

Report on the allegations of Noise disturbance emanating from the wedding venue at The Tournerbury Woods Estate. September 2019.

This report has been withheld from being submitted to HBC planning until now so that a nearly full season of weddings and events at Tournerbury could take place and be monitored comprehensively by the HBC EHO and Tournerbury to objectively understand fully whether the noise disturbance objections levelled at Tournerbury in APP/18/00943 bore any factual reality.

Chronology:

In September 2018 an application was lodged with HBC for retrospective planning permission to regularise the use of Tournerbury as a wedding and event venue.

Before submission the applicants checked with HBC EHO whether any complaints of noise or disturbance had been lodged with HBC throughout 2018. This is an exercise that Tournerbury has historically undertaken every year to ensure that the activities at Tournerbury did not disturb neighbouring residential properties. The HBC EHO reported that no complaints had been made.

In October 2018 the HBC EHO wrote to the applicants to say that 1 sound complaint had been made against Tournerbury, unspecific in dates and times.

On 31st October 2018 the HBC EHO visited Tournerbury to listen to the Zone Array public address system that mitigates noise distribution.

On 6th November 2018 the change of use application was validated by HBC and went live on the HBC planning portal.

Up to the 31st of December 2018 (nearly two months since the application was validated and publicised) there were no objections on the planning portal from a noise / disturbance perspective.

The now closed down Hayling Islander free paper published an article in its January edition (available across Hayling Island from 1st January 2019) praising the planning application and the successful business at Tournerbury.

The first objection on the planning portal citing noise disturbance was lodged with HBC on Tuesday 1st January 2019.

Some of the objections raised contain clear falsehoods such as the objection (below) lodged on Sunday 3rd February 2019 which stated :-

"Living at the back of Marine walk, we are constantly hearing the noise (loud music) , fireworks, as well as noise from people. This totally spoils the peace & tranquility of this part of Hayling Island. Especially summer evenings when you want to sit outside & enjoy your garden. The venue may well be across the other side of my Lords pond, but it really sounds like the noise is coming from neighbours gardens."

Tournerbury has held (and allowed) only two displays of fireworks in the last 20 years. The first was on 31st December 1999 at midnight (along with a considerable proportion of the rest of the UK population) and the other was on Saturday 18th May 2002 at the applicants' wedding celebrations at Tournerbury.

Given that the above objector believes that fireworks that disturb them must be taking place at Tournerbury, we would also question the validity of the sound objection overall - *"(loud music), fireworks, as well as noise from people"*; especially as the objector states *"sounds like the noise is coming from neighbours' gardens"*. With the exception of the two displays in 1999 and 2002 above, Tournerbury does not allow firework displays, has never done so and has no intention of doing so. We would therefore question whether what this objector is hearing, is actually coming from the objectors *"neighbours gardens"*.

It should also be noted that if this objector lives *"at the back of Marine Walk"* as stated, and by this we assume them to mean 'Seaview Road', then the closest residences on this road are only 77 meters away from the main buildings at Lakeside Holiday Village which is a 32 acre holiday resort, taking up to 442 guests at any one time and is licenced by HBC for live music from 10am to 3:00am. As the Lakeside website says – *"Come dusk, the party gets started at the Piano Bar and continues after dinner with shows and dancing in the live music restaurant"*. The venue at Tournerbury is 670 meters from these houses with trees and other residences in-between.

Another objector – we understand to be a resident of Saltern's Close, lodged an objection on Friday 1st February 2019 which stated :-

"Apart from the nuisance, we fear mayhem. A young drunken man has drowned opposite the venue, and even if unrelated to the site, it could be a sign of things to come."

The linking of a tragic accident several years ago to alleged noise nuisance from Tournerbury is not objectively helpful, especially as this tragedy happened where the young man became heavily intoxicated with alcohol and drug use at a private residential party at one of the objector's houses in Saltern's Close; got in a kayak, and desperately sadly drowned on the north side of the Creek. Without stating the obvious hypocrisy of this objection, to use this terrible incident as part of a planning objection is, on any analysis, wrong.

