

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MEMORANDUM

To: PLANNING CONTROL AND CONSERVATION SERVICE Melissa Tyler	From: HOUSING & PUBLIC PROTECTION SERVICE Rory Cosgrove
	Date: 18 June 2018
Our Ref: 1565/18	Yr Ref: 18/00584/FP
Subject: Full Planning Permission : Diversification of Sandon Bury Farm to provide an events venue and guest accommodation, comprising demolition of existing modern buildings within the Sandon Bury Farm complex, change of use of existing buildings from agricultural uses to an events venue (use class C3 accommodation) and alterations to listed and non-listed buildings (Black Barn, grain store and hay barn). Sandon Bury Farm, Sandon, Hertfordshire, SG9 0QY Please quote the following reference: 18/00584/FP on all correspondence.	

Thank you for your recent consultation regarding the above application. I have visited the application site and reviewed the Housing and Public Protection Service's records pertinent to this proposed development and I would like to make the following comments:

Areas of concern

Noise

I would consider that the following noise sources associated with this application for a change of use to an events venue could adversely impact on the amenity of nearby residents:

- Noise from the general operation of the venue i.e. service yard activities, deliveries/collections.
- Noise from fixed plant i.e. kitchen extract ventilation system and air handling units.
- Noise from events i.e. live/recorded music, PA system noise, people noise, vehicle noise from cars arriving and leaving and travelling through Sandon village.

I have reviewed the noise assessment report by SLR dated February 2018 which covers the above noise sources as part of the noise assessment. I have also reviewed the Noise Assessment Technical Review produced by REC Ltd dated 30th April 2018 which was commissioned by Pegasus Group on behalf of the Sandon Action Group and the subsequent memorandum by SLR dated 29th May 2018 addressing the criticisms identified in their original report by a number of representations.

Prior to covering each aspect of noise in reference to the noise reports, it is important to first provide some comments on the robustness and reliability of the original noise assessment by SLR. I would not normally provide such comments but I feel it is important to address the competing arguments from both SLR and REC Ltd (and other representations) and to outline what is acceptable from the point of view of Environmental Health.

- **Time of year of the noise assessment-** it was undertaken in winter and it has been suggested that it should have been undertaken in spring/summer which is more representative of when the events venue will be used. I would not request a seasonal noise assessment for the purposes of a planning application but would require that it is undertaken during suitable weather conditions. To this end, the time of year of the noise assessment has not been deemed relevant.
- **Weather affected data-** despite there being a number of days where noise data had to be disregarded; overall I consider that the amount of data collected that can be used as part of the noise assessment is acceptable. I would not normally require 13 days worth of background noise data for this type of application in any case but it may have been necessary given the adverse weather conditions. REC Ltd mentions the need for a temporary weather station but I consider that it is acceptable to rely on the local weather data that is available.
- **Lack of Sunday noise data-** I think it is important that background noise data is available for a Sunday given that the application is for an events venue which will typically be in use at weekends. I note that the only Sunday noise data available is from Sunday 21st January 2018 at monitoring location 1 only and that a fair portion of the noise data from this day was omitted due to adverse weather conditions. Whilst this is not ideal, there is still some data that can be relied upon and I accept the point from SLR that the background noise level was not the lowest measured so I am not concerned that there is no Sunday noise data from monitoring location 2. It is my view that it would be unfair to ask for a subsequent noise assessment to be undertaken for a Sunday.
- **Background noise data from the Sandon Fields Festival Noise Management Plan-** REC Ltd have referenced this in their technical review and I feel it should be disregarded. The noise monitoring location was approx 1km away from the application site and so there is no way that it can be assumed that the background noise levels would be similar. I am surprised that REC Ltd would rely on noise data that they haven't collected first hand.
- **Background noise has only been estimated and not measured at sensitive receptors-** I am satisfied that the monitoring locations (1 and 2) are representative of all the identified noise sensitive receptors. I agree that this is common practice and is seen in many acoustic reports.

