Change of use from a vacant nightclub (Sui generis) to a gym (Class D2) to operate 24 hours a day and installation of compressors and associated external alterations.

RECOMMENDATION: Grant subject to Condition(s)

AGENT: Pegasus Planning Group
First Floor South Wing
Equinox North
Great Park Road
Almondsbury
Bristol
BS32 4QL

APPLICANT: MSG Life Ltd
C/o Agent

The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.
COUNCILLOR REFERRAL

The application has been referred for determination by Committee by Councillor Carla Denyer Ward Member for the Clifton Down ward.

In referring the application, Councillor Denyer did not raise an objection to the principle of the proposed change of use, however wished “for the committee to consider adding conditions around opening hours and/or hours that music is played or classes take place.”

Councillor Denyer’s concerns are specifically raised in relation to the following issues:

“The issue of noise reverberation down the railway line has not been addressed in the noise assessment at all, even though I raised this over a month ago. If it turns out that it would be negligible for the volumes of music played at the gym, fine. But the fact that it has not been modelled at all gives the cause for concern, given that it’s a known effect that residents have witnessed, which channels noise a significant distance from the site, to a lot of noise-sensitive residential properties on Hampton Park.”

“Night-time/early morning vehicle movements have not been addressed in the noise assessment. I draw your attention to 16/05085/X: Bannatyne’s were refused permission to open just 30 minutes earlier (a change from 7am to 6:30am opening) to protect local residents’ sleep. Note that Bannatyne’s gym is, like the proposed Snap Fitness site, located close to a train station and bus stops, yet many existing customers drive to the gym, presumably because they visit it on the way to or from work, which they drive to. Without a designated car park that is open at night, people using Snap Fitness gym at those times would probably park either in surrounding streets or in the University car park behind Whatley Rd. This would cause unacceptable disturbance at night and in the early morning, with drivers parking, slamming doors, revving, using car radios and alarms etc. while parallel parked right outside people’s homes.”

SUMMARY

The application seeks planning permission for change of use of a nightclub to a gym, including a revised entrance and installation of air conditioning, ventilation and extraction plant. The site is a first floor commercial unit situated in a wider building containing a mix of shops, restaurants and other commercial uses. The site is situated within Whiteladies Road town centre and forms part of the primary shopping area. Clifton Down Shopping Centre is situated adjacent to the south of the site and Clifton Down Railway Station is situated directly beneath the site. The gym would be open 24 hours, 7 days per week. A number of objections (full details beneath) have been raised following public consultation in relation to the proposed development. These were predominantly in relation to the potential for neighbouring occupiers to experience noise and disturbance resulting from the change of use. Concerns specifically relate to the potential for noise from plant, music and activity associated with the proposed gym as well as customers arriving and departing the site. The applicant has supplied a noise assessment and site management plan for the proposed use which seek to address the concerns raised. The Council’s Pollution Control team have reviewed the noise assessment and agreed with the findings of the assessment, which demonstrates that noise levels experienced at residential properties would be no higher than existing levels. Associated noise and disturbance as a result of customers arriving and departing the site, including parking on surrounding streets has also been considered, however given the foreseen customer levels overnight and existing context (nightclub), it is not found that this would result in harm to residential amenity or living conditions. The proposal would offer a number of benefits namely with regard to crime reduction
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(in comparison to the existing nightclub use), public health and the vitality and diversity of the town centre. Overall, it is concluded that subject to safeguarding conditions, the proposed change of use would be in accordance with all relevant national and local planning policy, with no other material consideration which would warrant refusal. On this basis, the application is recommended to Members for approval.

SITE DESCRIPTION

The site is situated to the western side of Whiteladies Road, Clifton and relates to a first floor unit within a two storey mixed use building located above Clifton Down Railway Station. The unit is presently vacant with the last use being as a nightclub (Sui Generis). The building contains x6 commercial units at ground floor level, each with separate shopfront and fascia signage above. At first floor level, the building comprises two larger units, the former nightclub to the south and a restaurant to the north.

The building dates from the second half the 20th century, has a flat roof and rectilinear form with predominantly glazed frontage to Whiteladies Road which is divided at first floor level by cantilevered vertical piers. Clifton Down Shopping Centre is adjacent to the south, with a single storey satellite building known as Clifton Down Metro separating the building from Whiteladies Road to the east. The Severn Beach railway line runs east to west beneath the site.

The site is located within a designated town centre (Whiteladies Road) and forms part of the primary shopping area as designated by Core Strategy Policy BCS7 (Centres and Retailing) and Site Allocations and Development Management Policies Local Plan Policy DM8 (Shopping Areas & Frontages). The site is also situated within the Whiteladies Road Conservation Area.

PLANNING HISTORY

<table>
<thead>
<tr>
<th>Application ref:</th>
<th>Proposal:</th>
<th>Decision:</th>
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<tbody>
<tr>
<td>02/01105/F</td>
<td>Alterations to fenestration at first floor level</td>
<td>GRANTED - 22.05.2002</td>
</tr>
<tr>
<td>07/01959/F</td>
<td>Construction of VIP suite/chill out suite on the existing flat roof</td>
<td>WITHDRAWN - 03.10.2007</td>
</tr>
<tr>
<td>08/03922/F</td>
<td>Installation of replacement canopy</td>
<td>GRANTED - 05.11.2008</td>
</tr>
<tr>
<td>08/05028/F</td>
<td>Erection of second storey extension to form smoking room</td>
<td>REFUSED - 02.03.2009</td>
</tr>
<tr>
<td>12/03199/A</td>
<td>Installation of new signage to comprise 1 no. internally lit light box, 3 no. externally, halo-lit fascia signs on the front elevation, and opaque vinyl window logos to be affixed to inside the windows</td>
<td>CANCELLED - 11.03.2013</td>
</tr>
<tr>
<td>12/03205/F</td>
<td>External alterations as part of the refurbishment of premises</td>
<td>CANCELLED - 11.03.2013</td>
</tr>
<tr>
<td>12/03933/F</td>
<td>The creation of a smoking refuge on the flat roof above the first floor Restaurant and Nightclub</td>
<td>REFUSED - 12.11.2012</td>
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</table>
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15/01121/F Proposed conversion of the nightclub on the first floor and erection of second floor extension to provide 14 No. 1,2 & 3-bedroom residential units (Use Class C3); new entrance to residential and commercial floorspace; changes to the appearance of the existing ground floor retail units; refuse/recycling and cycle space provision and associated works. APPROVED - 02.10.2015

17/04234/A Proposed display of x2 halo illuminated signs to southern and eastern elevations of the building in addition to vinyl sign applied to glazed entrance door GRANTED - 21.09.2017

APPLICATION

The application seeks planning permission for the proposed change of use of the southern first floor unit from a nightclub (Sui Generis) to a gym (planning use class D2). The application includes external alterations comprising replacement of x4 existing air conditioning compressor units with x3 air conditioning compressor units as well as installation of revised customer entrance.

The main customer entrance would be at ground floor level within the southern side elevation of the building. The existing door in this location would be replaced with an aluminium framed glazed equivalent with windows to either side. A staircase leads to first floor level where a reception desk, fitness areas with a variety of exercise machinery, changing, showers and toilet facilities are proposed. The gym would be open 24 hours a day. The gym would employ x4 full time and x9 part time members of staff.

x3 air conditioning compressors are proposed to the north facing rear elevation of the building, along with x3 louvre panels and x2 extract vents. This plant is required to regulate and ventilate the gym, changing facilities and shower areas.

COMMUNITY INVOLVEMENT

The proposed development is classed as ‘Minor’ development, therefore there is no requirement for the Applicant to demonstrate community engagement prior to submitting the application.

EQUALITIES ASSESSMENT

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that the refusal of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.
RESPONSE TO PUBLICITY AND CONSULTATION

7 neighbouring properties were originally directly consulted in relation to the application. A site notice and press advert were also published, along with the application being listed on the planning section of the Council website.

The deadline for comments was 7th August 2017.

9 objections were received following consultation. The content of these is summarised as follows:

- Proposed opening hours are ridiculous
- Increased noise and disturbance to neighbouring occupiers in comparison to the existing use
- Contested nature of the site as a town centre
- No mention of surrendering the alcohol license
- Concerns with regard to disabled access
- Potential for outsourcing of classes to freelancers, who may provide their own sound equipment
- Public transport access generally ends around midnight and nearby public car parks close at similar times so parking on street is likely which may result in noise and disturbance to surrounding residential properties during the night through car doors slamming, car audio systems, alarms etc.
- The noise assessment should be made from Caffe Gusto opposite the site
- Windows should be sealed rather than simply closed
- Concerns with regard to noise travelling along the railway line to adjacent residential properties further from the site
- Noise and disturbance to neighbouring occupiers from waste collection
- No requirement for this kind of business in addition to the many gym and fitness class businesses operating in the area, all within a reasonable walking distance from Clifton Down Shopping Centre
- Additional parking pressure and traffic congestion

Subsequent to the original consultation period, additional information including a Noise Assessment and Site Management Plan were supplied by the applicant. An additional public consultation period was therefore held following receipt and publication of these documents.

This comprised letters being sent notifying direct neighbours and contributors to the original consultation period. The deadline for responses was 14th September 2017.
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4 objections were received following this second consultation period. These were all from contributors to the original consultation period. The content of further objections is summarised as follows:

- Classes starting at 6:15am would result in sleep deprivation via noise pollution
- Noise from cars parking in surrounding roads and the University car park would disturb and harm the living conditions of surrounding occupiers
- General noise and disturbance to neighbouring occupiers and resultant harm to living conditions and quality of life
- The alcohol license should be forfeited
- No staff on site to implement noise policy
- Protection required against noise breakout from the building and funnelling down the railway line
- The noise assessment should provide details concluding noise is inaudible at the adjacent Caffe Gusto
- A similar local health club was refused permission for extension of opening hours on the basis of harm which would result to neighbouring living conditions and amenity
- The management plan should be more clear in relation to the wording of no alcohol will be served on site, also including sold or consumed
- Classes should not be permitted before 8am to facilitate a full 8hrs sleep

AMENITY GROUPS

The Hampton Park & Cotham Hill Community Group has commented as follows:

I have requests and comments please:-

1) Have you ascertained that the applicant will not require scaffolding to touch any part of the property belonging to Network Rail (BR)?

This was the ONLY reason why the plan to build flats on this site was abandoned by the same applicant as Network Rail refused to grant permission. Were such scaffolding eventually required for the current application and consequently applied for and accepted I am sure that this would cause a major public outcry.

Can you assure me at this stage that such scaffolding will neither be requested, nor installed!

2) Has the Noise Pollution Officer been asked to assess the very, very likely excessive noise that will undoubtedly be caused both by cars cruising around at night seeking parking spaces returned in the gothic hours and the subsequent noise of car doors slamming and people talking, which at night in the small hours is already an intrusion as students return from Night Clubs 4 out of 7 nights a week during term time!
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3) Whiteladies Road and Clifton Down Centre is NOT a TOWN CENTRE. NB There is a CIA imposed directly opposite along Cotham Hill and Hampton Park - this is predominantly residential!

4) Have the Chief Constable of Avon and Somerset and the Commissioner of the Police been alerted to this application?

I am confident that if this proposal passes the Committee stage there will be an increased need of nocturnal policing of this area.

There is only one sensible decision to make about this application if the Council Officers and Council Officer committees' care about their loyal and long established tax paying, community caring citizens in a 360 degree radius of 1 mile extending from the site and that is not to pass it!

