

SITE INSPECTION REPORT FOR PLANNING COMMITTEE 19 December 2017

CHAIRMAN: Cllr Dennis Smith



REPORT OF:	Site Inspection Team – Councillors Smith (Chairman), Kerswell (Vice Chairman), Clarence, Fusco, Pilkington, and Mayne
DATE OF SITE INSPECTION:	30 NOVEMBER 2017
APPLICATION:	SHALDON - 17/02014/FUL Storage and distribution centre, Long Lane - Change of use of yard from storage (Use Class B8) to General Industrial (Use Class B2) and extend working hours of building to 8.30am to 1pm on Saturdays
WARD MEMBERS	Cllr Clarence

Also present: Two representatives of the Parish Council, and the Portfolio Holder for Planning and Housing.

Purpose of Site Inspection: Assess the relationship between the site and neighbouring properties and to consider how any noise from the site may impact on those properties.

Councillor Pilkington declared an interest by virtue of his trade being in the marine engine business. He did not give his opinion on the application.

The report of the Business Manager circulated with the agenda for the meeting of the Committee on 21 November is appended for ease of reference.

Members noted the boundary of the site and its surrounding area, and listened to the noise generated from a 225 horsepower outboard engine in a water tank, and a pressure washer, whilst standing in close proximity to the equipment, and at the boundary.

Members visited Littlefield and Homefield, Long Lane, and along Short Lane in close proximity to Rushlands. The point along Short Lane was at a closer proximity to the application site than Higher Ringmore Road and therefore the site inspection team considered it unnecessary to visit any further properties. At all locations the pressure washer was fired up with and without an insulation box. It was considered that the resulting sound was well below a noise that would be considered a nuisance. When stood in the rear garden at Homefield, the noise of the main line Newton Abbot to Teignmouth train was more audible than the noise generated from the application site.

Parish Council: The comments of the Parish Council as reported in the appendix is “*whilst the Parish Council wishes to support businesses in the community, particularly those employing young local people, in this case the concern expressed by neighbours is at such a level that we are unable to support this particular application. We are ready to work with the applicants to find another solution that meets their business needs without causing this level of concern to the community.*”

On site, the Parish Council representatives agreed with the site inspection team that the resulting sound of equipment being run at the site was well below a noise that would be considered a nuisance, and when stood in the rear garden at Homefield, the noise of the main line Newton Abbot to Teignmouth train was more audible than the noise generated from the application site.

The Planning Officer referred to the conditions set out in the appended report advising that these would control noise levels. Members considered the application acceptable subject to the conditions and controls in relation to noise level, as set out in the appended report and below. It was also considered that the use of the site as a *boat storage yard* should be included in the description of the application and replace *General Industrial*. This would prevent the use of the site for any other B2 use without planning permission.

It was considered that subject to the application description being amended to:
'Change of use of yard from storage (Use Class B8) to a mixed use of storage and a boat yard and the extension of working hours of the building to 8.30am to 1pm on Saturdays.'

Permission be granted subject to conditions:

1. Standard 3 year time limit for commencement
2. Development to proceed in accordance with the approved plans
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) the building and use of boat yard hereby permitted shall be used for boat repair, boat storage and maintenance works only and for no other purpose including another purpose in Class B2 or that would otherwise be a permitted change to B1.
4. The use of the building and boat yard for boat repair and maintenance works hereby approved shall not take place other than between the following hours of 8.30am to 5.30pm Monday to Friday, 8.30am to 1pm on Saturdays and not at all on Sundays or Bank Holidays and there shall be no deliveries outside of these hours.
5. An acoustically-shrouded enclosure for the containment of the compressor used for the de-fouling of the boat hulls shall be installed on site within 3 months of this decision unless otherwise agreed in writing by the Local Planning Authority and shall be designed, and once installed tested, to ensure that noise arising from the compressor does not exceed more than 5dB above the background noise levels prevailing at the time at the nearest residential dwellings.
6. An on-site water tank for the testing and running of all outboard engines shall be installed on site within 3 months of this decision and shall be used for the testing and running of all outboard engines thereafter. No engines shall be allowed to run dry in the building or boat yard.
7. Noise arising from the use of the compressor or any other mechanical equipment including vehicle movements in connection with the business on site shall be limited to 8.30am to 5.30pm Monday to Friday and 8.30am to 1.00 pm on Saturdays and not at all on Sundays and/or Bank Holidays and at no time shall noise arising from the use of mechanical equipment exceed more than 5dB above the background noise levels prevailing at the time at the nearest residential dwelling(s).

Notes:

- Condition 3 amended to make reference to specify boat yard for the avoidance of doubt and to take out reference to B8 to enable this to continue to operate on site.

- Condition 4 amended to take out reference to boat storage to allow boats to be stored outside of the operating hours on site and to include wording for no deliveries to take place outside of the hours of this condition for the avoidance of doubt.
- Condition 6 the word 'all' added before outboard engines for the avoidance of doubt as requested during site inspection.
- Condition 7 and 8 have been amalgamated into one condition for noise monitoring and hours have been amended to match operating hours of condition 4.