

PLANNING APPLICATION NUMBER:P11/0126

Type of approval sought	Full Planning Permission
Ward	WOLLASTON & STOURBRIDGE TOWN
Applicant	Mr Duncan Mark Wooldridge, Quantum Mouldings Ltd Mr Duncan Mark Wooldridge, Quantum Mouldings Ltd
Location:	QUANTUM WORKS, 133, ENVILLE STREET, STOURBRIDGE, STOURBRIDGE, WEST MIDLANDS, DY8 3TD
Proposal	REMOVAL OF CONDITION 6 OF APPROVED PLANNING APPLICATION P10/0696 WHICH READ: 'ANY ACTIVITIES WITHIN THE EXTENSION HEREBY APPROVED SHALL NOT BE UNDERTAKEN BEFORE 0730 HOURS OR AFTER 1700 MONDAY TO FRIDAY BEFORE 0900 HOURS OR AFTER 1300 SATURDAY AND NOT AT ALL ON SUNDAYS AND PUBLIC HOLIDAYS'.
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The application site is located in a mixed residential/industrial/commercial area. It is currently used for the manufacturing of plastic mouldings and contains several buildings and areas of open storage and parking. The site is narrow and deep, projecting approximately 120m from the highway into an area that is entirely residential in nature. The site is bounded by the rear gardens of residential properties on Maypole Drive along the bottom half of the western boundary, and by the gardens of dwellings on the eastern and southern boundaries.

PROPOSAL

2. Permission was granted in August 2010 for the erection of a single storey building on the south-west boundary of the site in an area currently used for open storage (application P10/0696). The permission was subject to the following condition, amongst others:

Condition 6

Any activities within the extension hereby approved shall not be undertaken before 0730 hours or after 1700 Monday to Friday before 0900 hours or after 1300 Saturday and not at all on Sundays and Public Holidays.

This application seeks to remove this condition. The applicant's justification for the removal of the condition is as follows:

The normal start time at the premises is 7am, although there are times when work starts earlier than 6am. The approved new building is to be used for the final assembly of goods. Whilst this will generate some noise, the building has to be acoustically insulated under the terms of Conditions 3 to 5 of the consent and should therefore not result in noise disturbance to neighbouring properties. However if work cannot commence until 7.30 am under the terms of Condition 6 then the building will be used for storage purposes only, and the assembly process will take place in Unit D instead (which is adjacent to the site of the approved building). This will result in a quiet operation taking place in the new, well acoustically insulated building and a more noisy operation in the adjacent building which is not so well insulated.

HISTORY

3.

APPLICATION	PROPOSAL	DECISION	DATE
P10/0696	Erection of Building to Connect Units C and D	Approved Subject to Conditions	August 2010

PUBLIC CONSULTATION

4. 35 letters have been received from Maypole Drive, Agenoria Drive, Hemmings Close and Enville Street, objecting to the application on the grounds that removal of Condition 6 will exacerbate existing noise problems emanating from the site.

OTHER CONSULTATION

5. Group Engineer (Development): No objection.
6. Head of Environmental Health and Trading Standards: This application relates to an amendment to the current hours of use for the extension only. It should be noted that there are no restrictions in the hours of operation for the remainder of the site.

A visit has been made to the new extension which has been constructed and is currently in use. The planning permission allows the assembly, inspection and storage of products within the extension. Condition 5 of application P10/0696 requires that:

“Prior to first approved use, the proposed building shall be constructed to provide sound attenuation against internally generated noise of not less than 35 dB averaged over the frequency range of 100-3150Hz”.

Condition 5 was attached to the planning permission in order to protect the amenity of nearby residents. The applicant has submitted details to demonstrate that the development took place in accordance with the requirements of this condition.

Providing that all other relevant conditions are adhered to, and doors to the extension are closed at all times except for access and egress, the extension should adequately contain internally generated noise. After careful consideration it is considered that as Condition 5 of the planning permission has been complied with there is no objection to extending the hours of use to those requested by the applicant. The following condition should be imposed if permission is granted:

Any activities within the extension hereby approved shall not be undertaken before 0600 hours or after 1800 Monday to Friday before 0600 hours or after 1300 Saturday and not at all on Sundays and Public Holidays (Reason - To protect the amenities of the surrounding residents and to comply with UDP Policies EP7 and DD4.).