I and my neighbours know that there WILL BE yet more serious noise invasion at night and overcrowding during the day in an area that is already congested and heavily noise inflicted.

I have lived in my house since 1987 and know first-hand just how the commercial invasion and student overcrowding has changed the area. Why have successive Councils allowed this to happen? CIAs and Conservation Area status seem to count for nothing these days.

You can see that we are being forced to seem unreasonable. Many residents have sold up and left - not because they wanted to, but because they have literally been driven out by a council and laws that allow such commercialism to grow!

Why should honest, responsible, respectable residents who support the area be constantly overlooked?

The Redland and Cotham Amenities Society have commented as follows:

RCAS does not oppose this change of use provided that any adverse impact on surrounding residents and businesses from the operation of this gym can be removed. Noise, particularly at night when there is less background noise, could be a significant issue and we ask that good insulation against airborne and impact noise is provided to deal with this.

Restrictions on sound levels of mechanical ventilation systems and music and method statements for dealing with noise incidents are proposed and we ask that the pollution control department confirm that they are happy with those proposals.

Restrictions on times of waste collections are also proposed and we ask that they are conditioned.

There do not appear to be any proposals for dealing with users coming and going during the night, and potentially gathering outside the premises. We ask that the club makes provision for dealing with any noise issues for users congregating outside the doors to the clubs. Car doors slamming and conversations in residential streets in the middle of the night would also cause distress to local residents. We ask that the club management take the lead in ensuring that their members consider the amenity of the neighbours away from the immediate premises when coming and going from the club.

However, with these provisions in place, we do not object to the proposed development.

The detail of signage must be supplied in order that the impact of this signage on the surrounding area and of views in the conservation area can be fully assessed. The proposed
signage zones on the front elevation of the building are excessive and could enable large, backlit signs which would negatively impact on the conservation area. We ask that either full details of signage are submitted before the decision is made or that a new advertising application is submitted before the building is occupied.

OTHER COMMENTS

Bristol City Council Transport Development Management (TDM):

The site is located along Whiteladies Road, a classified A road subject to a 20mph speed limit and utilised as a popular busier cycle route. Clifton Down train station is situated to the frontage of the site along Whiteladies Road, approximately 40m from the nearest bus stop. Buses operate frequent services along Whiteladies Road to Cribbs Causeway and the City Centre amongst other locations. Due to the above reasoning TDM deem the site to be situated in a sustainable location in terms of transport.

The site is situated within the Clifton East residents parking scheme however it is likely users of the gym would utilise parking within the Cotham residents parking scheme and Cotham North residents parking scheme also. All three schemes operate 09:00-17:00 Monday to Friday.

Clifton Down car park opens 07:00-22:30 daily providing adequate parking for the busy town centre and any future gym users.

The impact of the change of use is not deemed to be of detriment to the local area insofar the trip rates to and from the gym would be of a different composition when compared to the extant peak hour times.

Due to the residents parking schemes operating in the area it is highly likely users of the gym will utilise the parking facilities of the Clifton Down car park during car park opening times. Outside of these operating times it is expected users will likely either park on street or live within the vicinity of the site and travel sustainably by bicycle or walk. It is not expected a high number of users would utilise the gym facilities outside of the opening hours of the car park therefore TDM deem the provision to be acceptable.

The amount of users during these off peak times and the impact this will cause to the surrounding highway network regarding on street car parking will be minimal. In comparison to a nightclub use in which vehicles would be stopped along Whiteladies Road or parked in residential streets in the surrounding area whilst waiting for pickups.

No waste storage has been proposed. Users of the gym will inevitably produce rubbish such as but not limited to paper towels and plastic bottles. The waste storage is likely to be to the rear of the unit so therefore a waste management plan is required.

TDM requires further information regarding the waste storage provision before approval can be recommended.

Bristol City Council Pollution Control Team:

I understand that there are a number of concerns with regards to the potential for noise from this development for change of use to a gym, opening 24/7. There are a number of different noise sources associated with this use and I feel that these have been sufficiently dealt with in the application. I shall try and deal with these as follows:
Noise from new plant and equipment associated with the gym

This is dealt with in section 4 of the acoustic report. The report gives noise levels for the 3 condensers units and the 2 fan units to be used at the gym and I am satisfied from the information provided that noise levels from this equipment will be suitably below the background noise levels at nearby residential properties and will not be disturbing to local residents. Furthermore, in order to give ongoing protection to local residents, I have asked for a condition requiring that noise from any plant and equipment will be at least 5 dB below the background level at any residential property. From the information provided I am satisfied that this condition can be complied with.

Music noise from the use of the gym

Section 7 of the acoustic report submitted with the application states that the windows to the front of the premises are sealed panes. There are no windows to the rear as windows and as windows will be the weakest acoustic part of the premises I would expect properties opposite the front of the premises to be most likely to be affected by music noise.

Whilst the premises has previously operated as a night club and whilst gyms, will play music, particularly during classes I feel it has to be acknowledged that music levels will be lower and not played at such unsociable times as played in a nightclub. The Management Plan states that classes will only be held between 06.15 and 20.30 on weekdays and in the mornings at weekends. The acoustic report further details that noise levels from the use of the gym at the front of the premises opposite on Whiteladies Road will be considerably lower than noise limits from National Guidance levels for noise from pubs and clubs which take into account the disturbing nature of the bass element of music.

Noise from the gym affecting commercial uses below

The likelihood of both airborne and structure borne noise affecting adjoining commercial premises has been addressed in section 6 of the acoustic report. The report details internal noise levels from a similar gym, details of the current structure between the proposed gym and adjoin commercial uses and gives recommendation for improvements to both the party walls and party floor between the gym and the other uses. These include the provision of gym matting and an additional acoustic layer in free weight areas. I have asked for a condition, detailed below, to give further details of the actual insulation to be installed.

Noise from refuse collections

In order to minimise any disturbance to local residents I have asked for a condition restricting the collection of refuse to 08.00 and 20.00 Monday to Saturdays only.

Noise from 24/7 use

Whilst it is proposed that the gym will open 24/7 it has to be acknowledged that use throughout the night is likely to minimal. From the figures given in the Management Plan per week a similar gym operating 24/7 has 70 customers using the gym between 23.00 and 05.00 a week, this works out at under 2 an hour. There are also other 24/7 gyms in Bristol which are also near to residential properties and I am not aware of any complaints regarding their use throughout the nights.
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Noise from increased traffic and parking in the area

This has not been looked at in the acoustic report and as this application is not proposing a designated car park I feel it is difficult to show that there will be an increase in noise from cars parking at any particular properties due to the use of the gym, particularly as street parking in this area is already difficult. Disturbance from customers parking is more likely to be an issue at night and from the likely numbers of customers using the gym at night I do not feel it is possible to show any significant impact of noise from customers parking in this area.

I therefore have no objection to this development but would ask for the following conditions should the application be approved:

1. Sound insulation

   The use hereby permitted shall not commence until a detailed scheme of noise insulation measures for the partitions between the proposed use and adjoining commercial premises is submitted to, and approved in writing by the Local Planning Authority.

   The scheme of noise insulation measures shall take into account the recommendations detailed in the Noise Assessments submitted with the application.

   The approved scheme shall be implemented in full prior to the commencement of the use permitted and be permanently maintained.

2. First Floor Windows

   Except for routine maintenance or in the event an emergency the windows on the first floor shall remain closed and sealed during the operation of the gym.

3. Noise from plant & equipment affecting residential

   The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

4. Use of Refuse and Recycling facilities

   Activities relating to the collection of refuse and recyclables shall only take place between 08.00 and 20.00 Monday to Saturday and not at all on Sundays or Bank Holidays.

Avon & Somerset Police Crime Reduction Department:

After looking through the Design & Access Statement and speaking to the local Neighbourhood Policing Team I have no concerns regarding this application as the site is located within the Whiteladies Road Town Centre and is easily accessible via a variety of transport modes. The centre serves a large residential population and a number of customers will be able to access the site on foot. In addition, there are bus stops and a train station within easy walking distance. Therefore, this is an appropriate location for a new community facility.

Late night refreshment venues are significant flash points for disorder as often intoxicated members of the public come into contact with each other. In addition, late night refreshment venues tend to encourage persons to stay in an area rather than disperse which again is a
factor in the levels of crime and disorder. If the premises were to become a 24/7 gym this would mitigate this issue.

RELEVANT POLICIES

National Planning Policy Framework – March 2012
Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocation and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2015

In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

Planning (Listed Buildings and Conservation Areas) Act 1990

KEY ISSUES

(A) ACCEPTABILITY OF CHANGE OF USE

Paragraph 23 of the National Planning Policy Framework (NPPF) outlines that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. In drawing up Local Plans, local planning authorities should allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres. It is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. Local planning authorities should therefore undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites.

Annex 2 (Glossary) of the NPPF defines main town centre uses as including fitness centres, amongst other facilities.

Policy BCS7 of the Bristol Core Strategy outlines that retail development, offices, leisure and entertainment uses, arts, culture and tourism uses will be primarily located within or, where appropriate, adjoining town centres identified within BCS7.

Policy DM7 (Town Centre Uses) of the Site Allocations and Development Management Policies (SADMP) outlines that retail and other main town centre uses should be located within the centres identified on the Policies Map. Main town centre uses are defined in the National Planning Policy Framework as retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities and the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).
Policy DM8 (Shopping Areas & Frontages) of the SADMP outlines that within the primary and secondary retail frontage, development will be expected to maintain or provide active ground floor uses. Specific to the primary shopping area, change of use of shops (Use Class A1) to another use will not be permitted unless the proposed use would:

i. Make a positive contribution to the vitality, viability and diversity of the Primary Shopping Area and centre; and

ii. Not fragment any part of the Primary Shopping Area by creating a significant break in the shopping frontage; and

iii. Not result in a loss of retail floor space of a scale harmful to the shopping function of the centre; and

iv. Be compatible with a retail area in that it includes a shopfront with a display function and would be immediately accessible to the public from the street.

In planning policy terms, the site is located within a designated town centre (Whiteladies Road) as well as within a primary shopping area. The application seeks planning permission for change of use of the first floor unit from a nightclub to a gym. The proposed use of the site as a gym represents an appropriate ‘main town centre use’ as outlined within national and local policy (above). As the existing unit is not within retail use, there would be no loss of retail floor space resulting from the change of use. Therefore, the retail function of the primary shopping area would be unaffected.

Within the Whiteladies Road lower primary shopping area there are existing personal training and martial arts studios on Hampton Lane however it is considered that there is not a comparable dedicated gym. The nearest comparable gym’s to the site are either the University of Bristol facility at Tyndall Avenue, other gyms on Queens Road or alternatively at Clifton College, Guthrie Road. The facility to the eastern side, northern end of Whiteladies Road (The Exercise Club) at Blackboy Hill is also noted however this site is more class based with less exercise machinery and also closed at 17:00. These sites are all a significant distance (around 1km) from the site in question. Consequently, the proposed change of use would not result in an over proliferation of a particular use within the primary shopping area or town centre.

The proposal would therefore make a positive contribution to the vitality, viability and diversity of the primary shopping area and centre especially when considering the unit is currently vacant and the anti-social issues raised by the previous use of the premises. On the basis of the above factors, the principle of the proposed change of use is deemed acceptable in principle land use terms subject to the satisfactory resolution of all other issues as set out in the key issues below.

