



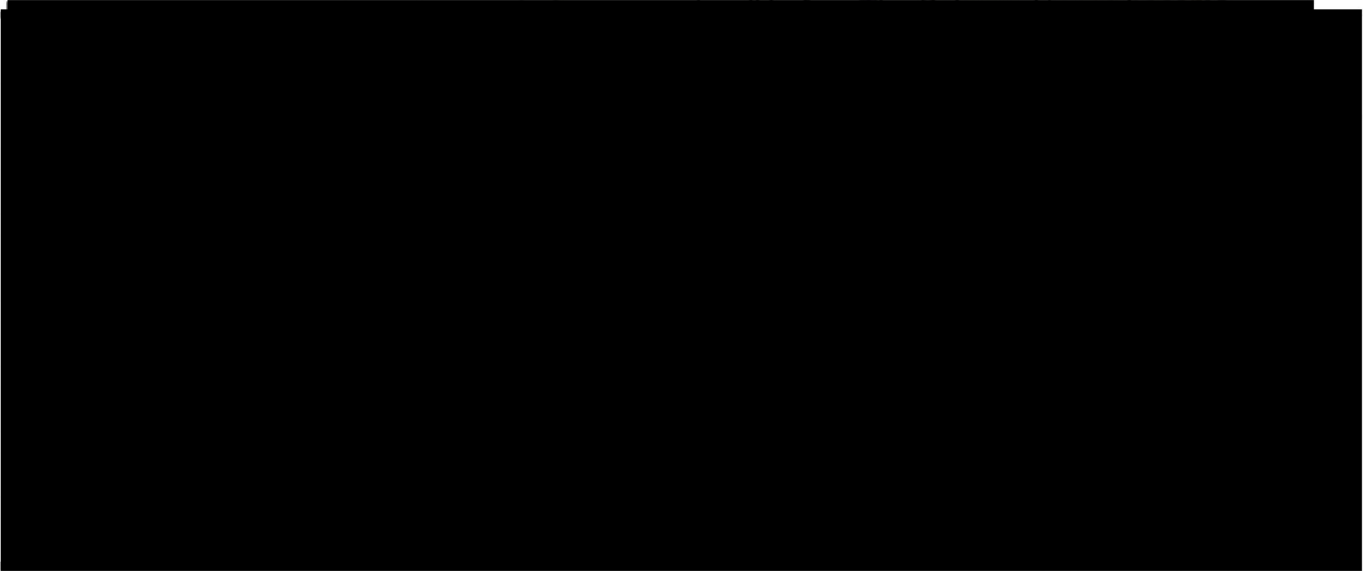
24/08/24.

FAO Kathryn Hughes.
Planning Department,
Ribble Valley Borough Council,
Council Offices,
Church Walk,
Clitheroe,
Lancashire.
BB7 2RA.

Letter delivered by hand and via email.

Formal objection to planning application 3/2024/0667 – regularisation of unauthorised change of use to bar and music venue – The Salvage House, Ground Floor Unit, 5b Abbey Works, King Street, Whalley, BB7 9SP.

I wish to formally object to the above-mentioned planning application and I will summarise the reasons for my objection below.



RVBC environmental health have also attended our neighbourhood and taken sound recordings. The recordings demonstrate excessive noise levels above permitted levels and indeed demonstrating that live and/or amplified music has been played outside of permitted hours as per the licensing and TENs requirements.

There have been numerous issues relating to bottle bins being emptied by staff at The Salvage House during prohibited hours (22.30 – 08.00) over recent years and the noise from this occurring has been horrendous. These issues have previously been reported to RVBC environmental health and licensing. I understand that the owners of The Salvage House have previously admitted to this conduct (and therefore breach of licence) and now have CCTV in place to monitor the emptying of bottle bins. However, this issue still continues, and this may be due to The Salvage House and also other venues along King Street, Whalley. It is disappointing that despite all the evidence supplied to RVBC about this particular issue nothing has been done by RVBC to enforce the licensing requirements re bottle bins.

During spring, summer and autumn months (weather permitting), customers of The Salvage House are regularly outside of the venue and make excessive noise. When live bands have been playing, [REDACTED]

At closing times, the noise from customers leaving the venue can be horrendous with screaming, shouting, singing, throwing of bottles/glasses et cetera. Having seen the numbers of people inside and leaving the venue over the past 3 years I can't understand how they have managed to have that many people safely inside their venue and in accordance with their licence/fire safety certificate.

