

Hamish Evans

From: [REDACTED]
Sent: 04 April 2025 11:38
To: Hamish Evans
Subject: Support for DM/25/0708 with Noise Mitigation and Planning Safeguards

[REDACTED]

Dear Hamish,

I am writing regarding planning application DM/25/0708 for the redevelopment of the storage, commercial workshop, and office buildings at Firs Farm to five dwelling houses.

This part of Firs Farm is adjacent to Dukes Barns Business Park and the Barns Court Industrial Estate. The occupiers of Dukes and the occupier of the northern HGV logistics compound at Barns Court share the access road through Firs Farm with the proposed residential development.

As owners of these neighbouring business parks, Turvey wishes to express our support for the proposed development. However, I would like to highlight key considerations regarding noise and shared access, which should be addressed to ensure long-term harmony between existing businesses and future residents.

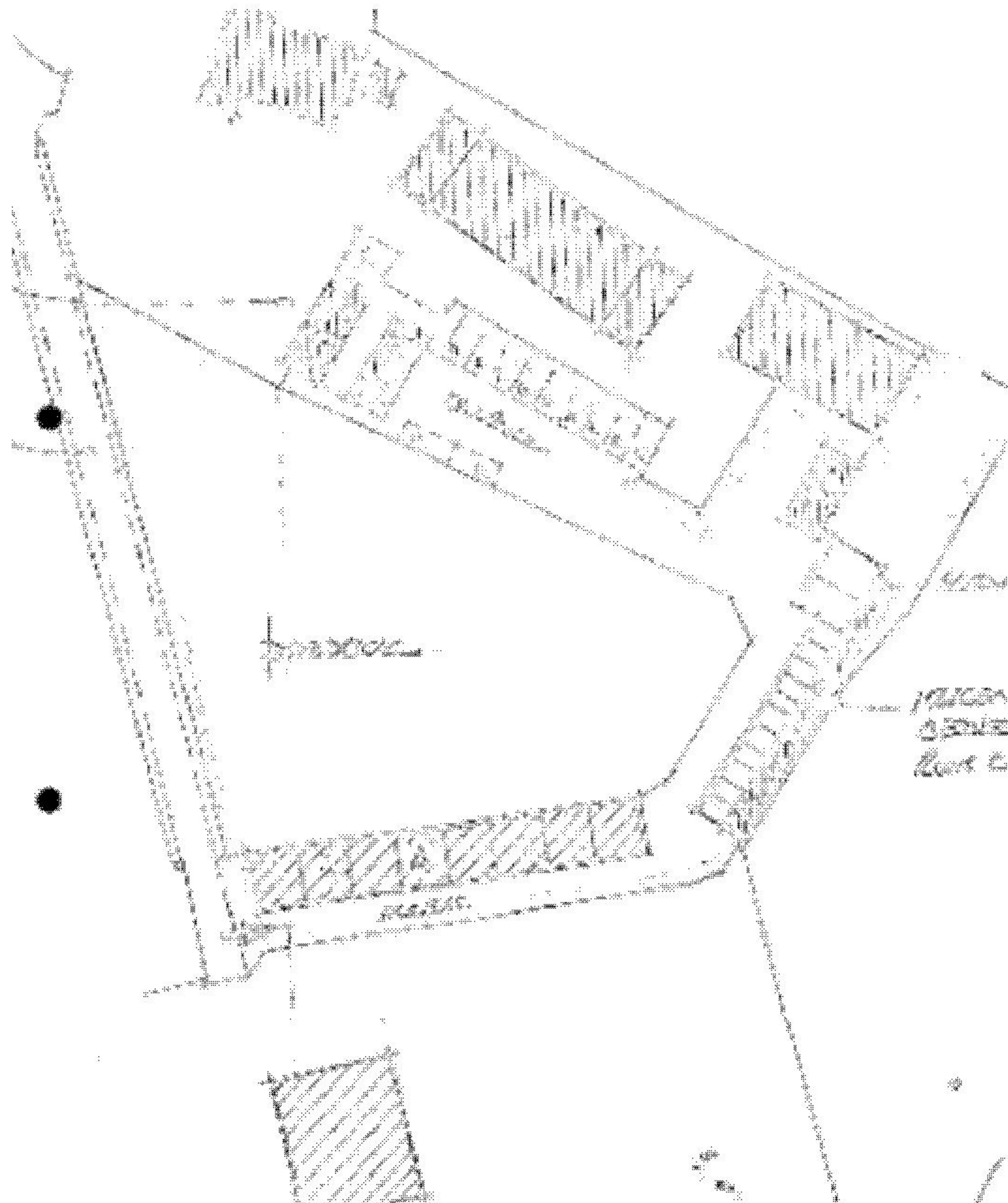
Dukes Barns Business Park and Barns Court Industrial Estate are home to a range of small local businesses operating within B1(c) and B8 use classes, which are appropriate for locations near residential areas. These businesses generate regular activity, including HGV movements, delivery vans, staff, and customer traffic, all of which require uninterrupted access via the shared access road at Firs Farm, which will also serve the proposed development. Given the nature of these operations, if the use class of this part of Firs Farm is changed from its existing commercial use to residential, there is potential for future noise and activity-related conflicts with new residents unless appropriate safeguards are put in place.

This issue has been highlighted in similar cases, such as the Ministry of Sound v. Oakmayne Properties. In that instance, the well-established Ministry of Sound nightclub successfully secured legal protections after a proposed residential development nearby posed a risk of noise complaints that could have threatened its operations. The case reinforced the importance of ensuring new residential developments take responsibility for mitigating noise issues, rather than placing restrictions on existing businesses.

To ensure that existing businesses can continue to operate without future complaints or restrictions, I respectfully request that the council and developer consider the following measures as part of any planning approval:

1. High-Specification Acoustic Insulation & Bedroom Orientation: The developer should look to incorporate enhanced acoustic insulation into the homes, particularly those closest to the industrial estate. Additionally, careful consideration of bedroom orientation could help mitigate potential noise impacts on residents.
2. Deed of Easement for Noise: A legal Deed of Easement be secured, ensuring that future residents acknowledge and accept the presence of established business operations. This would help prevent nuisance claims related to access, noise, or other lawful business activities.

3. Section 106 Agreement or Planning Condition: Securing a legally binding agreement that prevents future residents from lodging noise or access complaints against lawful and long-standing business operations.
4. Traffic and Access Considerations: Since the access road will be shared between the industrial estates and the new housing, careful planning is required to ensure safe and efficient mixed-use traffic management. We note the small passing bay proposal but the developer should consider more appropriate design measures, clear signage, and road layouts to prevent industrial traffic including HGV sized vehicles from being hindered. Additionally, we would suggest that the pedestrian pathways that previously ran alongside the roadway, shown in the below plan of the site, be reinstated to enhance safety for all users.



I fully appreciate the need for new housing and support responsible development. However, it is equally important to safeguard the operations of long-standing small businesses that contribute to the local economy and employment. I trust the council and the developer will consider these reasonable and practical measures to ensure a balanced and sustainable outcome for all stakeholders.

I would welcome the opportunity to discuss these matters further and look forward to your response.

Yours sincerely,