(B) NEIGHBOURING AMENITY, LIVING CONDITIONS & NOISE POLLUTION

Section 17 of the NPPF outlines 12 ‘core planning principles’ which should underpin both planning and decision-taking. One of these principles is that decision making should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policy BCS21 (Quality Urban Design) of the Core Strategy outlines that all new development within Bristol will be expected to strive to achieve high standards of urban design. With regards to amenity it is outlined, that new development is expected to safeguard the amenity of existing development.

Policy BCS23 (Pollution) of the Core Strategy outlines that development should be sited and designed in a way as to avoid adversely impacting upon environmental amenity or biodiversity
of the surrounding area by reason of fumes, dust, noise, vibration, smell, light or other forms of air, land, water pollution, or creating exposure to contaminated land. Further to this, in locating and designing development, account should also be taken of the impact of existing sources of noise or other pollution on the new development and the impact of the new development on the viability of existing uses by reason of its sensitivity to noise or other pollution.

Policy DM35 (Noise Mitigation) of the SADMP outlines that development which would have an unacceptable impact on environmental amenity or biodiversity by reason of noise will be expected to provide an appropriate scheme of mitigation. In assessing such a scheme of mitigation, account will be taken of:

i. The location, design and layout of the proposed development; and

ii. Existing levels of background noise; and

iii. Measures to reduce or contain generated noise; and

iv. Hours of operation and servicing.

Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design, particularly in proximity to sensitive existing uses or sites.

The proposed development involves no physical enlargement of the existing building and no additional windows are proposed which would result in any additional overshadowing, loss of light, or overlooking of neighbouring properties over and above the existing situation.

Any potential for impact to neighbouring living conditions and amenity would likely result from the proposed change of use and thus the difference in operational characteristics of the premises. The assessment of the impact of the proposed use must be viewed within the context of the existing established use of the site which is as a nightclub. Although the nightclub has been closed during recent years, this remains the established existing planning use of the site. Whilst operational, the nightclub was a licensed premise which played amplified music and was open until 4am. It is understood that this use attracted complaints locally on the basis of noise, disruption and disturbance to neighbouring occupiers as well as instances of anti-social behaviour as noted by the police.

The site itself and as set out above is situated on Whiteladies Road which is a designated town centre and predominantly comprises commercial uses at ground floor levels and storage or residential accommodation at upper floor levels. However, the side streets leading off Whiteladies Road are predominantly residential in character and therefore more sensitive to noise pollution. The closest residential properties to the site are flats above the commercial ground floor uses to the opposite side of Whiteladies Road (No’s 119-139). These properties are at minimum 35m distance from the site. It is recognised there are also residential properties to the north of the site situated to the southern side of Whatley Road. The closest residential property in this orientation is 37 Whatley Road (x4 flats) which is separated by a minimum distance of 55m from the site. 1 Imperial Road is a minimum distance of 70m from the site and 1 Hampton Park is a minimum distance of 120m from the site however both streets are separated by buildings situated to the eastern side of Whiteladies Road/Cotham Hill.

It is acknowledged that the proposed use of the site as a gym would result in opening hours (24hrs) greater than those previously operated by the nightclub. There is also a variety of noise sources generated such a use of differing characteristics to those created by the nightclub (such as lifting of weights etc.). As such, the applicant has completed and submitted a Noise Assessment in relation to the proposed use.
Noise from Plant and Equipment

Section 4 of the submitted Noise Assessment is in relation to noise which would result from proposed plant and equipment associated with the use of the gym. The report outlines noise levels for the proposed 3 compressor units and the 2 fan units which are necessitated by air conditioning, ventilation and extraction systems. From the information provided, it can be confirmed that noise levels generated by this equipment will be suitably below the background noise levels experienced at the nearest residential properties. The nearest residential properties are those highlighted above on the opposite eastern side of Whiteladies Road. Absolute levels are used in this case rather than levels relative to the existing climate in this case as this is a worst case scenario typically used where noise climates are low. The information has been reviewed and confirmed as acceptable by the Council’s Pollution Control Team subject to a condition requiring noise from any plant and equipment to be at least 5 dB below the background level at all residential properties to ensure this level is maintained in perpetuity. On the basis of the information supplied, the Pollution Control Team is satisfied this will be achieved and the condition will safeguard this.

Noise Emanating from within the Gym

Section 7 of the Noise Assessment is in relation to noise which would emanate (such as music or activity) from within the gym. It is highlighted that the windows to the front of the unit are sealed panes and are non-opening and there are no further windows within the building. Windows are highlighted to be the weakest acoustic part of the premises. Therefore properties opposite the front of the premises would hold the most potential to be affected by noise emissions from within the gym. As such these windows have been conditioned to remain sealed and un-opening in perpetuity of the gym use.

The submitted acoustic report details that noise levels at the front of the premises opposite on Whiteladies Road from the use of the gym will be considerably lower than noise limits from National Guidance levels for noise which take into account the disturbing nature of the bass element of music. It is also concluded that any music played within the gym is likely to be at much lower levels than would be played within a nightclub, particularly overnight. The applicant has supplied a Site Management Plan which sets out the operation and management of the premises including the use of music. The plan states that classes, where music may be higher than general background audio comparable to that found at cafes/restaurants/bars, will be limited to between 06.15 and 20.30 on weekdays and mornings at weekends and thus avoiding more sensitive times. At other times background music will be played at appropriate levels. The Site Management Plan is conditioned as set out below to ensure the operation of the gym is in full accordance with the management and operational details provided.

The aforementioned condition with regard to noise from any plant and equipment to be at least 5 dB below the background level at all residential properties will apply to internal music also. As above, on the basis of the information supplied within the Noise Assessment, the Pollution Control Team is satisfied this will be achieved and the recommended conditions would safeguard this.

Air and Structure Borne Noise

The likelihood of both airborne and structure borne noise affecting adjoining commercial premises has been addressed at section 6 of the Noise Assessment. The report details internal noise levels from a similar gym, details of the current structure between the proposed gym and adjoin commercial uses and gives recommendation for improvements to both the party walls and party floor between the gym and the other uses. These include the provision of gym matting and an additional acoustic layer in free weight areas. Details of the exact specification insulation
to be installed have been requested by the Council’s Pollution Control Team and are conditioned accordingly below.

Although the gym would be open 24 hours, it is likely that its use would be significantly lower overnight. This is in comparison to both day time usage and in comparison to the existing use as a nightclub. The applicant has supplied statistics for a gym operated by the same company at Abbey Wood Retail Park, Filton. These figures show that on average 70 customers per week use the gym between the hours of 23.00 and 05.00. This would be under 2 customers per hour. It is accepted that use of the site in question may be higher due to the more populated location however it is accepted that use overnight is likely to be relatively minimal. Furthermore, this must be viewed within the context of the existing use of the site as a nightclub. The nightclub would likely attract peak levels of customers following closure of nearby bars or pubs between 23:00-00:00. The proposed gym would be less likely to experience such peaks in overnight attendance. As the gym would have no designated closing time, this would avoid a large concentration of customers departing the site at a given point. It is noted that there are also other gyms in Bristol which operate 24 hours in close proximity of residential accommodation without attracting complaint from residents. PureGym who have sites in close proximity of residential accommodation at Cabot Circus and at Lawrence Hill as well as Anytime Fitness on Queens Road are noted as examples.

The factors above with regard to foreseen customer levels, attendance patterns and the existing use as a nightclub should be given when considering the impact of customers arriving and departing the site. Concerns have been raised through public consultation in relation to this aspect of noise and disturbance. Specifically concerns are raised with regard to car doors shutting, engine noise and car stereos. It is highlighted that wide spread on street parking exists at present within the local area. The potential for cars navigating local streets and parking during the night is not a new introduction to the area and would not solely result from the proposed development. As highlighted above, levels of customers visiting the site during the night are likely to be low. Furthermore, reaching the site by car will only make up a certain percentage of the low number of customers visiting overnight. Any excessive or disturbing noise created by such customers is likely to be minimal and irregular. This must be considered against the characteristics of the existing use of the site as a nightclub which would create more regularly and concentrated noise pollution. The existing use would likely attract a high numbers of customers overnight with an increased propensity for noise generation resulting from the consumption of alcohol. Within this context, it is not found that customers arriving and departing the site by car would result in unacceptable impact on environmental amenity.

Concerns have also been raised through public consultation in relation to the potential for noise to travel further afield as a result of the railway line which runs beneath the site east to west. It is recognised that a number of residential properties back onto the railway line at Whately Road and Alma Street to the west and Imperial Road, Cotham Hill and Hampton Park to the east. This was recognised to be an issue with the existing use of the site as a nightclub. As highlighted above, the volume and bass levels of music associated use of the site as a nightclub would be much higher than those for the proposed gym. The supplied noise assessment demonstrates that noise levels experienced at nearest properties (35m from the site) will be suitably below the existing background noise levels. The properties backing onto the railway line are a minimum of 70m from the site. Over this increased distance noise would have more than sufficient distance to dissipate and would be below existing background noise levels at these properties also. The condition noted above requiring noise from any plant and equipment associated with the proposed use to be at least 5 dB below the background level at all residential properties will safeguard this.
To restrict the potential for disturbance to neighbouring occupiers as a result of waste collection and disposal, a condition is added limiting the collection of refuse to 08.00 and 20.00 Monday to Saturdays only.

As set out above, the applicant has supplied a Site Management Plan which will outlines a series of measures to ensure operation of the site is respectful of neighbouring occupiers. This will include measures such as proposed audio limits and hours, a complaints procedure, a warnings procedure for members, terms and conditions of members contracts, sign posting around the premises reminding members to be respectful of neighbours, details of access and security measures, confirmation that no alcohol will be served, sold or consumed on site, confirmation that windows will remain sealed/non opening at all times unless in case of emergency. The content of the Site Management Plan is secured via condition as detailed beneath.

Subject to the conditions noted in the preceding assessment, it is found that the proposed change of use would maintain acceptable living conditions and amenity at neighbouring properties and the proposed change of use would comply with all relevant planning policy in this regard, with no material consideration relating to noise and disturbance which would reasonably warrant refusal of permission.

(C) TRANSPORT & HIGHWAYS

Section 4 of the NPPF outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

Policy BCS10 (Transport and Access Improvements) of the Core Strategy states that developments should be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise. Proposals should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area. Proposals will be determined and schemes will be designed to reflect the following transport user priorities as set out in the Joint Local Transport Plan:

a. The pedestrian;
b. The cyclist;
c. Public transport;
d. Access for commercial vehicles;
e. Short stay visitors by car;
f. The private car.

Policy DM23 (Transport Development Management) of the SADMP outlines that new development should not give rise to unacceptable traffic conditions and will be expected to provide safe access to the highway network. The policy also outlines that new development should be accessible by sustainable transport methods such as walking, cycling and public transport. Furthermore, the policy sets standards for parking provision which can be found at Appendix 2. Car parking standards are maximum provisions and cycle parking standards are minimum provisions.
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The site is located within a designated town centre, on a main route to and from the city centre and therefore benefits from good accessibility via a range of transport modes. The site is located within a short walk of a large residential population. There are also a number of Sheffield stands situated within the public realm adjacent to the site which are suitable for short term visitor cycle parking. The site also approximately 15-30m from bus stops which are served by a number of high frequency services to a wide range of destinations within the city. It is highlighted that most of these run until approximately midnight, however certain services run later (Route 4 last departure from city centre at 2am). The site is also well situated for access via rail with Clifton Down Station situated directly beneath the site. Consequently, the site is accessible by a wide range of sustainable, active and low carbon transport modes.

