



# MEMO

<b>TO</b>	James Neave	<b>FROM</b>	Jo North/Lisa Watt/Sam Noble
<b>DATE</b>	09 March 2022	<b>CONFIDENTIALITY</b>	Public
<b>SUBJECT</b>	WSCC/052/20 A29 Phase 1 Realignment – Planning Condition 12		

Dear James,

This memo summarises the information provided to confirm the method to be applied to discharge Planning Condition 12 – Noise Verification Assessment.

## Condition 12

‘Within two months of the first public use of the road, a Noise Verification Assessment to demonstrate that the modelled noise levels or better have been achieved at those properties identified as most likely to be affected by noise in the submitted Environmental Statement, shall be submitted to the County Planning Authority. If the assessment indicates that noise levels are above those modelled, within two months, a scheme of rectification shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the rectification scheme shall be implemented and maintained in full in accordance with a timetable to be set out in the scheme.

The following attachments have been included with this memo. following:

Attachment	Name	Reference	Details
1	Figure 7-6 of the Revised ES	Receptors above day-time LOAEL with a major of moderate magnitude of change (long-term)	NIR potentially eligible properties (10) have been identified in the figure.

## Introduction

Information in relation to relevant road noise guidance and approach to discharging this condition was submitted to Arun District Council’s Environmental Health Officer on 14 October 2021 and followed up with a meeting to discuss on 9 November 2021.

Confirmation that the EHO was happy with the proposed approach to discharge Condition 12 was received via email on 19 November 2021.

## Relevant Guidance

DMRB LA111

The Design Manual for Roads and Bridges (DMRB) LA111 was used in the noise assessment for the Environmental Statement (ES) and potential noise impacts reported based on the criteria set out in this guidance.

DMRB LA11 also provides advice on monitoring and evaluation of likely significant environmental effects from noise once a scheme is operational.

DMRB LA111 also sets out the reason as to why post-construction noise monitoring cannot provide a reliable gauge for whether the predicted magnitude and extent of operational adverse impacts are greater or less than those predicted in the assessment. This is due to the following reasons:

- 1 the assessment is based on annual average conditions with and without the project to ensure a like for like comparison, which is not possible to replicate through monitoring within reasonable timescales;
- 2 monitoring in the absence of the project would need to be completed before the start of the construction works, and would therefore be a number of years before the with scheme monitoring and the assessment completed for the environmental statement is based on calculated road traffic noise levels, whereas ambient noise monitoring can be affected by other noise sources such as people, agricultural activities, military activities, aircraft etc.

For these reasons, verification of the modelled noise levels is not possible through noise monitoring. DMRB does refer to checking the integrity of mitigation installed. For the A29 that would include a review of the noise barrier when it is installed to check that it is installed as per the design and to the manufacturer's specifications. This would be via physical monitoring to check that the contractors had installed the barrier correctly. If the installed barrier differed from that modelled within the assessment, then remodelling would be done to confirm the performance of the barrier. If the noise barrier does not comply with the required performance criteria, there is a duty upon the proponent to rectify. It is noted that Planning Condition 11 requires the specification of the noise barrier to be approved and ensures an acoustic specification no less than that modelled.

#### Noise Insulation Regulations 1975, as amended 1988

The Noise Insulation Regulations (NIR) provides the framework to determine the entitlement to noise insulation treatment at eligible buildings (i.e. dwellings and other building used for residential purposes within 300m from the nearest point on the new or altered highway).

The proponent has a duty to undertake the NIR assessment on the as built scheme within 6 months of opening of the road.

#### NIR qualifying properties

The potential qualifying locations have been identified in Figure 7-6 of the ES (Attachment 1 to this memo). These will need confirmation as part of the NIR assessment.

Noise modelling will be required once the road has been constructed to confirm which properties are eligible under the Noise Insulation Regulations. The assessment required for the NIR includes assessment of the 'as built' scheme alignment. The noise should be assessed at a reception point located 1 metre in front of the most exposed façade part of an external window or door of an eligible room. This requires identification of the specific qualifying facades, windows and doors. The qualifying building facades will need to be determined by noise calculation and site visits. Residential dwellings which were first occupied after the new road was first opened to traffic do not qualify. Traffic flows used in the calculations should be the highest expected in a period of 15 years after opening to traffic. The predictions will be normally undertaken using the Annual Average Weekly Traffic (AAWT).



Regulation 3 imposes a duty on the highway authority to offer insulation in respect of a new road, if the following requirements are fulfilled:

- The 'Relevant Noise Level' must be at least 68dB(A)  $L_{10(18\text{-hour})}$ .
- The 'Relevant noise Level' must be at least 1.0dB(A) more than the 'Prevailing Noise Level'.
- The property must be within 300m of a carriageway forming part of the scheme.

The proponent has a duty to undertake NIR assessment as a separate entity to the verification of the noise barrier and this needs to be done on the as built scheme. This must be completed within 6 months of opening.

Agreed approach to discharge Condition 12

The following activities will be undertaken to discharge Condition 12:

- Physical examination of the acoustic mitigation feature once installed to ensure that the physical properties conform with that in the design and that it has been installed as per manufacturer's instructions.
- Noise Insulations Regulations Assessment of occupied properties within 6 months of road opening, to include an update of the noise modelling calculations.