

APPLICATION NO PA/2009/0761

APPLICANT ASDA Stores Ltd

DEVELOPMENT Planning permission to erect a warehouse extension and enclose an existing canopy

LOCATION Asda Stores Ltd, Burringham Road, Scunthorpe

PARISH SCUNTHORPE

WARD Brumby

SUMMARY RECOMMENDATION Grant permission subject to conditions

REASONS FOR REFERENCE TO COMMITTEE Member call in (Cllr Waltham – concerns about noise affecting nearby residents)

POLICIES **Regional Spatial Strategy for Yorkshire and the Humber:** No specific policies apply.

North Lincolnshire Local Plan: Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:

- (i) The design and external appearance should reflect or enhance the character, appearance and setting of the immediate area.
- (ii) The design and layout should respect and, where possible, retain or enhance the existing landform.
- (iii) No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing.
- (iv) Amenity open space should be retained where possible.
- (v) No pollution of water, air or land should result which poses a danger or creates detrimental environmental conditions.

Where appropriate, conditions will be imposed requiring the provision of landscaping to enhance new development.

CONSULTATIONS

Highways: No comments or objections.

Severn Trent Water Ltd: Recommend conditions.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. Letters have been received citing the following material considerations:

- Building closer to the properties on Ashfields park home site will cause further noise disturbance to these properties.
- The proposed structure will be a hollow building with roller shutter doors. This will amplify noise created by delivery vehicles.
- Noise and pollution will be generated by the proposed extractor fans.
- Noise will be generated during construction of the proposed works.
- Will the building be insulated to prevent noise disturbance?
- Visual impact of the proposed structure.

ASSESSMENT

The application site is the ASDA supermarket on the corner of Burringham Road and Scotter Road, Scunthorpe. The site consists of a large retail unit with a customer car park and petrol filling station to the front and a delivery and service area to the rear. The application site is bounded to the west by Ashfield park homes site, to the north by woodland, by residential properties to the east and by The Mallard public house and Ashby Decoy golf course to the south. The nearest residential properties are the park homes to the west, which abut the delivery and service area.

The delivery and service area to the rear has a large canopy at present and the proposal is to enclose this canopy and to erect a small extension. Vehicles will still be able to drive through the area as they do at present as roller shutter doors will be provided at either end of the newly enclosed delivery area. Therefore the deliveries that are currently made in the open under the canopy will take place within the building.

The main issue to consider in the determination of this application is whether the proposed works would have a detrimental impact on the amenity of

neighbouring residential properties to the west in terms of noise and disturbance.

As previously stated, the canopy is already in place and is used as a delivery area. A small extension is proposed to the north of the canopy area adjacent the existing sprinkler tank, however the development would bring the supermarket and its activities no closer to the residential properties to the west than they are at present.

The council's Environmental Protection team was consulted on the application and requested a detailed acoustic report to assess the noise levels that could be expected to emanate from the structure when completed. This report has been completed and as a result several conditions have been recommended which will ensure that adequate soundproofing is installed in the newly enclosed area and that the proposed works will not generate an unacceptable level of noise for neighbouring properties.

A condition has also been recommended which would require details of the proposed extractor fans to be submitted to and agreed in writing by the local planning authority. This will allow the council's Environmental Protection team to assess the likely impact of the fans and any mitigation measures that may be necessary and will prevent the fans from causing a nuisance to neighbouring properties.

Noise and disturbance may be experienced by neighbouring properties to the west as a result of construction works while the proposed development is being carried out. However this would be for a temporary period only and once construction is completed the recommended conditions will ensure that additional noise and disturbance will not result from the proposed works.

Due to the location of the proposed works to the rear of the large utilitarian structure that is the main ASDA building and screened to the north and west by existing mature trees they would have a very minimal visual impact on the area. In fact the new structures would only be readily visible from Burringham Road to the south when looking up the existing delivery/service entrance.

Additionally it should be noted that the supermarket and its delivery yard are established uses with the benefit of planning permission. This proposal must be assessed on its own merits. The proposed works would take the existing activities within the fabric of the building and

providing it is adequately soundproofed and operated in accordance with the recommended conditions there should be no additional impact on neighbouring properties as a result.

RECOMMENDATION

Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The enclosed canopy area shall not be brought into use until it has been sound insulated in accordance with details to be agreed in writing with the local planning authority beforehand.

Reason

To protect the living conditions of nearby dwellings in accordance with policy DS4 of the North Lincolnshire Local Plan.

3.

All doors shall be kept closed except for access and egress. Before the use commences, the details of roller shutter door operating mechanisms shall be submitted to and approved in writing by the local planning authority.

Reason

In the interest of protecting the amenity of neighbouring properties.

4.

Prior to the commencement of development, details of the design, construction and location of external acoustic screening shall be submitted to and approved in writing by the local planning authority. The approved acoustic screening shall be installed prior to commencement of the canopy extension and warehouse development works, and shall be maintained thereafter.