With regard to car parking, it is noted that car parking standards are maximum provisions. The proposed change of use could accommodate a maximum car parking provision of 19 visitor car parking spaces in line with the standard set out at Appendix 2 of the SADMP. In this case, the site has no designated car parking provision. It is noted however there is a variety of publicly available car parking in the local area with the Clifton Down Shopping Centre car park being the largest, open from 07:00 to 22:30. Unrestricted car parking is available at various points on Whiteladies Road and on other streets locally generally from 17:00 to 09:00. This would therefore accommodate car parking after 22:30 when Clifton Down Shopping Centre is closed. There is also privately managed pay and display car parking at Clifton Down Station. Given the good access to the site by a large population on foot or bicycle and the public transport options noted above, it is concluded that the car parking provision is acceptable in this instance.

Refuse and Recycling storage is proposed to the rear of the site within x1 1100 litre bin which would be collected from this location by a private company fortnightly. This arrangement is deemed acceptable given the proposed use and is secured by relevant condition set out below.

(D) APPEARANCE, CHARACTER & HERITAGE

Section 7 of the NPPF outlines the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Section 12 of the NPPF outlines that in considering applications for development which impact heritage assets, an assessment of the heritage asset's significance must be made. Applications should then be determined in line with the desirability of new development making a positive contribution to local character and distinctiveness and the significance of the heritage asset. In this case, the site is located within the Cotham and Redland Conservation Area and with close proximity to a number of buildings which are both statutorily and locally listed for historic significance. The conservation area and listed buildings represent designated heritage assets in this case.

The Authority is also required (under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special regard to the desirability of preserving or enhancing the character or appearance of the area and the setting of listed buildings. Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Furthermore, paragraph 134 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
Policy BCS21 (Quality Urban Design) of the Core Strategy advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development.

Policy BCS22 (Conservation and the Historic Environment) of the Core Strategy states that new development will safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance.

Policy DM26 (Local Character & Distinctiveness) of the SADMP expands upon Core Strategy Policy BCS21 by outlining the criteria against which a development's response to local character and distinctiveness will be assessed. Development will not be permitted where it would be harmful to local character and distinctiveness or where it would fail to take the opportunities available to improve the character and quality of the area and the way it functions.

Policy DM27 (Layout and Form) of the SADMP outlines that the layout, form, pattern and arrangement of streets, open spaces, development blocks, buildings and landscapes should contribute to the creation of quality urban design and healthy, safe and sustainable places. It should make efficient use of land, provide inclusive access and take account of local climatic conditions.

Policy DM30 (Alterations to Existing Buildings) of the SADMP outlines that extensions and alterations to existing buildings will be expected to:

i. Respect the siting, scale, form, proportions, materials, details and the overall design and character of the host building, its curtilage and the broader street scene; and

ii. Retain and/or reinstate traditional or distinctive architectural features and fabric; and

iii. Safeguard the amenity of the host premises and neighbouring occupiers; and

iv. Leave sufficient usable external private space for the occupiers of the building.

It is stated that principles for the design of new buildings as stipulated at Policy DM29 (Design of New Buildings) will apply where development proposals involve new or altered shopfronts, external signage and/or external installations and security measures. Further information and detailed design guidance relating to shopfronts, security shutters and external signage can be found in Policy Advice Note 8 'Shopfront Guidelines'.

Policy DM31 (Heritage Assets) of the SADMP outlines that where development has an impact upon a heritage asset, it will be expected to conserve and, where appropriate, enhance the asset or its setting.

The site is notably situated within the Whiteladies Road Conservation Area which represents a designated heritage asset. The character of the local area is decidedly commercial at ground floor level, with a range of shops and services reflective of the location within a designated town centre. The proposed change of use would have a minor impact upon the exterior of the building. External alterations would be limited to the installation of a revised entrance door, and air conditioning compressors and ventilations louvres. The proposed compressor units would replace existing compressor units and result in an overall decrease in the number of compressors, thus slightly improving the appearance of the rear of the building. The revised entrance within the southern side elevation would be predominantly glazed. This would offer an upgrade on the existing door in this location and offer increased public surveillance over this area of public realm. Occupation of the unit and the associated activity would offer some benefit in terms of the appearance and vitality of the town centre.
It is highlighted that signage for the proposed use has been granted advertisement consent under a separate application (17/04234/A). This was highly revised during the application process and reached an acceptable outcome. It is noted that general signage locations are still shown on the submitted plans in respect of this application and that this represents the scale and amount of signage proposed before the revisions were made. The plans associated with this application do not however constitute advertisement consent in their own right and therefore does not give permission for a greater amount of signage than approved under application reference 17/04234/A. An advice to this end is added for clarity.

Overall it is concluded that the proposed change of use and external alterations would preserve the host building and the appearance, character and historic significance of the surrounding Whiteladies Road Conservation Area.

PUBLIC HEALTH

Paragraph 171 of the NPPF states that “local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation and places of worship), including expected future changes, and any information about relevant barriers to improving health and well-being.”

Policy DM14 (The Health Impacts of Development) of the SADMP states that development should contribute to reducing the causes of ill health, improving health and reducing health inequalities within the city through:

i. Addressing any adverse health impacts; and
ii. Providing a healthy living environment; and
iii. Promoting and enabling healthy lifestyles as the normal, easy choice; and
iv. Providing good access to health facilities and services.

Developments that will have an unacceptable impact on health and wellbeing will not be permitted.

Given the link between exercise and health benefits, the proposal for a gym as a flexible, well located, convenient and additional venue for exercise is found beneficial and compatible with the objectives of the above policies with regard to improving health.

COMMUNITY INFRASTRUCTURE LEVY

The proposed change of use would not be liable to pay CIL in this instance.

CONCLUSION

Subject to safeguarding conditions it is found that the proposed change of use would avoid such detrimental harm to the amenity and living conditions of neighbouring premise and occupiers to warrant refusal. The proposal would also make a positive contribution to the vitality, viability and diversity of the primary shopping area and town centre, aid crime prevention and benefit public health. The site has good access by a wide range of transport modes and no issues are found with regard to the safe and free flow of the public highway. The proposal would also preserve the appearance, character and historic significance of the surrounding Whiteladies Road Conservation Area. Consequently, the application is found to accord with all relevant national and local planning policy and no material considerations have been identified which would warrant refusal. On this basis, it is recommended that planning permission is granted, subject to the conditions beneath.
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Application No. 17/03716/F: Former Dorma Nightclub, First Floor, Clifton Down Station, Whiteladies Road, Bristol BS8 2PH

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

   The development hereby permitted shall begin before the expiration of three years from the date of this permission.

   Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Pre occupation condition(s)

2. Sound Insulation

   The use hereby permitted shall not commence until a detailed scheme of noise insulation measures for the partitions between the proposed use and adjoining commercial premises is submitted to, and approved in writing by the Local Planning Authority.

   The scheme of noise insulation measures shall take into account the recommendations detailed in the Noise Assessments submitted with the application.

   The approved scheme shall be implemented in full prior to the commencement of the use permitted and be permanently maintained.

   Reason: To ensure a suitable standard of amenity is maintained at adjacent premises.

Post occupation condition(s)

3. The operation of the premises and the associated gym use hereby approved shall be carried out in complete accordance with the Site Management Plan in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

   Reason: To ensure noise resulting from development would not impinge upon the residential amenity and living conditions of surrounding occupiers.

4. Noise from plant & equipment affecting residential

   The rating level of any noise generated by plant & equipment as part of the change of use shall be at least 5 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

   Reason: To ensure noise resulting from development would not impinge upon the residential amenity and living conditions of surrounding occupiers.
5. First Floor Windows

The windows at the first floor level shall remain closed and sealed at all times and in perpetuity for the use hereby approved except for routine maintenance or in the event of an emergency.

Reason: To ensure noise resulting from development would not impinge upon the residential amenity and living conditions of surrounding occupiers.

6. Refuse Storage and Collection

The use hereby permitted shall not commence until the refuse storage facilities allocated for storing of refuse and recyclable materials, as indicated within the supplied site management plan are completed in accordance with the supplied details. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated area or internally within the building that forms the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement. Refuse and recycling will be collected only between the hours of 08.00 and 20.00 Monday to Saturday and not at all on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the visual and residential amenity of the surrounding environment.

7. Use Restriction - General

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the premises shall only be used for the purposes specified in the application (gymnasium) and for no other purpose (including any other purpose in Class D2; on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

Reason: This use only is permitted and other uses, either within the same Use Class, or permitted by the Town and Country Planning (GPD) Order 2015 are not acceptable to the Local Planning Authority in this location because such uses would require full assessment against relevant local and national planning policy.

8. External Works to Match

All new external work and finishes and work of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance except where indicated otherwise on the approved drawings.

Reason: In the interests of visual amenity and the character of the area.
9. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

Planning, Design and Access Statement, received: 4th July 2017
Noise Assessment, received: 16th August 2017
Memorandum to Noise Assessment, received: 6th October 2017
Snap Fitness Site Management Plan, received: 6th October 2017
Location Plan, DB-SF-414-LP, received: 4th July 2017
Block Site Plan, DB-SF-414-BP, received: 4th July 2017
Existing Elevations, DB-SF 414-EX03, received: 4th July 2017
Existing Ground Floor Plan, DB-SF 414-EX01, received: 4th July 2017
Existing First Floor Plan, DB-SF 414-EX02, received: 4th July 2017
Proposed Elevations, DB-SF 414-EL06, received: 4th July 2017
Proposed Ground Floor Plan, DB-SF 414-GA04 (A), received: 16th August 2017
Proposed First Floor Plan, DB-SF 414-GA05 (A), received: 16th August 2017

Reason: For the avoidance of doubt.

Advices

1. Noise

The recommended design criteria for dwellings are as follows:

Daytime (07.00 - 23.00) 35 dB LAeq 16 hours in all rooms & 50 dB in outdoor living areas.

Nighttime (23.00 - 07.00) 30 dB LAeq 8 hours & LAmx less than 45 dB in bedrooms.

Where residential properties are likely to be affected by amplified music or sound from neighbouring licensed premises the recommended design criteria is a Noise Rating Curve NR20 at all times in any habitable rooms

2. Noise from Plant

Anti-vibration mounts should be used to isolate plant from fixed structures and a flexible connector used to connect the flue to the fan if there is a potential to transmit vibration to any noise sensitive property. Any systems will also need regular maintenance so as to reduce mechanical noise.

3. Signage

It is highlighted that the details of signage as shown on drawings submitted with this application would require separate advertisement consent. This application does not grant permission for or permit the display of any signs or advertisements.
Supporting Documents

1. **Former Dorma Nightclub**
   
   1. Site location plan
   2. Block plan
   3. Proposed first floor plan
   4. Proposed elevations
   5. Noise assessment
   6. Noise report memorandum
   7. Snap fitness site management plan
APPLICATION SITE
Clifton Down Station,
White Ladies Road,
Bristol,
BS8 2PH
NOTES:
ANY DISCREPANCIES ON THIS DRAWING ARE TO BE
CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCEMENT OF ANY WORK OR PREPARING
MANUFACTURING DRAWINGS

NOTIFIED TO THE DESIGNER IMMEDIATELY
PRIOR TO
ORDERING MATERIALS, OR COMMENCING FABRICATION OR CONSTRUCTION.

