

LAND OFF SCALEGILL ROAD, MOOR ROW

NOISE ASSESSMENT – Planning Statement

11. No development must take place until a Noise Assessment has been submitted to, and approved in writing by the Local Planning Authority. The noise assessment must fully consider the weekend/evenings and night time operation of the nearby licensed premises to provide representative levels of noise. The development must be carried out in accordance with the approved scheme and any remedial action must be implemented prior to the occupation of any dwelling hereby approved and retained at all times thereafter.

In discussion with the LPA, we have advised that we have tried to make contact with the adjacent Social Club for in excess of five months to allow us to Acoustically assess the application site during a live event from the adjacent licensed premises.

We have also been monitoring their Facebook event for up coming events and to date nothing has been advertised for 2025.

The Planning Condition was pre-development however in the absence of any events taking place it is unreasonable to restrict / prohibit development taking place without having the ability for us to comply with the planning condition.

With a view to the LPA discharging the Condition we can offer the following solutions :

1. Remove the 'no development' wording and refer to 'Plot 19 not being commenced above DPC level'
2. Remove the Condition entirely as there is no requirement to place this obligation on the site as there is no 'noise' being created adjacent to the site.
3. Accept enhanced acoustic trickle vents and glazing specification to the rear windows of Plot 19 based on assumptions of noise levels at the property. Note the maximum levels omitted from the site are controlled by WHO rules and Environmental Health.

Simply we cannot restrict development commencement as the tangible 'noise' from the adjacent site does not materially occur and need the LPA to act proactively in respect of this application.