



South Staffordshire Council

PLANNING COMMITTEE – 20th June 2023

Requests to Speak

App no	Address	Speaking For	Speaking Against	Councillor Request to speak
22/00544/FUL MAJOR (5 Mins)	Units 50-62 Landywood Enterprise Park Holly Lane Great Wyrley Staffordshire WS6 6BD	John Jowitt - PJ Planning (Agent)		Cllr Kathleen Williams (Ward Member, against)
23/00170/ADV NON MAJOR (3 Mins)	Wombourne Leisure Centre Ounsdale Road Wombourne Staffordshire WV5 8BH	N/A	N/A	N/A

Additional information

Application 22/00544/FUL – Units 50-62, Landywood Enterprise Park, Holly Lane, Great Wyrley

An acoustic design note has been provided by the planning agent, copy attached. The contents are noted and have been fully considered by the Council's Environmental Health Team. The report advises that the noise impact of vehicle movements and reversing alarms within the service yard, on the residents of The Spindles, would be 'low' at all times of the day and night, given the benefit of barrier screening as provided by the unit. The assessment continues to advise that external loading/unloading activities would be a 'low' level of noise impact during the day, increasing to a level of 'adverse impact' at the dwellings during the night. As a result, as per the recommendations of the report, it is

recommended that this activity should occur only within the workshop building, with the door closed during night time periods.

As a consequence of the note, the following conditions have been recommended by the Environmental Health consultee, specific to the future operations of the site user:

1. As per the noise report submitted with the application, a solid barrier fencing to a minimum height of 3m be installed along the length of the western boundary of the service yard. The fence should have a minimum mass of 10kg-m² and be continuous to ground level;
2. As per the additional information, in order to minimise any disturbance from HGV deliveries an acoustic barrier shall be fitted between the access road and the properties north of the site on The Spindles;
3. Unloading and loading of vehicles shall only take place indoors, between the hours of 11pm and 7am;
4. The site occupier shall adopt a noise management scheme for the service yard to minimise noise impact on any dwellings. This must be a written document and made available on request of officers from the council;
5. All external doors and openings shall remain closed at all times, except for loading and unloading of delivery vehicles and exceptional circumstances;
6. No additional doors, vents or openings shall be created within the commercial premises without the prior permission of the local planning authority;
7. No external plant or machinery shall be installed at the premises without the prior permission of the local planning authority; and
8. There shall be no burning of materials at the application premises.

The following conditions are recommended to safeguard nearby residential occupiers from undue disturbance during construction:

1. All works, including demolition, site works and construction shall only take place between the hours of 8.00 am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays;
2. Deliveries to the site shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays. Delivery vehicles shall not park on the access highways to the site;
3. There should be no burning on site during development;
4. Facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust;
5. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings; and
6. Screening shall be provided to the site to protect residential dwellings from exposure to excessive noise. Details of such work shall be agreed with the local authority and carried out before other works begin.

In terms of the operational conditions as recommended, proposed condition 1 is already addressed by condition 18 as detailed within the officer's report. In order to ensure that the additional acoustic fence, to the northern boundary of the site is erected, condition 18 is recommended to be updated as detailed below.

A new condition (34) is required to address the prevention of outdoor loading and unloading of vehicles within the site, during night time hours, along with the closure of openings, whilst a further condition (20) is also required to ensure the submission and approval of a suitable noise management plan, for the use of the service yard to be agreed between the future site user and the Council, prior to first use. The two new and 1 amended condition are, given the findings of the noise surveys, as submitted, considered to be reasonable and necessary and as such are recommended to be included within the decision notice.

Three further additional conditions are also recommended, specific to removal of allowances to install additional, windows, vents and doors. This is a reasonable requirement, as otherwise such could be undertaken under the allowances of Class H of the GPDO. Details of any plant or other machinery to be required by the future site user is already addressed via condition 20, as identified within the officer's report. Finally, the burning of materials is not a planning matter and rather, if a nuisance arises such is solely a matter to be addressed through suitable Environmental Regulations.

With reference to the conditions as recommended to control the noise impact of the construction works, this matter is already fully addressed via condition 3, as detailed within the officer's report and therefore no amendment is required to address this matter.

1 further letter of objection has been received, wherein, it is advised that they currently run four companies from this site; jsc enterprises, which employs 5 staff, door solutions 8 staff, euro access 5 staff, direct access 3 staff. The businesses moved into the units 18 months ago, with over £38k spent on relocating. All staff live locally with children going to the local school.

These company's could not stand relocation costs, which could potentially put 21 people out of work as well as the utter chaos this would bring to the roads in the area & more importantly the safety of the children at the local school.

The issues raised have been previously considered within the officer's report, so no further commentary on these matters are necessary.

Conditions

18. Prior to the first use of the development hereby approved, details of boundary treatments, to include vehicle safety protection measures along the boundary with the railway and the solid barrier acoustic fencing to the western boundary of the service yard and between the access road and the properties north of the site on The Spindles, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments and vehicle safety protection

measures shall be erected prior to the first use of the building and thereafter be retained for the life of the development.

20. Prior to the first use of the development hereby approved, a noise management scheme for the use of the service yard shall be submitted to and approved in writing by the Local Planning Authority. The management scheme shall thereafter be adhered too for the life of the development.

34. As required by the Acoustic Design Note, produced by Hoare Lea, dated 15/06/2023, the unloading and loading of vehicles shall only take place indoors, between the hours of 11pm and 7am, with all external doors and openings remaining closed at all times, except for the loading and unloading of delivery vehicles and exceptional circumstances.

35. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any subsequent re-enactment thereof, no additional windows, vents or openings, other than those approved by this planning permission, shall be installed without the prior written permission, on application to the Local Planning Authority.

Reason for Conditions

20: To protect the reasonable amenity of neighbouring residents, in accordance with the requirements of Core Policy 2 and Policy EQ9 of the Core Strategy and the National Planning Policy Framework.

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