



## EXECUTIVE SUMMARY

This report considers risk posed to the future viability of the Stables Theatre in Wavendon by the residential development proposed immediately to the west of the Stables.

The planning policies and guidance applicable to the consideration of noise from the Stables, in the context of an Agent of Change (AoC) noise assessment are described and potential design criteria for entertainment noise are discussed and proposed.

This report evaluates the noise assessment reports submitted and considered in connection with the outline application (15/02337/OUT) which was approved in 2017 and the reserved matters application (18/01304/REM) which is due to be determined by Milton Keynes Council on the 04 April 2019. It critiques the interpretation of those reports by MKC and its appointed consultants and comments on the Committee Report and the proposed noise conditions therein.

It also summarises the recent investigations undertaken by WSP in the vicinity of the Stables. It presents summary results of the WSP noise measurements and contrasts those with the results presented in the application noise assessments. The analysis raises fundamental questions about the adequacy of the data provided in both applications, the analysis, and interpretation of data in the assessments. Of particular concern is the inadequacy of the surveys employed. Each survey captured little more than an hour of site data, and only a single music event at the Stables was attended by surveyors. This cannot be described as reliable in representing a reasonable worst case regarding entertainment noise emitted from the venue. The methods employed in the surveys and the reporting do not conform to good practice standards, and the analyses applied to the data are technically dubious. Further significant flaws in the assessments have also been identified, including use of inappropriate and technically unjustifiable design criteria, which are insufficient to secure suitable living conditions for occupants of the application development.

This report considers the implications of the residential development proceeding as proposed and recognises the very significant risks that this would pose to the viability of the Stables as an entertainment venue in the future.

It concludes that MKC has failed to properly consider the protection of the Stables in the determination of the outline permission and in its consideration of the reserved matters application. It is suggested that noise mitigation measures proposed in draft planning conditions are currently insufficient and should be revisited in the light of this report. Furthermore, the wording of the proposed conditions would not meet the requirements of national planning policy, and so would be vulnerable to legal challenge. The report concludes that a Deed of Easement should be agreed to afford a reasonable level of protection for the Stables from the potential impacts of noise complaints in the future, and event noise levels enshrined in such a Deed would need to be established from surveys of entertainment events that are adequate in scope to represent the reasonable worst case, and conform with good practice guidance.

On this basis, it is recommended that the determination of the application should be deferred from the current Committee date of the 04 April until such time as more rigorous noise assessments have been conducted to underpin a more robust scheme of noise mitigation measures, and the drafting of a suitable Deed of Easement.