

From: Anita Gardner <Anita.Gardner@arun.gov.uk>
Sent: 04 June 2021 17:58
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: APP REF F/5/21/PL – Development at Burndell Road, Yapton

Please scan as consultee response

Anita Gardner
Principal Planning Officer,
Directorate of Place

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Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
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From: Craig Milligan <Craig.Milligan@arun.gov.uk>
Sent: 04 June 2021 17:15
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Subject: RE: APP REF F/5/21/PL – Development at Burndell Road, Yapton

Hi Anita,

When drafting my comment I had TJ Waste & Recycling in mind, however I recommend amending the condition to include “within 100 meters of the proposed development site”

No development shall commence until an acoustic assessment has been undertaken to determine the impact of noise from all commercial related noise sources within 100 meters of the proposed development site. The results of the assessment and details of a scheme of mitigation measures necessary to ensure an appropriate level of aural amenity within habitable rooms and amenity in garden areas shall be submitted and approved in writing by the Local Planning

Authority. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 – 2031

A further suggested condition could be

No development shall commence until a site plan has been submitted for approval to the Local Planning Authority. The site plan shall demonstrate that the lay out of the development incorporates good acoustic design and includes consideration to the layout of each residential plot. The orientation of residential units shall be designed such that no habitable room is positioned to overlook the industrial buildings comprising 'North Wood Farm' and 'TJ Waste & Recycling'. The development shall then be in accordance with the approved site plan.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 – 2031

I think that some valid concerns have been raised by Mr Gosling in that future residents are at risk of 'nimbyism' even though they are moving into the area. It is also likely that some residents will be more sensitive to noise just because they are in the near vicinity of an operation which looks imposing and noisy.

With consideration to Mr Goslings reference to West Sussex Waste Local Plan, I would enquire if they have been consulted on the application and what their views would be to the residential development being approximately 70 meters from the Waste & Recycling plant? If the policy is purely noise driven then good acoustic design should mitigate these factors, however if public / neighbour's perception is the main driving factor then WSCC may wish to object to the proposal on the grounds that it contravenes their policy.

I feel that including the two suggested conditions above and liaising with WSCC would address Mr Gosling's concern.

IF you wish to discuss further, please get in touch.

Kind regards
Craig

Craig Milligan

Environmental Health Officer, Technical Service

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Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

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From: Anita Gardner <Anita.Gardner@arun.gov.uk>

Sent: 04 June 2021 14:52

To: Craig Milligan <Craig.Milligan@arun.gov.uk>

Subject: FW: APP REF F/5/21/PL – Development at Burndell Road, Yapton

Hi Craig,

Please see rep below. Are you satisfied that the suggested noise condition below would adequately address the concerns of the nearby commercial approval?

Noise

No development shall commence until an acoustic assessment has been undertaken to determine the impact of noise from commercial related noise sources. The results of the assessment and details of a scheme of mitigation measures necessary to ensure an appropriate level of aural amenity within habitable rooms and amenity in garden areas shall be submitted and approved in writing by the Local Planning Authority. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 – 2031

Thanks
Anita

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From: John Gosling [REDACTED]
Sent: 04 June 2021 14:37
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Cc: Planning.Responses <Planning.Responses@arun.gov.uk>; planning@arun.gov.uk
Subject: APP REF F/5/21/PL – Development at Burndell Road, Yapton

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Dear Mrs Gardner ,

APP REF F/5/21/PL – Development at Burndell Road, Yapton

‘CONCERNS RAISED’

We write in respect to the aforementioned planning application at Burndell Road which is currently pending consideration. We note that we have until **4th June 2021** to reply so are within this timeframe.

Our business has been operating to the south of the proposed site for over 12 years and benefits from a permanent planning permission (Ref **WSCC/014/09/CM**) as is subject to a series of planning conditions to ensure the amenity of neighbouring residential properties are appropriately mitigated for. A snap-shot (courtesy of google earth) is detailed below:



I draw your attention to **condition 30** of our consent which states:

"All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise does not, at any time, increase the background noise levels as measured according to British Standard 4142:1997 at any adjoining or nearby residential property." Reason: To protect residential amenity.

