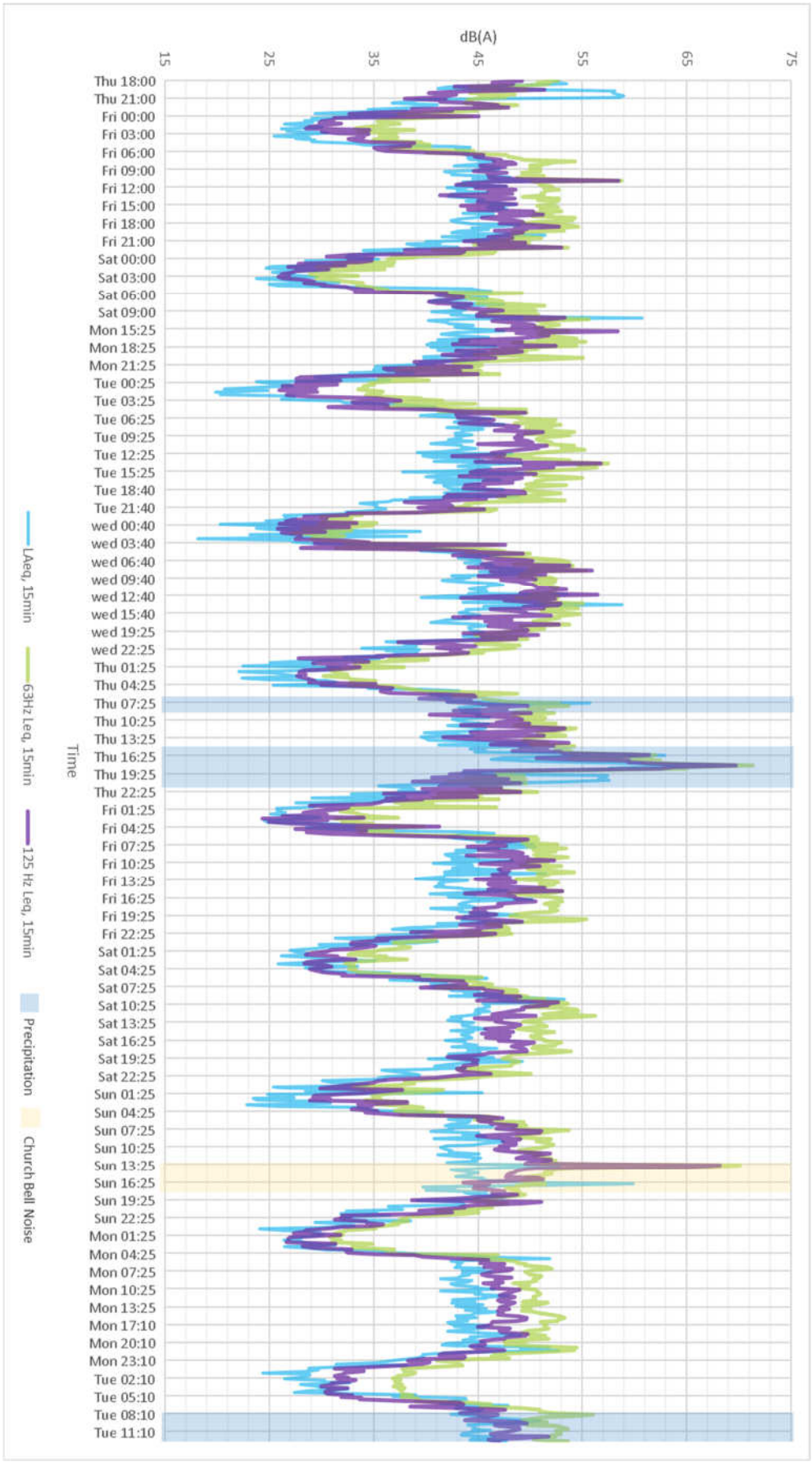

Figure A2: Key Octave Frequency Bands for Bass were measured sound levels at MP1 from Thursday 25th of July to Tuesday 6th of August

