

APPLICATION NO	PA/2009/0611
APPLICANT	Steven Smithey Wood Design
DEVELOPMENT	Planning permission to remove condition 1 on PA/2008/0926 to allow the retention of an existing workshop on a permanent basis and vary condition 2 to allow machinery and tools to be used between 8am and 6pm Monday to Friday, between 9am and 12.30pm on Saturdays and not at any time on Sunday and Bank Holidays
LOCATION	Spring Gardens, 21 Thinholme Lane, Westwoodside, Haxey
PARISH	HAXEY
WARD	Axholme South
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Third party request to address the committee
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.</p> <p>North Lincolnshire Local Plan: The site is situated within the development boundary of Westwoodside (policy ST3) which is defined as a minimum growth settlement (policy ST2).</p> <p>Policy DS1 (General Requirements) specifies that a high standard of design is expected in all developments in both built-up areas and the open countryside.</p> <p>Policy DS4 (Change of Use in Residential Areas) states that within residential areas favourable consideration will be given to proposals for a change of use from residential to other uses provided that the development will not adversely affect the appearance and character of the residential area or residential amenity by virtue of noise, vibration, traffic generation, reduction in road safety, odorous omissions or adverse environmental conditions. The purpose of this policy is to help encourage the growth and development of small businesses but to maintain control over the impact that business activity carried out at home can have on the surrounding area.</p>

CONSULTATIONS

Highways: No comments.

PARISH COUNCIL

No response at time of writing.

PUBLICITY

Neighbouring properties have been notified and two letters have been received raising the following objections:

- level of noise generated by the workshop activities has an adverse impact on the living conditions of neighbouring properties
- the building is unsuitable for the activities being carried out
- existing operations breach the conditions imposed by PA/2008/0926

ASSESSMENT

In August 2008 planning permission was granted to retain a joinery workshop in the rear garden of a detached dwelling on the west side of Thinholme Lane. Permission was granted for one year only in order to allow time to assess its impact on neighbouring properties. In addition, conditions were imposed restricting operating times and closure of windows and doors when power tools are in use. The applicant now seeks permission to retain the workshop on a permanent basis and extend opening hours Monday to Friday by 30 minutes in the morning and 30 minutes in the afternoon.

The main issue which needs to be addressed in determining this application is whether there has been any significant adverse impact on the living conditions of occupiers of neighbouring properties during the temporary assessment period which would result in the withholding of planning permission for the development on a permanent basis or extending its opening hours.

A number of complaints have been received about the use of the workshop since temporary planning permission was granted. These are all from the main objector and are not significant, being mainly minor breaches of the operating hours. An officer from the Environmental Protection Team has investigated these complaints and has not witnessed a noise nuisance, and has advised the applicant about measures for minimising the noise which have been taken on board.

It was the Environmental Protection officer's suggestion that the hours of operation be slightly extended in order to

overcome the breaches to the hours of operation condition. It is fully supported subject to a supplementary condition restricting the number of tools being operated at any one time.

The workshop has been lined with sound-deadening insulation and it is situated in such a way that any noise generated is directed away from immediate houses. It is also worth mentioning that there is a dense 2 metre high hedge punctuated with trees along the boundary with the objector's property to the south which helps to baffle sound and screen the workshop so that it is visually unobtrusive.

RECOMMENDATION

Grant permission subject to the following conditions:

1.

The workshop shall only be used between the hours of 8am and 6pm Monday to Friday, 9am and 12.30pm on Saturdays and not at any time on Sundays and Bank Holidays.

Reason

To ensure the living conditions of nearby dwellings are protected in accordance with policy DS1 of the North Lincolnshire Local Plan.

2.

All windows and doors shall be closed when any power tools, including saws, nail/staple guns, drills, lathes, routers, planing and sanding equipment, are operated.

