

Oliver Hoban

From: Christie Burns
Sent: 07 October 2024 11:12
To: Development Control
Subject: FW: 4/22/2354/0B1 - UNITS 5 & 6, ENNERDALE MILL, BRIDGE END, EGREMONT

Hi all,

Comments to be put online please.

Please note that the advice in this email is given in good faith on the basis of the information available at the present time. The advice may be subject to revision following further examination or consultation, or where additional information comes to light, and is therefore not binding on any future recommendation which may be made to the Council or any formal decision by the Council.

Kind Regards,

Christie Burns MRTPI

Senior Planning Officer | Development Management
Inclusive Growth and Placemaking | Cumberland Council
The Market Hall | Market Place | Whitehaven | CA28 7JG



From: Sharon Blakeley
Sent: 30 September 2024 20:53
To: Christie Burns
Subject: FW: 4/22/2354/0B1 - UNITS 5 & 6, ENNERDALE MILL, BRIDGE END, EGREMONT

Hi Christie,
Resending – Please see email below.
Kind Regards
Sharon

From: Environmental Health
Sent: 30 September 2024 17:43
Subject: FW: 4/22/2354/0B1 - UNITS 5 & 6, ENNERDALE MILL, BRIDGE END, EGREMONT

Good Afternoon Christie,
Following the additional information submitted on 17th September 2024 Environmental Health accepts the additional proposals from the applicants.

With reference to the following comment from you:

I also note the request for mitigation in terms of amplified music. I would advise that as you have requested no music when the doors are open we cannot include controls of the internal music when doors are closed as this was not part of the original planning permission at this site. As previously stated if there are issues regarding noise from the gym this should be dealt with by Environmental Health as it falls outside the scope of planning

Can you include an informative to the applicant that noise nuisance notifications are not covered the planning process and will be investigated by Environmental Health in their duties under the Environmental Protection Act 1990.

Kind Regards
Environmental Health

From: Christie Burns
Sent: 17 September 2024 11:22
To: Environmental Health
Subject: RE: 4/22/2354/0B1 - UNITS 5 & 6, ENNERDALE MILL, BRIDGE END, EGREMONT

Good morning,

I have now received the attached amended management plan for the above planning application based on your comments and my email below. I would be grateful if you could review and provide comments on this within 14 days of this email.

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Kind Regards,

Christie Burns MRTPI
Senior Planning Officer | Development Management
Inclusive Growth and Placemaking | Cumberland Council
The Market Hall | Market Place | Whitehaven | CA28 7JG



From: Christie Burns
Sent: 16 September 2024 15:57
To: Environmental Health
Subject: RE: 4/22/2354/0B1 - UNITS 5 & 6, ENNERDALE MILL, BRIDGE END, EGREMONT

Good afternoon,

Thank you for your comments on this application.

I have reviewed your latest comments and I would conclude that Environmental Health are objecting to this application unless:

- There is no music to be played when the doors are open
- The door is only open to 2m in height
- Times of door opening to be reduced from what is proposed.

I will forward your comments to the applicant and request that the submitted information is updated to reflect these points above.

I note comments from Environmental Health that the shutter doors should only be open for cooling purposes, however this is not something that would be enforceable by the Local Planning Authority.

I also note the request for mitigation in terms of amplified music. I would advise that as you have requested no music when the doors are open we cannot include controls of the internal music when doors are closed as this was not part of the original planning permission at this site. As previously stated if there are issues regarding noise from the gym this should be dealt with by Environmental Health as it falls outside the scope of planning.

If the applicant is agreeable to the three amendments proposed I will forward you the amended information for further comment.

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Kind Regards,

Christie Burns MRTPI

Senior Planning Officer | Development Management
Inclusive Growth and Placemaking | Cumberland Council
The Market Hall | Market Place | Whitehaven | CA28 7JG



From: Environmental Health

Sent: 13 September 2024 17:56

To: Christie Burns

Subject: RE: 4/22/2354/0B1 - UNITS 5 & 6, ENNERDALE MILL, BRIDGE END, EGREMONT

Good Afternoon,

Please find the response from Environmental Health – as agreed reply from Environmental Health by end of 13th September 2024.

