

From: Christie Burns
Sent: 24 May 2024 14:34
To: Development Control
Subject: FW: PLANNING APP 4/23/2119/0F1 - DUNNINGWELL, THE GREEN

Hi all,

Please can the following comments be put online for this application.

Thanks.

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
Thriving Place and Investment | Cumberland Council
The Market Hall | Market Place | Whitehaven | CA28 7JG



From: Kevan Buck
Sent: Wednesday, May 22, 2024 5:25 PM
To: Christie Burns
Subject: PLANNING APP 4/23/2119/0F1 - DUNNINGWELL, THE GREEN

Change of use from large country house (C3) to 11 bed short-stay self-catering accommodation (Sui Generis) and associated works including alterations to access, parking and drainage (part retrospective)

Environmental Health have been asked to comment on the above planning application insofar as such relevant remit matters are concerned.

Noise disturbance may be a potential problem with the development, both during any construction activity and the site's operational use.

Construction-related noise is usually and primarily controlled by the imposition of construction working hours.

Noise from short-stay guests can be more difficult to control given its sporadic and unpredictable nature. Its control is dependent on good management of the facility, and the Council can assist in promoting this through a planning condition for a noise management plan.

It should also be noted that any excessive and unreasonable noise that may be produced, should the application be approved, can be addressed by the statutory nuisance provisions of the Environmental Protection Act 1990.

This is also the case with nuisance from external lighting. It is standard practice to also impose a planning condition for external lighting to ensure that good practice is followed.

The provision of a good quality sewage package treatment plant would be welcomed. It may be helpful if the applicants could provide details of this – the package treatment plant and drainage field should be of large enough capacity to serve 22 x persons (maximum capacity of the accommodation). These works are overseen through the Building Regulations procedure.

Fire safety within short-term holiday accommodation is now covered through the Fire Safety (England) Regulations 2022 and Regulatory Reform (Fire Safety) Order 2005 that the applicants will no doubt be familiar with. This includes the provision of fire doors and fire detector system; again controlled through the Building Regulations procedure.

Fire safety measures could be requested from the applicant for information as an optional planning condition.

Accordingly, whilst the concerns of residents are understandable, the statutory nuisance provisions do provide potential redress and the following planning conditions may also be requested:

- Noise from Construction Works

Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours: Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

- Noise Management Plan

No building or use hereby permitted shall be occupied or the use commenced until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall include undertakings and procedures for:

- (i) The name/s of an (on-site) supervisor/s responsible for the behaviour of guests and for liaison with local residents and this Council;
- (ii) The control and use of outside areas;
- (iii) The control of noise breakout from within the building;
- (iv) Access and egress to and from the property by guests including arrangements for vehicle parking;
- (v) Recording of complaints and response to those complaints;
- (vi) The annual review of the Noise Management Plan and, if necessary, the submission and approval in writing by the Local Planning Authority of any revised Noise Management Plan;
- (vii) Any other matters that are reasonably required by the Local Planning Authority.

Reason: To safeguard the amenity of nearby residents and the area generally.

- Artificial Lighting (External)

Artificial light to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E2 contained within Table 2

of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting GN01:2021.

Reason: To safeguard the amenities of nearby residential occupiers.

- Fire Safety Scheme – Submission of scheme and retention thereafter (optional)

No development shall take place until a detailed scheme of fire safety measures has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include, but not be limited to:

- Provision of fire doors and protected escape route;
- Provision of fire protection to structure (walls and ceilings);
- Emergency lighting system of protected escape route;
- Provision of fire escape windows in all habitable rooms of upper floor/s that are no higher than 4.5 m above the exterior ground level;
- A minimum ceiling height of 2.2 m of loft room/s;
- A linked fire alarm and detection system;
- A maintenance and testing programme.

The approved scheme shall be implemented prior to the commencement of the use and to be permanently retained thereafter.

Reason: In order to safeguard the amenity of occupiers and adjoining occupiers. Details are needed prior to the start of the work so that measures can be implemented into the build.

Regards

Kevan Buck

Environmental Health Officer - Environmental Health

Public Health & Protection | Cumberland Council

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