

**LICENSING ACT 2003  
Environmental Health Consultation  
Response**



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EP Ref: ELL/065387

Date Received: 22 January 2020  
Name of Applicant: Lady Grey Farm  
Address to which application relates: Lady Lane, Mobberley, Knutsford, WA16 7NE

Conversion:  Variation:  New:

- |                                     |                                |
|-------------------------------------|--------------------------------|
| <input type="checkbox"/>            | Approve                        |
| <input type="checkbox"/>            | Approve with Conditions        |
| <input checked="" type="checkbox"/> | Object to Section(s) : 10 & 11 |

**LICENSING OBJECTIVE: PREVENTION OF PUBLIC NUISANCE - OBJECTION**

The last date for representations is 31<sup>ST</sup> JANUARY 2020. Having regard to the licensing objective: prevention of public nuisance. As of 30/01/20, the applicant has failed to confirm if a noise consultant has been commissioned to prepare the necessary reports required by this department - to adequately assess the premises licence application.

The onus is upon the applicant, to demonstrate, that the introduction of the new sound source:

- Does not create a public nuisance.
- Shall not cause an increase in the ambient background noise level at the boundary of the nearest residential property.

**FROM THE PREMISES LICENCE APPLICATION FORM**

*The premise is in a rural location and consists of three converted barns. The venue is to operate as a self contained wedding and function centre. The site has off road parking.*

- *Provision of Live Music, Monday – Sunday, 23:00 – 01:30, Indoors  
Music will be amplified and unamplified*
- *Provision of Recorded Music: Monday – Sunday, 23:00 – 02:00, Indoors*

*Recorded music will be amplified. After 01.30 the recorded music will be low volume background music only*

**EH OFFICER COMMENTS**

There appears to be sufficient distance between the premises and noise sensitive residential properties. However, no details have been provided concerning the construction envelope of the three converted barns that make up the premises, to ensure that these are adequate to control noise break-out from the proposed wedding and function centre at this location.

Also concerns that the topography of the area with no barriers between source and noise sensitive properties will create a public nuisance. In addition the location of the property: the background noise level is very low (albeit the contribution of aircraft noise upon soundscape); which may result in noise impact from the proposed licensable activities.

Noise sensitive residential dwellings are located in proximity of the premises. If the premises is not adequately insulated or managed, there is potential that the venue will create a public nuisance by way of noise.

The building envelope must be capable of containing noise from events: be that amplified music- DJ **announcements** or people noise. Music and noise from guest activity (talking, cheering and applauding) emanating from entertainment premises (including external areas such as balconies, gardens and smoking areas) should not create a public nuisance.

### **REQUIRED - NOISE IMPACT ASSESSMENT**

The applicant is required to submit a noise impact assessment, demonstrating that any live, recorded music or people noise, emanating from the premises, is not clearly audible at the boundary of the nearest residential property.

#### **Noise Design Criteria**

Inaudibility shall be acoustically calculated/modelled at one metre outside the nearest residential façade:

- Entertainment Noise Level, LAeq (1 minute) shall not exceed the Representative Background Noise Level, LA90.
- Entertainment Noise Level, L10 (5 minutes) should not exceed Representative Background Noise Level, L90, in any 1/3 octave band from 40Hz to 160Hz.

#### **Informative – Noise Insulation Scheme**

It is technically possible to ensure noise breakout from a place of entertainment does not affect nearby residents.

The noise survey and report shall be prepared by a competent noise consultant. A list of noise consultants can be obtained from <http://www.ioa.org.uk/> (The Institute of Acoustics) and <http://www.association-of-noise-consultants.co.uk> (The Association of Noise Consultants).

The report shall indicate how the applicant will comply with the above noise design criteria.

Upon obtaining the appropriate external noise level data for the site and taking into account the noise design criteria, a site specific noise insulation scheme for the premises and a Noise Management Plan shall be prepared in support of the Premises Licence Application for the consideration by this department.

## **INFORMATIVES**

### **PLANNING PERMISSION**

- It is your responsibility to obtain other consent/planning permission/approvals which may be required in addition to the necessary Premises Licence.
- There are sometimes circumstances where planning conditions have been set which may impact on your activities. If the Planning Permission and the Premises Licence differ; for example where the Planning Authority have set a terminal hour which is earlier than those conditioned by the Premises Licence; you must abide by the earlier time otherwise you leave yourself open to enforcement action.

### **FOOD BUSINESS OPERATIONS**

- Anyone starting a new food business must register with the Council **at least 28 days before** you start any food operations. You can register your food business online via GOV.UK. If you

have premises in more than one local authority area, you must register with each authority separately.

**Signed:** Stephanie Bierwas | | Environmental Protection

**Dated:** 30 January 2020

Direct Dial:  
Email:

