

assessor. This should be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. Planning departments could work with and be assisted by suitably qualified and experienced officers within borough building control departments and/or the London Fire Brigade, in the evaluation of these statements.

- 3.12.10 **Fire safety and security measures** should be considered in conjunction with one another, in particular to avoid potential conflicts between security measures and means of escape or access of the fire and rescue service. Early consultation between the London Fire Brigade and the Metropolitan Police Service can successfully resolve any such issues.
- 3.12.11 **Refurbishment** that requires planning permission will be subject to London Plan policy. Some refurbishment may not require planning permission; nevertheless, the Mayor expects steps to be taken to ensure all existing buildings are safe, taking account of the considerations set out in this policy, as a matter of priority.

Policy D13 Agent of Change

- A The Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Boroughs should ensure that Development Plans and planning decisions reflect the Agent of Change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby.
- B Development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.
- C New noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.

- D Development proposals should manage noise and other potential nuisances by:
- 1) ensuring good design mitigates and minimises existing and potential nuisances generated by existing uses and activities located in the area
 - 2) exploring mitigation measures early in the design stage, with necessary and appropriate provisions including ongoing and future management of mitigation measures secured through planning obligations
 - 3) separating new noise-sensitive development where possible from existing noise-generating businesses and uses through distance, screening, internal layout, sound-proofing, insulation and other acoustic design measures.
- E Boroughs should not normally permit development proposals that have not clearly demonstrated how noise and other nuisances will be mitigated and managed.

- 3.13.1 For a long time, the responsibility for managing and **mitigating the impact of noise** and other nuisances on neighbouring residents and businesses has been placed on the business or activity making the noise or other nuisance, regardless of how long the business or activity has been operating in the area. In many cases, this has led to newly-arrived residents complaining about noise and other nuisances from existing businesses or activities, sometimes forcing the businesses or other activities to close.
- 3.13.2 The **Agent of Change principle** places the responsibility for mitigating the impact of noise and other nuisances firmly on the new development. This means that where new developments are proposed close to existing noise-generating uses, for example, applicants will need to design them in a more sensitive way to protect the new occupiers, such as residents, businesses, schools and religious institutions, from noise and other impacts. This could include paying for soundproofing for an existing use, such as a music venue. The Agent of Change principle works both ways. For example, if a new noise-generating use is proposed close to existing noise-sensitive uses, such as residential development or businesses, the onus is on the new use to ensure its building or activity is designed to protect existing users or residents from noise impacts.
- 3.13.3 The Agent of Change principle is included in the National Planning Policy Framework, and **Planning Practice Guidance** provides further information on