APPENDIX 2 Relevant Policy and guidance

RELEVANT POLICY & GUIDANCE

Licensing

Local Licensing Policy

The Winchester City Council is the local licensing authority. In their Statement of Licensing Policy – Licensing Act 2003. (February 2024-2029) point 1.5 states:

"The South Downs National Park Authority ("SDNPA") is the sole planning authority for "premises" within the South Downs National Park ("SDNP"). The purposes of the SDNP are:

- *Purpose 1 - 'To conserve and enhance the natural beauty, wildlife and cultural heritage of the area'.*
- *Purpose 2 - 'To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public'.*
- *The SDNPA also has a duty 'To seek to foster the social and economic well-being of the local communities within the National Park in pursuit of our purposes'."*

Where there is a conflict between the purposes and/or duty then Purpose 1 must have priority.

Point 1.14 states:

Winchester District is an attractive area, with historic towns and villages, as well as beautiful countryside, part of which is covered by the South Downs National Park. It attracts visitors from around the world, as well as students who choose to study at the City's academic institutions. Many commute into the District to work each day, whilst a large proportion of residents commute to London and the surrounding areas.

Furthermore, **Section C: Prevention of Public Nuisance – Noise Control**

C2. Stricter conditions with regard to noise control will be expected in some circumstances.

This includes:

- *(ii) areas of the District that have low levels of background noise (such as within South Downs National Park)*
- *(iii) licensable activities which extend into nighttime hours e.g. 2300-0700*
- *(iv) Licensable activities to be held outdoors, in garden areas or in marquees*
- *(vii) Poor history of compliance*

C6. Where an event is held in the South Downs National Park, event organizers should consider:

- *the Tranquillity Study carried out by the SDNPA available at www.southdowns.gov.uk/wp-content/uploads/2017/03/13-04-17-SouthDowns-National-Park-Tranquillity-Study.pdf.*

- *(b) the International Dark Skies Reserve status, with respect to lighting at large events. Guidance can be found on the SDNPA website at www.southdowns.gov.uk/dark-night-skies/.*

Planning

Noise Policy Statement for England

Paragraph 185 of the current NPPF also refers to advice on adverse effects of noise given in the Noise Policy Statement for England[2] (NPSE). This document sets out a policy vision 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".*

To achieve this vision the Statement sets the following three 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; and*
> - *where possible, contribute to the improvement of health and quality of life.*

In achieving these aims the document introduces significance criteria as follows:

SOAEL – Significant Observed Adverse Effect Level

This is the level above which significant adverse effects on health and quality of life occur. It is stated that "significant adverse effects on health and quality of life should be avoided while also taking into account the guiding principles of sustainable development".

LOAEL – Lowest Observed Adverse Effect Level

This is the level above which adverse effects on health and quality of life can be detected. It is stated that the second aim above lies somewhere between LOAEL and SOAEL and requires that: "all reasonable steps should be taken to mitigate and minimise adverse effects on health and quality of life while also taking into account the guiding principles of sustainable development. This does not mean that such adverse effects cannot occur."

NOEL – No Observed Effect Level

This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise. This can be related to the third aim above, which seeks: "where possible, positively to improve health and quality of life through the pro-active management of noise while also taking into account the guiding principles of sustainable development, recognising that there will be opportunities for such measures to be taken and that they will deliver potential benefits to society. The protection of quiet places and quiet times as well as the enhancement of the acoustic environment will assist with delivering this aim."

[2] Department for Environment, Food and Rural Affairs, *Noise Policy Statement for England,* London, 2010

The NPSE recognises that it is not possible to have a single objective noise-based measure that is mandatory and applicable to all sources of noise in all situations and provides no guidance as to how these criteria should be interpreted. It is clear, however, that there is no requirement to achieve noise levels where there are no observable adverse impacts but that reasonable and practicable steps to reduce adverse noise impacts should be taken in the context of sustainable development and ensure a balance between noise sensitive and the need for noise generating developments.

