

## Planning Committee Update Sheet 5 July 2017

### Item 13

#### Planning Application 07/2017/0772/FUL – 248 Liverpool Road, Penwortham

Environmental Health sent a response to this application which prompted a response from Millers, the Applicant's Acousticians. Environmental Health then provided a further response, as reported on page 6, paragraphs 6.2 and 6.3. However, this response was sent in error with the correct response being forwarded to the Case Officer after the committee report was completed and the agenda published. Environmental Health's comments are set out below:

*"Due to a lack of time we have been unable to come to an agreement on the submitted Noise Assessment. However I do feel that I am able to provide the following response that takes into consideration the Noise Assessment Report, dated 6th March 2017.*

*The report states that there is a likelihood of 'significant adverse' impact to some nearby residents. Following this, the report highlights that a 3 metre high acoustic fence will mitigate this to a lower level. However, the assessment has not achieved a reduction of -10 dB (A) below background (NOAL). The development will still be audible whilst it is operating even after the acoustic fence is installed, due to tonality, which I feel will have an adverse effect upon local residents (LOEL). However, this may not be deemed as 'significant' when assessed to BS 4142:2014 but impact of noise may still be present. Therefore, according to Lancashire Planning Guidance Note approval maybe recommended where appropriate.*

*If approval is granted then a further noise assessment must be undertaken, within 6 weeks from completion of the acoustic fence, by the developer to identify if the predicted reduction has been achieved. This report must then be submitted to the Local Planning Authority for approval. If the predicted measures have not been achieved then the associated activity causing the noise must stop until further mitigating measures have been agreed to, by the Local Planning Authority, and implemented.*

*As previously recommended the below conditions shall be also applied if approval is granted."*

The Applicant's Agent has requested a deferment of this application in order to allow time to consider alternative noise mitigation measures such as an alternative acoustic screen. Any alterations to the noise mitigation measures would result in the need for the acoustic report to be updated to reflect any changes.

Despite the amended response from Environmental Health, **it is not considered to alter the recommendation of refusal or the reasons for refusal** outlined in the Committee Report. The Environmental Health department have raised concerns that the development will have an adverse effect upon local residents with a 3 metre high acoustic fence in place on the boundaries with neighbouring residential properties. However, Planning Officers are concerned that a 3 metre high fence on the boundary with neighbouring dwellings would be out of keeping with the character and appearance of this predominantly residential area and have an adverse visual impact on the amenities of neighbouring residents and should not be allowed. Without such a fence in place, the proposal is considered to have a significant adverse impact on the amenities of neighbouring residents.