

Oliver Hoban

From: Christie Burns
Sent: 11 April 2024 12:59
To: Development Control
Subject: FW: PLANNING APP 4/23/2174/0F1 - 10 / 11 SOUTH PARADE, SEASCALE

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

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From: Kevan Buck
Sent: Tuesday, April 9, 2024 1:08 PM
To: Christie Burns <
Subject: PLANNING APP 4/34/2174/0F1 - 10 / 11 SOUTH PARADE, SEASCALE

CHANGE OF USE OF EXISTING SHOP TO A MIXED USE INCLUDING RETAIL, CAFÉ, BAKERY, AND SOFT PLAY (USE CLASS E), AND EXTERNAL IMPROVEMENTS TO BUILDING INCLUDING INSTALLATION OF CLADDING, NEW DOORS AND PORCH & REINSTATEMENT / ALTERATIONS TO EXISTING DOORS AND WINDOWS

Further to the above planning application and the submission of new information in March 2024. From an Environmental Health perspective, the potential problems of noise and cooking odour remain, as laid out in previous responses.

- Noise

Impact / air-borne noise of staff and customers in the premises to the occupiers of the adjacent residential premises.

Principally this may be possible early morning disturbance from arrival of staff in to the premises, food preparation and cleaning of the premises (moving chairs and tables around), noise from children in the basement play area, and from customers chatting with background amplified music

in the café seating area. The proposed hours of the premises at 07.00 – 22.00 on a 7 days per week basis (though some seasonal adjustment is likely) are substantial.

It is proposed to open the bakery at 07.00 hours, and it would be expected that staff may be in the shop much earlier than this to carry out food preparation.

The converse is true in the evening also, staff are likely to remain on the premises for a period after trading ceases at 22.00 hours.

Consideration therefore needs to be given in permitting any operating hours, as to what length of pre and post-opening working times may be reasonable.

The other noise impact may arise from the operation of plant and equipment from the kitchen extract system and any refrigeration and air conditioning plant.

The kitchen extract system is rated at 61 dBA at termination. This noise level would see a potential breach of levels laid out in the WHO Guidance for Community Noise 1999 for outdoor living areas at 50 dB LAeq (16 hours) and indoor living areas at 35 dB LAeq (16 hours).

It should be noted that these noise levels are merely guidance and not statutory, and are an average measured over an entire day period of 07.00 – 23.00 hours.

It would be necessary for the business operator to turn the kitchen extract fan speed down when demand is low and so reduce its noise output to help bring the average noise level down.

It is noted that the bakery at its previous location in Seascale did not use a kitchen extract system and there are other examples of this elsewhere in the district.

If the kitchen extract could be kept off until the café is open at in the premises, the noise levels could be further reduced.

The café will open at 10.00 am, so keeping the kitchen extract off until, for example, 09.30 hours would be helpful.

Likewise turning the extract system off in the evening as soon as is practicable upon completion of the opening hours.

The amended site plans do not show a defined ice cream preparation area – will the ice cream be prepared on site or off site?

- Odour

All available guidance for dispersal of cooking odours recommends high level extract discharge where possible.

Again, this is guidance and not a statutory requirement; low level extract discharge is common when structural confines are in place, as is the case at this premises.

The choice of menu (avoiding spicy odour-laden foods and high fat foods that will give off smoke in the cooking process), together with use of electrical cooking equipment such as air fryers, toasters and microwave ovens, can help to avoid nuisance from cooking odours.

In summary, this application has developed in to a quite intensive proposed multi use of the premises.

Whilst there are sound business reasons for this, it must be recognised that some (marginal) loss of amenity from noise disturbance to the nearest residents is quite possible. The proposed opening hours of the premises are long, and will be further lengthened by pre / post opening activity also.

Environmental Health must therefore return a neutral stance on this application.

The successful use of a closed premises on the seafront would be of benefit to the wider community but immediate neighbours may be adversely affected to a greater or lesser degree.

If the planning application is approved, there are further regulatory controls available to the Council in the event of problems through the statutory nuisance provisions of the Environmental Protection Act 1990 and Premises Licence provisions of the Licensing Act 2003.

Kevan Buck

Environmental Health Officer - Environmental Health

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