



I am a resident of Marsden and support the success of businesses operating on Peel Street, the commercial heart of the village. As such, I support the application by Oi Café.

Peel Street comprises of ground floor shops, cafes and restaurants with residential premises on the first and second floors above. My comments relate to the planning application for the extension of operating hours for Oi Café.

A review of the planning documents shows the main concern of the neighbours who reside above Bits and Pieces is the level of noise generated from the adjacent Oi Café. In particular, comments relate to noise levels in the lounge and bedroom areas.

It is worth noting the layout of both premises when considering any potential noise impacts. In Oi Café the restaurant area is located on the ground floor. In the adjacent building the ground floor is the location of Bits and Pieces commercial premises, with the lounge room on the first floor and bedroom on the second floor. Therefore, there is some distance between the point noise is generated and potential noise receptors.

It is understood Oi Café have also introduced noise mitigation measures such as the type of flooring used on the ground and first floors and padding on the bottoms of chairs and tables to minimise noise levels. Oi Café have also implemented other practical measures such as: keeping doors and windows closed – the café has a mechanical ventilation system; and putting up signs to remind customers to respect neighbours and leave quietly.

The consultation response from the environmental health team mentions the operation of 'plant'. This is taken to mean 'plant' used for cooking purposes. While there may be some noise generating activities from the kitchen this is situated on the ground floor of Oi Café to the rear of the building. It is also unclear the basis the environment team have made their conclusions when Oi Café has only recently opened and started operating. There is no indication a noise assessment has been made to determine the observed effect levels as per planning practice guidance paragraphs 003 and 004.

In respect of hours of operation and noise generating activities the Noise Act 1996 defines night hours as 11pm – 7am where noise should be limited. The application for opening hours is until 11:30pm, however granting permission to 11pm may be reasonable in light of the requirements of the Noise Act.

In addition, planning practice guidance (paragraph 011 ref ID: 30-011-20190722) indicates noise impacts may be partially offset if residents have access to quiet spaces either within their dwelling or 'relatively quiet, protected, external publicly accessible amenity space that is nearby'. The village has a park, green spaces, an accessible canal walk and moorland which are quiet spaces all nearby to Peel Street where the residents neighbouring Oi Café live.

In summary, the economic benefits Oi Café offers through local employment opportunities and the amenity value it brings to the residents of Marsden are important considerations to take into account in determining the application.