

Recommendation Report for County Matter Consultation**REF NO:** R/79/15/WS**LOCATION:** Summerlea Community Primary School
Windsor Drive
Rustington**PROPOSAL:** Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for erection of an acoustic fence & installation of an external play area. This application will be determined by the WSCC.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposal relates to the provision of a 90m length of acoustic fencing along the western boundary of the site where it abuts a mobile home site. The fencing would be 2.4m in height.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Fencing/hedging to site boundaries
SITE CHARACTERISTICS	School building has brick elevations. Car park to north has tarmac surface
CHARACTER OF LOCALITY	Residential area, mainly detached dwellings to north and east. Caravan park to west

RELEVANT SITE HISTORY

R/126/05/	Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for proposed single storey courtyard extension, internal re-modelling & additional disabled & standard parking bays (This application will be determined by West Sussex County Council)	ApprvdCond-WSCC 17-08-2005
R/219/08/	Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for the continued siting and use of a temporary classroom unit. (This application will be determined by West Sussex County	No Objection 07-11-2008

Council)

R/163/13/	Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for replacement of single storey temporary classroom with double classroom and provision of 2 carparking spaces. This application will be determined by West Sussex County Council.	No Objection 30-07-2013
R/8/15/WS	Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for the erection of an acoustic fence. This application will be determined by WSCC.	No Objection 29-01-2015

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

Environmental Health

Consultations responses received:

Environmental Health - The applicant shall provide a Noise Consultant's report to predict the impact of noise from the playground at the nearest noise sensitive location & propose mitigation measures to prevent significant impact on the amenity of the residents of adjacent premises. Consideration should be given to reducing the current noise impact of playground noise on residents by reducing the hours of outside play and the number of children at play, or a combination of both until full and/or alternative mitigating measures are in place.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN7

[Publication Version of the Local Plan \(October 2014\):](#)

The Form of New Development
D DM1 Aspects of Form and Design
Quality

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham & Eastergate; Felpham and Rustington. There are no specific policies in Rustington Neighbourhood Plan specifically relating to this type of development.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

This is a Regulation 3 planning application submitted to West Sussex County Council (WSCC) who will determine the application. Arun District Council is a consultee only for the application and it is not the role of Arun District Council to make a decision on the application.

The proposed acoustic fence would reduce noise levels to the adjacent residential mobile home

park to the west and would improve residential amenity. The previous application for acoustic fencing was for a shorter length (43m) which did not fully address the noise problems arising to adjoining mobile home properties. This application has been submitted to increase the length and prevent sound spilling around the end of the shorter length fencing.

The 2.4m high fencing would be located on the rear boundary of adjacent homes. It would have some overbearing impact on occupiers of the adjoining mobile homes but this would be off set by the reduction in noise levels which are causing a nuisance. The application has arisen out of a desire to address neighbours concerns regarding noise from the external play area. The fencing would not be readily visible from outside of the school or outside of the mobile home park. It would therefore have no adverse impact on visual amenity.

It is recommended that no objections are raised to the proposal, but request consideration is given to the following condition.

RECOMMENDATION

NO OBJECTION

- 1 The applicant shall provide a Noise Consultant's report to predict the impact of noise from the playground at the nearest noise sensitive location & propose mitigation measures to prevent significant impact on the amenity of the residents of adjacent premises. Consideration should be given to reducing the current noise impact of playground noise on residents by reducing the hours of outside play and the number of children at play, or a combination of both until full and/or alternative mitigating measures are in place.