The remaining issues with the original SLR noise assessment as identified by REC Ltd and other representations concern the potential noise sources from the events venue and will be discussed in turn. The above comments were intended to address the acceptability of the way in which the noise data was collected which I consider is sufficiently robust and can be relied upon. I do not propose asking the applicant to commission another noise assessment.

Noise from general operation of the venue i.e. service yard activities, deliveries/collections.

This noise source can be adequately controlled by imposing a condition restricting the hours in which deliveries and waste collections can take place at the application site. I have included a suitable recommendation below. Any activity from staff at the venue can be controlled by limiting the operating hours. Again, I have included a suitable recommendation below for hours of use of the events venue.

Noise from fixed plant i.e. kitchen extract ventilation system and air handling units.

Section 5 of the SLR noise report covers a BS4142:2014 noise assessment for proposed fixed plant which is to serve the events venue (i.e. kitchen extract ventilation system and air handling units). The predictions demonstrate compliance with the aforementioned standard that will result in a low noise impact but the report does state that the plant specification has not been finalised. If larger plant is installed it could give rise to higher noise levels as a result and so a planning condition will be required to ensure that any proposed plant (once this is finalised) is noise assessed prior to installation (see recommendation below). If the plant to be installed is as per the SLR noise report then re-submission of this in support of discharging the condition is acceptable. However, if larger plant or indeed more units are to be installed then a separate BS4142:2014 noise assessment will be required. I am happy for this assessment to rely on the background noise data already gathered.

Live/recorded music and PA system noise

I do not have concerns over background music being played in the ceremony barn (grain store) as it is unlikely to be audible outside of this building.

My main concern with music noise is that which is played within the reception barn (black barn). The SLR noise report and the plans detail a purpose built acoustic enclosure which also included an acoustic lobby. It is my opinion that this enclosure will be sufficient to ensure that nearby residents are not adversely affected by music noise from events held in this barn. I also note that the applicants are intending to add over-cladding to this barn which will also reduce noise outbreak from it. I would not necessarily require the latter to be included unless it is to serve other purposes i.e. visual improvements. Changes to the Licensing Act 2003 a few years ago allows premises of this type to have live and recorded music until 2300hrs without a licence (and therefore no noise related conditions are possible i.e. a noise limiter) so I feel it is necessary for this acoustic feature to be implemented as it is in line with the intended use of the application site. I have included a suitable recommendation below.

There has been little mention of music noise originating from the external areas of the events venue i.e. Bury Garden or the courtyard other than being highlighted by REC Ltd. In light of the above comment about live and recorded music until 2300hrs which also applies outdoors, I would like to recommend a condition restricting this activity as part of any planning consent given if this is considered appropriate and enforceable by planning. I only consider it necessary to restrict amplified live and recorded music as this would have the most significant impact. Any acoustic music i.e. violinists who wish to play for an outside

ceremony or similar would still be able to take place and I do not feel there would be a significant adverse impact from this. Post 2300hrs, live and recorded music taking place inside and outside can be controlled at the licence application stage as can the requirement to have windows and doors closed except for ingress, egress or in the case of an emergency.

People noise

The impact of people noise is difficult to predict but I note that the SLR noise report has included a prediction for several areas of the events venue. REC Ltd have outlined concerns over this noise source being underestimated. As much of the events venue will be licensed under the Licensing Act 2003, Environmental Health will be able to impose conditions restricting the timings for where guests are permitted so I feel that this issue should be dealt with at the licence application stage. In any case, a condition restricting the hours of use will also assist with this noise source.

Noise from cars entering and leaving the site and driving through Sandon

I am satisfied with the noise predictions for traffic movements on and off the application site and through Sandon. Whilst this may bring about more traffic noise incidences, I do not feel that it will lead to significant adverse impacts or noise levels outside of relevant guidelines. In any case, I do not feel that this would be a sufficient reason to refuse planning permission. The aforementioned restriction of the hours of use will limit the times at night where cars will be leaving the events venue and I have also recommended a restriction on the number of events that should take place per calendar year. The latter is in line with what the applicant has requested and it will limit the impact of all the noise sources from the events venue, not just vehicle movement noise.

In summary, I do not have any objections to this application but ask that the below recommendations are included on any planning consent given in order to protect the amenities of nearby existing residents.