PLAN AND ELEVATION REPRODUCED FROM INSPIRE ARCHITECT'S DRAWINGS
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DRAWINGS MAY AFFECT THE INFORMATION SHOWN ON THIS DRAWING -
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PROPOSED FRONT ELEVATION B (EAST)

PROPOSED Rear ELEVATION D (NORTH)

PROPOSED SIDE ELEVATION A (SOUTH)

PROPOSED SIDE ELEVATION C (WEST)

PROPOSED SIDE ELEVATION E (WEST)
Snap Fitness, Clifton

Noise Assessment

Report 17/0537/R1
Snap Fitness, Clifton

Noise Assessment

Report 17/0537/R1

MSG Life Ltd

The Courtyard
Chapel Lane
Bodicote
Banbury
Oxon
OX15 4DB

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Noise Assessment

Attachments

Glossary of Acoustic Terms

17/0537/SP1
Site plan.

Appendix A
Development plans.

Appendix B
Noise survey of existing Snap fitness gym.

Appendix C
Music noise guidance criteria.

End of Section
1 Introduction

1.1 Planning permission (application ref 17/03716/F) is being sought for the change of use of a nightclub to a 24 hour gym at Clifton, Bristol. The environmental health department have raised some potential concerns relating to noise issues with the scheme. These include:

- Plant noise emission from mechanical services
- Activity noise (including music) breakout via façade and party wall/floor
- Impact noise to retail units below

1.2 This report sets out a summary of these issues, with technical assessments prepared where necessary.

2 Site Description

2.1 The site is a first floor commercial unit located at Whiteladies Road, Clifton, Bristol, BS8 2PH. The site and surrounding area can be seen in attached site plan 17/0537/SP1. The unit is part of a wider commercial building with retail units beneath at ground floor and adjacent at first floor. This building is next to the Clifton Down shopping centre as well as Clifton Down railway station (the rail lines passing under the building).

2.2 The site can be seen in the below image from Google Street view

2.3 The surrounding area is a busy urban location with existing retail and commercial units, where the road is also well trafficked. Daytime noise levels in the surrounding area are expected to be relatively high, especially in the day. We note that the unit was formerly used as a nightclub, with loud music playing into the early hours.
2.4 The nearest residential or ‘noise sensitive’ properties are located to the rear of premises on Whatley Road. The building on the corner with Whiteladies Road is a university building, with Canynge Hall adjacent set further down the road. This building is operated by the university, but it is not clear if it includes noise sensitive accommodation. Adjacent, even further down the road, is 37 Whatley Street, the closest purely residential dwelling to the rear of the development site.

2.5 To the opposite side of Whiteladies Road are commercial units at ground level with residential flats at the upper floors. The closest to the development site is the building opposite at 123-125 White Ladies Road (above Costa Coffee).

2.6 The proposed gym is to operate 24 hours a day. It is a primarily open plan space zoned into different exercise areas. The façade is glazed for large areas fronting the road. The rear facades will accommodate ancillary facilities and the façade in this location will be without windows. The site layout can be seen in Delta Bravo drawing DB-SF 414-GA05 (see Appendix A for drawing package) with the layout copied below:

![Site Layout Diagram]

2.7 As part of the scheme 3 condenser units to provide comfort cooling are to be installed to the rear of the building, fixed to the façade at first floor level. These units are replacements for 4 no. of existing unmitigated condensers serving the current night club; to be installed in the same location on the façade.

2.8 Some internally installed air plant will terminate through new louvres and grills on this rear wall. All internally installed plant will have in-duct silencers to reduce potential external noise emission.
3 Council Concerns

3.1 Mark Curtis of the Bristol City Council Pollution Control Team has comments on the application in an internal council email dates 27th July 2017. He noted:

“Whilst I would agree with the Design & Access Statement that the proposed use is likely to have much less impact with regards to noise than the existing nightclub use I do still have some concerns with regards to the noise from ventilation or air conditioning systems affecting nearby residents, the potential for music, particularly from classes affecting nearby residents and noise from the gym, particularly from the free weights area, affecting the commercial units below the proposed gym.”

3.2 In the absence of further information, 3 conditions related to noise were then proposed:

1. Noise from development

No development shall take place until an assessment on the potential for noise from the development affecting residential or commercial properties in the area has been submitted to and approved in writing by the Council.

The assessment shall include: noise from:

- Noise from any ventilation and air conditioning plant
- Noise from music
- Noise from the use of the gym, including free weights, affecting the commercial properties below

If the assessment indicates that noise from the development is likely to affect neighbouring affecting residential or commercial properties then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Council prior to the commencement of the development.

The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142: 2014 Methods for rating and assessing industrial and commercial sound and of BS 8233: 2014 " Guidance on sound insulation and noise reduction for buildings”.

The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

2. Noise from plant & equipment affecting residential
Noise Assessment

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

3. Use of Refuse and Recycling facilities

Activities relating to the collection of refuse and recyclables shall only take place between 08.00 and 20.00 Monday to Saturday and not at all on Sundays or Bank Holidays.

3.3 The gym operator would prefer to avoid any pre-commencement conditions that require further material to be submitted later; although the inclusion of informative conditions would be agreeable. This report sets out further details in order to provide additional information to remove the need for the above noted pre-commencement conditions to be included as any planning permission should it be granted.

4 Plant Equipment

4.1 Installation Details

4.1.1 Details of the plant installation have been provided by Delta Bravo and can be seen on their drawing DB-414-HVAV10 (included as Appendix A). Internally installed air plant includes 2 Heat recovery units (supply and extract) and 1 dedicated extract from the toilets and changing areas. These are all ducted items terminating through grills / louvres.

4.1.2 These will include in-duct silencers before terminating through the façade with a noise limit of no greater than 41dBA @ 3m from each of the terminations. This would limit a combined level of air plant to no greater than 30dBA externally at the façade. Noise from these items is therefore not expected to be a significant issue.

4.1.3 The proposed external plant equipment with external noise emissions are as follows:

- AC condensing unit – Toshiba RAV-SM2804AT (2 no. of)
- AC condensing unit – Toshiba RAV-SM1404AT (1 no. of)

4.1.4 The condensing units are proposed to be installed at first floor level on the rear façade of the building as show in Delta Bravo drawing DB-SF 414-EL06 (see Appendix A). These units are to replace 4 existing condenser units as illustrated on Delta Bravo drawing DB-SF 414-EX03 (see Appendix A). These condenser units have served the previous night club and therefore would have operated into the evening and night.

4.1.5 We note that there are also a large number of other condenser units serving the other retail units in the building. The image below from Google Street View clearly shows the large number already installed to the rear of the building (at least 16 from our visual count).
4.1 All plant will be installed with suitable anti-vibration mounts or fixings to avoid structure borne noise to adjacent commercial units.

4.2 Assessment

4.2.1 There is a net loss of one condenser unit as part of the proposal. Although details of the current units are not known, considering the number of other units already installed, all unattenuated and some visually looking like higher duty units, we would not expect the replacement of 4 units with 3 similarly sized ones, surrounded by at least 12 other units from other operators would cause a material difference in the noise climate as the nearest noise sensitive receivers which are at least 35m away (to Canynge Hall).

4.2.2 Considering the plant in isolation, without the contribution from other existing condenser units they are replacing, or other existing units of separate commercial premises, we have undertaken a basic calculation.

4.2.3 The SM2804 unit has a noise rating of 57-58dB (L_p@1m); the SM1404 unit is rated as 51-52dB (L_p@1m). A crude assessment indicates a total (façade incident) noise level of below 40dBA at the closest residential receivers which are at least 35m away. Given that openable windows are expected to provide at least 10-15dB from a façade incident level, internally noise levels would be 25-30dBA.

4.2 To add context to this, the internal noise levels stated in BS 8233 for sleeping conditions in bedrooms at night is 30 dB(A). Although this standard is typically considered for ‘anonymous’ environmental noise sources such as road traffic, it does illustrate how low the noise would be.
4.3 This approach of considering absolute noise levels rather than those set relative to the background in such circumstances is consistent with BS 4142:2014 which states:

“Where the initial estimate of the impact needs to be modified due to the context, take all pertinent factors into consideration, including the following.

1) The absolute level of sound. For a given difference between the rating level and the background sound level, the magnitude of the overall impact might be greater for an acoustic environment where the residual sound level is high than for an acoustic environment where the residual sound level is low.

Where background sound levels and rating levels are low, absolute levels might be as, or more, relevant than the margin by which the rating level exceeds the background. This is especially true at night.”

4.4 We would suggest that the assessed noise level, without any specific mitigation to the condensers is entirely reasonable and appropriate in such an environment considering the context of the area and existing plant installation being removed.

5 Impact Noise

5.1 We would not typically expect retail uses to be considered noise sensitive; however, given that gym use can potentially create higher impacts due to weights being dropped at times, it is prudent to consider the neighbouring retail units beneath the proposed gym.

5.2 We do not have confirmed details of the building structure, however understand the building to have concrete floor slabs. Measurement in situ is not possible as the other units are not in the gym operator’s ownership; however based upon experience from other Snap fitness sites, resilient acoustic matting will be installed in the gym to reduce impact noise.

5.3 The gym areas used for exercise (i.e. all areas except changing rooms, toilets, stairs etc) will be covered with at least a basic resilient gym mat for the floor finish. This is typical a 15mm thick mat used as standard by this gym operator. To the areas used for free weights, where impacts are more likely to occur, an additional acoustic layer will be used in addition to the typical gym mat, or otherwise a separate system including finish will be used.

5.4 Based upon previous measurements made in concrete frame buildings, the following options would provide good resistance to weight impacts down to a commercial environment beneath:

- 40mm thick CMS Regupol 40/80 plus standard (15mm) gym matting over
- 30mm thick GenieMatt Fit-30 (can be the final finish without additional mat over if desired)

5.5 The additional matting is not expected to be required to the ‘cardio’ areas or other areas where the dropping of weights is not expected. All weight machines should have a similar
Noise Assessment

acoustic resilient layer installed beneath where otherwise not installed over the same floor build up.

5.6 With the above noted resilient layers included, impact sound insulation and therefore structural noise transmission will be significantly reduced. Given that the units beneath are commercial, we would expect this to be sufficient for typical operations and uses.

5.7 We note that during daytime hours when the surrounding retail units will be open, the gym will be staffed, whereby patrons of the gym who may potentially misuse free weights and machinery (i.e. dropping rather than placing down) will be supervised and managed accordingly to their behaviour.

6 Sound Insulation

6.1 Introduction

6.1.1 The new gym will have a party wall with one adjacent unit at first floor and a party floor to multiple retail units at ground floor. We would expect the floor construction to be at least 100mm thick concrete, with additional heavy matting installed above.

6.1.2 Details of the existing party wall are not known, however we would expect a basic level of insulation to already be provided; however, as part of the fit out, a new lining will be installed to this wall, partly for fire purposes, but will also serve for acoustic purposes.

6.1.3 This particular gym at Clifton is to be open plan with one main room (zoned, but not physically divided). Typically, low level background music is played to the gym via a built in sound system with distributed speaks in the ceiling.

6.1.4 At some sites separate classes are operated, typically in a separate room, where portable gettoblasters are used to provide a separate sound track at higher volume. In this case, with the gym being open plan, this type of activity is unlikely to occur to the same volume, to avoid disturbance to other gym users. Also, being open plan, noise levels would not be as high as in other existing units where such noise is generated in a small room.