7 OTHER RELEVANT GUIDANCE AND LEGISLATION

7.1 Guidance: Code of Practice on Environmental Noise Control at Concerts

Table 1 of the CPENCC sets out noise limits for music events appropriate for different environs and frequency of event:

3.1 The Music Noise Levels (MNL) when assessed at the prediction stage or measured during sound checks or concerts should not exceed the guidelines shown in Table 1 at 1 metre from the façade of any noise sensitive premises for events held between the hours of 09.00 and 23.00.

TABLE 1

Concert days per calendar year, per venue	Venue Category	Guideline
1 to 3	Urban Stadia or Arenas	The MNL should not exceed 75 dB(A) over a 15 minute period
1 to 3	Other Urban and Rural Venues	The MNL should not exceed 65 dB(A) over a 15 minute period
4 to 12	All Venues	The MNL should not exceed the background noise level by more than 15 dB(A) over a 15 minute period

Notes to Table 1

1. The value used should be the arithmetic average of the hourly L_{A90} measured over the last four hours of the proposed music event or over the entire period of the proposed music event if scheduled to last for less than four hours.

2. There are many other issues which affect the acceptability of proposed concerts. This code is designed to address the environmental noise issue alone.

3. In locations where individuals may be affected by more than one venue, the impact of all the events should be considered.

4. For those venues where more than three events per calendar year are expected, the frequency and scheduling of the events will affect the level of disturbance. In particular, additional discharges can arise if events occur on more than three consecutive days without a reduction in the permitted MNL.

5. For indoor venues used for up to about 30 events per calendar year an MNL not exceeding the background noise by more than 5 dB(A) over a fifteen minute period is recommended for events finishing no later than 23.00 hours.

6. Account should be taken of the noise impact of other events at a venue. It may be appropriate to reduce the permitted noise from a concert if the other events are noisy.

7. For venues where just one event has been held on one day in any one year, it has been found possible to adopt a higher limit value without causing an unacceptable level of disturbance.

7.2 Other relevant guidance

The Noise from Pubs and Clubs final report for Defra, dated March 2005 (under contract NANR 92) is of interest, in that it considers an optimised UK assessment method. It identifies a number of criteria to be proposed for validation in Table 7 but is not conclusive about which one is favoured.

Name	Parameter	Type
IoA working group annex	L_{Aeq} vs L_{A90} plus L_{10} vs L_{90} in 40-160 Hz 1/3 octave bands	Relative
BS 4142 / Noise Act 1996	L_{Aeq} vs. background (L_{A90}, L_{A99}, etc.)	Relative
Noise Rating curve	1/3 octave (L_{eq}, L_{10} or L_{max}) vs. NR curve	Absolute
Absolute L_{Aeq}	L_{Aeq}	Absolute
DIN 45680 / Moorhouse	10 – 160 Hz 1/3 octave L_{eq} vs reference curve	Absolute
Inaudibility	Subjective	Relative

Table 7. Schedule of proposed criteria for validation.

