

REPLY TO LICENSING CONSULTATION

FROM: Environmental Protection Team – Noise

LOCATION: White Swan, Shepherd Street, Derby, DE23 6GA.

PROPOSAL: Variation Application

CASE OFFICER: Licensing

COMMENTS DATE: 13th December 2023

With regards to the above application, I am concerned that the proposed variation if approved will be detrimental to occupiers of residential properties close by. The additional bar servery in the rear garden, new beer garden and increase in licensed area will increase the ambient noise level of the location as there will be increased number of people using the proposed facilities.

Some of the points that are a bit concerning regarding noise from the proposed noise management plan include.

- No more than 6 live outdoor music events per calendar year, external Bar closure 11pm. Live Music to cease at 10.30pm.
- Waste Collection to be made between 6am - 6pm, **(6am too early)**.
- Appointed staff to regular monitor the external areas, including music volume, noise and closing time of the external Bar and take necessary action, documented in the noise monitor log.
- The external area will consist of no more than 30 tables.

I do have concern that live/recorded outdoor music will cause noise nuisance to occupiers of residential properties close by due to the location irrespective of time. The potential noise output from raised voices will also pose concern. Noise (raised voices) from the outdoor area due to the number of tables (when in full capacity) will be very difficult to mitigate especially in the summer. Residents of noise sensitive properties close by will leave windows open for thermal comfort and it will be difficult to mitigate noise intrusion from the premises. It is worth noting; local flats and houses may not have acoustic glazing sufficient to mitigate such noise levels, nor additional ventilation that permits windows to remain closed. Applicant has not proposed the use of a limiter and in my expert judgement, only background music should be attainable due to the location irrespective of government guidance.

Furthermore, complaints have been received by the EP Team concerning excessive noise coming from the said premises.

For the reasons given above, I would have very serious concerns of detriment that will be caused to occupiers of close by residential units due to noise and I will recommend the variation (Noise Reduction Plan) be refused in order to prevent public nuisance

I have no other comments to make on the application regarding noise at this time.

Kennedy Nwokolo
Specialist Technical Officer