To be clear, the issues of existing noise are not just late at night. They also relate to afternoons when there is live and/or amplified music being played which [REDACTED]

Whenever people have raised concerns or RVBC have visited The Salvage House to speak to the owners (who are rarely at the venue at peak times which is odd as owners/licensees of a licensed premise) [REDACTED]

[REDACTED]

for residents and no regard for relevant legislative requirements for the venue.


I therefore object to this application and would also wish for the application to be heard by RVBC planning committee and not dealt with by RVBC planning department.

Yours Sincerely,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 27 August 2024 17:22
To: Planning
Cc: [REDACTED]
Subject: Salvage House , Whalley 3/2024/0667

 External Email

This email originated from outside Ribble Valley Borough Council. Do NOT click links or open attachments unless you recognize the sender and are sure the content within this email is safe.

For the attention of Kathryn Hughes :

I write to formally object to the above application [REDACTED] severely affected by noise and disturbance from this venue .

Firstly , however , I have to say how surprised and disappointed I am , [REDACTED] , at your Departments discovery only recently that this venue does not have the necessary planning permissions in place and has been (and continues) operating unchanged even though the use is unauthorised.

This is even more incredible given the context of this site over the last two and a half years or more including dozens of complaints being made re excessive noise , Member involvement , meetings on site , environmental health concern , noise readings from affected properties and recently Members requests for the relevant licence to be reviewed following numerous and well documented breaches of the licence .

We now have a retrospective application to “ regularise “ the situation .

I am also concerned at the description of the development being regularised , which is flawed and incorrect .

This refers to the site being a bar and “ music venue “ . This is clearly what the applicants are seeking but does not reflect the existing situation , which is a restaurant and bar with occasional music events only permitted via a temporary event licence issued by yourselves as licencing authority .

A music venue per se and unlike the current situation would be a different use in terms of its scale and its potential impact .

This is worrying as this application does not regularise the existing situation at all and this description should be amended accordingly .

It is not a coincidence that the description of development seeks to effectively expand , embellish the use applied for whereas the applicants acoustic report seeking to play down noise nuisance only describes the use as drinking establishment and restaurant with no reference to music !!

We need to make it clear we have no objection to the use of the site as bar and restaurant , it is the regular loud and amplified music , djs etc which cause us severe noise disturbance often across a whole weekend .

It is absolutely essential that environmental health and licencing are consulted by yourselves in detail on these issues , which are extremely well documented and continue to cause concern , further complaints about noise disturbance having been made [REDACTED] .

The building itself is entirely inappropriate as a music venue being of an entirely prefabricated nature with no sound proofing or any form of mitigation available . Further , it would be practically difficult and financially prohibitive to attempt to retrofit sound proofing .

In addition to the above fundamental point the building is inadequate in other ways including lack of parking , difficult access for emergency vehicles , inadequate emergency exits particularly given numbers involved , inadequate toilet provision etc

Your licencing colleagues will provide information on the two and a half years of breaches of the licence including excessive noise levels (recorded) , overrunning music shut off times , emptying of bottles into bins late and into the early hours , shouting and general anti social behaviour from people outside the venue and at closing etc

Finally I have comments on the applicants acoustic report , which is superficial , flawed and certainly not objective or independent .

The report seems to start with the premise or conclusion of no problems and works backwards from there . How can this be at all objective for example when noise readings were taken on only one weekend with equipment mounted in the bar and yard area where performers , customers and staff were all aware . Is it surprising that recorded levels were low ?

No assessment or account has been taken of other noise receptors around the site , other neighbours to the site badly affected by noise disturbance [REDACTED] .

No account has been taken or comment made on the substantial volume of complaints made , readings taken over a two and a half year period , all well documented and of which we assume the author is aware ?

No account has been taken of other well documented issues arising such as music being played beyond permitted times , people assembled outside the venue and in the yard area , windows and doors wide open , the emptying of bottles at unsociable hours , shouting , yelling and other unsociable activity after closing time etc

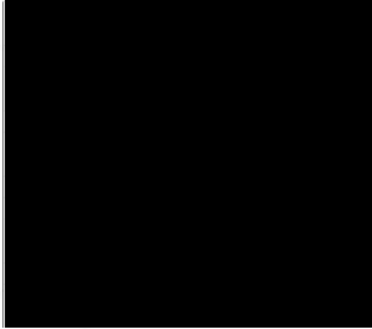
Very little weight can be placed on the findings of this report when subject to proper scrutiny .