APPENDIX 3
SDNP Local Plan & Tranquillity Map

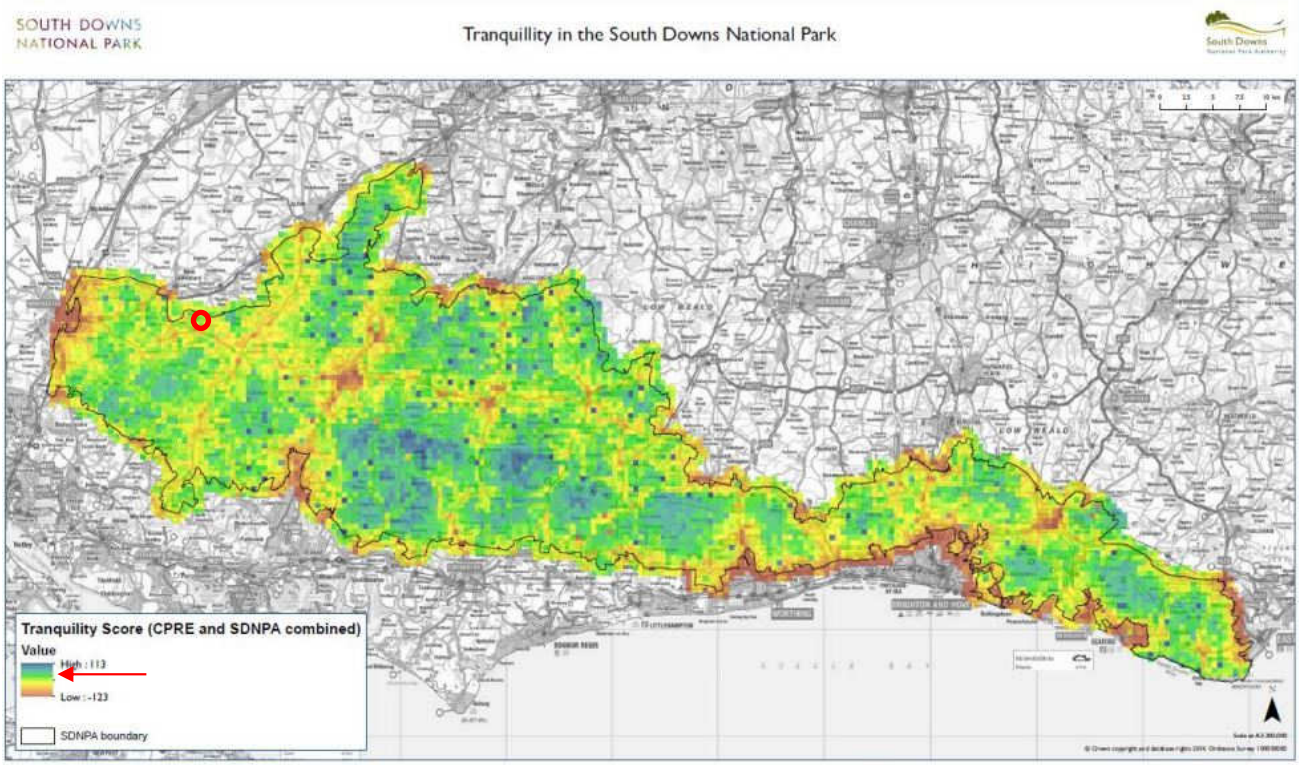

Figure 5.4, pg 54 of the Relative tranquillity South Downs Tranquillity Study – "baseline from which to assess changes in aural …environment" (5.44 of Local Plan)with approximate site location indicates by red circle.

SDNPA Local Plan (2014 – 33) relevant extracts

Policy SD7: Relative Tranquillity

Strategic Policy SD7: Relative Tranquillity

1. Development proposals will only be permitted where they conserve and enhance relative tranquillity and should consider the following impacts:
   a) Direct impacts that the proposals are likely to cause by changes in the visual and aural environment in the immediate vicinity of the proposals;
   b) Indirect impacts that may be caused within the National Park that are remote from the location of the proposals themselves such as vehicular movements; and
   c) Experience of users of the PRoW network and other publicly accessible locations.
2. Development proposals in highly tranquil and intermediate tranquillity areas should conserve and enhance, and not cause harm to, relative tranquillity.
3. Development proposals in poor tranquillity areas should take opportunities to enhance relative tranquillity where these exist.

There are also 15 mentions of noise in the Local Plan, which are covered in the sections highlighted below, with key relevant sections in bold and underlined for emphasis.

