

Oliver Hoban

From: Christie Burns
Sent: 16 September 2024 16:07
To: Development Control
Subject: FW: 4/22/2354/0B1 - UNITS 5 & 6, ENNERDALE MILL, BRIDGE END, EGREMONT

Hi all,

Please can these comments be added 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
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