

Jacqui Dale

From: Neil Shellard
Sent: 06 February 2023 10:45
To: Jacqui Dale
Subject: Variation of a premises licence - Herons Lodge Retreat. FINAL REPRESENTATION (Pollution Control Team)

Hi,

Variation of a premises licence - Herons Lodge Retreat. FINAL REPRESENTATION FOLLOWING SITE VISIT & FURTHER REVIEW OF APPLICATION (Pollution Control Team)
Licensing Act 2003

As below I initially wrote to you on 12th January. However, following new concerns that have come to the fore about the potential for *public nuisance*, if the variation were permitted, I undertook a Site visit on Friday, 3 February 2023. This was useful to see the tipi tent and view where the nearest residential premises are in relation to it i.e the site context.

Following this Site visit and a further review of the application, I now feel I should **Object** to the application.

For the following reasons, grounds and concerns, which would not be easily overcome by recommending conditions.

- I now don't believe that the material i.e the fabric which the tipi tent is made from, is durable enough or has sufficient mass (weight) to have a permanent sound insulating performance, which could reasonably be expected of a facility/structure in which loud amplified music i.e recorded music, would be offered. I think there will be 'noise breakout' issue of amplified sound, which will not be possible to manage through a licence condition, noise management plan or other similar step.
- There are clearly and evidently large *air gaps* around the base of the tipi tent structure, which would allow amplified recorded sound to 'leak out' and for the sound to be potentially heard at a nuisance level, at nearest noise sensitive dwelling/premises. Some of these dwellings have windows with a line of sight to the tipi. Furthermore, I have learnt that the sides of the tipi tent could be lifted in warmer weather, again reducing the structure's mitigation effect for sound transmission.
- There are number of relatively close residential neighbouring premises *not in the applicant's ownership* to the tipi tent structure, for whom I have growing concerns that they could be impacted by amplified music noise/sound transmission/break-out and people noise from the tipi structure.
- I understand the apex of the tipi structure would also be a further potential open *air gap* which could leak noise/amplified recorded sound.

- I also have concerns that 'people noise' and shouting/raised voices would potentially be audible from within the tipi late into the evenings and for this sound to be audible beyond the premises boundary. There are a number of local dwellings adjacent and just a short distance from the tipi that are not in the applicant's ownership.
- I don't consider that the tipi structure is suitable for a permanent provision of regulated entertainment as requested, at this position and location.

I hope this is clear. I have no further comment.

Kind regards,

Neil T. Shellard MCIQH

Pollution Control Officer | Swyddog Rheoli Llygredd
Public Protection | Diogelu'r Cyhoedd
Environment | Amgylchedd
Flintshire County Council | Cyngor Sir y Fflint