

# **Consultee Comments for Planning Application**

## **23/03925/REG3**

### **Application Summary**

Application Number: 23/03925/REG3

Address: Goole Market Hall Estcourt Terrace Goole East Riding Of Yorkshire DN14 5AB

Proposal: Erection of sub-station, switch room, bin store and associated landscaping to existing yard, new roof covering and replacement roof lanterns

Case Officer: Mr Calum Rowley

### **Consultee Details**

Name: . Public Protection - Environmental Control District

Address: East Riding Of Yorkshire Council, Council Offices, Church Street Goole, East Riding Of Yorkshire DN14 5BG

Email: Not Available

On Behalf Of: Public Protection

### **Comments**

ENVIRONMENTAL CONTROL DISTRICT

I refer to the above application for the restoration and refurbishment of the Goole Market Hall to create a flexible community and cultural space.

It is this teams understanding that the existing gas fired heating system is to be replaced with localised electric radiant heating and the fabric of the building (doors, glazing and roof) is to be upgraded to improve its thermal performance. The existing internal perimeter framework, stairs, partitions, fixtures, and fittings are to be removed and replaced with a new staircase, toilets, an office, staff lockers, a CCTV and comms room, openable roof lights for natural ventilation and 5 perimeter food/beverage kiosks. The food/beverage kiosks will have permanent dining/seating areas and kitchen extract ventilation systems vented through the roof, but the central seating areas will be movable to enable the space to be used for events. Outside to the front and rear of the building more seating, benches, landscaping, a food van, a sub-station, switch room, bin store and cycle storage are proposed.

The application form indicates proposed hours of opening for the sale of food and drink (E(b)) and local community (F2) use as 07.30-00.00 Monday-Friday, 07.30-01.00 on Saturday and 09.00-22.00 on Sundays and Bank Holidays. Foul drainage will discharge to the combined public sewer and no external lighting scheme is shown on the plans.

An Acoustic Stage 3 Report (dated 12.10.23 revision 0) has been prepared by Hoare Lea and submitted with the application. The Report considers noise egress from the internal and external

use of the site, including music events, open mic sessions, cinema, or theatre type performances, from food kiosks including plant/equipment and from reverberant noise build up in the Hall. For the assessment of noise egress BS 4142:2014 + A1:2019 and the Code of Practice on Environmental Noise Control at Concerts (Noise Council:1995) have been used.

NOTE: To comply with the Code of Practice events should be limited in number per year, commencing after 09.00 and finishing before 23:00 hours. If the site is proposed to be used for more frequent events or events after 23.00 a further Noise Assessment should be submitted to demonstrates that with or without mitigation the playing of amplified live and or recorded music including any DJ or PA, will be inaudible at night (23.00-07.00) and not exceed the background noise level by more than 5 dB during the day between the hours of 07.00 and 23.00.

I would advise that this team has some concerns regarding the potential of the proposed development to adversely affect the occupiers of the nearest noise sensitive properties and would object to the application unless the following conditions are imposed on any planning consent:

1. The layout, design and construction of the site shall be as shown on the plans submitted with the application. Any changes shall be with the prior written consent of the LPA.
2. The hours of site clearance, demolition and construction works (including deliveries) shall be restricted to 08.00 to 18.00 Mondays to Fridays, 08.00 to 14.00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.
3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - i) A scheme for the parking, loading, off-loading, manoeuvring, wheel cleaning for site operatives, delivery and construction vehicles, office and storage compounds for contractors equipment and materials within the site during the entire construction period;
  - ii) Details of any lighting during construction;
  - iii) Details of any piling activities;
  - iv) Provision to be made for the control of noise, dust and fumes emanating from the site during site clearance and construction works;
  - v) No burning of any waste material within the site during the entire construction period;
  - vi) A scheme for fuel/oil storage including portable containers, proprietary tanks, bunding, impervious hard standing, replenishment of tanks and refuelling procedures;
  - vii) A complaints procedure in respect of complaints by members of the public and a complaints resolution process.
4. Any external lighting scheme shall comply with the Guidance Notes for the Reduction of

Obrusive Light pre and post-curfew requirements of Environmental Zone E3 (Institution of Lighting Professionals GN 01/2021). Any change shall be with the prior written consent of the LPA.

5. The kiosk food/beverage kitchens shall have extraction and ventilation systems installed to remove steam/effluvia from the process of cooking. The systems shall incorporate filters to remove grease and odours prior to discharge to external air. The extraction system ducting should terminate 1m above roof ridge level of any building within 15m of the premises and include filters to remove grease. If this cannot be achieved the extraction system shall discharge 1m above the eaves of the premises and include filters to remove grease and odours prior to discharge to air. The extraction system and ducting serving the cooking process shall be installed in accordance with a written scheme designed to comply with the EMAQ Guidance on the Control of odour and Noise from Commercial Kitchen Exhaust Systems (2022). The use of the kiosk food/beverage kitchens shall not commence until the written scheme has been approved by the Local Planning Authority.

NOTE: The odour control measures will depend on the size of the kitchen and type of food being prepared.

6. The kiosk food/beverage kitchens extraction and ventilation systems shall be operated/used at all times when hot food is being prepared and served and shall be turned off between the hours of 23.00 and 07.00 on any day.

7. The kiosk food/beverage kitchen extraction systems shall be cleaned and maintained in accordance with a written scheme approved by the LPA. The scheme shall comply with the EMAQ Guidance on the Control of odour and Noise from Commercial Kitchen Exhaust Systems (2022). The system shall not be used until the scheme has been approved by the LPA.

8. A grease trap shall be installed to intercept all effluent from the kiosk food/beverage preparation areas prior to discharge to the sewer.

9. Suitable closed storage facilities shall be provided for the storage of all waste generated by the kiosk food/beverage kitchens and the Goole Market Hall premises, whilst awaiting collection for disposal. The facilities shall be in the bin store as shown on the plans submitted with the application.

NOTE: It is recommended that the bin store is not accessed for use or collection/emptying between the hours of 23.00 and 07.00.

10. The cumulative rating level of noise from all fixed plant and equipment (including the kiosk kitchen extraction units and any heating, ventilation, refrigeration, and air conditioning units shall not exceed:

(a) 44 dBA between 07.00 and 23.00 (day) and 40 dBA between 23.00-07.00 (night) at the boundary of the nearest noise sensitive properties, namely Estcourt Terrace, Boothferry Road and Paradise Place, Goole.

The noise levels shall be determined by measurement or calculation and shall be made in accordance with BS 4142:2014 + A1:2019.

11. Upon commissioning of all fixed plant and equipment a further noise assessment shall be undertaken to demonstrate that the cumulative rating level of noise from the fixed plant and equipment does not exceed the noise limits stated in condition 10 above. If the level is found to exceed the limits mitigation measures should be recommended and implemented to achieve compliance with the limit.

The noise assessment and the details of any further mitigation shall be submitted in writing to the LPA for approval within 3 months of the first use of the plant and equipment.

12. The hours of use of the site for music events (amplified live and or recorded music including any DJ or PA) shall be restricted to up to 3 times per year and only between the hours of 09.00-23.00 on any day. The Music Noise Level (MNL) shall not exceed 65 dB LAeq over a 15 minute period 1m from the façade of the nearest noise sensitive properties, namely Estcourt Terrace, Boothferry Road and Paradise Place, Goole.

NOTE: The maximum permissible noise level at source to achieve the MNL is stated in the Acoustic Report prepared and submitted by Hoare Lea (dated 12.10.23 revision 0).

13. The hours of use of the site for cinema/theatre or other events including any DJ or PA shall be restricted to up to 9 times per year (if 3 amplified music events are held in a year) or up to 12 times per year (if no amplified music events are held in a year) and only between the hours of 09.00-23.00 on any day. The Music Noise Level (MNL) shall not exceed the background LA90 by more than 15 dB or 59 dB LAeq over a 15 minute period, 1m from the façade of the nearest noise sensitive properties, namely Estcourt Terrace, Boothferry Road and Paradise Place, Goole.

NOTE: The maximum permissible noise level at source to achieve the MNL is stated in the Acoustic Report prepared and submitted by Hoare Lea (dated 12.10.23 revision 0).

14. The hours of use of the site for all other events (amplified live and or recorded music including any DJ or PA) shall be restricted to a maximum of 30 per calendar year between the hours of 09.00-23.00 on any day. The Music Noise Level (MNL) shall not exceed the background LA90 by more than 5 dB over a 15 minute period, 1m from the façade of the nearest noise sensitive properties, namely Estcourt Terrace, Boothferry Road and Paradise Place, Goole.

15. The site shall not be used between the hours of 23.00 and 07.00 on any day. Any change to the above shall be with the prior written consent of the LPA.

16. A 3m high solid barrier (fully sealed to the ground at the base and designed so that there are no gaps or cracks) and a surface density of at least 10kg/m<sup>2</sup> shall be installed in the rear courtyard to remove any line of sight from the outside space to the nearest noise sensitive premises on Estcourt Terrace, Goole. The barrier shall be erected as shown in Figure 6 page 9 of the 13 of the Acoustic Report prepared and submitted by Hoare Lea (dated 12.10.23 revision 0). Once constructed the barrier shall be maintained throughout the life of the development. Any changes shall be with the prior written consent of the LPA.

17. Prior to the first use of the building for music events or for cinema/theatre or for other events (including amplified live and or recorded music a DJ or PA) a plan detailing the measures to be employed to ensure that the above-mentioned noise criteria (Conditions 12, 13 and 14) will be achieved shall be submitted to and approved in writing by the LPA.