In summary we only object to this application in so far as it relates to “ music venue “ .

[REDACTED] considerable period of time with your authority seemingly unable to deal with these issues .

As indicated , we are particularly concerned at the description of development and your inability or unwillingness to prevent this unauthorised use continuing with impunity .

[REDACTED]



22/08/24.

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I wish to formally object to the above-mentioned planning application. I will expand upon my reasons for objecting within this letter but I also attach a 9 page document detailing the number of noise complaints/licensing issues at The Salvage House over the [REDACTED] (RVBC environmental health team) and an email from [REDACTED] (previously the licensing officer for RVBC) dated 27th February 2023 which states that in his opinion as RVBC licensing officer, "the premises (The Salvage House) is fine for food and drink sales but when music is added the building is not fit for purpose".

I am also aware from conversations with [REDACTED] that other complaints have been made in relation to noise nuisance, alcohol related anti-social behaviour and drug misuse have been submitted to councillors which, on occasions, have been supported by CCTV evidence.

[REDACTED] relating to the noise levels emanating from The Salvage House which have [REDACTED]

[REDACTED] Additionally, some of these recordings also demonstrate a breach of licence by the owners and licensees when live and/or amplified music was being played not only to excessive levels but also either in absence of a temporary Events Notice (TENs) or outside the permitted hours or a valid TENs being in place.

RVBC environmental health have also taken sound recordings from the rear of Cornmill Mews, Whalley and found that noise levels not only exceeded permitted levels but also recorded the

fact that music was being played outside of permitted hours as required within a TENS being in place.

As such, I would request that the evidence obtained by RVBC environmental health also be reviewed alongside any objections.

[REDACTED]

that The Salvage House has been operating unlawfully for the past 2 ½ years as there has been no planning permission in place for live and/or amplified music. This clearly reflects poorly on RVBC but also provides an indication of how poorly the premises are run by the owners and licensees. I am at a loss as to how a venue can operate without relevant planning permission for 2 ½ years and is now able to apply for retrospective planning permission particularly when reviewed alongside the well documented complaints regarding The Salvage House over the same 2 ½ year period. I am also concerned that due to the existing situation where The Salvage House has been operating unlawfully for 2 ½ years due to errors by RVBC, that the planning application may be supported to avoid embarrassment to RVBC. It is my view that this planning application must be heard by Planning Committee.

Excessive noise complaints from The Salvage House.

As you can see from the enclosed 9-page document, there is an extensive history of noise nuisance and excessive noise from when The Salvage House either have live bands/artists performing and/or whenever they play amplified music. The noise levels are such [REDACTED]

[REDACTED] to the noise levels. The noise levels have also been at such volumes that even [REDACTED]

[REDACTED] music from The Salvage House. We should not be prevented from [REDACTED] actions of The Salvage House. The attached document provides a well evidenced timeline (all of which have been reported to RVBC environmental health and licensing over the past 2 ½ years so I do not intend to further rehearse the evidence contained within that document.)

[REDACTED] to RVBC environmental health to provide further evidence. These recordings are clearly [REDACTED] accuracy and transparency.

RVBC environmental health have also [REDACTED] taken sound recordings. The recordings demonstrate excessive noise levels above permitted levels and indeed demonstrating that live and/or amplified music has been played outside of permitted hours as per the licensing and TENS requirements.

The noise report prepared by [REDACTED] over the days of 28th and 29th June 2024 and attached to the planning application is, quite simply, laughable. The recordings were taken over a 2-day period and undoubtedly the owners, licensees and performing artists will have been fully aware of the presence of the sound recording equipment. As such, it is obvious that the noise levels would be to an acceptable level from the perspective of The Salvage House. The positioning of the sound recording equipment is also questionable. The noise report is in direct contrast to the reality of the situation over the past 2 ½ years, the enclosed evidence, the number of complaints during that period and indeed contrary to the noise level recordings taken by RVBC environmental health. I would therefore question the impartiality, suitability and validity of these recordings.

The Salvage House has no noise attenuating or noise reduction materials in place. It is basically a wooden framed and cladded building with a tin roof which further amplifies the noise rather than reduce it. It is strange that when other licensed venues along King Street have live and/or amplified music being played that there are no noise issues. One can only presume that is due to effective management of those venues and indeed their building structures. As Jason Middleton, previously licensing officer for RVBC, states in his attached email, The Salvage House is not fit for purpose regarding live and/or amplified music being played.

