

APPLICATION NO: 14/01270/CONDIT		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 15th July 2014		DATE OF EXPIRY : 9th September 2014	
WARD: Leckhampton		PARISH:	
APPLICANT:	Mr Umesh Korant		
LOCATION:	Unit 3, Maida Vale Business Centre, Maida Vale Road		
PROPOSAL:	Variation of condition 2 (hours of business) and condition 3 (hours of loading/unloading) on planning permission ref. 02/00813/CONDIT granted 25th July 2002 to allow the premises to be used between the hours of 7.00am and 7.00pm Monday to Friday, and 7.00am and 3.00pm on Saturday, Sunday and Bank Holidays		

ADDITIONAL REPRESENTATIONS

20 Brizen Lane
Cheltenham
Gloucestershire
GL53 0NG

Comments: 18th August 2014

I strongly object to this application for an extension of the working hours. Having previously lived for 6 years at number 6 Maida Vale Road I can confirm that the noise from the various extractors causes a significant nuisance to that property.

The noise and pitch is such that it is not easy to relax at the property during the working hours of the laundry. The whole garden is to the front of the property - the rear wall of the property is on the boundary - so it is only when the business is closed and the extractor fans are off that sitting in the garden is pleasant.

The noise and vibration from the extractors can be experienced in all rooms of the house, at different times the noise can be slightly quieter than others but generally the noise pervades the whole property when the business is open.

When the laundry is closed, the area is very tranquil and peaceful, so even though it is noisy to live next door to it, the peace and tranquillity during closed periods make up for it.

The few existing hours in the day when the business is not allowed to operate are very precious, just a handful of Bank Holidays per year, Saturday afternoons and Sundays, they really are so important to be able to unwind from the grinding hum, whirr and vibrations from the extractors.

I am surprised to see that other people have written in support of this application without any knowledge of how this business impacts on the residents nearest to it. I also do not recognise the noise nuisance alleged by the applicant and another supporter regarding noise from a nearby saw mill.

In the six years I lived at number 6 the only noise pollution we regularly experienced was when Cotswold Linen Care were operating - during their permitted and also hours when they were not allowed to work. In those years on no occasions did I hear any noise from a saw mill nearby.

Occasionally I recall hearing some noise from Sound and Vision Express on Mead Road but that was really very rarely and in no way as intrusive throughout the whole property on a daily basis as the noise from the many extractor fans at Cotswold Linen Care.

The owner of Unit 1 in the business park has written in support of this application but this property is nowhere near to the extractor fans at the back of unit 3. The extractors mainly face the rear of Unit 3 only feet from the gardens of the residential properties nearby. Unit 3 is across the trading estate to unit 1 and so they can have no idea how much the noise impacts on residents behind the unit as they face the other side. In any case noise in the work place is really very different from noise in a residential property.

It is very disappointing for us as a family to know that after we had moved (and things had improved for a year or so before we moved after years of nagging), this business has been repeatedly ignoring the hours of operation they legally have.

The person who bought our house did so knowing what the hours of operation of the laundry were and that was accepted. In the same way so did the person who owns the laundry; they knew the restriction on hours when they took on this unit right next door to residential properties.

I find it very difficult to understand why a business which is a significant noise polluter, would decide to set up right next door to where people live and where they now claim the hours of operation are not enough for them.

It is interesting to note that despite all the years of assurances from the owners that they only work when they are permitted to that they are admitting in this application that they need to work on Bank Holidays etc.

In my job as a builder my work environment can be very noisy. On the jobs I manage and when working for others I never undertake noisy jobs before 8am so as not to disturb people living next door. It is a shame such consideration is not given to residents by other noise polluting businesses such as Cotswold Linen Care.

The correspondent from Leckhampton Road who has written in support has two residential properties between their home and the back of the laundry and so they will not experience the noise that the nearest properties do.

Those who support this application would not be quite so keen to have the noise going through their home and garden over longer periods if they were affected in the way the closest properties are.

I urge the planning committee to refuse this application on the grounds that relaxing the conditions relating to the working hours of this business will lead to an intensification of the use, which will unacceptably harm the amenity of nearby residential properties - just as the committee did in 2002.

20 Brizen Lane
Cheltenham
Gloucestershire
GL53 0NG

Comments: 18th August 2014

I have decided to declare a personal and prejudicial interest and not take part in the debate at planning committee. However I want to let the committee know why I very strongly believe the right decision is to refuse this application.