6.2 Criteria

6.2.1 Guidance as to appropriate noise levels to commercial premises can be found in BS8233:2014 Guidance on sound insulation and noise reduction for buildings, as well as CIBSE guide A. These are typically associated with more common environmental (i.e. transportation) noise break-in, however there is not specific guidance as to what is acceptable in terms of gym activity noise to commercial premises.

6.2.2 Tables 2 and 6 of BS8233 are repeated below with some example receiver types. In this case the current uses beneath or adjacent to the gym are retail and café / restaurant.
6.2.3 It can be seen that the lowest criteria noted for the type of adjacent use is 40dB $L_{Aeq}$. This is consistent with CIBSE guidance which notes dBA noise levels to restaurants and small shops of 40-45dBA. Such criteria are set in relation to the average $L_{Aeq}$ noise level. No specific guidance is given to maximum noise levels, as these are typically more relevant to sleep disturbance in residential dwellings.

6.2.4 Typically, in commercial developments with multiple tenants, some of which are of a ‘leisure’ nature, noise limits of NR45 $L_{max}$ are commonly used by landlords in lease agreements. This is more stringent than that noted above and also accounts for frequency content.

6.3 Noise Levels

6.3.1 Cole Jarman have previously measures noise levels in an existing Snap fitness branch, specifically at Windsor. Attached Appendix B sets out a summary of the survey conducted and the noise levels measured.

6.3.2 In summary average noise levels in the main gym area were up to 69dB $L_{Aeq}$. To a separate small studio room used for a class, with gettoblaster used levels were up to 84dB $L_{Aeq}$ for the short duration of the class. For this site, as a small separate room will not be provided, the
6.3.3 In terms of maximum noise level values of up to 96dB $L_{\text{Amax}}$ in the small studio were recorded with loud music, and 90-97dB $L_{\text{Amax}}$ due to weight being dropped in the free weights area. Again, due to the separate and reverberant nature of the small room where the studio noise levels were measured in Windsor, levels can be expected to be at least 5dB lower at Clifton in terms of the $L_{\text{Amax}}$.

6.3.4 We note that these levels were recorded in close proximity to the activities noted. Even from the machine to the party wall or façade, noise levels will be significantly reduced when away from the specific machines.

6.4 Assessment

Party Wall

6.4.1 The existing party wall build up from the proposed gym to adjacent first floor unit is not known, however a typical construction would be expected to provide the same acoustic performance as a single skin leaf of standard brickwork (i.e. 103mm brick).

6.4.2 The new lining to this existing wall will comprise 2 layers of 15mm SoundBloc or FireLine plasterboard installed on a semi or fully independent system such as British Gypsum Universal (semi) or IWL (fully) system. The Universal system is expected to have a lower performance as it does have some limited connection with the party wall. Manufacturer data suggests an improvement over a reasonable base wall of 13dB $R_w$ for the Universal system with 2 layers of 12.5mm SoundBloc and 25mm quilt in a 35mm cavity.

6.4.3 When combined with the base wall (assumed to be equivalent to 103mm brick) gives a lab rated sound insulation value of 60dB $R_w$ (for the purpose of assessment we have assumed the octave band performance of this build up as available from British Gypsum substantiation reports).

6.4.4 We have assessed the sound insulation to the receiver room, assuming a large (up to 30m$^2$) section of party wall between units and a typical reverberation time of 1.0s in the adjacent unit. On this basis, all of the different average and maximum noise levels as set out in tables T3 and T4 of Appendix B have been analysed; accounting for a 5dB relaxation to the studio noise levels due to the differences in design at Clifton for classes using a gettoblaster.

6.4.5 For the common general activity in cardio type area levels are assessed as NR18 $L_{\text{max}}$. For the worst case frequency combination of any use (including studio noise levels and heavy weights dropped) NR42 is reached at worst.

6.4.6 In terms of average noise levels 20dB $L_{\text{Aeq}}$ is typically expected from general cardio and weights area use. Even considering the noise levels from classes using a gettoblaster, only 29dB $L_{\text{Aeq}}$ is assessed.
6.4.7 The above assessment shows that entirely suitable noise levels will be provided to the adjacent unit via the lined party wall based upon the worst case noise levels potentially to be found in the gym.

Party Floor

6.4.8 The details of the party floor are not known, but from visual inspection of the southern façade, it appears to show a concrete floor interrupting the external brickwork. Given the spans between columns, we would expect the slab to be at least 150mm thick solid concrete.

6.4.9 Such a floor would typically provide at least $R_w = 52\, \text{dB}$. The inclusion of the additional flooring above and potential for ceiling beneath will enhance this figure, but reasonably one could expect at least $52\, \text{dB} \, R_w'$ in situ.

6.4.10 We have assumed a common section of floor area of up to $50\, \text{m}^2$ over any single room below, with the same 1.0s reverberation time in the retail spaces beneath. On the same assessment basis as considered for the party wall, for the common general activity in cardio type area levels are assessed as $\text{NR29} \, L_{\text{max}}$. For the worst case frequency combination of any use (including gettoblaster noise levels and heavy weights dropped) $\text{NR45}$ is reached at worst.

6.4.11 In terms of average noise levels $24\, \text{dB} \, L_{\text{Aeq}}$ is typically expected from general cardio and weights area use. Even considering the noise levels from classes using a gettoblaster, $38\, \text{dB} \, L_{\text{Aeq}}$ is assessed.

6.4.12 The above assessment shows that entirely suitable noise levels will be provided to the adjacent unit via the party floor, considering a pessimistic assessment basis in terms of assumed construction.

6.5 Summary

6.5.1 The gym typically operates with relatively low volume background music the majority of the time. Only specific classes of short duration utilise music of high volume. Levels of noise in an existing Snap fitness site have been quantified. A review of the party walls and floors have been undertaken making pessimistic assumptions of the constructions in the absence of more detailed information.

6.5.2 The assessment shows that noise levels to the adjacent commercial units will be within recognised industry standard guidance values.

7 Noise Breakout

7.1 Introduction

7.1.1 In a similar fashion to the internal sound insulation, the façade has also been assessed in terms of noise breakout. With the rear façade not containing any windows and the majority of the
construction being masonry, it is the windows to the front façade facing Whiteladies Road which is the area of façade considered for assessment.

7.1.2 To the opposite side of the road the closest residential receivers are at the flats above shops at upper floors of 123-125 Whiteladies Road, approximately 35m away. Other residences to the rear of Whatley Road will be well protected due to the layout and façade construction in that direction.

7.2 Criteria

7.2.1 The residences on Whiteladies Road are likely exposed to already relatively high noise levels due to the busy nature of the area, including pedestrian activity, road traffic and train noise. In the absence of any site survey data, one can assess to absolute levels rather than relative to the existing climate. This is a worst case which is typically used in situations where the noise climate is low.

7.2.2 There are various guidance documents related to music noise and low frequency noise affecting residential amenity. Attached Appendix C sets out various criteria. In summary the following limiting noise levels, to be calculated externally 1m from the façade, are proposed:

<table>
<thead>
<tr>
<th>Item</th>
<th>Noise Level ($L_{eq}$, dB) @ Octave Band Centred Frequency (Hz)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noise Limit</td>
<td>60 54 44 37 33 30 27 26</td>
</tr>
</tbody>
</table>

7.3 Assessment

7.3.1 We have based our assessment on the façade area of approximately 54$m^2$ directly facing the residences opposite which are some 35m away.

7.3.2 The façade is mostly glazed and are not openable windows, but fixed (sealed) panes. The makeup of the glass is not known, so we have considered the worst case of any octave band of standard thermal double glazing or 6mm single glazing.

7.3.3 We have assessed the typical cardio / weights area noise emission as well as the classes use of a gettoblaster as previously described for the internal sound insulation assessment. The assessed levels are summarised below:
7.3.4 It can be seen that the noise limits are met by a comfortable margin at all frequencies, even based upon the worst case noise levels and assuming just single glazing. Therefore, noise breakout via the façade is clearly acceptable.

8 Conclusion

8.1 Planning permission (application ref 17/03716/F) is being sought for the change of use of a nightclub to a 24 hour gym at Clifton, Bristol. The environmental health department have raised some potential concerns relating to noise issues with the scheme. These include:

- Plant noise emission from mechanical services
- Activity noise (including music) breakout via façade and party wall/floor
- Impact noise to retail units below

8.2 This report sets out commentaries and assessments of the above issues. Where necessary mitigation has been proposed to reduce potential noise impacts. This includes resilient matting to the floor to reduce impact noise and an acoustic lining to the party wall with neighbouring commercial unit.

8.3 External condenser plant equipment is not expected to require any specific mitigation; partly as it is replacing a number of existing units already present on site. The façade also does not warrant any upgrade in terms of sound insulation with noise breakout assessed comfortably within relevant criteria.

8.4 On the basis of the adoption of the above noted acoustic measures, we suggest that no specific planning conditions need apply to noise; however, if conditions are favoured, informative type, rather than pre-commencement type would be adequate.

End of Section
Glossary of Acoustic Terms

$L_{eq}$:

The notional steady sound level (in dB) which over a stated period of time, would have the same A-weighted acoustic energy as the A-weighted fluctuating noise measurement over that period. Values are sometimes written using the alternative expression dB(A) $L_{eq}$.

$L_{Amax}$:

The maximum A-weighted sound pressure level recorded over the period stated. $L_{Amax}$ is sometimes used in assessing environmental noise when occasional loud noises occur, which may have little effect on the $L_{eq}$ noise level. Unless described otherwise, $L_{Amax}$ is measured using the “fast” sound level meter response.

$L_{A10} & L_{A90}$:

If non-steady noise is to be described, it is necessary to know both its level and degree of fluctuation. The $L_{Aa}$ indices are used for this purpose. The term refers to the A-weighted level (in dB) exceeded for n% of the time specified. $L_{A10}$ is the level exceeded for 10% of the time and as such gives an indication of the upper limit of fluctuating noise. Similarly, $L_{A90}$ gives an indication of the lower levels of fluctuating noise. It is often used to define the background noise.

$L_{A10}$ is commonly used to describe traffic noise. Values of dB $L_{Aa}$ are sometimes written using the alternative expression dB(A) $L_{an}$.

NR

Noise rating level (NR) is a graphical method for assigning a single number rating to a noise spectrum. It can be used to specify the maximum acceptable level in each octave band of a frequency spectrum, or to assess the acceptability of a noise spectrum for a particular application. The method was originally proposed for use in assessing environmental noise, but it is now used in the UK mainly for describing noise from mechanical ventilation systems in buildings.
Figure 17/0537/SP1

Title: Site plan

Project: Snap Fitness, Clifton

Date: August 2017

Scale: Not to scale
Appendix A

Subject: Development Plans
Project: Snap Fitness, Clifton
Date: August 2017
Prepared: LM
Revision: 0
Approved: NJ

A1 Development Plans

A1.1 This appendix contains the following existing and proposed plans, elevations and mechanical services drawings produced by Delta Bravo for the development scheme:

- DB-SF 414-EX02 Existing first floor plan
- DB-SF 414-EX03 Existing elevations
- DB-SF 414-EL06 Proposed elevations
- DB-SF 414-GA05 Proposed first floor arrangement
- DB-SF 414-HVAC10 Proposed AC and ventilation plan
GROSS INTERNAL AREA
413 sq.m.
4445.5 sq.ft.

ADJACENT UNIT NOT PART OF THIS APPLICATION

Elevation A
Elevation B
Elevation C
Elevation D

FF. AREA
413 sq.m.
3767.37 sq.ft.

