

# ***Boat Builder Ordered To Abate Noise Nuisance***

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**AFTER hearing complaints from neighbours about noise from a boat-building factory in Jumpers Avenue, Christchurch magistrates on Monday ordered Robert Edwin Hoare, trading as Bob Hoare, at 35, Jumpers Avenue, to abate the nuisance within six months.**

Hoare gave an undertaking that he would not use the machines at the factory after 6.30 p.m. on weekdays, after 1 p.m. on Saturdays or on Sundays. He was ordered to pay costs of £5.

The Town Clerk, Mr. J. Macfadyen, said the premises at 35 Jumpers Avenue consisted of a dwelling and a collection of buildings, most of which had been there for a number of years. In 1946 permission was given under the Town and Country Planning Acts for the use of the existing buildings for the purpose of a dry cleaning business and in that way it established the right to be used for general industrial purposes.

Temporary planning permission was given for the buildings to be extended slightly but permission for permanent extension was refused. The dry cleaning business finished on the premises and it was not used for business for a number of years until Mr. Hoare arrived 18 months ago.

Mr. Hoare was lawfully there but it did not give him the right to use the premises in a way which was a nuisance. It was now alleged that the particular business he was carrying on — boat building—was being done in such a way as to cause a great deal of disturbance to people nearby.

## ABATEMENT NOTICE

An abatement notice was served on him on July 1 to become effective within 28 days, but it had not been complied with.

Mr. John Gilbert, formerly a builders' foreman, and now a bricklayer, of 14, Bendigo Road, Christchurch, said his bungalow was 10ft. away from the garage, now being used as a factory.

He said that his experience, since living in the bungalow, had been one of "complete disillusionment". He had paid £900 for the land on which his bungalow stood which he hoped was going to be a pleasant home near his work. But when he and his wife moved in he realised there was "an enormous noise from the factory just 10ft. away".

The noise was there almost whenever he was at home and varied in volume according to the work being done. He said that when the boat was turned over and a tool used on it "it was like a drum and when a machine is put over it, it vibrates enormously and makes the whole body quiver".

## A DIFFERENCE

Mr. Gilbert said the noise from the factory before April lasted much longer than it did now. After April there was a difference in as much as the machines were not used at such a late hour.

"There is no section of my bungalow where it is possible to get away from the noise. Sometimes I have gone out and taken my wife away just to get away from the noise." Mr. Gilbert said the noise had affected him so much that he was sacked from his job as a builders' foreman and was now working as a bricklayer.

Mrs. Charlotte Emma Hoyle, 41, Jumpers Avenue, who is separated from the factory by four dwellings, said: "It is bedlam there in the summer. It is just driving all of us round the bend.

"It is a dreadful noise; there is a groaning thing which sounds like a horse dying; there is a sizzle thing; I don't know what they are doing with that."

The earliest time that she had heard it in the morning had been a quarter past eight and the latest time at night had been 6 p.m., and in the summer months it was later.

Mr. Percy Stanley Lawes, 39, Jumpers Avenue, said the noise of the band saw used in the factory was like "killing pigs" and added: "You can hardly stay indoors for the noise". He said the noise was not so bad now, because the doors and windows had been shut up.

Mr. Harold Hanson, 7, Bendigo Road, said his house was about 40-50ft. away from the factory. There was so much noise that when he was on nights he could not get any sleep during the day.

Hoare said he purchased the property at Easter, 1960, and commenced boat building work there in April of that year. The boats he built were of a light plywood and they were glued and screwed together. The

majority of the boat was glued together and at the end four pieces of wood were nailed on while the glue dried. It was only necessary to hammer about 40 nails into each boat and his output was approximately two boats a month.

They used a band saw which was a very quiet machine, a circular saw, a small portable planer, a vibrating sanding machine, two small electric drills and a portable router. The tools were mainly kept in a brick building with an asbestos roof, and the noisiest machine, the circular saw, was used for only about 20 minutes a day.

#### "NO COMPLAINTS"

The sanding machine made a noise when it was used on a completed boat but that only happened twice a month. No one had complained to him about the noise from his factory and since July no machinery had been used after 6 p.m.

He had tried to make the building as sound proof as possible including lining roofs and sealing doors and windows.

Mr. Samuel Taylor, 37, Jumpers Avenue, whose premises adjoin those occupied by Mr. Hoare, said he had not been inconvenienced by the noise from the factory at all.

Mr. George Henry White, 33b, Jumpers Avenue, on the boundary of the factory, had not heard any of the noise while in his house. When he was in his garden he could hear tools being used but they had been of low intensity and had never been at all disturbing to him.