
Ref 2021/0835

Applicant: James Durrans and Sons Ltd

Description: Removal of condition 8 (Noise Limit) of 2017/1679 - Demolition of existing buildings and erection of new workshop/storage building

Site Address: Phoenix Works, Saville Lane, Thurlstone

Site Description

The application site is James Durrans and Sons Ltd, which is based at Phoenix Works, Saville Lane, Thurlstone.

The site provides the head office for the company and one of four UK manufacturing sites which produce a product range including recarburisers, refractory coatings, spinning and die coatings, metallurgical coke, coal and coal/clay bends, synthetic and natural graphite's, milled carbons, lubricant products and machined graphite components.

The site is located on a hillside between the River Don on its southern boundary and the A628 Manchester Road to the north.

The complex of buildings associated with the premises starts on the Manchester Road frontage, spanning down to the river corridor and by several hundred metres to the west. That part of the site associated with this application is located mid-way down Saville Lane on the north site. There are two existing (disused) workshops fronting onto Saville Street with an area of scrub / grassland behind which slopes up to a number of residential properties located on Mill Lane and Manchester Road. Access to some of the properties is off Saville Lane.

Proposed Development

This application relates to a previously approved scheme for the demolition of two disused workshop buildings fronting Saville Lane and replacement with a single workshop / storage building.

A condition was previously applied requiring:

The level of noise emitted from the building shall not exceed 46 dB at any time, as measured on the boundaries with residential properties in Mill Lane, Saville Street and Manchester Road.

This application seeks to remove this condition from the previously approved scheme.

History

2012/0679 - Erection of new 3 storey office building and associated car parking.
Decision: Grant planning permission with conditions 23rd August 2012.

2012/1259 – Variations to conditions 2 (layout), 15 (CO2 emission reduction target) and 19 BREEAM rating) of previously approved 2012/0679 – erection of new 3 storey

office building and associated car parking (2012/0679 minor material amendment. Decision: Grant planning permission with conditions 5th February 2013.

2013/0661 - Display of 1no illuminated building mounted sign, 2no externally illuminated entrance signs and 3no flagpoles. Decision: Grant advertisement consent with conditions 8th August 2013.

2014/0695 – Demolition of 2 office buildings and erection of 6 no. dwellings and change of use and conversion of office building into 3 no. apartments. Decision Granted 04/12/2014

2017/1679 - Demolition of existing buildings and erection of new workshop/storage building – Approved

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The new Local Plan was adopted at the full Council meeting held 3rd January 2019. In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision making process.

The site is located in the village of Thurlston and washed over as Urban Fabric on the adopted Local Plan.

- SD1 Presumption in favour of Sustainable Development
- GD1 General Development Policy
- LG2 Location of Growth
- E3 Uses on Employment Land
- E4 Protecting Existing Employment Land
- T3 New Development and Sustainable Travel
- T4 New Development and Transport Safety
- D1 High Quality Design and Place Making
- HE1 The Historic Environment
- HE2 Heritage Statements and general application procedures
- BIO1 Biodiversity and Geodiversity
- CC1 Climate Change
- CC2 Sustainable Design and Construction
- CC3 Flood Risk
- CC4 Sustainable Drainage Systems
- RE1 Low Carbon and Renewable Energy
- CL1 Contaminated Land
- Poll1 Pollution Control and Protection

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the

policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraphs of particular relevance to this application include:

Section 1 – Building a strong, competitive economy

58 & 60 – Design considerations.

Section 11 – Conserving and enhancing the natural environment

Consultations

Regulatory Services – No objections to the removal of the condition.

Representations

The application was advertised by neighbour notification and 3 letters of objection have been received. These raise the following:

- Why the application relates only to the noise condition and not the building – the building was approved in 2017 when the noise condition was applied.
- Concerns about disruption from the ongoing building works associated with the workshop development - unfortunately these cannot be addressed as part of this application, however, enforcement officers are aware.
- Why have residents not been consulted on the development before this application? – the two residents who have provided addresses where sent consultations on the 2017 application. In addition, site notices were put up and an advertisement placed in the local paper.

Assessment

Principle of development

Planning approval was granted for the proposed workshop in 2017 at which time the application was assessed as being acceptable in principle, subject to consideration of any adverse impacts which included operation noise disturbance and residential amenity.

As this application is to remove condition 8 which sets noise operational limits the main issue to consider is the effect of noise from the development, when operational, on the living conditions of the residents living in the properties immediately adjacent to the site.

The relationship with existing dwellings is not straight forward because the existing properties located to the rear of the proposed dwellings to the north are elevated above the site and are in different positions that do not follow a typical linear road pattern.



The building design is approximately an L shape, responding to the plot and in part to the location of residential properties. The nearest houses to the proposed are nos. 19 Saville Street and the attached house. These are accessed off Saville Street with shorter gardens than neighbouring properties bringing the rear elevation within 8m of the boundary.

In terms of noise from the industrial operations carried out at the site, a noise assessment was submitted with the original application however, the Regulatory Services Officer raised concerns with the information provided within the report and for this reason it was agreed that a condition limiting noise levels from the building to within 46db would be applied. It was acknowledged at the time that this could be achieved through appropriate construction and insulation of the building.

The applicant has now submitted a further Noise Assessment which models the sound insulation performance of the building based on the construction details provided by the applicant. This demonstrates operational noise levels will be below the 46dB LAeq, 1hr when measured at the nearest residential receiver (including gardens). The Regulatory Services Officer has assessed this report and accepted its conclusions; therefore, the condition can be removed as it is no longer required.

Recommendation

Grant – re-issue permission with noise condition removed.