

Memo

To: Steve Weaver

From: Daniel Bayles

Date: 4 July 2023

Re: Change of Use of land and woodland (retrospective) as a wedding and events venue, including retention of permanent ancillary buildings and structures, the erection of removable structures (including marquees and temporary facilities), and the use of the land as a campsite in association with events. Construction of vehicular track from the public highway to the proposed wedding and events venue at Tournerbury Woods

Planning Ref: APP/23/00076

EH Ref: CONS 23 00364

SUMMARY

As the Council's Acoustic Expert, I have been asked to review the noise control conditions for this application.

On 20 June Mark Moss, Regulatory Officer, and I met with Steve Weaver, Development Manager, to discuss enforceable conditions to control unwanted sound from the Tournerbury Woods Estate application

I have reviewed:

- Noise Assessment report prepared by Owen Clingan of Aurcale Acoustics dated 17 October 2013
- Soundproof Marquees – Mitigation Strategy produced by Direct Acoustic Solutions Limited dated 12 June 2019
- Tournerbury Wood Estate Wedding Guest Visitor Management Strategy dated September 2022

- Comments made by Rachael Clemson, Sustainable Development Lead Advisor, Natural England dated 27 February 2023.

Site Visit

On Thursday 22 June 2023 Mark Moss and I met with Chris Snell on site. Mr Snell demonstrated the sound array speaker system the marquee. The system uses multiple small speakers to achieve an adequate volume of music on the dance floor whilst minimising sound outside the marquee as the sound waves from the speakers outside the target area are out of phase.

Both Mr Moss and I witnessed that this system works. I encourage the Planning Committee to do a site visit and hear this system for themselves.

We are aware of noise complaints about the site. However, many complaints have been identified as being from other sites on Hayling Island or in Portsmouth.

Control of Noise

To protect the amenity and prevent night-time events that could be very disturbing I recommend clear simple conditions restricting the hours of use to 11:00 until midnight mirroring the condition of the Premises Licence with music and the supply of alcohol finishing at 23:00 to allow time for patrons to leave ensure the venue closes on time.

Repeated large events will be distributing to neighbouring residents. It has been agreed in the application the number and size of events will be limited. To enforce this requires a condition specifying the number and size of the events plus a requirement that the number and size of events be report every 3 months.

External music will travel especially as the ambient noise reduces in the evening. It has been agreed external music which has been described acoustic will finish at 18:00. There should be a condition, so this is enforceable.

The Noise report by Aurcale Acoustics and the Management Strategy state that in the soundproof enclosure in the marquee the sound system can achieve an average sound level of $L_{Aeq (time)}$ 95 dB without harming the amenity. This system has been demonstrated to Mr Moss and me. I recommend the system is engineered, such as with a sound limiter, so the $L_{Aeq (time)}$ 95 dB sound level is not exceeded. A condition requiring the technical details of this to be agreed and that all music must be through this agreed system is recommended.

A noise management plan (NMP) has been discussed. A NMP is a live document. It will be updated considering experience and in response to issues raised including during the Planning Process. I recommend a general condition outlining what the NMP will cover, and specific details agreed as a condition.

I recommend conditions that make it clear when the site can be used and for how many times a year, and the size of each event.

Premises Licence

As well as Planning the supply of alcohol and performance of music is also regulated by Licensing. I have checked the Premises Licence for Tournerbury Holdings Ltd reference HPR 0333.

This Premises Licence authorises:

Premises Open Hours	All Week 08:00 until 01:00
Performance of Live Music (Indoors and Outdoors)	All Week 11:00 until midnight
Playing of Recoded (Indoors and Outdoors)	All Week 11:00 until midnight
Supply of Alcohol	All Week 11:00 until 23:45

The Premises Licence authorises the site for use every day of the year.

The Premises Licence is being complied with.

However, the plan attached to the premises licence for Tournerbury Woods Estate requires more details as it does not currently comply with the requirements of the Licensing Act 2003 (Transitional Provisions) Order 2005, and therefore a licensing minor variation application is recommended.

An informative is requested.

Protection of Over Wintering Birds

I have reviewed the suggested sound level condition for the protection of over wintering birds suggested by Natural England. A similarly worded condition on another site is proving difficult to enforce. The suggested wording needed further details to be clearly enforceable. Tristan Norton, Senior Ecologist, Hampshire County Council, and Rachael Clemson, Sustainable Development Lead Adviser Natural England, have agreed this updated wording.

The wording of the suggested condition will ensure the protection of the birds.

From what I have witnessed on the site the venue can operate without breaching this sound level.

RECOMMENDATION

With the suitable conditions recommended the development can be permitted with limited impact on the amenity

Approve with Conditions and Informative.

CONDITIONS

1. Hours of Use

The premises shall only be open to the public between 08:00 and midnight. The supply of alcohol and performances of music, including singing, shall finish by 23:00

2. Number of Event and Reporting

The number of events per year shall be limited to:

Maximum Number of Patrons	Number Per Year
Insert details	Insert details
Insert details	Insert details
Insert details	Insert details

If there are any events in a 3-month period they shall be reported to the Local Planning Authority in accordance with the following schedule:

Months	Reporting Deadline
January, February, and March	1 May
April, May and June	1 August
July, August, and September	1 November
October, November and December	1 February

The reports shall include the data and number of patrons that attended each event.

3. Music Outside the Marquee Shall end after 18:00

No music shall be played outside the marquee before 11:00 or after 18:00.

4. Noise Management Plan (NMP)

Within 3 months of permission hereby given a noise management plan (NMP) shall be submitted in writing to the Local Planning Authority (LPA). The NMP shall be agreed in writing by the LPA.

The NMP shall include, but not be limited to:

- Disturbance to neighbours from performances including from music and singing
- Disturbance to neighbours from access and egress
- Recording and dealing of complaints
- Contact details for staff
- Measurement of sound levels and their recording

The NMP shall reviewed annually. The site shall be operated in accordance with the NMP unless agreed in writing with the LPA.

5. Marquee Sound System Shall Not Exceed $L_{Aeq (time)}$ 95 dB

Within 3 months of the development hereby permitted a scheme to ensure the sound system cannot exceed $L_{Aeq (time)}$ 95 dB in the marquee shall be submitted to and approved in writing by the Local Planning Authority (LPA). The agreed scheme shall not be altered without the written agreement of the LPA.

Amplified music and voices shall only be played through the agreed system.

6. Protection of Over Wintering Birds

During the months of October to March (inclusive) noise from development hereby approved in any part the Special Protection Area (SPA) or SPA supporting habitat shall not exceed $LA_{(max) (fast) (1 hour)}$ 69 dB.

Equipment, positioning, calibration, weather parameters and qualification of operators shall be as per BS4142:2014.

Measurements shall always be recorded and available to the Local Planning Authority along with calibration details and details including qualification of the operator taking the readings.

INFORMATIVE

A. Licensing Informative

The applicant is reminded that in addition the Planning Permission a Premises Licence will also be required for the supply of alcohol and regulated entertainment.

The plan attached to the premises licence for Tournerbury Woods Estate, reference HPR 0333 requires more details as it does not currently comply with the requirements of the Licensing Act 2003 (Transitional Provisions) Order 2005, and therefore a licensing minor variation application is recommended.

Regards

Daniel Bayles BSc (Hons) AKC MCIEH CEnvH MIOA MCMI CMgr
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