

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 August 2011

AUTHOR/S: Executive Director (Operational Services) / Corporate Manager – Planning and Sustainable Communities

S/1728/10 - MELDRETH

**Retrospective extension to warehouse and toilet block at Fieldgate Nurseries,
32 Station Road for Mr Ward**

Recommendation: Approve Conditionally

Date for Determination: 12th January 2010

A. Further Information received after publication of the agenda report.

Update from Environmental Health: comments are as follows

1. The design and access statement indicates that *“the proposed extension would be in constant use “24/7” and would enable staff to load and unload vehicles for delivery” and “the extension would have the benefit of lights for the winter months and early hours and “any noise made while working would be greatly reduced as the opening is to the east away from any residential properties”.*
2. I have visited the site and I have heard the noise of the reversing alarm on the forklift truck that I understand is a source of annoyance to the occupiers of the property close to the site. I am not aware of any complaints to the council's health & environmental service but I understand the Local Government Ombudsman's investigator has indicated that he has received such a complaint. Although no statutory nuisance has been proved at this time, I would be concerned about an intensification of use of the site. A variation to allow an increase in operating hours could exacerbate this situation by permitting more early morning traffic movements. This could also increase the potential of the site to be used as a distribution facility. The entrance and main yard is close to residential properties opposite and there is no screening of noise sources. Consequently, noise generated by vehicles and use of the yard could affect the residential property close to the site.
3. I feel that concerns about noise and disturbance from vehicles entering and leaving the site should be considered as well as that from activities inside the premises. An effective and enforceable way to control noise emissions would be to impose a condition that requires the applicant to submit a noise management scheme to be approved, implemented and maintained in accordance with the details of written approval. The written consent could also be subject to conditions, for example the scheme of measures could be approved for a period of 3 years to assess their effectiveness.
4. Furthermore, the applicant could take steps to reduce the potential for noise and disturbance from the site such as the application of “smart” reversing alarms that are designed to be fitted to vehicles that sometimes work in quiet locations where a loud alarm may cause nuisance, and sometimes in noisy

locations, where a quiet alarm may not be heard. This would also benefit the applicant towards generating a Best Practicable Means (BPM) defence, in association with other measures, in the event of statutory nuisance action.

5. Details of the location and type of any power driven plant or equipment, including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the building(s) but excluding office equipment and vehicles and the location of the outlet from the building(s) of such plant or equipment, shall be submitted to and approved, in writing, by the local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.
6. Prior to the commencement of the development a lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security lighting, shall be submitted to and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, full isolux contour maps and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles, angle of glare and shall assess artificial light impact in accordance with the Institute of Lighting Engineers (2005) 'Guidance Notes for the Reduction of Obtrusive Light'. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details measures unless the Local Planning Authority gives its written consent to any variation.
7. There shall be no bonfires or burning of waste on site at any time except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

Additional Background Papers: no further background papers (additional to those referred to in the agenda report) were used in the preparation of this update:

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