In response to the article in the January 2019 Hayling Islander Newspaper, three residents of the Salterns / Selsmore area started a campaign of garnering objections to APP/18/00943 amongst neighbouring residents. This campaign included walking around the neighbourhood, knocking on doors and speaking directly to residents, circulating emails to residents' associations and issuing press releases. [REDACTED] who had never made a noise

complaint to Tournerbury before, either directly or to HBC) was instrumental in spearheading this campaign; writing the press releases to the Portsmouth Evening News and the Hayling Islander and persuading local residents to write to HBC with objections. This campaign saw a full-page article appear in the Hayling Islander February edition and also a nearly full-page article appear in the Portsmouth Evening News on Thursday January 10th titled "Residents' anger over plans for extra weddings". This campaign resulted in a total of 39 objections being lodged against the application, 35 of which cite noise disturbance as a full or partial factor for objecting.

A first meeting between the HBC planning department and the applicants was held at Tournerbury at 10am on Wednesday 30th January 2019. The initial deadline for determination was 5th February 2019. This meeting was attended by Mark Moss (HBC EHO), Charlotte Adcock (Pollution Team Leader – East Hants Council / HBC), Adam Alfrey of Direct Acoustic Solutions (advising Tournerbury), the applicants and Tournerbury's planning consultant Mr Haydn Morris of HMPC Ltd. At this meeting, the accusations of noise pollution were discussed, and Direct Acoustic Solutions laid out potential mitigation work that could be carried out, if the allegations were true. The Direct Acoustics Zone Array was also listened to (on full volume) both inside the marquee and around Tournerbury grounds and was barely audible at the Tournerbury foreshore.

However in order to either validate or dismiss the noise complaints raised by the objectors to the application as fallacious (some of whom had by now also raised noise complaints directly with the HBC EHO), the EHO decided that 'real world' random checking, adjacent to the objectors residences, would need to take place throughout the main event season. This exercise would give a clear picture as to whether the source of noise purported to be disturbing residents in the Salterns / Selsmore area was being generated by weddings and events at Tournerbury or was in fact being generated by private parties and other licensed premises on Hayling or further afield.

Following on from the January planning meeting, extensive discussions were held between Tournerbury and Direct Acoustic Solutions as to the most appropriate course of action moving forwards.

It was agreed that the addition of further soundproofing in the marquee at Tournerbury around the dance floor / band & DJ area and additional soundproof linings in the roof of the marquee to catch patron noise would be a sensible way forward on two fronts :-

Firstly, if the objector's complaints were valid, and Tournerbury was the source of noise nuisance to them, then with a full summer of weddings and events ahead, mitigation measures needed to be implemented very quickly so as not to cause any further disturbance.

Secondly, the benefit of adding such high levels of sound proofing around the music source area in the marquee meant that if the EHO continued to receive complaints throughout the 2019 season, it would now be easily provable that what residents were hearing previously and attributing to Tournerbury was not in fact Tournerbury.

If no sound complaints were received throughout the 2019 season, then the objector's complaints would have been shown to have been justified, and now successfully mitigated.

With the above strategy agreed, Direct Acoustic Solutions added in the new and additional sound proofing to the Tournerbury marquee in April 2019. This sound proofing can be seen in the attached document "*Tournerbury Woods Estate - Soundproof Marquee Mitigation.pdf*".

The HBC EHO came to inspect the new Direct Acoustic Solutions sound proofing on Monday 24th June and to listen to its sound distribution mitigation effects. Music played at full volume was not audible from the Tournerbury foreshore.

Nonetheless, the HBC EHO has received sound complaints during 2019 regarding loud music coming from Tournerbury. Most noticeably after the last bank holiday weekend in May, the EHO received a number of complaints of loud music coming from Tournerbury from midday to midnight on both the Saturday and the Sunday.

The applicants pointed out to the EHO that a substantial music festival "South Central" had been taking place in King George V playing fields in Cosham from midday to midnight on the Saturday and the Sunday (6.16 miles away from the objectors residences) and the constant Force 5 to 6 wind blowing North, North Westerly was dissipating that noise energy from International pop acts such as Boy George and Craig David, directly over Hayling Island. The objectors had wrongly accused Tournerbury.