Reason

In the interest of protecting the amenity of neighbouring properties.

5.

Prior to the installation of any extraction system, mechanical ventilation unit, or external chiller unit, a noise impact assessment shall be submitted to and approved in writing by the local planning authority. The noise impact assessment shall include details of any necessary noise mitigation measures. Approved noise mitigation measures shall be implemented prior to commencement of the use and maintained thereafter.

Reason

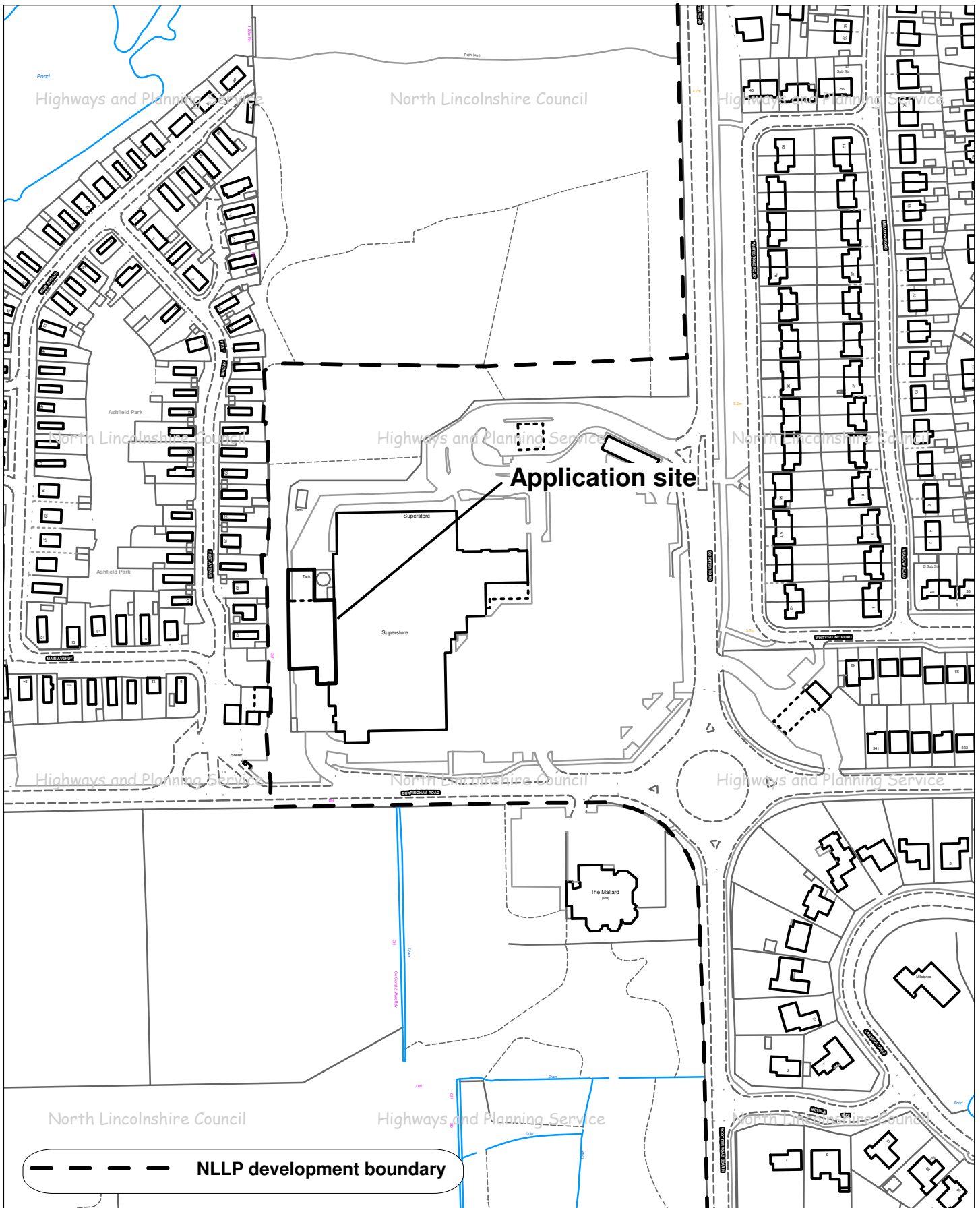
In the interest of protecting the amenity of neighbouring properties.

6.

No building shall be erected or trees planted within 10 metres of the existing sewer pumping station adjacent to the application site.

Reason

To maintain essential access for maintenance, repair, renewal and to protect the structural integrity of the public sewerage system.



Drawing Title: 2009/0761

OS Grid Ref: SE87250845

Drawn by: KC

Scale: 1:2500

Date: 28/09/2009



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Highways and Planning Service

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