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**TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)-
SECTION 147**

APPEAL REFERENCE: APP/A1720/C/23/3336046

**TITCHFIELD FESTIVAL THEATRE,
71- 73 St MARGARETS LANE, TICHFIELD, FAREHAM, PO14 4BG**

DRAFT STATEMENT OF COMMON GROUND ON NOISE

R PECKHAM BENG MPHIL CENG MIOA, 24 ACOUSTICS LTD

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Technical Report: R10471-4 rev 4 FINAL

Date: 8th May 2024

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1.0 INTRODUCTION

- 1.1 This Statement of Common Ground on Noise has been written jointly by Reuben Peckham of 24 Acoustics Ltd, acting on behalf of the appellant, and Brian Scrivener of Sound Advice Acoustics Ltd, acting on behalf of Fareham Borough Council (the 'parties').
- 1.2 The parties have been retained to assess the noise impact associated with the operation of the Arden Theatre and associated activities which have been deemed by Fareham Borough Council to be in breach of planning control.
- 1.3 The parties agree that the key noise considerations are as follows:
- Noise break-out to the community from the inside of the Arden Theatre;
 - Noise associated with traffic movements to and from the theatre;
 - Noise associated with speech from patrons arriving at and leaving the theatre.
- 1.4 Our mutual consideration of each is detailed in the following sections below.

2.0 NOISE BREAK OUT TO OUTSIDE

- 2.1 Noise break-out from the inside of the Arden Theatre is considered in Paragraphs 6.1 to 6.8 of the Peckham proof and in Section 4.4 of the Scrivener Proof.
- 2.2 Mr Peckham performed both objective and subjective tests of noise break-out whilst Mr Scrivener undertook subjective observations and objective noise measurements from receptor properties only.
- 2.3 We agree that, for the majority of the time, noise from within the theatre is experienced at neighbouring residential dwellings at a very low level (or is inaudible). We both, however, noted that the noise was audible during applause and during periods of the performance with high levels of music. We also agree that the dominant path of noise transfer is via the roof of the auditorium and that the noise impact would be acceptable at all times if the sound insulation of the roof were upgraded. Mr Peckham provided technical specifications for the same and the appellant suggested a planning condition to ensure that the works were undertaken in a timely fashion on conclusion of the appeal.

2.4 Mr Scrivener and Mr Peckham have liaised and agree it would be reasonable to allow the theatre 9 months from the date of any consent to implement these works on the basis that a marginally excessive noise impact occurs relatively infrequently during each performance. The council do not accept that there is a lawful fallback development involving a reduced-sized Arden theatre but Mr Scrivener and Mr Peckham agree that the impact associated with noise break-out to the community from a smaller Arden theatre would be similar to that from the existing full-sized Arden theatre.

2.5 On this basis we agree that the noise break-out will be acceptable subject to the following condition:

Within XX months of the date of this decision the noise mitigation requirements to the roof of the Arden Theatre as identified in Paragraph 6.6 and Appendix of the proof of evidence of Reuben Peckham (24 Acoustics Technical Report Reference R10471-2 rev3 (FINAL)) shall be implemented.

2.6 We also agree that there is potential for noise break-out to the community via open windows and doors. This risk will be minimised if TFT comply with the following planning condition.

Windows and doors to all internal spaces shall remain closed throughout performances and rehearsals.

2.7 Providing these conditions (or similar) are properly implemented our shared opinion is that noise break-out from the Arden Theatre will not be material to the appeal.

3.0 TRAFFIC NOISE IMPACT

3.1 Noise from road traffic movements associated with TFT's operations is considered in Paragraphs 6.9- 6.11 of the Peckham proof of evidence and Section 4.3 of the Scrivener proof.

3.2 We agree that the area is subject to traffic noise from vehicle movements unrelated to TFT and both agree that any additional noise impact from TFT-related movements is negligible.

3.3 On this basis we agree that the noise from road traffic movements associated with the operation of the Arden Theatre and associated activities is negligible and therefore not material to this appeal.

4.0 NOISE FROM PATRONS

- 4.1 Paragraphs 6.12 to 6.18 of the Peckham proof and Section 4.5 of the Scrivener proof address noise from patrons.
- 4.2 Mr Peckham felt that patron noise was not excessive on the occasion when he witnessed patrons arriving at and leaving the Arden Theatre. He acknowledges, however, that this is hard to control and hence recommended the provision of a noise management plan. Mr Scrivener felt that the noise was a little excessive but considered that it could be mitigated effectively via the provision of an acoustic barrier fence along the south-eastern boundary of the site. Initially a fence with an acoustic absorptive liner on the theatre side was proposed, however, Mr Scrivener has agreed that a conventional (non absorptive) barrier/fence with a minimum surface density of 14 kg/m^2 will be adequate.
- 4.3 We jointly agree that with the provision of an acoustic barrier fence and a noise management plan the noise impact from patrons arriving at and leaving the venue will be acceptable. If this appeal is allowed we agree that this should be enforced by planning conditions and suggest the following:
- 1. Within XX month(s) of the date of this consent a noise management plan shall be submitted to the LPA for approval and all activities at Titchfield Festival Theatre shall be compliant with the plan thereafter.*
 - 2. Within XX month(s) of the date of this consent an acoustic barrier, 2 m in height with a surface density of no less than 14 kg/m^2 shall be erected along the south-eastern boundary of the site at the location shown in Figure 12.2 of the Proof of Evidence by Mr Brian Scrivener of Sound Advice Acoustics Ltd (Report Reference SA-7741).*
- 4.4 With these measures in place we agree that noise from patrons may be controlled to an acceptable level and will also not be material to this appeal.

5.0 SUMMARY

5.1 Msrs Peckham and Scrivener have liaised closely and agree that all noise matters relating to the operation of the Arden Theatre (and associated activities) are either non-material or may be effectively controlled by the conditions that are proposed.

5.2 On this basis we both fully agree that noise is no longer material to this appeal.

Signed and agreed.

A large black rectangular redaction box covering the signature of Reuben Peckham.

Reuben Peckham BEng MPhil CEng MIOA

A black rectangular redaction box covering the signature of Brian Scrivener.

Brian Scrivener, MIOA