The events at Tournerbury that weekend only had music playing from 7pm to midnight, and no live music after 10:30pm. All amplified music was played through the Direct Acoustics Zone Array and contained within the acoustic enclosure (as is the case with every Tournerbury event as this forms a key part of our Hire Terms and Conditions with our customers, and expectations are set and managed with them from the first time they view the venue).

This event showed very clearly that Tournerbury can be wrongly accused of noise disturbance from any sound source within a 308 square kilometre area or 76,269 acres. The attached Google Earth images (please see attached Google Earth images "*EHO – South Central Festival – 25th & 26th May 2019*" and "*EHO – Known area of potential sound source that can be blamed on TWE – 308 Square Kilometres 76,269 acres*") - show the distance of the sound source (South Central Festival) to the objectors' residences in the Salterns / Selsmore area of Hayling and the 308 square kilometre area.

On Wednesday 26th June 2019, acoustic testing was carried out by Direct Acoustic Solutions with a live band playing within the acoustic enclosure. The resultant data gathered at this was included in the Direct Acoustics report for HBC EHO - *"Tournurbury Woods Estate - Soundproof Marquee Mitigation.pdf"*.

On the 5th July 2019 this report was shared with the HBC EHO as well as a *"Noise report for Havant Borough Council Environmental Health Office July 2019 V2"*. This second report was collated by Tournurbury spot checks on the same days that events were taking place at Tournurbury to assess if disturbance was being generated by Tournurbury and to report other sound sources on the Island, or further afield. (Please see attached *"Noise report for Havant Borough Council Environmental Health Office July 2019 V2"*).

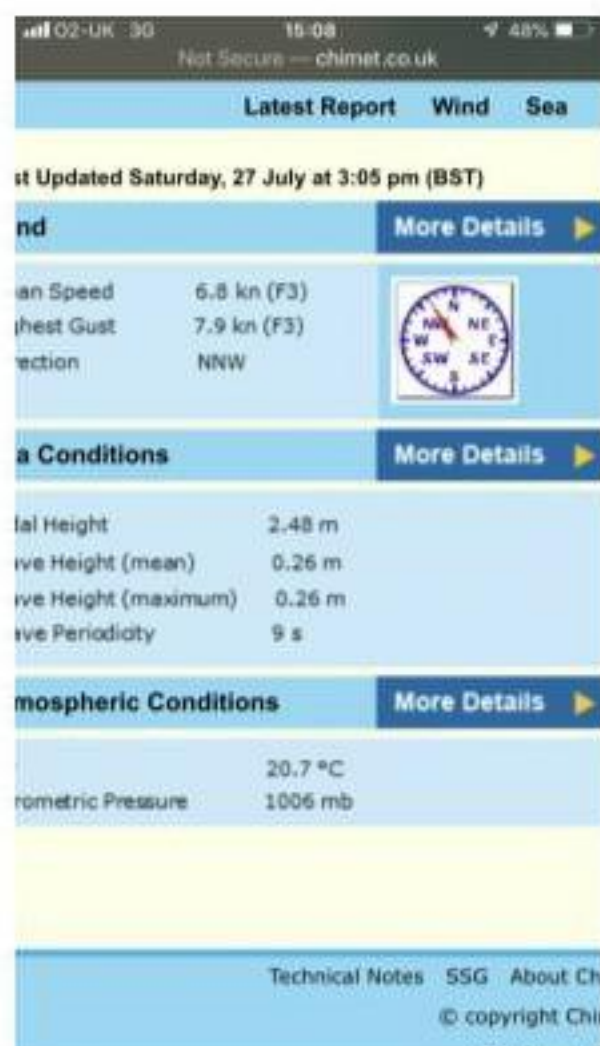
The HBC EHO has spot checked events at Tournurbury from the south side of My Lord's Pond throughout 2019 (without the knowledge of the applicants as to when this was going to be carried out) and found no noise disturbance emanating from Tournurbury during events. The EHO has however found other sound sources on these trips, such as "What sounded like a resident practising the drums in their garage" (direct quote from HBC EHO to the applicants).

On 22nd July 2019 the HBC EHO wrote to the applicants to acknowledge receipt of the documents and that the EHO was satisfied with the situation and closing the noise complaint at this time. The EHO also said that he would write to all those that had complained to the same effect.

On Saturday 27th July 2019 at 2:49pm, the applicant received a telephone call from a resident of Salterns Close who has historically been vocal about local noise issues and consistently blamed noise issues on Tournurbury, even on days when no events have been taking place at Tournurbury. The same resident objected strongly on the planning portal citing noise issues especially. The resident voiced his displeasure at the loud volume and 'deep thumping bass' that they could hear very clearly, even inside their house. The applicant, cognisant of the fact that a wedding ceremony was about to start at 3pm and no bands, DJ's, live music etc was playing at Tournurbury asked the resident if he was absolutely certain the music was coming from Tournurbury. The answer was an indefatigable "Yes, it is coming right from in your trees".

The applicant said that they would go and find out what was going on for the resident and drove round Hayling until the source of the noise was identified at Mill Rythe Holiday camp. A single performer was singing along to backing tracks with 8 large bass open speakers and the northerly wind was pushing this sound energy 1622 meters to the residences in the Salterns / Selsmore area. Please see attached Google Earth Image *"Noise complaint from [REDACTED] 2:49pm on 27 07 2019"*. Please also see below photo of the solo performer and Chimet screenshot of meteorological data at time of the noise complaint.





This information was then relayed back to the complainant by way of phone call and email (including video of the performance; this is available to HBC Planning if requested but has already been seen by HBC EHO) and copied to the HBC EHO and also the EHC / HBC Head of Pollution.

An apology email from the resident was received by the applicants the following day.

On the same day (Saturday 27th July 2019) a resident of Marine Walk who is friends with the applicants sent the following text at 4pm –

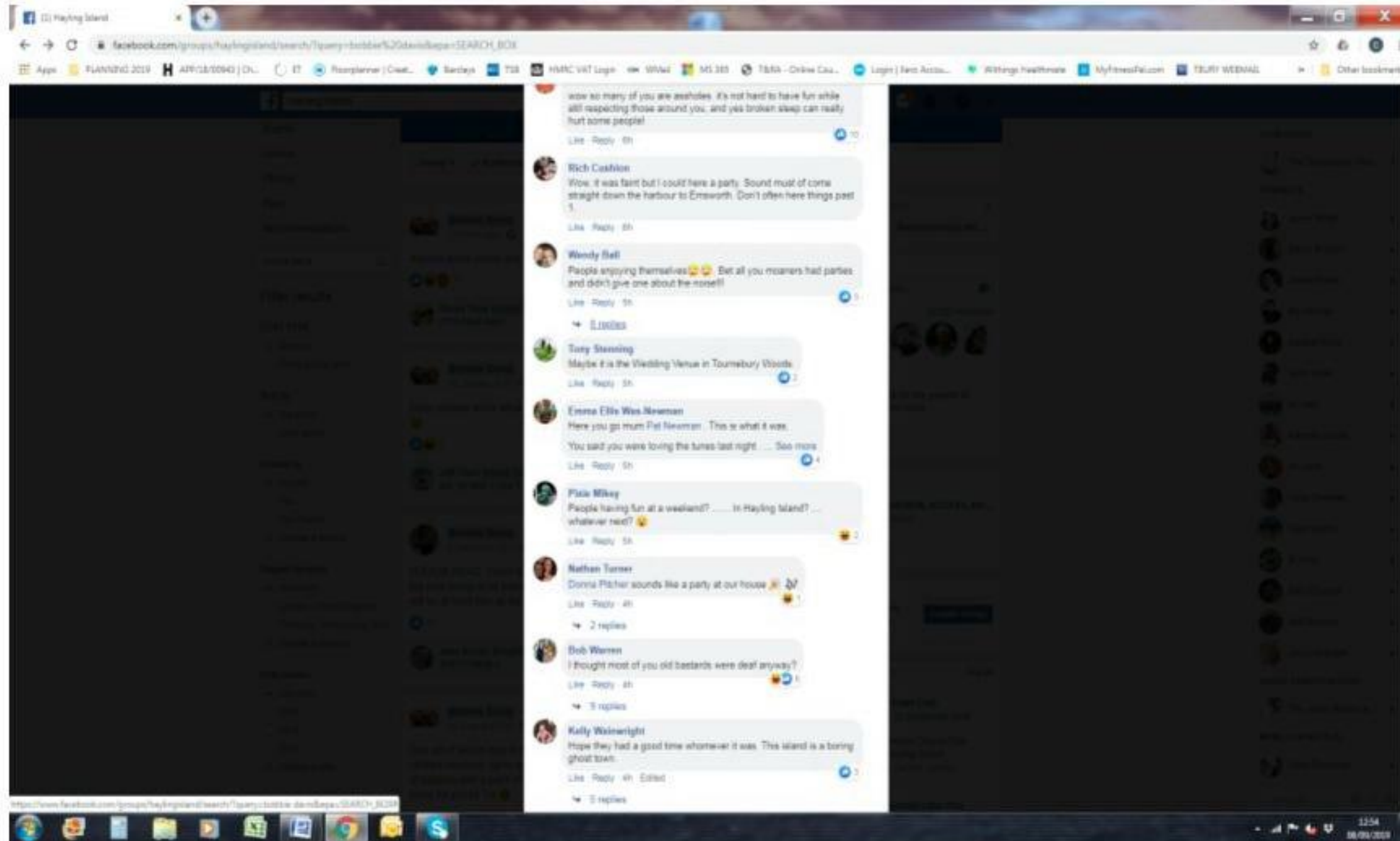


As can be seen above, some residents of Marine Walk made the automatic assumption that this sound disturbance must be from Tournerbury. The applicants replied to the text with the video and photos of the performance taking place at Mill Rythe holiday camp.

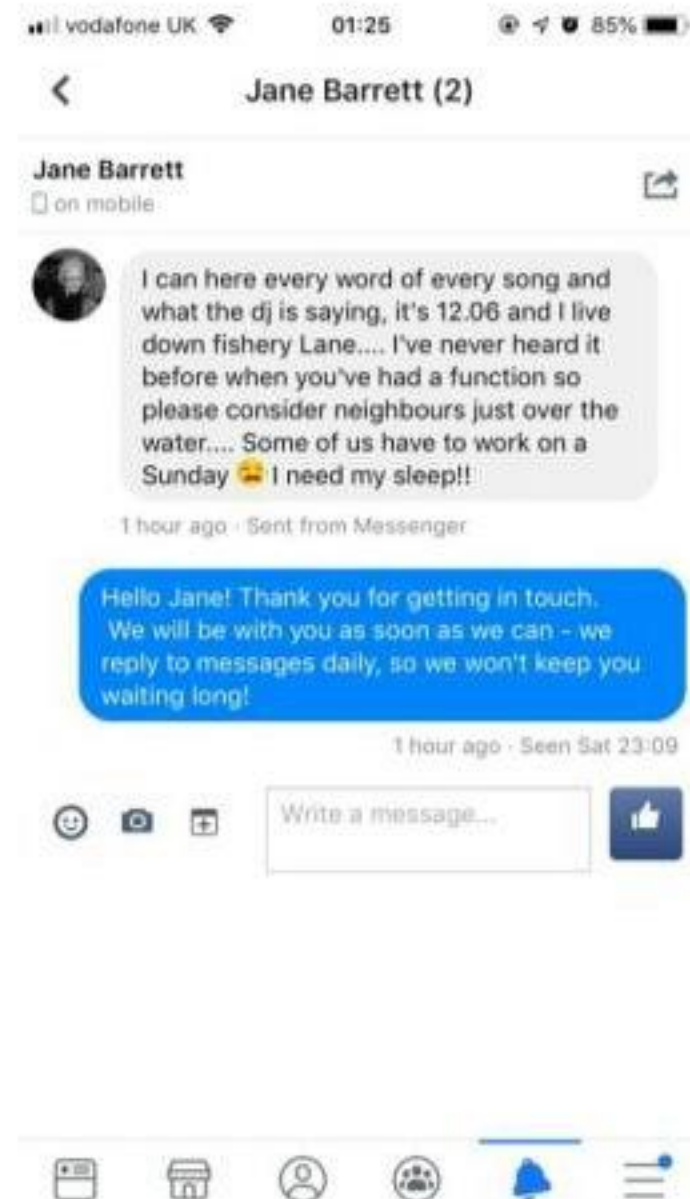
On Friday 6th September 2019 the applicant rang the HBC EHO to see if any further complaints had been received and levelled at Tournerbury since the EHO's letter of 22nd July. The answer was no. Please note that 15 large weddings had taken place at Tournerbury between these two dates and the meteorological conditions were typically 'high summer' with hot conditions, meaning many local residents would be using their gardens and have their windows open in the evenings and when going to bed. (This is noted here as it was a recurring theme, cited by objectors throughout the objection campaign, i.e. not being able to use their gardens, not being able to have their windows open at night etc on hot summer nights).