Odour

The only concern I have identified relating to odour is from the proposed kitchen extract ventilation system which is to serve the kitchen situated centrally within the application site. I am satisfied this is located a sufficient distance from any nearby residents so that any cooking odours will go to atmosphere before they reach said residents, even in windy conditions or during a temperature inversion. To this end, I do not consider there is a need for the planning condition requiring the approval of this system as standard filtration should be sufficient. The type of cuisine that is likely to be cooked at this venue would also not be considered high risk from an odour nuisance perspective.

Light

Any new lighting installations at the application site have the potential to impact adversely upon nearby residents and cause light intrusion into windows, especially those at receptor location 5 (as detailed in the noise report). I therefore recommend that conditions are attached to any planning consent given to ensure that said lighting installations are approved by the LPA prior to them being installed and that they meet certain lighting limits as per the ILE guidance notes for the reduction of obtrusive light. Please see my recommendations below.

Recommendations

- 1 Prior to the first use of the events venue, the noise mitigation measures detailed in the SLR report reference 418.07763.00001.002 version 5 dated February 2018 (Sandon Bury Farm Noise Assessment), including a purpose built acoustic enclosure, shall be fully implemented. Once implemented, the scheme of measures shall be maintained in accordance with the details in perpetuity.
Reason: to protect the amenities of existing residents.
- 2 Prior to the installation of any fixed plant, a noise survey following the guidelines set out by BS4142:2014 shall be undertaken. This survey shall take into account all proposed fixed plant as part of the development and shall include noise control measures which should be submitted for written approval by the Local Planning Authority (LPA). No fixed plant shall be installed and operated at the site until the noise survey has been approved by the LPA. Noise mitigation measures shall be such as to achieve 5dB below existing background noise levels.
Reason: to protect the amenities of existing residents.
- 3 [Discuss hours with applicant before imposing these suggested hours of use] Goods vehicle deliveries and refuse vehicles shall only be permitted between 08.00hrs and 20.00hrs Monday to Friday, 08.00hrs and 18.00hrs Saturdays and no deliveries on Sundays and Bank Holidays.
Reason: to protect the amenities of existing residents.
- 4 [Discuss hours with applicant before imposing these suggested hours of use] Hours of use of the events venue shall only be permitted between 08.00hrs and 23.00hrs Sunday to Thursday and 08.00hrs to 00.00hrs Friday, Saturday and any day preceding a Bank Holiday.
Reason: to protect the amenities of existing residents.
- 5 A maximum of seventy-five (75) events shall take place per calendar year with no more than three (3) events taking place per calendar week.
Reason: to protect the amenities of existing residents.
- 6 Amplified live and recorded music shall not be permitted to take place in the outside areas of the venue at any time.
Reason: to protect the amenities of existing residents.

7 A detailed lighting scheme shall be undertaken and submitted to the Local Planning Authority for approval with details of all external lighting, including lighting required for the pedestrian walkways, parking areas and security lighting and there shall be no external illumination erected, installed or operated on any part of the site other than in accordance with these approved details.

Reason: to protect the amenities of existing residents.

8 The following limits shall not be exceeded by the exterior light installations:

Sky Glow ULR (Max%) 2.5

Max light into windows Ev (lux)

07.00- 23.00hrs 5

23.00- 07.00hrs 1

Source Intensity I (kcd)

07.00- 23.00hrs 7.5

23.00- 07.00hrs 0.5

Building Luminance 07.00- 23.00hrs

Average, L (cd/m²) 10

Reason: to protect the amenities of existing residents.

Informatives

During the demolition and change of use phases the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

During the demolition and change of use phases no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

Prior to the commencement of demolition of the existing buildings, a survey should be undertaken in order to identify the presence of asbestos containing materials. Any asbestos containing materials should be handled and disposed of appropriately. Where necessary this should include the use of licensed contractors and waste disposal sites licensed to receive asbestos.

If you should consider that the above conditions would be inappropriate for this application, or that its wording should be altered, please contact me to discuss your concerns.

Yours sincerely

Rory Cosgrove
Senior Environmental Health Officer