There have been numerous issues relating to bottle bins being emptied by staff at The Salvage House during prohibited hours (22.30 – 08.00) and the noise from this occurring has been horrendous. These issues have previously been reported to RVBC environmental health and it is my understanding that the owners of The Salvage House have previously admitted to this conduct but now have CCTV in place to monitor the emptying of bottle bins. However, this issue continues (as demonstrated in the attached document). It should be noted that the emptying of bottle bins outside of permitted hours may also be due to the actions of other premises along King Street but despite complaints to RVBC this activity continues with no attempt to improve the situation or indeed by sanctioning the offending premises and staff.

During summer months, customers of The Salvage House are regularly outside of the venue and make excessive noise. When live bands have been playing, we are effectively subjected to mass karaoke which makes the noise nuisance even worse.

At closing times, the noise from customers leaving the venue can be horrendous with screaming, shouting, singing, throwing of bottles/glasses et cetera. As you will be aware, the licensing industry expects licensees to have suitable egress plans in place for their venues that reduces excessive noise and/or anti-social behaviour. I would argue that The Salvage House staff do nothing to improve this situation, nor am I convinced that they have such a documented plan in place for when customers leave their premises.

To be clear, the issues of existing noise are not just late at night. They also relate to afternoons when there is live and/or amplified music being played [REDACTED]

[REDACTED] whenever The Salvage House have live music and/or amplified music events. That is simply unacceptable. [REDACTED] and until The Salvage House started playing live/amplified music there were no issues whatsoever.

Suitability of The Salvage House to operate as a bar or a music venue in relation to toilet facilities.

I understand that The Salvage House is licensed for 135 customers and provides food, drinks and subsequently operates as a bar and music venue. The submitted plans show 3 toilets inside the venue which are for use by 135 customers, catering staff and bar staff. It is my understanding that the legal requirement for the provision of toilets for a licensed venue serving food that has 100 – 150 customers require a minimum of 3 toilets. However, where a licensed premises operates as a bar/pub/nightclub then there is a requirement to provide more toilets namely 2 toilets per 40 males (plus urinals) and 1 toilet for every 25 female customers. I therefore question how The Salvage House has permission to operate for 135 customers (plus staff) with the number of toilets they provide as per their planning application. This becomes an additional issue due to the numbers of people urinating along King Street, the footpath between George Street and Cornmill Mews adjacent to Whalley primary School as they are unable to access toilets in The Salvage House. I am aware that this issue, specifically

relating to customers from The Salvage House urinating and vomiting in public due to lack of toilet facilities, has been raised with local councillors and supported by CCTV footage.

Licensing breaches by The Salvage House.

Under the terms of the licence, the owners and DPS of the premises are expected to be at the venue during busy periods. [REDACTED]

[REDACTED] area and are rarely at the venue. As such I would question how they can effectively manage the venue and address issues "real time." They are also in complete denial of the existing issues and complaints regarding their venue. A review of their comments on their social media relating to the complaints, the cumulative impact assessment ([REDACTED]), a personal attack on local councillors and comments about complaining residents demonstrates that they are routinely absent when the venue is open, unprofessional and I would question their ability to be "fit and proper" persons to be licensees.

There have also been breaches of their licensing/TENs conditions which include –

- 06/12/22 Excessive noise/music between 19.00 and 23.00 (music should stop at 22.30) and emptying of bottle bins at 23.30.
- 30/12/22 Excessive loud music/noise 20.00 – 23.10 and emptying of bottle bins between 23.30 and 23.50.
- 31/12/22 Excessive loud music/noise 19.30 – 00.00 and emptying of bottle bins up to 01.00.
- 07/01/23 Excessive loud music up to 23.00 (breach of TENs)
- 25/02/23 Excessive loud music up to 23.00 (breach of TENs) and emptying of bottle bins once customers left.
- 28/05/23 Excessive loud music until 23.00 (breach of TENs) and emptying of bottle bins at 23.55
- 28/08/23 Excessive loud music 19.00 – 23.00. No TENs in place at all for this event.

The attached document provides further information of licensing breaches, and the above examples are merely a "snapshot" not only of excessive noise but also repeated and continuing licensing breaches.

There have also been several occasions where I would argue that the numbers of people inside the venue are more than what I understand to be their maximum occupancy levels of 135 people. Having walked past the venue during summer months I would state that the numbers of people physically inside their venue and in the "beer garden" are well beyond those levels.

