



## UTTLESFORD DISTRICT COUNCIL

Council Offices, London Road, Saffron Walden, Essex CB11 4ER  
Telephone (01799) 510510, Fax (01799) 510550  
Textphone Users 18001  
Email [uconnect@uttlesford.gov.uk](mailto:uconnect@uttlesford.gov.uk) Website [www.uttlesford.gov.uk](http://www.uttlesford.gov.uk)

Mr S Brown  
Woolf Bond Planning  
The Mitfords  
Basingstoke Road  
Three Mile Cross  
Reading  
RG7 1AT

4<sup>th</sup> December 2023

Your ref:

Our ref: UTT/23/2567/PA

Please ask for Mr Lindsay Trevillian on [REDACTED]  
[REDACTED]

Dear Mr Brown,

**PROPOSAL: DEVELOPMENT OF THE SITE FOR UP TO 75 DWELLINGS,  
ASSOCIATED LANDSCAPING AND OPEN SPACE, WITH ACCESS FROM  
KNIGHT PARK, THAXTED ROAD OR POPPY VIEW.**

**SITE: LAND NORTH OF KNIGHT PARK, THAXTED ROAD, SAFFRON WALDEN.**

I refer to the additional technical note 'Proposed Acoustic Assessment Criteria' (November 2023) prepared by Cass Allen that was submitted to the Council seeking further guidance and to the agreement of the correct noise related assessment criteria for the proposals. This note was submitted after the Council provided their original written pre-application response 20th November 2023. This additional letter should be read in conjunction with the Council original pre-application written advice.

The approach suggested by the applicant's consultant for internal and external noise standards is not agreed by the Council's Environmental Health.

Noise levels at the proposed development should be assessed in accordance with BS4142:2014 + A1:2019.(BS4142). It is agreed that industrial and commercial noise sources are likely to be dominant and therefore BS4142:2014 + A1:2019 is the correct standard to apply in this case. BS4142 Scope Section 1.2 3) states that the standard may be used for "assessing sound at proposed new dwellings or premises used for residential purposes." BS8233 internal noise standards, World Health Organisation Guidelines and other relevant standards may also be considered as part of the BS4142 context assessment.

The pre-application response already provided commented upon the proposed methodology by Cass Allen and therefore it is not intend to repeat that information here. However, the following may also be of some assistance.

Careful consideration will need to be given to the proposed development which seeks to site new noise sensitive development near to existing industrial, commercial and entertainment premises. The "agent of change" principle, the principle by which a person or business

introducing a new land use is responsible for managing the impact of that change, will apply. The National Policy Framework 2023 paragraph 187 States “Planning Policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities”

There is no protection offered in law to existing premises from nuisance complaints made by new residents. This may result in formal action being taken against these premises if a statutory nuisance is established or civil action at common law for nuisance.

Where it is apparent that existing noise from an existing industrial, commercial, leisure, entertainment premises or similar use is likely to cause unreasonable or adverse effects to new residents the development is unlikely to be supported unless the applicant (or agent of change) provides clear evidence that adequate noise attenuation to the existing noise sources can and will be provided. The applicant will be required to provide a detailed noise mitigation plan with their acoustic assessment.

In some circumstances legal agreements can be entered into whereby the developers provide the necessary measures to attenuate the existing noise through appropriate techniques including re-engineering the source to reduce emissions, adequate acoustic enclosure/sound proofing or relocating the noise source.

Yours sincerely

**Mr Lindsay Trevillian**  
**Principal Planning Officer**