NOTES:
ANY DISCREPANCIES ON THIS DRAWING ARE TO BE CONSTRUCTED AND LICENSED BY PROFESSIONAL STRUCTURAL, MECHANICAL AND ELECTRICAL ENGINEERS.
CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING MANUFACTURING DRAWINGS.

SNAP FITNESS
Clifton Down Station, White Ladies Road, Bristol, BS8 2PH

EXISTING FIRST FLOOR PLAN

1:100 @ A2

10.02.17

DB-SF 414-EX02
Appendix B

Subject: Existing Snap Fitness Noise Levels
Project: Snap Fitness, Clifton
Date: August 2017

B1 Introduction

B1.1 In order to inform noise assessments of potential future SNAP fitness gyms the level of noise present in a typical existing SNAP fitness gym have been quantified. Noise source vary including patron activity, gym equipment, music from the built in sound system as well as music from temporary (portable) sound systems used for separate exercise classes.

B2 Noise Survey

Methodology

B2.1 A noise survey was undertaken on Monday 8th August 2016. Measurements were made in the existing SNAP fitness gym at the Windsor branch. The survey was conducted on a Monday evening which is understood to typically be one of the busiest days and times of the week.

B2.2 Measurements were made in three separate areas defined by the layout of the gym. These were:

- Studio room
- ‘Cardio’ and pin weights machines open plan area
- Free weights open plan area

B2.3 The studio room was a smaller, separate room approximately 5x8m in footprint. This room is only used for private instruction and small group exercise classes.

B2.4 The ‘cardio’ and pin weights area is an open plan part of the gym with various machines including running, cycling, cross trainer, etc as well as pin type weights machines and a small stretching area.

B2.5 The free weights area was also open plan, partially open to the ‘cardio’ area but contained predominately free weights and associated equipment.

B2.6 Nosie reading were made with 2 noise monitors, the equipment utilised was as follows:
Appendix B

### Existing Snap Fitness Noise Levels

<table>
<thead>
<tr>
<th>Item</th>
<th>Manufacturer</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sound Level Analyser (x2)</td>
<td>Norsonic</td>
<td>118</td>
</tr>
<tr>
<td>Acoustic Calibrator (x2)</td>
<td>Norsonic</td>
<td>1251</td>
</tr>
</tbody>
</table>

**T1** Equipment used during noise survey.

**B2.7** The survey equipment was calibrated before and after the survey and no significant drift was noted to have occurred.

**Activities**

**Studio**

**B2.8** Measurements in the studio were unattended with the monitor set up towards the side of the room, towards the middle of the main length. This position was chosen as it was not in the way and the noise climate was relatively uniform across the space. The flooring was a vinyl finish with an acoustically absorptive lay-in-grid ceiling throughout. The readings covered the entirety of a ‘power circuits’ class where 5-6 people plus the instructor were present. The main noise source was the portable sound system which was turned up to a relatively high level. In addition, the staff member was giving non-amplified vocal instruction over this music.

**B2.9** Measurements started at 18:00 while the room was empty, with the class starting at around 18:15 with the music turned up from 18:20. The music finished at around 18:43 with the class ending soon after and only people talking beyond that time until the end of the survey period. Measurements were made over continuous 1 minute periods from 18:00 until 19:00.

**Cardio and pin weights machines area**

**B2.10** Readings in the cardio area were made by moving the microphone around the large open plan area. Readings were concentrated in the more heavily occupied areas. The majority of the activity was on the cardio type machines with the pin weight machines only lightly used. Some noise from the free weights are was audible as the spaces join each other. The flooring in the space was a low pile carpet, with an acoustically absorptive lay-in-grid ceiling.

**B2.11** Three separate readings all of 5 minute of duration were made at 17:55, 19:10 and 19:20. The main noise source was the built in sound system which continually plays music, although not at a particularly high level. When in close proximity, noise from equipment such as running and rowing machines were the main sources. There were approximately 10 to 15 people using equipment in the area throughout the readings.

**Free weights area**

**B2.12** Measurements in the free weights area were made at a single position towards the side of the room, central along the width of the room. Average noise levels were generally low, again
being dominated by music on the built in system; however, the main noise source was short
term maximum events when weights were being dropped or placed back into racks. The
flooring in the space was a rubber matting tile, with an acoustically absorptive lay-in-grid
ceiling.

B2.13 Readings were made over continuous 1 minute periods from 18:05 until 19:25, covering a
busy period of use.

B3 Results

B3.1 The results of the measurements taken in the studio are shown in graphical form below. The
1 minute data has been presented.

B3.2 The results of the measurement in the cardio area are presented in the table below.
B3.3 The results of the measurements taken in the free weights area are shown in graphical form below. The 1 minute data has been presented.
The frequency content of the measurements in terms of average and maximum levels is summarised below for different activities and typical events. Full octave band data for all reading is available if required.

### Average ($L_{eq}$) Noise Levels

<table>
<thead>
<tr>
<th>Area / Activity</th>
<th>$L_{eq}$ (dB) @ Octave Band Centred Frequency (Hz)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>63 125 250 500 1k 2k 4k 8k dB(A)</td>
</tr>
<tr>
<td>Studio Class (long term)</td>
<td>74 82 80 76 75 68 63 56 79</td>
</tr>
<tr>
<td>Studio Class (during music)</td>
<td>78 86 85 81 80 72 67 60 84</td>
</tr>
<tr>
<td>Cardio area (typical activity)</td>
<td>66 68 65 65 62 59 57 54 68</td>
</tr>
<tr>
<td>Free weights area (typical activity)</td>
<td>69 68 64 64 65 62 61 58 69</td>
</tr>
</tbody>
</table>

### Maximum ($L_{max}^{fast}$) Noise Levels

<table>
<thead>
<tr>
<th>Area / Activity</th>
<th>$L_{max}$ (dB) @ Octave Band Centred Frequency (Hz)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>63 125 250 500 1k 2k 4k 8k dB(A)</td>
</tr>
<tr>
<td>Studio (Typical with music on)</td>
<td>84 96 93 90 93 81 77 70 93</td>
</tr>
<tr>
<td>Studio (Elevated low frequency event)</td>
<td>90 98 94 90 92 81 76 73 93</td>
</tr>
<tr>
<td>Studio (Elevated high frequency event)</td>
<td>85 95 92 92 96 88 78 73 96</td>
</tr>
<tr>
<td>Cardio Area (Typical activity without weights being dropped)</td>
<td>74 76 74 77 79 81 79 71 86</td>
</tr>
<tr>
<td>Free weights area (Average level)</td>
<td>82 79 78 78 79 75 74 70 83</td>
</tr>
<tr>
<td>Free weights area (Elevated low frequency event)</td>
<td>93 86 83 90 87 79 76 72 90</td>
</tr>
<tr>
<td>Free weights area (Elevated high frequency event)</td>
<td>84 79 76 77 95 89 85 81 97</td>
</tr>
</tbody>
</table>
B4 Conclusion

B4.1 Noise readings have been made at an existing SNAP fitness gym in Windsor. Levels of various activities in different areas of the gym were made; including in a studio space (exercise class) in a cardio and pin weights machines area and in a free weights area.

B4.2 Readings were made during a busy period representing typical activities undertaken at such gyms. Long term and short term readings were made and suitable average, typical and maximum noise levels have been quantified. Frequency spectra of the different activities has also been presented.

End of Section
C1 National Guidance

C1.1 There is general planning guidance in terms of noise set out in national planning documents such as the National Planning Policy Framework (NPPF), Noise Policy Statement for England (NPSE) and advice is also contained within published Planning Practice Guidance (PPG). However, the national guidance does not contain specific technical criteria to achieve and one must therefore consider other references and sources applicable to this scheme.

C1.2 The use as a gym might imply that music will be the main noise source, but it is not a public entertainment venue such as a pub or club. Nor is music noise an industrial source like plant equipment.

C1.3 There is no specific technical guidance we are aware of assessing the impact of gym noise on external receivers. We therefore look to some standards that are associated with music noise.

C2 IOA Pubs and Clubs guidance

C2.1 The Institute of Acoustics publication “Good practice guide on the control of noise from pubs and clubs” provides guidance which is appropriate for use in this instance. A working draft Annex on Criteria, Measurement Guidelines and Other Information was published in the IOA Bulletin Vol.28 No.6 in November 2002. This document proposed various noise emission criteria from entertainment venues, dependent upon the frequency of occurrence of relevant events:

A2.1 Venues where entertainment takes place less than 30 timer per year, not more than once in a single week, and end by 2300 hours. It is recommended that the criteria and measurement procedures set out in the Code of Practice on Environmental Noise Control at Concerts be applied (see Section 3, Note 5 to Table 1, p.6 of this Code of Practice). In effect, this means that the $L_{Aeq,15min}$ of the entertainment noise (the ‘music noise level’), should not exceed the representative background level $L_{A90}$ (without entertainment noise) by more than 5 dB measured 1 metre from the external façade of a noise-sensitive property.
Music Noise Guidance

A2.2 Venues where entertainment takes place more than 30 times per year, not more than once in a single week and ends by 2300 hours. Criteria applicable for both external and internal assessments at noise-sensitive properties. The $L_{Aeq}$ of the entertainment noise should not exceed the representative background noise level $L_{90}$ (without entertainment noise) by more than 5dB; and the $L_{10}$ of the entertainment noise should not exceed the representative background noise level $L_{90}$ (without entertainment noise) by more than 5dB in each third octave band between 40Hz and 160Hz. If the above criteria are met entertainment noise is generally audible but not overly intrusive inside noise-sensitive property.

A2.3 Venues where entertainment takes place more than once per week or continues beyond 2300 hours. Criteria applicable for both external and internal assessments at noise-sensitive properties. The $L_{Aeq}$ of the entertainment noise should not exceed the representative background noise level $L_{90}$ (without entertainment noise), and the $L_{10}$ of the entertainment noise should not exceed the representative background noise level $L_{90}$ (without entertainment noise) in any $1/3$ octave band between 40Hz and 160Hz. If the above criteria are met entertainment noise will be virtually inaudible inside noise sensitive property.

C2.2 It is noted that assessment of $1/3$ octave band performances is often hindered by lack of good quality data at planning stage. Because of this known issue, alternative guidance has been set by at least one other local planning authority. Details of Manchester City Council’s policy is noted in the following section.

C3 MCC / Moorhouse / DEFRA NANR45 Guidance

C3.1 Manchester City Council document ‘Planning & Noise – Technical Guidance’ (December 2015) was prepared by their own environmental protection and environmental health departments and covers a number of different topics in relation to noise.

C3.2 Of particular note from this document is section 3.6.1.2 related to ‘Entertainment Venues’. It notes that the overall (dBA) noise levels should be considered as well as the frequency content, but in whole octave bands.

C3.3 The document notes that for new accommodation proposed near to existing noise source:

‘Music noise levels in the 63Hz and 125Hz octave centre frequency bands ($L_{eq}$) should be controlled so as not to exceed (in habitable rooms) 47dB and 41dB ($L_{eq}$), respectively’.

C3.4 Where noise sensitive accommodation is existing and new noise sources are proposed, the document goes on to state the following guidance:

‘Entertainment noise ($L_{eq}$) should be controlled to 10dB below the background noise level ($L_{eq}$) without the entertainment noise present, in each octave band at the nearest noise sensitive location’.