[REDACTED] would suggest that the numbers of customers in the venue on occasions would present serious risk to life and property in the event of an emergency and/or evacuation of the premises. This is further exacerbated by the number and width of their exits, poor lighting, uneven ground around access and egress points. I therefore question how effective The Salvage House staff are in relation to monitoring the number of people entering their venue and how they control/restrict numbers accessing the venue. The number of customers and the noise that they cause also contributes significantly to the excessive noise issues at The Salvage House.

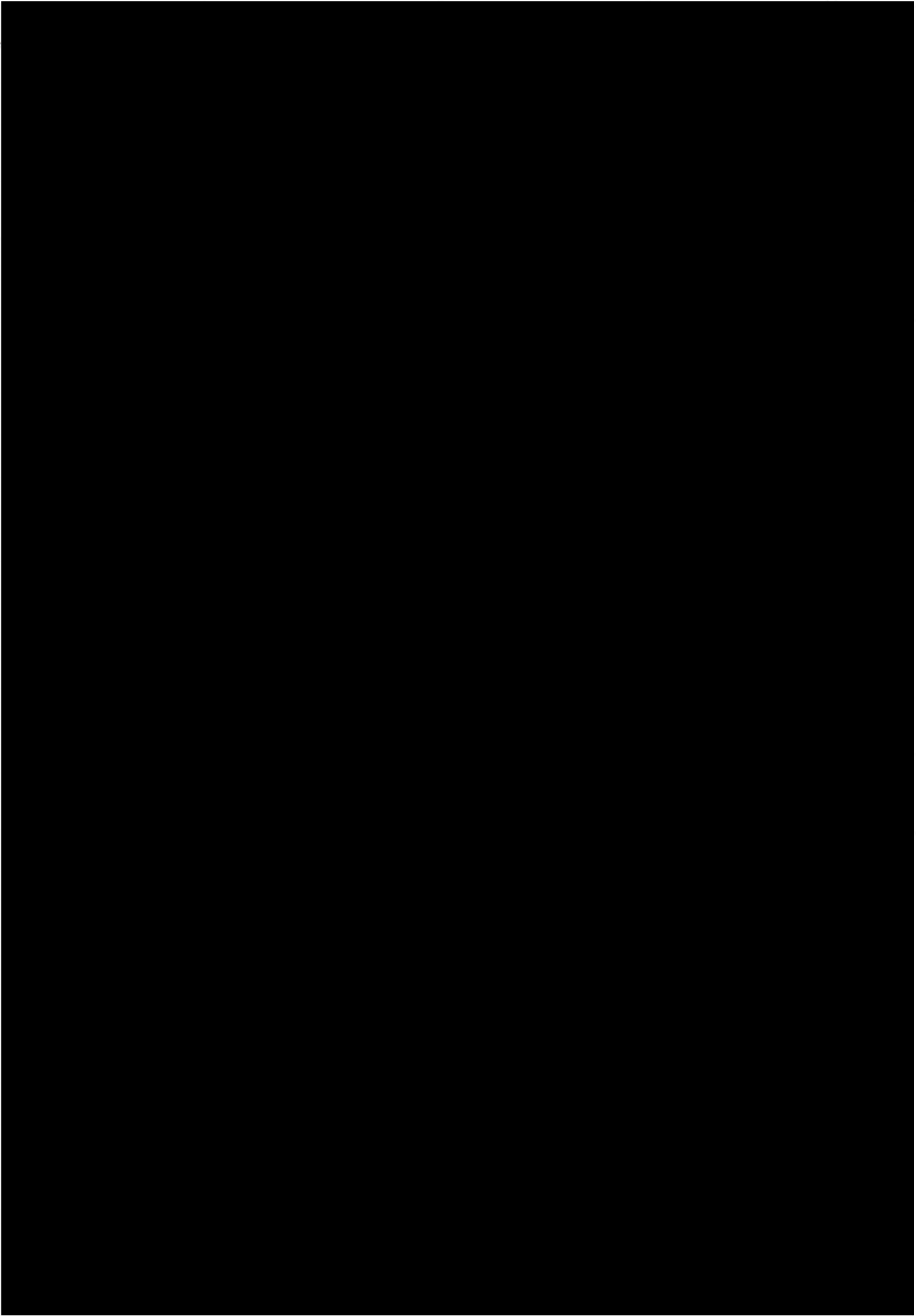
Having reviewed their planning application, it shows that there are 2 bars and 3 seated areas for customers. There is no indication what the layout of the seated areas looks like/numbers of people per table et cetera. This becomes important when determining what a safe capacity for a venue is as the presence of tables/seating areas reduces the safe number of people per