I lived with my family for 6 years at number 6 Maida Vale Road between 2001 and 2007. This was mainly a very happy time for us, it is a lovely little cottage in a tucked away location and we spent a lot of time and energy renovating it until ultimately we outgrew it and moved to a larger property.

The only negative part of living there was the close proximity to Cotswold Linen Care; the proliferation of their extractor fans and their penchant for working when it suited them regardless of the impact on nearby residents.

I spent a good few years reporting problems with noise and working outside of their permitted hours. I am particularly disturbed to read comments which seem to suggest that it is only one named person is not happy with this business.

When I lived in Maida Vale Road all of the residents who lived there at the time told me they could hear the extractor noises and it blighted their lives. The then occupier of the end property in Trowscoed Avenue even came round to knock on my door to ask about the noise coming from this business.

We all felt blessed when the business was not operating. Unfortunately there is a long history of non compliance with the working hours which I have witnessed first-hand, as I know my former neighbours and current residents have.

There have been complaints about both the noise from this business and of working out of hours for over 13 years. I understand the planning officer feels this record of complaints is not material to your decision but I believe it is crucial. Complaints about the laundry are because of the very negative impact it has on the quality of life of residents in nearby properties when the machinery is operating, it is not simply because of a desire to make CLC keep to their permitted hours for the sake of it.

If the machines and extractors were not operated during out of hours most likely no one nearby would even notice there was anyone in the unit working but the noise from the extractor fans goes through the nearby properties, you simply cannot ignore it.

When we lived at number 6 all we all wanted was a quiet life; to enjoy our property in peace during the hours when the business was not supposed to operate. We did not want ANY conflict with Cotswold Linen Care; we just wanted them to respect our right to some sort of quality of life during the hours they were not legally allowed to operate.

On Christmas Days and other Bank Holidays the first clue they were working would be sat at the dining table or relaxing to find suddenly a rumble through the property of their extractor fans being on. We would go out to investigate, find other neighbours out in the street wondering why there the noise was coming from the premises, see cars parked outside the laundry, see and hear the noise and steam directly coming from the extractors.

Time and again the owners denied working out of hours with an interesting array of completely implausible explanations. One time they said the fans had gone on automatically because of the cold air, it happened to be on a very mild Christmas Day I seem to recall. In freezing cold weather during the night the machinery mysteriously did not switch on however.

Now they seem to be blaming a saw mill nearby for the noise that people have complained about. I have to say this is the very first I even knew a saw mill was nearby. I don't recall ever hearing anything barely resembling a sawing noise. As my husband is a builder and we have renovated a number of houses together I am very familiar with what sawing sounds like and I think it is somewhat insulting for the applicant to suggest that for 13 years people have mistaken the noise and steam coming from his many extractor fans, which are feet away from their property with something completely different. If I had been disturbed by the saw mill I would have complained about it. I wasn't and I didn't.

The revised working hours the company have now (7am-6pm weekdays) were granted after lengthy complaints about working before 7am when they were not allowed to start work until 8am. Complaints then did not end in enforcement but two planning applications. The first application which is very similar to the one before you now was refused by the planning committee who were

concerned about the impact of the intensification of this business use on the amenity of nearby residential properties.

The second, which was granted, extended their opening times to 7am from 8am weekday mornings. However, in the main the results of these applications on working hours were subsequently ignored whenever the applicant felt like it during the following few years. Although the breaches in conditions had got less in the last year or so when we were there, sadly I hear from the person who bought the house from us they have repeatedly worked out of their permitted hours since she bought the property.

Maida Vale Road is a quiet backwater and when the trading estate is closed it is very peaceful, this is particularly important for residents to experience some down time when the businesses are closed due to the very close proximity to their homes and the shared use of the road for access to their properties.

I am very, very disappointed to read the brief comments from the Environmental Health Officer's recommendation to the hours of operation. Recipients of the noise pollution from this business deserve much better; I honestly cannot believe the impact of the noise from this business on the nearest properties has been fully understood if this is the conclusion that has been arrived at. It is not just noisy for one or two hours it is for 11 hours a day on week days currently. To extend that by another hour and increase hours of operation on Saturday afternoons, Sundays and Bank Holidays is just a horrific thought. Residents will barely have any peace and at no 6 where the sun completely disappears from the garden about 7pm there will be no daylight hours to sit in the garden without listening to the noise from the extractors.