C3.5 The MCC guidance also makes reference to the noise levels of NR15 ($L_{eq}$) at the lowest frequencies, but notes that this is too stringent at mid to high frequencies. It also references a
Music Noise Guidance

research paper by Moorhouse (Procedure for the assessment of low frequency noise complaints). This is the basis of the 63Hz and 125Hz limits noted above. The Moorhouse document was prepared as part of a DEFRA study under contract NANR45.

C3.6 The limits proposed by MCC in line with the NANR45 document are to apply internally and not externally. We note that previous case law has suggested higher levels of NR20 may be applicable for new residential dwellings, which would support the MCC statement that NR15 may be too stringent at mid to high frequencies.

C3.7 In terms of applying to existing residents where a new noise source is proposed, the MCC document goes on to note that:

Even though the Moorhouse curve does not specifically relate to entertainment noise (as per the caveat in the revised edition) these levels provide a good practical basis to assess low frequency music noise. They also provide a workable prediction for planning applications and a measurement method and assessment for in-situ low frequency issues in existing habitable spaces.

C4 Proposal

C4.1 Based upon the above referenced guidance documents, we propose the following noise limits should apply, internally, for this proposed scheme to noise sensitive accommodation:

Music noise ($L_{Aeq}$) should be controlled to 47dB and 41dB $L_{eq}$ at 63Hz and 125Hz respectively with the remaining higher frequencies to not exceed NR20, as assessed internally to any noise sensitive habitable room.

C4.2 We note that the above guidance is specific to this particular site and this set of circumstances. The suggested criteria may not be appropriate to other sites of similar uses, depending on the situation and context.

C4.3 The values noted above are set as internal levels to achieve. It is a well-established that that a partially open window will provide 10-15dBA reduction in noise level from outside to inside. The above values have therefore been relaxed (i.e. increased) by 13dB in each octave band to set external noise limits.

C4.4 For completeness, the following table sets out the suggest noise limits (also with details of the Moorhouse / NANR45 and NR20 values):
<table>
<thead>
<tr>
<th>Parameter</th>
<th>Leq (dB) @ Octave Band Centred Frequency (Hz)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>63</td>
</tr>
<tr>
<td>NR20</td>
<td>51</td>
</tr>
<tr>
<td>Moorehouse / NANR45</td>
<td>47</td>
</tr>
<tr>
<td>Suggested Internal Noise Limit</td>
<td>47</td>
</tr>
<tr>
<td>Suggested External Noise Limit</td>
<td>60</td>
</tr>
</tbody>
</table>

T1 Noise Levels
Memorandum

Project: Snap Fitness, Clifton
Subject: Noise Matters
Prepared: Lee Montague
Date: 06 October 2017
Reference: 17/0537/M1 Revision: 0 Approved: NJ

1 Introduction

1.1 This memo provides responses to concerns raised via the planning department (understood to originate from Cllr Denyer) prior to the forthcoming planning committee hearing. It should be noted that a full noise assessment report has been provide as part of the planning application (Cole Jarman report 17/537/R01).

1.2 We understand that the environmental health department of Bristol City Council have reviewed the assessment and are satisfied with its findings. The issues this memo addresses, raised via the planning department have not been raised as concerns by the environmental health department to date as far as we are aware.

2 Departing and Arriving Customers

2.1 The site is located at a busy high street location amongst other commercial premises. It was formerly a night club that operated into the early hours with potentially large number of people entering and exiting at night time hours. Patrons of the gym are more likely to arrive and depart individually rather than in groups as would be associated with a night club. The closest residences from the entrance of the gym are on the opposite side of Whiteladies Road and given the underlying noise in such an urban area, pedestrian activity of patrons of a gym on the far side of a main road are not expected to be of any significance.

3 Parking / Vehicle Movements

3.1 Regarding the issues of parking, we understand that there are a number of public parking bays on the main road (Whiteladies Road) what are unrestricted between the hours of 1700-0900. It is likely that people visiting the site within these evening, night and early morning hours would utilise such free parking which is in close proximity and easily accessible to the proposed gym. Side roads are effectively further away from the gym entrance than these parking areas on Whiteladies Road, and we would therefore expect people to park on the main road during such times.
Noise Matters

3.2 For clarity, the parking area directly to the rear of the unit is not for patrons of the gym and is controlled. The other parking in this area parallel to Whatley Road is private parking belong to the University that is not available for patrons of the gym and is subject to their enforcement.

3.3 Although the site is proposed for 24-hour use, the majority of users typically arrive in daytime hours. Through the late evening the former use was a night club, and it is highly likely that in such hours there would be a net reduction in car journeys, be it private vehicles or taxis. In the fringe hours of the morning, between 5-7am gym use does pick up. At these time we would expect the levels of traffic in the area to already be increasing, given the urban location. As noted, parking in such hours is available on the main road. Users at these times would likely come from various directions and not all by car, therefore the numbers parking in any one side street are expected to be minimal.

4 Noise Along the Railway

4.1 Regarding noise reverberating down the railway line, I would note firstly that noise from a gym is significantly less than that from a night club. Background music is typically relatively low and unlikely to be of a significant magnitude.

4.2 Slightly higher noise levels are generally created when specific instructional classes are given by staff, however our existing noise assessment that accompanies the planning application has considered such worst case noise levels, assessed to the very closest residential receivers to the opposite side of the road (noise mostly coming from the glazing fronting the road). Such classes that do produce these slightly higher noise levels are also only conducted during staffed hours and not through the night during what might be considered more sensitive periods. Nevertheless, we have assessed to the lowest noise limit (suitable for night time assessment) based upon worst case highest music noise levels and found the results to be acceptable. This demonstrates that limiting the hours of music is not necessary.

4.3 Even if noise did make its way to the railway lines, such positions are further away from the glazed front of the gym than the receivers considered in our assessment. Noise levels reaching the railway lines would be even lower than assessed; so when then assessed at any other receivers, levels would be even further below the noise limits.

4.4 The ‘rear’ façade of the gym which does directly front above the railway lines is a solid wall without any windows. The brickwork and internal linings will significantly reduce noise from inside the gym; the noise itself not being substantial in volume as it is.

4.5 Although noise may not dissipate as quickly along the railway lines as it would in open space or in a built up area with building in the way (i.e. within a reverberant corridor), the levels do not increase. Noise entering the corridor of the railways lines at the start would already be within permissible levels, therefore at all other locations away from the lines.

4.6 I emphasis the point that noise levels of a gym are nowhere near those of a night club and any noise issues that may have been experienced with the former use as a night club will be significantly reduced. Based upon the magnitude of the music noise in the gym, we would not
Noise Matters

expect significant radiation of noise into the railway lines either vertically through the structure of the building, through the masonry elements of the façade nor significantly via the glazed front of the building.

End of Section
SNAP FITNESS MANAGEMENT PLAN – MEMBER CONTROL AND SECURITY

FORMER DORMA NIGHTCLUB, CLIFTON DOWN, WHITELADIES ROAD, BRISTOL

This management plan sets out the procedures that will be in place at the proposed new Snap Fitness Gym, at the former Dorma Nightclub, Clifton Down, Bristol. The plan specifically relates to the measures and steps that are in place to manage and control members, should a member be found to be acting and behaving in an unacceptable manor, both during staffed hours, and when the gym is un manned, as well as general audio activity within the gym.

This plan will set out what procedures, warning stages, and consequences are in place to manage members who act disrespectfully within our business, and to our neighbors, and how our staff will be able to react to any such situation.

STAFFED HOURS OF THE GYM AND CLASSES

The gym will be manned on the following days and hours:

Mon – 8am to 9pm
Tue – 8am to 9pm
Wed – 8am to 9pm
Thur – 8am to 5pm
Fri – 8am to 5pm
Sat – 8am – 1pm

Snap Fitness will run a variety of classes within the gym. The earliest classes would start at 06.15 and the latest classes would start at 20:30. The classes are scheduled around peak times, such as before and after work. There are more classes during the weekdays than on weekends. During the weekends, classes take place in the mornings with only a few taking place in the afternoons and no classes scheduled for the evenings.
STAFF

Each gym has a General Manager, Assistant Manager, and between 2-4 Physical training instructors.

At the entrance to the Gym, the Manager’s contact details are displayed at all times, so members, and also members of the public, or other parties can contact the Manager at all times. Contact details of the manager can also be found on the Gym website. Contact details for the Manager of this specific gym will be: Jonti Johnson – 07788 311352

ACCESS SYSTEM AND MEMBERSHIP DATA BASE

All of our gyms are members only gyms. We do not offer daily passes, temporary passes, or pay as you gym. Therefore all members have to provide their address and contact details, including phone numbers, as well as bank account details. Members are issued with an access card, which enables them to enter the gym, 24 hours a day. The cards have to be used to access the gym, even when the gym is staffed, which means there is a constant log of who is using the gym at all times. The data base of member numbers, also allows us to instantly contact all members if required.

SECURITY

As well as the access cards, which enable us to have complete visibility to who is using our gym and when, the gym is also covered by a CCTV system. The CCTV system can be monitored in the Gym whilst it is staffed, and also remotely via an app which is used by the General Manager and Assistant Manager out of hours. The General Manager and Assistant Manager will have the ability, to instantly check the app, if for example, they are alerted to an issue via a member of the public, or another gym member during unmanned hours. The staff can then take the appropriate action, which may include checking who is using the gym at that specific time, attend the gym to deal with a situation, or in a worst case scenario, call the emergency services if deemed appropriate.

No alcohol will be served, sold or consumed on site at any time.

STANDARD WARNING PROCEDURE

As part of our staff inductions and training program, staff are made aware of and taught the three stage warning program that we operate across all gyms, which can be used to cover a wide range of issues, but generally is in place to manage and prevent anti social behavior, in particular noise, unnecessary dropping of weights, misuse of equipment etc:

Warning 1: Explain to the member that the noise is far and beyond what we can tolerate as a club & ask them politely to stop creating the noise;
**Warning 2:** Explain to the member that the noise has continued and if they are to continue making said noise they will ask to stop the exercise or behavior and leave the club, their access card will be disabled, so only to enable the member to access the club during manned hours, and will specifically have to contact a member of staff to access the gym.

**Warning 3:** Ask the member to stop what they are doing straight away and ask them to leave the club, suspend their membership and arrange a time to discuss this in greater length with the member.

**CUSTOMER REMINDER NOTICES**

We strongly hope that the above warning procedure will not be required, due to the close monitoring of members through our data base and access control. However, to remind our members to treat our gym, their fellow members, and neighbors with respect, the gym is well stocked with polite reminder notices, for example, in the free weights area, signs are placed to remind users not to drop weights. Signs will be in place across the gym, including the entrance area, reception, in the various zones, such as free weights, cardio, stretch and functional areas, to treat the equipment respectfully, and upon leaving the gym, to do so in a respectful manner so as not to disturb our neighbors. Examples of these notices can be provided if requested.

**AUDIO LEVELS WITHIN THE GYM**

Whilst most gym users will use their own audio devices, or plug into the equipment to listen to music/TV etc, we do play background music, for those that do not wish to use their own devices. This is very much set at a reasonable level (members do not wish to have overly loud music playing particularly as many of them wish to listen to their own devices) but we do not want to create a cold, sterile environment by having no music playing at all. The audio system is at the full control of the staff, and the levels and adjustment of levels are controlled by the staff, and are locked away in a server room which can only be accessed by staff. If necessary, the staff could reduce the background music to any level required before the gym is left unmanned and the levels would not therefore be able to be increased until the staff are present in the gym again.

Furthermore, the windows at gym level in particular, are permanently fixed shut, further reducing the likelihood of noise breakout or disturbance.