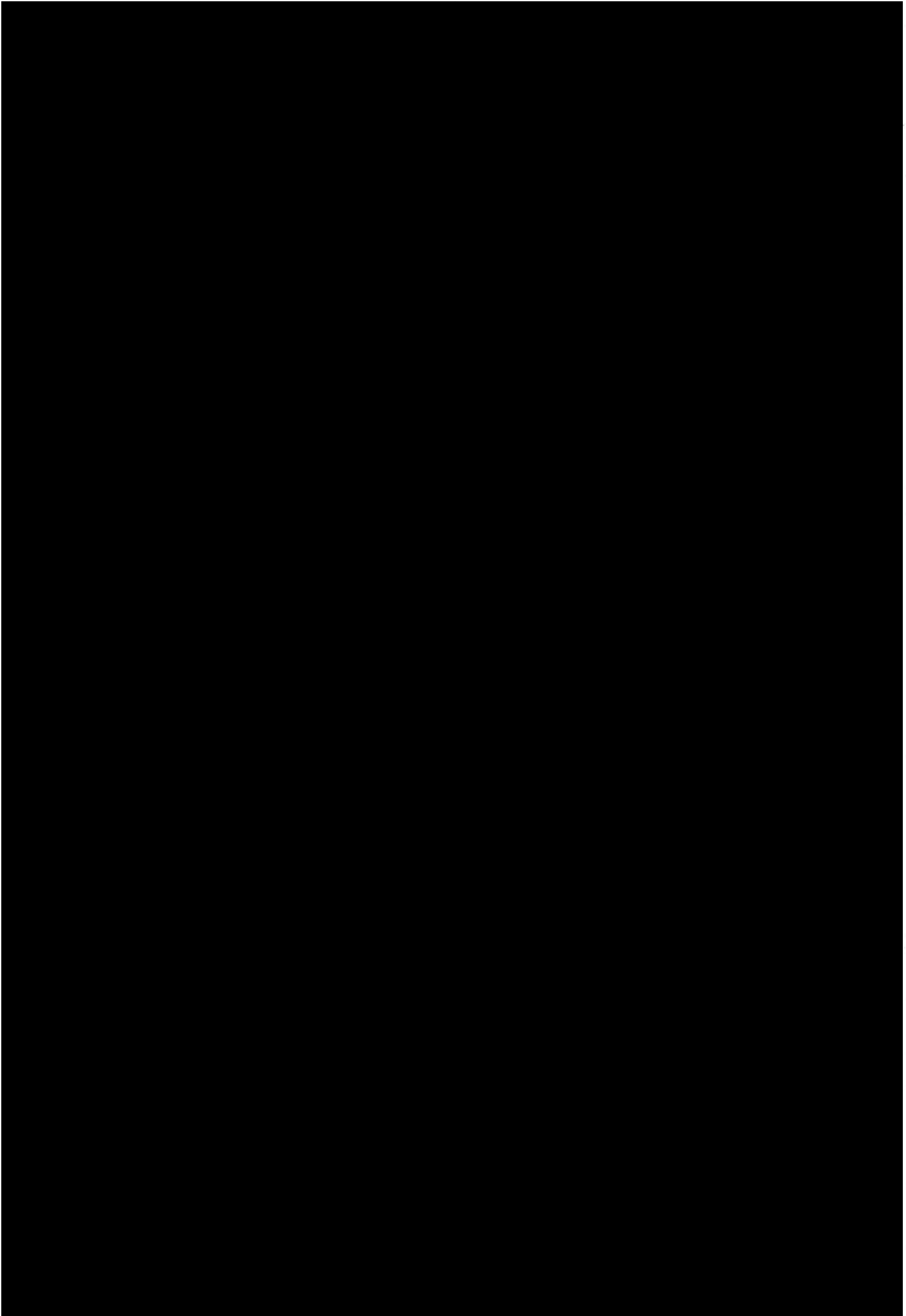
square metre that can be contained within a venue and be able to exit a venue in case of emergency. The submitted plans also indicate one entrance (single door) and a double door that exits onto the beer garden area. That provides very limited options for emergency ingress or egress as when planning for emergency egress, you should work on the assumption that at least one of your emergency exits has been compromised and therefore not available.