We took on this site because of its separation away from residential properties and its excellent location to the strategic road network and the origins of waste in the area, however over recent years we are seeing more and more encroachment to the natural buffer (especially to the north) which is concerning i.e. the Abbotsfield development (45 properties). We are also concerned that if these properties do get built, complaints from neighbours will become more frequent through no fault of our own.

Please could the LPA direct us to the noise attenuation mitigation measures suggested by the applicant and how these will protect residential amenity and **what if/any noise assessment has been undertaken to date to justify the positioning of each plot's layout..?** We note the pre-app advice received from the Council never requested this which we assume explains why it hasn't been provided?

We note only the following statements were provided:

Application Ref : F/5/21/PL Email X

	Date	Document Type	Description
	05/04/2021	STATEMENTS	SURFACE WATER DRAINAGE SUMMARY & CALCULATIONS & FSA
	05/04/2021	STATEMENTS	APPENDIX 5: ABOVE GROUND STABILISING SYSTEM
	05/04/2021	STATEMENTS	APPENDIX 4: DEFAULT SPECIFICATIOINS FOR PROTECTIVE FENCING
	05/04/2021	STATEMENTS	ARBORICULTURAL REPORT
	05/04/2021	STATEMENTS	TRANSPORT ASSESSMENT
	05/04/2021	STATEMENTS	TRANSPORT STATEMENT
	05/04/2021	STATEMENTS	PLANNING STATEMENT
	05/04/2021	STATEMENTS	BAT SURVEY & MITIGATION PROPOSAL
	05/04/2021	STATEMENTS	REPTILE SURVEY & MITIGATION PROPOSAL

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Total Records : 9 < >

Our site already benefits from an Acoustic Barrier (condition 17) on our norther boundary and we wouldn't want to be forced into providing further investment in enhancing this if the Council decides to grant permission or be faced with 'noise complaints' arising from future occupiers through no fault of our own.

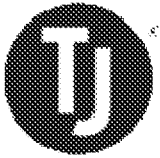
Indeed, the West Sussex Waste Local Plan Para 6.3.5 states:

"Existing waste sites and infrastructure will be protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation. Accordingly, sensitive uses should not be located adjacent to or within, for example, 150 metres of a landfill site, or 250 metres of an open windrow composting site. However, the actual buffer needed around each site will depend upon the nature of the proposed 'sensitive' use and on the specific impacts of the current waste operation."

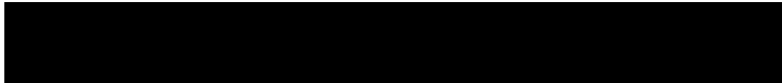
In conclusion, whilst we are not in principle against housing being developed at the site, it is important that the developer has undertaken the correct due diligence on understanding the local noise climate and that the EHO are satisfied that the appropriate safeguards and mitigation measures are in place.

Kind Regards

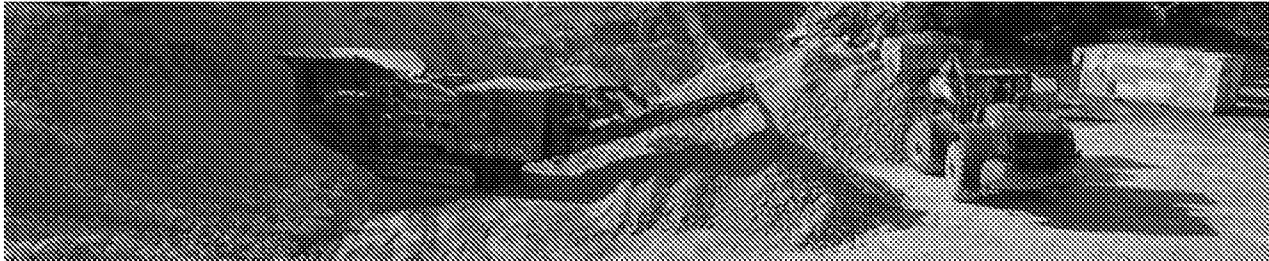




John Gosling
Managing Director



Charity Farm, 127 Wickham Road, Fareham, PO17 5BP



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