Also I want to point out that the noise can vary, I am particularly disappointed that I cannot attend the site visit due to a hospital appointment as I wanted to be there to ensure the noise being emitted during the visit was representative of what it is really like. Most of the time it is very noisy but depending on weather conditions etc there are times when it is slightly less audible. On many occasions when I lived there the Environmental Health person would turn up to listen to the noise when the extractors had been switched off or were not on full pelt and I am concerned the same could happen during the site visit.

The EH comments also directly contradict the decision made by the planning committee in 2002 when it rightly concluded that such an intensification of this business use at this location would cause an unacceptable harm to the amenity of people living nearby. Concerns about noise and repeated violations of conditions relating to working hours by me (on behalf of my whole family and then neighbours) and then by the subsequent occupier of number 6 demonstrates that this is a genuine problem that has a significant harmful impact on the amenity of anyone who lives in that property.

There is also years of evidence and experience that the business will work when they want to regardless of the quality of life this takes from residents living nearby and regardless of their legal working hours. The hours being recommended are not what the applicant is asking for; experience suggests they will just do as they want even if these hours are extended. What is needed now is firm enforcement action to show that this council sets conditions for a reason and will act to back them up.

I would strongly urge the EH officer to rethink or at least explain how on earth the recommendation could possibly have been arrived at. I urge the planning officer to take account of the significant negative impact on amenity this business has on those living closest to it, as demonstrated by the long history of complaints and recommend the application is refused.

Failing that I beg the committee to understand how much this will impact on residents who are extremely distressed not just about this application but the way the enforcement has not happened. Please be the voice for these residents who have for too long not been listened to.

5 Trowscoed Avenue
Cheltenham
Gloucestershire
GL53 7BP

Comments: 18th August 2014

We have been living at the above address for nearly 10 years and were not aware of the fact that the units on the industrial estate are supposed to work restricted hours.

Over the past 10 years, both Bloxham Joinery and CLC Laundry have often operated well into the evening, weekends, bank holidays and on the odd occasion through the night.

We can tolerate the noise/bi-product during the week but feel the nearby residents should be entitled to at least one day per week free from the noise/smoke pollution generated by both businesses.

If the businesses are on restricted usage, who has been monitoring this for the past 10 years?

Unit 7
Maida Vale Business Centre
Maida Vale Road
Cheltenham
Gloucestershire
GL53 7ER

Comments: 19th August 2014

Letter attached.

Ian George (Funerals) Ltd
7 Maida Vale Business Centre
Maida Vale Road
Leckhampton
Cheltenham
GL53 7ER

Built Environment
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

11th August 2014

Dear Sir,

Your reference: 14/01270/CONDIT.

I understand that a planning application has been made by Mr Umesh Korant of Cotswold Linen Care Ltd, Unit 3 Maida Vale Business Centre, Maida Vale Road, Leckhampton, Cheltenham, GL53 7ER to Cheltenham Borough Council regarding a proposed extension of operating hours.

As I am the current occupier of Unit 7, Maida Vale Business Centre, Maida Vale Road, Leckhampton, Cheltenham, GL53 7ER I wish to enforce the reason why we applied for the extension of hours and the nature of our business.

We are Funeral Directors and the Unit is used solely for the garaging of vehicles (Hearse and Limousines) and the storage of coffins!

We do not operate our business from this unit on a daily basis as our Funeral Home is situated on the Gloucester Road in Cheltenham.

It may be misleading (*refer to correspondence letter from Cotswold Linen Care Ltd*) to believe that we operate fully during the times stated on our hours of access! My understanding is that permission for the extension of hours was granted on the basis of returning vehicles following a distance funeral?

I therefore object to being named in the correspondence letter by Mr Umesh Korant, and further advise the Planning Department at Cheltenham Borough Council that we **do not** fully operate within the hours the applicant has applied for!

I would suggest you contact those residents opposite Unit 7 to support my comments.

If Mr Korants business has outgrown his present site it may be in his best interest to relocate, and to give the residents surrounding Maida Vale Business Centre the peace and enjoyment of their homes they justly deserve!

You will note that a couple of the properties is within 10 metres of the rear wall of Mr Korants premises, and I am sure that when these Units were built they were not intended to fully operate to the proposed extension of hours?

I therefore wish to implement my **objection** to the proposed extension as we **do not** operate within our granted hours and intend to respect the peace and tranquillity of those residents who surround our boundaries!

Yours faithfully,



Ian George (Funerals) Ltd