

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority (please delete as applicable):
Environmental Protection

Your Name	Matthew Holford
Job Title	Environmental Health Manager
Postal and email address	SDDC, Civic Way
Contact telephone number	01283 595856

Name of the premises you are making a representation about	Grangefields Farm
Address of the premises you are making a representation about	Dalbury Lees, Ashbourne, Derbyshire

Which of the four licensing objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	No	
Public safety	No	
To prevent public nuisance	Yes	Please see the detail of my evidence and reasoning behind my representation in the following sheets
To protect children from harm	No	

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing and Appeals Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	The level of music noise emitted from the premises shall not exceed 62dBA $L_{Aeq(5mins)}$ at any time, measured at any position 1.5m above ground level and 5m from the external façade of the premises.
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Signed:

Date: 17/10/2017

Please return this form along with any additional sheets to the Licensing Section, South Derbyshire District Council, Council Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH or email to licensing@south-derbys.gov.uk. This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01283 595 716/724/890

Evidence and Reason for My Representation;

The License application seeks approval for a number of regulated activities which, in normal circumstances would give rise to concerns about the potential impact on public nuisance – namely the application for live music, recorded music and dance up to 01:00 over seven days a week.

Planning History

The potential noise implications of activity at this site was considered in some detail by the local authority as part of the recent planning application for the site ref 9/2016/1227. Two noise reports have been produced which considered the public nuisance impact of the following:

1. Break-out of music noise from dance floor / ceremony room;
2. Break-out of noise from amplified speeches in the dining room;
3. Mechanical services noise;
4. Noise from external customers using the central courtyard;
5. Noise from vehicles leaving the premises and departing via the local highways network;

These noise reports were considered by this Department and we concluded that the development would meet planning policy provided that the appropriate mitigation measures recommended in the noise reports were met.

The Planning Decision Notice issued on 30th June 2017 contains the following conditions relevant to noise:

Condition 3. The premises shall not be open to any guests between the hours of 01:00 to 08:00.

Condition 16. Before any works involving the conversion commences a programme of inspection during construction/installation of the sound system and sound insulation by the Council's Environmental Health Department, shall be submitted to and agreed in writing by the Local Planning Authority and inspections carried out in accordance with the agreed details. All the noise mitigation measures outlined in the Noise Assess Noise Impact Assessment dated November 2016 and further report dated February 2017 shall be implemented in full and retained for the life of the development.

The specific noise mitigation measures stated in the noise reports and which I consider are relevant to condition 16 are as follows:

- Should there be any sections of the external wall thinner than 225mm, these shall be made up to 225mm using brickwork to match the existing. Both the external and internal faces of the external walls should be pointed to ensure a full depth of mortar.
- Some sections of the external walls have inset holes / slots which are approximately 270mm high x 90 mm wide. These openings shall be filled by glass bricks with a minimum depth of 200mm. There must be no gaps between the glass bricks and the surrounding brickwork. Any gaps shall be fully filled using mortar or a non-hardening acoustic mastic sealant.
- New windows will be fitted with glazing providing a minimum sound insulation of 30 dB Rw.
- The full height hallway between the dance floor and bar area will be fully glazed with inset doors to both the west and east elevations. The hallway will be fitted with glazing (including the glass doors) providing a minimum sound insulation of 30 dB Rw.
- We would also expect the above glazing and inset door treatment to be applied to the dining room.
- External doorways shall be fitted with 54mm thick solid core doors or bricked up to a full depth of 225mm.