On Saturday 7th September 2019 the applicants received a text message from a resident in the Salterns Lane area with whom they are friends, explaining that they were holding a large 21st birthday party that evening for one of their daughters, and whilst they had let many of their neighbours know,

Tournerbury may well be blamed for the sound. The Hayling Island Facebook page swung into action with 122 comments on where the noise was coming from and there was 1 suggestion that it was Tournerbury – see below screenshot –



Tournerbury also received a sound complaint direct to our Facebook page from a resident in Fishery Lane – see below –



Tournerburys' venue manager responded to this message to let the concerned resident know that the wedding at Tournerbury on this Saturday didn't even have a DJ (their only music was a Spotify playlist running through an iPad) and explained that there was a private party going on in the Marine Walk area without sound mitigation (see below screenshot) –



Jane Barrett



Hello Jane,
Thank you for your message! I'm sorry to hear you were kept up last night. Our music always ceases at midnight, and we didn't have a DJ last night, so I'm certain it wasn't us! There was a 21st birthday party happening on Marine Walk, so I imagine this might have been the cause of the disturbance. I'm glad to hear you haven't heard any noise from us before. May I ask why you thought the noise was coming from Tournerbury on this occasion? I hope you have a great day at work, and manage to catch up on some sleep tonight!
Best wishes,
Lucy

Just now · Sent from Mobile



Book an appointment

Book an appointment for Jane on today at 18:00 and send a confirmation.

Cancel

Book



Tournerbury received an apology from the resident the following day (see below screenshot) –



Jane Barrett

lournerbury on this occasion? I hope you have a great day at work, and manage to catch up on some sleep tonight! Best wishes, Lucy

Create Appointment

13 minutes ago



Thanks Lucy for responding and I apologise for assuming it was coming from there. As we had a northerly wind yesterday I just thought the sound probably had made the sound travel as I said I've never heard it so loud, but that makes sense if there was a party in marine walk! Thanks again Lucy

5 minutes ago · Sent from Messenger



Book an appointment

Book an appointment for Jane on today at 18:00 and send a confirmation.

Cancel

Book



Write a message...



In summary:

The residents in the Salterns and Selsmore area that objected to App/18/00943 because of noise disruption (please note that this is the overwhelming majority of all objections to the application), all live in an urban area with a great many potential sound sources both in their immediate vicinity and further afield, whether these are licensed venues or private residences.

Having closely monitored sound sources throughout 2019 to build up an objective and empirical analysis of disturbance and noise distribution in South East Hayling, it is reasonable to conclude that the complaints made against APP/18/00943 in regard to noise were highly subjective, without substance in fact and could historically be attributed to a plethora of sources which the complainants have wrongly assumed, for whatever reasons of animus, to be Tournerbury.

This report and its enclosures have been copied to the HBC EHO as it is understood that the EHO will be making their own report to the HBC planning team.