Pg 53, 5.45 states *: "The assessment of impacts on relative tranquillity is not the same as a noise assessment, and the assessment of zero noise impact for an application will not be taken necessarily as meaning that there would be a similar impact on relative tranquillity"*

5.46 states: " *The Tranquillity Study identified areas which are highly tranquil, of intermediate tranquillity, and those of low tranquillity. Applications for development proposals in highly tranquil areas should demonstrate that they conserve and enhance, and* ***do not harm, relative tranquillity****. Development proposals in areas of intermediate relative tranquillity are the areas which are most vulnerable to change, and should avoid further harm to relative tranquillity and take every opportunity to enhance it. Development proposals in areas of poor tranquillity are often located within or on the edge of urban areas and thus there may be limited scope for enhancing relative tranquillity in these area; opportunities to enhance relative tranquillity should be taken wherever possible*".

5.47 states: *"The extent that proposals conserve and enhance relative tranquillity will be determined by an assessment of the impact on relative tranquillity, which is proportionate to the scale and expected impact of the development in relation to the surrounding context".*

7.133 on pg 129 says about small and micro businesses: *"It is important that home based businesses do not cause unacceptable harm to the amenity of neighbours in terms of traffic, smell, loss of privacy, outlook, noise and overlooking".*

7.135 on pg 130 on Intensification states: *"Policy SD25 prioritises the development of previously developed land. Commercial development on existing employment sites should make an efficient use of existing buildings and previously developed land through intensifying uses,* ***provided that this does not compromise the special qualities of the National Park****".*

7.145 on pg 132 on change of use that: "*Robust evidence will need to be submitted and approved by the Authority that there will be* ***no adverse effect on the landscape and other special qualities through traffic, noise or pollution****. Advice on these matters will be sought from other statutory bodies, particularly the county councils and Highways England on the amount and type of traffic generation and the impact on the National Park's rural roads".*

Policy SD54 on Pollution and Air Quality (pg 166) states*: "Development proposals will be permitted provided that levels of air, noise, vibration, light, water, odour or other pollutants* ***do not have a significant negative affect on people and the natural environment now or in the foreseeable future, taking into account cumulative impacts and any mitigation*****"**

Policy SD2 : Ecosystem Services 9.8 on pg 184 Noise regulation is identified as Key to Ecosystem Services.

9.154 states : *"Development proposals should therefore be informed by the following evidence studies*": Bullet 10 = Noise Assessments

Policy SD35: Employment Land

Strategic Policy SD35: Employment Land

1. The SDNPA will make overall provision for the following amounts of new employment land between 2014 and 2033:
   - Office (B1a/b): approximately 5.3 hectares
   - Industrial (B1c/B2): 1.8 hectares
   - Small-scale warehousing (B8): 3.2 hectares

2. Development proposals for the change of use of redundant B2 premises and land to accommodate the need for new offices and/or warehousing will be permitted provided that there would not be a potentially adverse impact on the landscape and other special qualities of the National Park including by reason of traffic, noise or pollution.
3. The Authority will safeguard all existing employment sites and allocations that are fit for purpose from development proposals for non-employment uses. Change of use applications that would result in a loss of employment land will only be permitted provided that evidence of a robust marketing campaign of at least 12 months clearly demonstrates that there is no market demand for the business premises.
4. The principal and local employment sites are shown on the Policies Map, to which further protection applies as follows:
   a) On principal employment sites: B Class employment uses will be safeguarded from development proposals for Non-B Class Uses and evidence of a robust marketing campaign of at least 18 months will be required.
   b) On local employment sites: commercial uses will be safeguarded from development proposals for non-commercial uses and evidence of a robust marketing campaign of at least 18 months will be required.

Details of marketing requirements are set out in Appendix 3.

Full document access can be found here:
https://www.southdowns.gov.uk/wp-content/uploads/2019/07/SD_LocalPlan_2019_17Wb.pdf