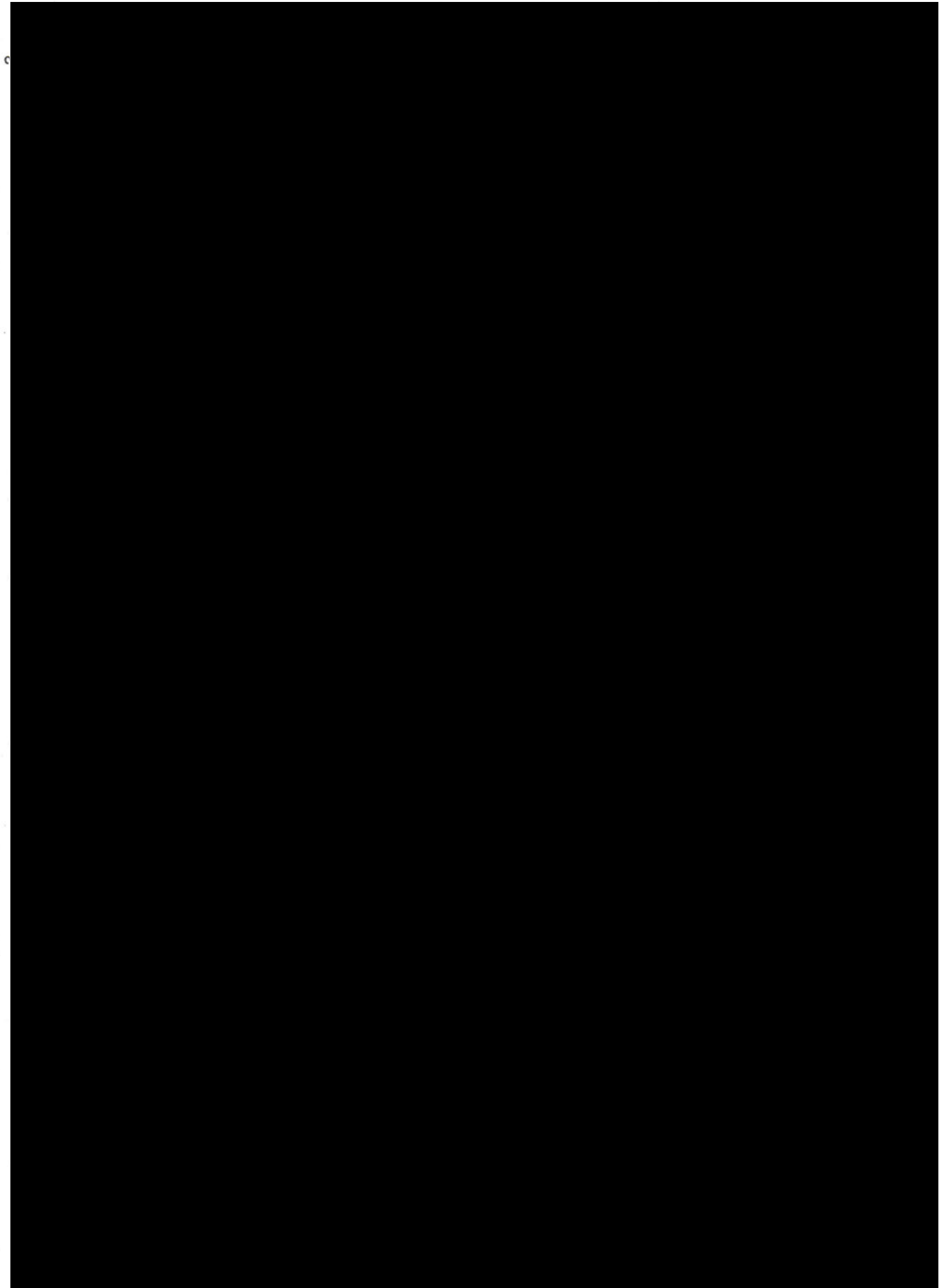
It is my view that the way The Salvage House operates, not only breaches noise nuisance legislation but fails to comply with one of the four licensing requirements namely prevention of public nuisance. The overall situation is clearly a breach of that licensing requirement, and I would suggest that not only is this planning application refused but there should also be an urgent review of The Salvage House licence.

Yours Sincerely,









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