

From: planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>
Sent: 18 December 2024 12:34:46 UTC+00:00
To: "Stefan Galyas" <stefan.galyas@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application
DM/24/2959

Consultee comments

Dear Sir/Madam,

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 18/12/2024 12:34 PM from Oliver Benson on behalf of Environmental Protection.

Application Summary

Reference:	DM/24/2959
Address:	Mabels Emporium 10 Victoria Way Burgess Hill West Sussex RH15 9NF
Proposal:	Two storey rear extension and proposed Gym use on ground and first floor.
Case Officer:	Stefan Galyas

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Comments Details

Comments: Environmental Health has reviewed the application for a two-storey rear extension and proposed gym use at 10 Victoria Way, Burgess Hill. The proposed gym is noted to be approximately 4 to 5 metres from the gardens of neighbouring residential properties and around 20 to 25 metres from their facades. Given the proposed 24-hour operation, there is potential for noise impacts, particularly during night-time hours when background noise levels are generally lower, increasing the likelihood of disturbance.

The application does not provide clarity on the location or specification of air conditioning units or other plant and machinery that may be required for the gym. Such equipment has the potential to generate noise, which could cause disturbance to nearby residents if not properly assessed and controlled.

To address these concerns, a detailed noise assessment will be

required. This should be carried out in line with the ProPG Gym Acoustic Guidance (GAG) Document (March 2023) to assess noise arising from gym activities, including amplified music, equipment impact noise, and general operational noise during sensitive hours. Additionally, an assessment in accordance with BS4142 will be necessary to evaluate the impact of any external plant or machinery, focusing on its potential to affect nearby residential properties.

Depending on the outcomes of these assessments, appropriate mitigation measures may need to be proposed and implemented to ensure that noise is effectively managed and complies with the relevant standards. These measures should be clearly detailed by the applicant and submitted for review prior to the commencement of construction. It is essential that this requirement is made very clear to the applicant, as there have been instances where gyms have been constructed without adequate mitigation in place, leading to noise problems being identified later. Retrospective works to address these issues can be costly and disruptive, potentially requiring the removal of flooring and equipment that has already been installed.

On this basis I would recommend approval with the following conditions:

1) a) Prior to the development of the gym at 10 Victoria Way, Burgess Hill, an Acoustic Report shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the proposed gym can comply with the noise levels outlined in the ProPG Gym Acoustic Guidance (GAG) Document (March 2023), taking into account both daytime and night-time operational hours, and any potential noise impacts arising from gym activities or equipment. If necessary, the report shall propose mitigation measures to ensure compliance with the required noise levels. Any mitigation measures identified in the Acoustic Report shall be implemented in full prior to the gym becoming operational and shall be maintained throughout the use of the gym.

And if mitigation is required:

b) Prior to the gym opening for use, post-completion noise testing shall be carried out, in accordance with the approved Acoustic Report, to confirm that the noise levels achieved comply with the standards set out in the ProPG Gym Acoustic Guidance (GAG) Document (March 2023) and that any mitigation measures are effective. The results of this post-completion testing shall be submitted to the Local Planning Authority for approval in writing. If the post-completion testing indicates that the required noise levels have not been met, further mitigation measures shall be implemented immediately, and further post-testing shall be carried out to ensure compliance. The gym shall not open for use until the

noise levels meet the required standards.

Reason: To ensure that the proposed gym use does not result in unacceptable noise impacts to neighbouring properties, in accordance with Policy and to protect the amenity of local residents.

2) The use hereby permitted shall not come into use until a scheme has been submitted to the LPA demonstrating that the noise rating level ($L_{Ar,Tr}$) of plant and machinery within the build shall be at least 5dB below the background noise level ($L_{A90,T}$) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014+A1:2019. The assessment shall be carried out with the plant/machinery operating at its maximum setting. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

Kind regards