- External doors to the dance floor and ceremony room shall not be propped open while amplified music is being played in these areas. External doors shall be fitted with self-closers and shall not be propped open while amplified music is being played.
- All external doors as well as the glazed doors to the hallway next to the dance floor, shall be fitted with seals which are fully compressed when the doors are closed leaving no gaps. Advice on these seals shall be obtained from acoustic specialists to ensure compliance with fire regulation, disable access requirements, etc.
- The following sound insulation shall be provided in the main farm building and in the barn which will become the main dining room;
 - Fit a layer of 18mm weather treated plywood (or similar material with a minimum mass of 10 kg/m²) directly below the laths supporting the slates.
 - Install battens spanning between the existing purlins with the underside of the battens being at least 100mm below the underside of the plywood above.
 - Line the underside of the battens with a layer of 18mm thick timber such as wood particle board with a facing veneer of the clients choosing (or similar material with a minimum mass of 12 kg/m², e.g. 15mm thick dense plasterboard such as British Gypsum 'Soundbloc', Knauf 'Soundshield' or Siniat 'dBCheck').
 - The 100mm cavity between the two boards should be lined with 75-100mm mineral wool (rigid thermal insulation will not provide the same acoustic performance).
 - The products selected should be checked with an acoustic consultant to ensure satisfactory acoustic performance.
- A noise limiting device will be fitted in the dance floor area which shall include a third octave band graphic equaliser. Provisionally the limiter should be set so that noise levels on the dancefloor do not exceed 95dBA_{5min}. Provisionally this should also be set so that the 63Hz octave band does not exceed 92dBA_{5min} and the 125Hz octave band does not exceed 94dBA_{5min} although we would reserve the right to review these levels in the event of substantiated evidence of noise breakout.
- The venue shall have its own sound system incorporating the noise limiting device and will be designed such that the distributed speaker system consists of a large number of small loudspeakers capable of providing fine control over noise levels in the dance floor area. The sound system shall not use bass bins.
- Ventilation will have no passive or straight-through vents in the walls or roof. Extract ductwork shall include in-line attenuators prior to the termination to atmosphere in order to control the breakout of music noise via the system unless it is agreed with this Council that the terminations are in a screened location.
- The measured noise level from all mechanical services noise shall not exceed 27dBA_{5mins} at any of the nearest noise sensitive locations. In practice, 27dBA is at the same noise level as the existing night-time background (expressed as an L_{A90}) and therefore this is so low that it is not capable of being measured with any certainty. It may therefore be necessary to agree a surrogate noise level closer to the development where the mechanical services noise may be capable of being accurately measured.

Provided that all of these mitigation measures are implemented I am confident that the premises is capable of operating in a way which meets the licensing objectives.

Never the less, the planning conditions are, by and large structural and engineering noise mitigation measures and require very little day to day actions by the premises license holder to manage noise. In my experience, where noise management is not built in to the routine of other premises management duties it can become forgotten. This creates a far greater possibility of errors being made which lead to noise breakout and an increased possibility of public nuisance.

Therefore in addition to the noise mitigation offered by the planning condition I would also like to see as part of the Premises License conditions some additional noise management conditions which will protect against noise management standards slipping after the planning condition is discharged.

Potential Licensing Conditions

The noise reports estimated that music noise levels at the nearest residential receptors to the premises should be in the range 6 – 15dBA if all of the mitigation discussed above are met.

The lowest measured local residual noise level (defined as the ambient sound at an assessment location when the specific sound source is suppressed to such a degree that it does not contribute to the ambient sound) is 27dBA (LA_{5mins}) and the lowest background noise (defined as the A weighted sound pressure level that was exceeded by the residual sound at the assessment location for 90% of a 5 minute sample) is 24dBA.

We cannot require within the license conditions that the music noise level at noise sensitive locations meets 24dBA because the existing noise is already measured as 27dBA at its lowest level. Therefore music noise at 24dBA would be unmeasurable and the condition would be unenforceable.

Instead we have undertaken some acoustic calculations to establish what level the music noise needs to be immediately outside the music venue in order to meet the 24dBA criteria at the nearest residential receptor.

The nearest noise sensitive receptor location to the premises is Trusieywood House which is 400m due south of the premises. To the west the nearest receptor is South View (510m), to the east the nearest receptor in Lees is 750m away and to the north the nearest receptor on Long Lane is 580m away.

Based on noise propagation calculations, if the music noise does not exceed 62dBA measured externally at a distance of 5m from its source then the noise should have reduced to 24dBA at a distance of 400m.

Therefore, for the purposes of the premises license, I would request that condition as stated above be applied.

Should you require any further information please contact me on the above number.

Matt Holford
Environmental Health Manager