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Project:	Units 4-6, Wynnstay Industrial Estate, Ruabon, LL14 6EN
Document Ref:	22056/TN/001
Date:	29th July 2025

PLANNING APPLICATION REFERENCE: P/2025/0176

The following response has been received from the Public Protection Team concerning the Noise Impact Assessment Report (22056.NIA-RPT.01):

> *"Report 'Noise Impact Assessment Report, to Address Public Protection Consultation Response Comments, Units 4-6, Wynnstay Industrial Estate, Ruabon, LL14 6EN' Report Reference 22056.NIA-RPT.01 Dated 27-06-25 by es acoustics has modelled the noise levels from three scenarios and compared them to the monitored background. The three scenarios are (1) customer vehicles, (2) evening deliveries (after 20:00) and (3) Morning deliveries (before 07:00).*
>
> *In each scenario the predicted worst case noise levels were compared to the monitored background for daytime (07:00 to 23:00) and night time (23:00 to 07:00) as applicable. Relevant penalties as defined in BS4142 were added for tonality and impulsiveness to the predicted noise levels.*
>
> *The modelling has shown the predicted noise levels at the façade of the nearest noise sensitive receptor will be below the background noise levels from the customer vehicles but above it for both the day time and night time deliveries. However the increase is less than +5dB and therefore is classed as a low chance of adverse impact within the standard. The report includes the operators delivery plan which has been prepared, in part to address noise concerns, though primarily for transport / highway matters.*
>
> *The report has suggested that given the historic and existing use of the site for commercial / industrial operations that such noise would not be out of character for the area.*
>
> *The report has not considered the predicted nose levels within the context of TAN 11, where the predicted levels fall within Noise Exposure Category (NEC) A for customer vehicles and daytime deliveries and therefore noise need not be considered a determining factor. However, the early morning deliveries occur before 07:00 which is defined as night time in the technical note and as such fall within NEC B. NEC B is defined in TAN 11 as*
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> *Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection.*
>
> *As such I recommend the applicant be asked how they intend to mitigate the noise levels from the early morning deliveries. One recommendation would be to restrict deliveries to day time."*

With regard to the assessment of "noise from industrial and commercial developments", TAN 11 notes the following within Paragraph B17:

> *B17. The likelihood of complaints about noise from industrial development can be assessed, where the Standard is appropriate, using guidance in BS 4142: 1990. Tonal or impulsive characteristics of the noise are likely to increase the scope for complaints and this is taken into account by the "rating level" defined in BS 4142. This "rating level" should be used when stipulating the level of noise that can be permitted. The likelihood of complaints is indicated by the difference between the noise from the new*

> *development (expressed in terms of the rating level) and the existing background noise. The Standard states that, 'A difference of around 10 dB or higher indicates that complaints are likely. A difference of around 5 dB is of marginal significance'. Since background noise levels vary throughout a 24 hour period it will usually be necessary to assess the acceptability of noise levels for separate periods (e.g. day and night) chosen to suit the hours of operation of the proposed development. Similar considerations apply to developments that will emit significant noise at the weekend as well as during the week. In addition, general guidance on acceptable noise levels within buildings can be found in BS 8233: 1987.*

The latest edition of BS 4142 is the 2014+A1:2019 edition, rather than the 1990 edition noted within the paragraph above. Similarly, the 1987 edition of BS 8233 has been superseded by the 1999 and 2014 editions of the standard.

It is therefore considered that the noise impact assessment report produced is in full accordance with the TAN 11 and the British Standards referenced.

With regard to the Noise Exposure Categories referenced in TAN 11, these are intended for applications involving new residential dwellings. In this case, the residential dwellings are already permitted, and the assessment being undertaken is for a B8 use class development, whereby the Noise Exposure Categories hold no relevance. This is clarified in Paragraphs A3, A4 and A5 of TAN 11, which state:

> *A3. The NEC noise levels should not be used to assess the impact of industrial noise on proposed residential development because the nature of this type of noise, and local circumstances, may necessitate individual assessment and because there is insufficient information on people's response to industrial noise to allow detailed guidance to be given. However, at a mixed noise site where industrial noise is present but not dominant, its contribution should be included in the noise level used to establish the appropriate NEC.*
>
> *A4. The NEC procedure is applicable where consideration is being given to introducing residential development into an area with an existing noise source, but not the reverse situation where new noise sources are to be introduced into an existing residential area. This is because the planning system can be used to impose conditions to protect incoming residential development from an existing noise source but, in general, developers are under no statutory obligation to offer noise protection measures to existing dwellings which will be affected by a proposed new noise source. Moreover, there would be no obligation on individuals with an interest in each dwelling affected to take up such an offer, and therefore no guarantee that all necessary noise protection measures would be put in place.*
>
> *A5. Thus, where new industrial or commercial development is proposed near a residential area, the effect of the new noise source on the surrounding area will have to be assessed in accordance with existing procedures. In many cases where a new source of noise is to be introduced by a project that requires environmental assessment (EA) the effect of noise will be considered in this context; but it must be accepted that in these circumstances the options to control noise are likely to be more limited than where residential development is proposed in an area with an existing noise source. In the case of new roads and aerodromes, grant schemes may exist to provide insulation in specified circumstances.*

Based on the above, it is not considered necessary or relevant to refer to the NECs.

The outcome of the noise impact assessment follows the process defined in BS 4142, which involves assessing the Rating Level against the background sound level and taking into consideration the context in which the sound occurs. The process of comparing the Rating Level to the background level should not be used in isolation to determine the likelihood of adverse impacts. As noted within the report, *"deliveries would take around 30-40 minutes (with 1 hour allowed as worst-case) and would only occur 3 times per week, for a worst-case total of 3 hours per week. Therefore, in terms of total "on-time", the activity would occur infrequently, and this must be*

given significant weight in the overall assessment outcome (i.e. the same level being generated 24/7 would likely have a greater impact than the same activity and level only occurring for 3 hours per day). The implementation of best practicable means for this process is outlined in Section 5.7, which should be taken into account when establishing the likelihood of adverse impact."

As the activity under assessment occurs for such limited periods in the context of a week, it is therefore not considered necessary to implement additional mitigation measures, as the likelihood of adverse impact would be low.

Should you have any questions or comments with regards to the contents of this technical note, please contact me directly at the details below.

Yours Sincerely

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