

Dealt with by: Environmental Health

Our Ref: SMD/2024/0016

Direct Dial: (01538) 395400

Your Ref: as above

Email:

Date: 24th April 2024

MEMORANDUM: PLANNING CONSULTATION
--

LOCATION

**Music Stage
Alton Towers Farley Lane
Farley**

PROPOSED DEVELOPMENT

Application for Variation of a Conditions 1, 3, 4 and 6 in relation to application SMD/2021/0330 Re:Installation of a seasonal temporary stage.

Potential Areas of Environmental Concern -

1. Music Noise (condition advice)

General Comments

A noise assessment undertaken by Cahill Design Consultants has been submitted in support of this application. The advice set out in the assessment can be accepted but there are concerns about the impact to residents on Wooton Lane so Music Noise Levels should not be allowed to significantly exceed background sound levels. In addition the low background noise levels in the locality should be protected. The applicant's acoustician has proposed revised conditions which we would recommend are imposed on any permission granted. Note condition 7 should refer to the mitigation set out in the updated noise assessment (condition wording amended).

Note: The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

The operator should consider advice set out in the Code of Practice on Noise Control at Concerts (Noise Council).

Recommendation – There is no objection from Environmental Health subject to condition neighbourhood amenity.

Conditions –

New Condition

Within three months of the date of this permission, a new background noise survey should be

completed at each of the nearest sensitive receptors and shall be submitted to and approved in writing by, the Local Planning Authority. This new background noise survey shall thereafter be referred to by the local planning authority as the updated baseline for the prevailing noise conditions at each of the sensitive receptors and will be used to manage any future noise emissions for the stage hereby permitted.

Reason: *To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area because of undue noise emission and/or unacceptable disturbance.*

Condition 3:

Residential Noise Limits– When measured at any noise sensitive property within 500m of The Stage, the Stage Entertainment Noise Level when measured as an LAeq,15mins shall not exceed the Background Noise Level without Stage Entertainment Noise measured as LA90,15mins by more than 5dB. In the event of validated complaint and/or on written request of the Local Planning Authority (LPA) the operator shall undertake measurements to show compliance and submit these together with details of noise reduction measures to be undertaken to ensure compliance to the LPA within 4 weeks of the LPA making such a request for its written approval. Any necessary mitigation shall be undertaken within 1 month of approval.

Condition 4:

Low Frequency Sound caused by Stage Entertainment Noise in the 63Hz and 125Hz frequency bands shall not exceed 70dB when measured under Leq,5mins. In the event of a validated complaint and/or on written request from the LPA the operator shall undertake measurements to show compliance and submit these together with details of measures to be undertaken to ensure compliance to the LPA within 4 weeks of the LPA making such a request for its written approval. Measurement shall be taken at the boundary of any noise sensitive residential property within 500m of the stage. Any necessary mitigation shall be undertaken within 1 month of approval.

NOTE: Stage Entertainment Noise Level includes all noise generated by the stage (including, amplified music, soundtrack, and speech), Background Noise Level is the pre-existing noise level without the stage but includes all current park operational noise.

Condition 6:

The stage hereby permitted shall only be used between the hours of 11am to 7pm from 1 February to 31 August and between 11am to 9pm during September, October and up to 7 November and between 11am to 8pm from 8 November to 31 January.

Condition 7

The mitigation set out in Chapter 9 of the Sound Assessment Report, Revision 1.2 December 2023 prepared by Cahill Design Consultants shall be completed in full within 1 month of permission being granted and maintained for the lifetime of the permission.

Reason(3-7): *To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area because of undue noise emission and/or unacceptable disturbance.*

Advisory:

Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

- Any approved noise scheme and measurements should pay due regard to the Code of Practice on Noise Control at Concerts (Noise Council), British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014+A1:2019 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.
- The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

Regards,
Environmental Health