Reason

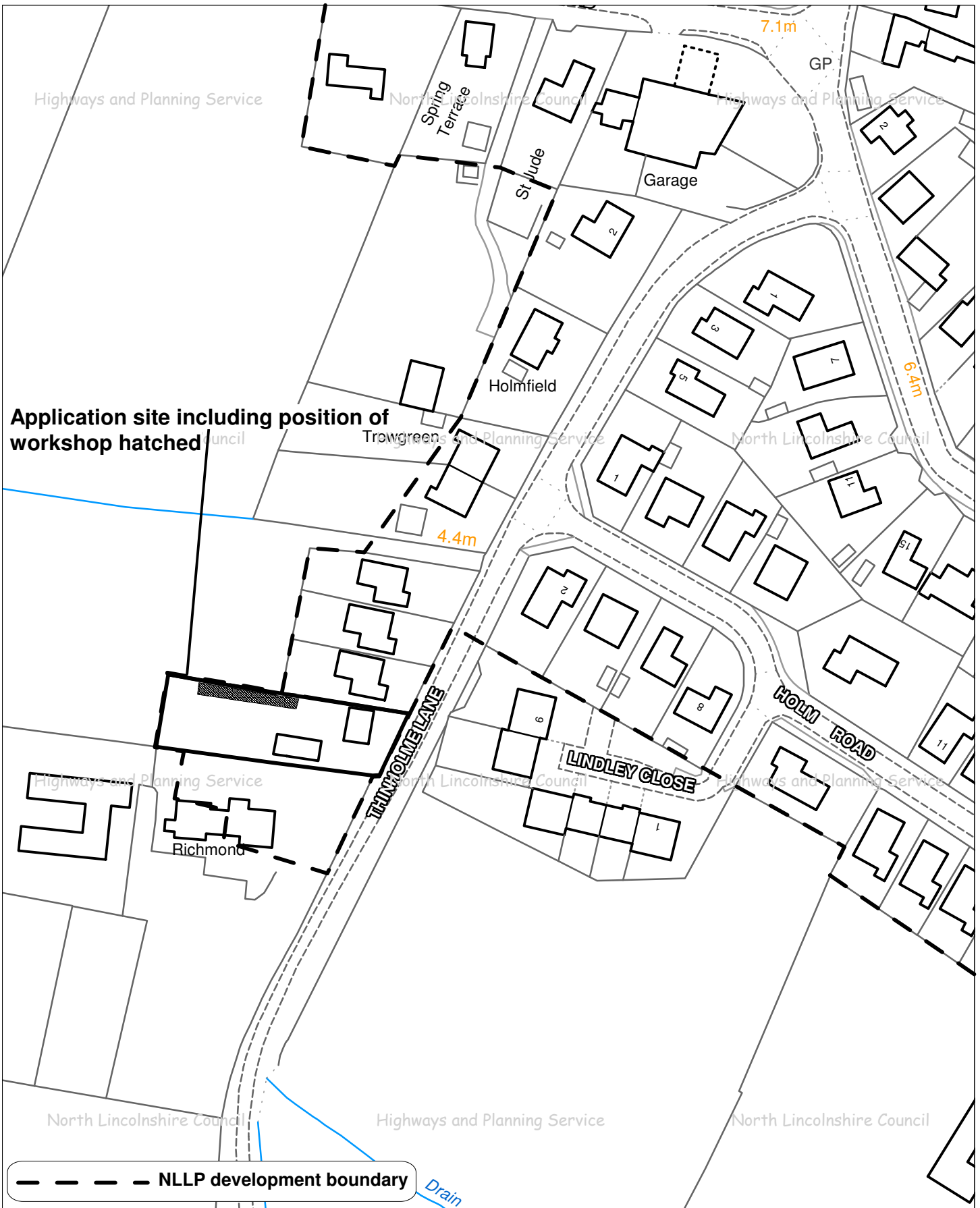
To ensure the living conditions of nearby dwellings are protected in accordance with policy DS1 of the North Lincolnshire Local Plan.

3.

No more than two tools and/or machines shall be used at any one time.

Reason

To ensure the living conditions of nearby dwellings are protected in accordance with policy DS1 of the North Lincolnshire Local Plan.



Drawing Title: 2009/0611

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Highways and Planning Service

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