RELEVANT PLANNING POLICY

7. Saved Unitary Development Plan Policies

- Policy DD4 (Development in Residential Areas);
- Policy EP7 (Noise Pollution)

ASSESSMENT

8. The new extension will be used to carry out final assembly and inspection which is currently done in the rear yard area. There is some noise and dust associated with this and to be able to do this work inside a unit will benefit the occupiers of neighbouring residential properties as the noise and dust will be confined to the new extension.
9. In addition to the restriction of the hours, the following conditions were imposed on the previous application relating to the use of the extension:
- Before any plant and machinery is used in or on the extension hereby approved it shall be enclosed with sound insulating material in accordance with a scheme to be approved in writing by the local planning authority, and all works which form part of the scheme shall be completed before the extension hereby approved is brought into use and thereafter retained for the lifetime of the development.
 - The operation of fixed plant and/or machinery associated with the development shall not cause background noise levels at any nearby dwelling to be exceeded by a Noise Rating Level of more than 5 dB(A), as assessed under the methodology of BS 4142 (1997) (Method for rating industrial noise affecting mixed residential and industrial areas) and/or its subsequent amendments.
 - Prior to first approved use, the proposed building shall be constructed to provide sound attenuation against internally generated noise of not less than 35 dB averaged over the frequency range of 100-3150Hz.

- No production, spraying, coating, lay up, of Glass Reinforced Plastic (GRP) mouldings, fibre glass products or any other product shall be carried out in connection with the permitted development and the area below the canopy hereby approved shall only be used for the inspection of products.
 - No external sound amplification equipment shall be used on either the extension or canopy hereby approved.
 - The doors to the extension hereby approved shall be closed at all times except for access and egress.
10. The above six conditions were imposed to ensure that the use of the extension would not result in any noise disturbance to nearby residents. Should the development and use of the building proceed under the terms and restrictions of these conditions there would not be any escape of noise which could potentially be harmful to residential amenity, as the extension will be adequately insulated to contain internally generated noise. It is therefore considered appropriate to remove the original hours of use condition, and to replace it with the condition recommended by the Head of Environmental Health. It is important to note that there are no restrictions on hours of use of the remainder of the site, and it would therefore actually be of benefit to local residents that the noisiest activities which could ordinarily be carried out at any time of day take place in the approved, purpose-built extension.
11. Policy EP7 requires that where development is expected to generate noise the Council will require proposals to include measures that would minimise noise emissions. In this case, provided that the development takes place in accordance with the conditions referred to in paragraph 9 above, any new activities at the site resulting from the development would not exacerbate the problems which have previously led to complaints from nearby residents. As such the proposal would not contravene either Policy EP7 or Policy DD4 in respect of the potential for residential amenity to be harmed by dust or odour from the development.

CONCLUSION

- 12 The proposal would have no adverse effect on residential amenity and therefore complies with Saved Policies DD4 and EP7 of the UDP.

RECOMMENDATION

13. It is recommended that the application be approved subject to the following conditions:

Conditions and/or reasons:

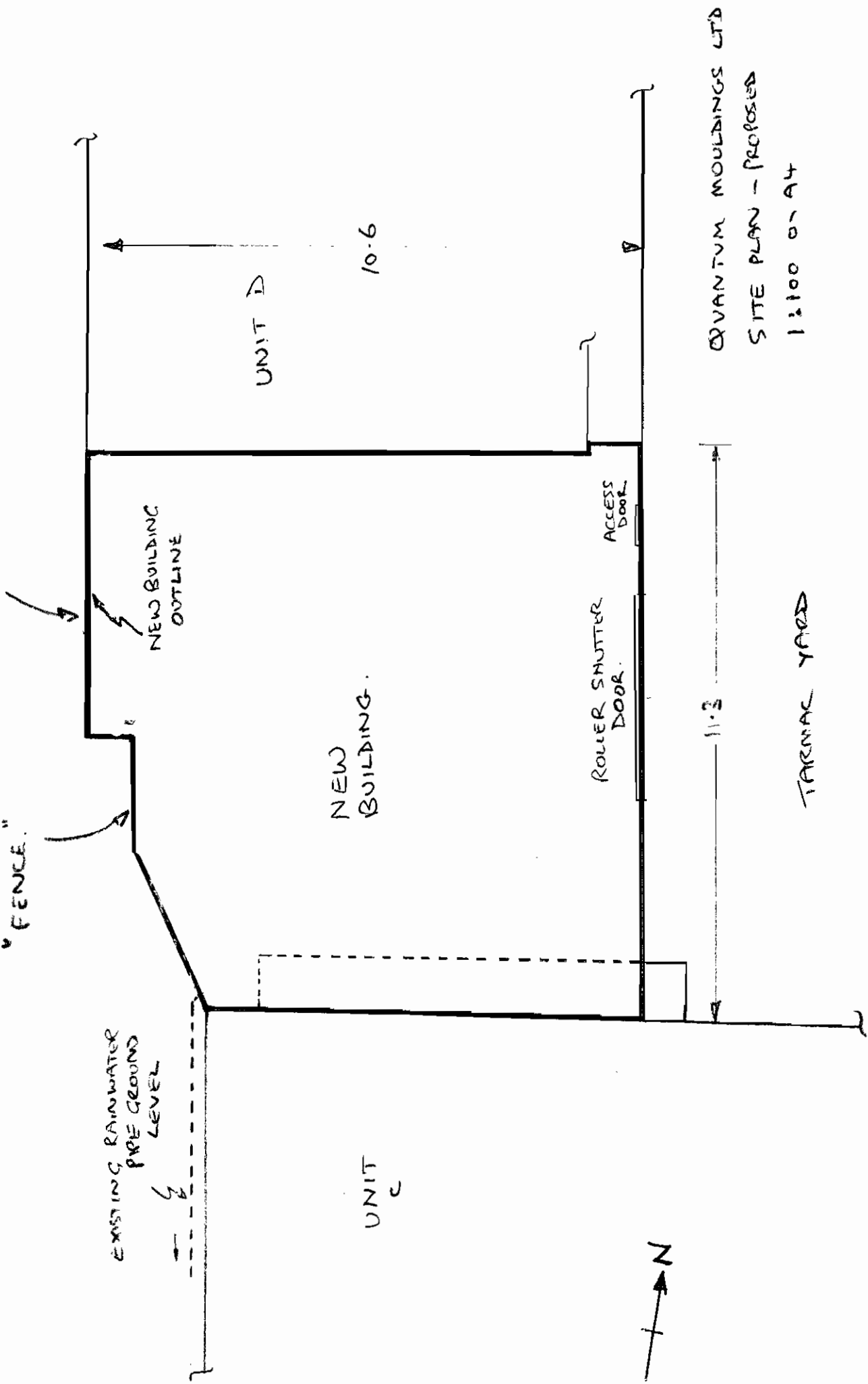
1. Before any plant and machinery is used in or on the extension hereby approved it shall be enclosed with sound insulating material in accordance with a scheme to be approved in writing by the local planning authority, and all works which form part of the scheme shall be completed before the extension hereby approved is brought into use and thereafter retained for the lifetime of the development.
2. The operation of fixed plant and/or machinery associated with the development shall not cause background noise levels at any nearby dwelling to be exceeded by a Noise Rating Level of more than 5 dB(A), as assessed under the methodology of BS 4142 (1997) (Method for rating industrial noise affecting mixed residential and industrial areas) and/or its subsequent amendments.
3. No production, spraying, coating, lay up, of Glass Reinforced Plastic (GRP) mouldings, fibre glass products or any other product shall be carried out in connection with the permitted development and the area below the canopy hereby approved shall only be used for the inspection of products.
4. No external sound amplification equipment shall be used on either the extension or canopy hereby approved.
5. The doors to the extension hereby approved shall be closed at all times except for access and egress.
6. Any activities within the extension hereby approved shall not be undertaken before 0600 hours or after 1800 Monday to Friday, before 0600 hours or after 1300 on Saturdays, and not at all on Sundays and Public Holidays.
7. No development shall take place unless an obligation under Section 106 of the Town and Country Planning Act 1990 between the local planning authority and all persons interested in the land within the application site has been executed, such obligation to secure the following:
 - (1) the payment of £513 towards transport infrastructure improvements]
 - (2) £250 for the monitoring, management and implementation of the above obligations.

LOCATION PLAN
1:1250 ON A4.
PROPOSED NEW EXTENSION AND NEW CANOPY



QUANTUM MOULDINGS LTD
QUANTUM WORKS
ENVILLE STREET
STOURBRIDGE
DY8 3TD

REPLACE EXISTING FENCE (1' SIDE PANELS OF NEW EXTENSION. SAME POSITION AND SAME HEIGHT. NEIGHBOURS THIS SIDE WILL NOT SEE ANY OF EXTENSION - JUST NEW "FENCE".



QUANTUM MOULDINGS LTD
 SITE PLAN - PROPOSED
 1:100 ON A4