Planning response for Planning approval 4/22/2354/0B1

Environmental Health have considered the information submitted as part of the variation application to remove condition 5 on the current planning approval. In order to protect the surrounding amenity at the nearest noise sensitive noise uses Environmental Health cannot support this application.

Our view takes into account previous noise tests carried out by the independent noise consultant and the report "Planning Noise Assessment: Egremont, Urban Fitness Gym" May 2023. The music noise level measured at the nearest noise sensitive dwelling, measured an increase background noise level of up to 5dB.

Paragraph 2.27 of the noise consultant report: *With both shutter doors open, music was **clearly audible and songs and lyrics identifiable** at LT1 and the surrounding area, owing to the reduced building envelope sound insulation of the gym building. The sound levels were judged to be **subjectively unacceptable***

Paragraph 2.28 of the noise consultant report: *The calculated MNL at LT1 was 45dB LAeq,T, which is 5dB higher than the background (LA90) sound level measured between 07:00-08:00hrs*

The measured levels were considered unacceptable which had potential of an adverse impact on the existing noise climate. The noise report states further that the music at that time was clearly audible and was subjectively unacceptable.

In addition to this we have concerns as there has been a history of noise complaints associated with the existing development and the fact there is no existing agreed noise limit within the gym to protect surrounding amenity.

To conclude, the planning response from Environmental Health dated 9/6/23 identifying points for consideration regarding mitigation measures for shutter doors and amplified music remain valid:

Shutter Doors

1. Shutter doors must not be raised more than 2m and only when necessary for cooling purposes
2. Shutter doors to remain closed before 09:00 hours and after 19:00 hours
3. When shutter doors are open, no music to be played within the gym

Should planning approval be granted when shutter doors are open, no music to be played within the gym – as stated in the Noise consultant report Proposed Use on Page 3 *The operator has committed to there being no amplified music when the roller shutters are open.*

The applicant has proposed in the attached email with the application, to allow to open the doors to a height of approximately 8-10 feet which is equivalent to 2.4m to 3m.

Amplified Music

- 1 An electronic sound level attenuation system otherwise known as an acoustic limiter/compressor shall be fitted before the amplifier in the signal chain with the thresholds of the limiter set on all channels
2. The sound attenuation device shall be installed within 3 months of the date of this planning decision, and set by a suitably qualified sound engineer and with input from Environmental Health from the local planning authority
3. The device shall be secured so that it cannot be overridden or tampered with by persons other than the appointed sound system engineer/acoustic consultant

4. The sound attenuation device shall not be altered without prior agreement with the local planning authority or Environmental Health. The specification levels of the sound level attenuation system shall be submitted to and approved by the local planning authority.

The above points will safeguard noise disturbance is inaudible beyond the curtilage of the gym by setting agreed levels at source.

Environmental Health acknowledge the measures put forward by the applicant for Noise Reduction in Training Areas and the installation of Tapo Devices under the heading Music Volume Control – all are welcomed as mitigating measures.

We would welcome further discussions with the applicant on a way forward which could also include alternative ventilation systems for the gym.

Kind Regards
Environmental Health

From: Christie Burns
Sent: 05 September 2024 14:57
To: Env Health External Email Group
Cc: Jackie O'Reilly
Subject: 4/22/2354/0B1 - UNITS 5 & 6, ENNERDALE MILL, BRIDGE END, EGREMONT

Good afternoon,

A reconsultation request was sent to Environmental Health for the above planning application on the 13th August 2024, allowing 21 days for comments. The deadline for receiving amended comments was the 3rd September 2024, however I have yet to receive a response from yourselves. I would be grateful if you could review this application and provide comments by the 10th September 2024. The following provides a link to this application: [4/22/2354/0B1 | Copeland Borough Council](#).

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Kind Regards,

Christie Burns MRTPI
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