

To: Local Review Body

From: Craig Wilson, Technical Officer, Protective Services (Amenity and Pollution)

**PLANNING APPLICATION
PROPOSED DEVELOPMENT:**

**Deans Bar 3 Orrock Place Hawick Scottish Borders TD9 0HQ
Variation of condition 4 of planning permission
16/00753/FUL to reinstate 2 no windows in lieu of air
conditioning units**

APPLICANT:

Mark Deans

**APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2013**

I have reviewed the information submitted by the applicant in relation to the above. I cannot support the installation of the proposed noise limiting device and acoustic boards as a method of reducing the impact of noise break-out to neighbouring properties for the following reasons:

Noise Limiting Device

- Such equipment is designed to control output from a single fixed music/speaker system only. This means that the noise limiting device could easily be by-passed by output from other sources (e.g. live bands). This can be difficult for licensees to manage.
- Noise limiting devices are complex pieces of equipment which require a working knowledge of acoustics to program and operate - user error can significantly reduce their effectiveness.
- Noise limiting devices typically only limit output to a predetermined level, this means that sound break-out issues due to the tonality and frequency of the source music can be overlooked or misunderstood by the device operator (e.g. low frequency/bass beats can still be a problem even though the overall music level is controlled).
- All electrical equipment has a useable service life and noise limiting devices are no different – failure to maintain the system to the manufacturer’s recommendations could result in ineffective performance.
- As an on-site noise impact assessment/sound propagation test has yet to be submitted, the theoretical noise limit level is unknown. This means that the bar could install the device and ultimately discover that the music volume level they are restricted to is not suitable for their purposes.

Acoustic Boards

- No detailed information on the performance of the acoustic boards sound insulation capabilities has been submitted. The general information supplied regarding the sound reduction capabilities of the foam only applies to noise composed of higher frequencies. As the lower frequencies (bass levels) of amplified music can account for a disproportionately large part of the music break-out issue this material is unlikely to be suitable.
- No information on the density of the MDF sheeting proposed to back the acoustic foam has been submitted. This is crucial to assessing the overall effectiveness of the proposal.
- As a thorough, on-site noise impact assessment (which considers the existing sound reduction performance of the building envelope) has not been submitted, it is not possible to know how the proposed acoustic boards will perform in context.

- As an on-site noise impact assessment/sound propagation test has not been submitted, the theoretical noise limit level is unknown. Without this it is not possible to determine the adequacy of this proposed mitigation.
- The proposed boards are, by definition, a temporary measure and their performance will be closely matched to their installation. Any gaps around the perimeter of the boards when installed could severely impact their effectiveness.
- Each time the boards are installed/removed they will naturally degrade with a gradual loss of performance.

In summary, the information submitted by the applicant lacks detail and robust assessment, Environmental Health is therefore unable to support the proposal as methods of reducing the impact of noise break-out to neighbouring properties from the windows of the function room.