

11 Moss View
Ormskirk
Lancashire
L39 4QA

Tuesday 12th November 2022

West Lancashire Borough Council
Licensing Department
Wes Tec House
Derby Street
Ormskirk
Lancashire

Dear Sir/madam

Re: Ormskirk Market Limited Planning Application

Please accept this letter as our objection to the planning application 2022/0967/FUL made by Ormskirk Market Limited for Ormskirk Indoor Market, Moorgate, Ormskirk L39 4RT.

Although we welcome the renovation work and revitalisation of the town centre, as this building has remained an eyesore for a long period, we are concerned as to how we and other local residents are going to be protected from noise and sound issues that will arise from the premises and its patrons.

We are not the nearest residential dwelling to the venue however are still less than 100 yards away from it. There is a history of this building creating a noise disturbance with local residents through the transmission of recorded music. The venue has been given a license for live music which is more intrusive and less controllable. The building as far as we are aware has not been subject to any building regulations and therefore any acoustic dampening or insulation qualities will not have been used during the refurbishment.

It is disgraceful that Planning and Building Control are both aware that the venue is due to open on Friday and are aware that both residents and the public are not protected by any controlling legislation. From a public safety point of view if a fire broke out in the premises has the building been assessed as suitable for the public, in addition they are serving food when the Environmental Agencies have not been aware of an application for the right certification to serve food.

Furthermore to compound the issues of the live music and recorded music emanating from the venue there is also the issue of hundreds of people on the

street after closure. Conveniently the planning authority and the licensing authority say that this is not their realm and this is a public safety and policing matter. The Police are normally too far stretched to patrol and keep noise levels down consequently leading to more noise disruption for local residents.

As local residents what framework are the Planning Committee putting into place to allow our family, which includes children, to have a quiet peaceful and undisturbed night.

For many years we had to call the Police and also have Jill Anthrobus from Environmental Health visit our home. Jill conducted sound tests from our bedroom. We could hear the bass in our bedroom whilst trying to go to sleep on a Friday and Saturday night when the club was given a late license.

Ormskirk Market have been granted a license for most nights of the week so we could potentially be listening to live music emanating into our bedroom most nights of the week.

What steps have been taken to put in sound proofing to deaden the live music, entertainment and the sound of the gathering of people.

We have viewed the planning application and the 'independent' noise evaluation which does not take into account local residents which is admitted in the report itself as they state they are unaware of where the local residents are. Does this sound like an independent report ? from consultants who have not even bothered to check .

To assist their poor investigation we attached a plan identifying the nearest (not all) residents, they are marked in red. These are a mix of single domestic dwellings, retirement homes and apartments .The venue is identified in green and our home as the OS locate triangle. As can be clearly seen there are a lot of residential properties in the area.

We have contacted the Planning Department on Monday 11th November, 2022 and spoke with Jim McCloughin and Nicola Cook who were very unhelpful and both admitted that they would allow the premises to open without planning permission. They both seemed biased to Ormskirk Market with no regard whatsoever for our own point of view. What is the point of planning permission if this is allowed to happen? Surely it makes a mockery of the system. How are local residents protected if businesses are allowed to avoid the systems in place?

At no stage have the council contacted us or any of the residents directly to inform us of anything that has been happening. It is also of concern that we learn that certain members of the planning committee have been given a pre tour of the building before any decisions have been made. Surely this is a conflict of interest and planning members should not be allowed to vote on the application unless they have heard from all interested parties not just the commercial entity.

Yours sincerely

Mr & Mrs Mark A Jones

c.c. Carol Pollitt Environmental Health
Dave Whitley – Lancashire Fire and Rescue Service
(Fire and Safety Inspector)
Michaela Murray – West Lancashire C C
Paul Charlson – West Lancashire C C
Councillor Ian Davis
Councillor Gordon Johnson
Councillor Adrian Owens

