

Recommendation Report for Planning Permission**REF NO:** **WA/48/12/****LOCATION:** Toddington Nurseries, Lake Lane Nursery
Park Road
Barnham**PROPOSAL:** Raise the height of the existing acoustic fencing along the southern boundary by an additional 1m to a total height of 3m. This application also falls within the parish of Barnham.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	7.6 hectares
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The existing boundary treatment comprises a 2 metre tall wooden acoustic fence.
SITE CHARACTERISTICS	Site comprises of glasshouses and polytunnels growing plants.
CHARACTER OF LOCALITY	Rural area with housing along Lake Lane and adjacent to the site are bungalows in Park Road.

RELEVANT SITE HISTORY

WA/96/01/	Temporary accommodation for nursery management/security staff.	Withdrawn 01-03-2002
WA/90/01/	Retention of building to be used as a staff canteen/restroom with some ancillary storage	Approve Conditionally 20-11-2002
WA/52/03/	Replacement agricultural store	Approve Conditionally 12-11-2003
WA/31/07/	Polytunnels, between existing glasshouses.	Withdrawn 11-05-2007
WA/57/07/	Polytunnels, between existing glasshouses. (Re-submission following application WA/31/07/)	Refused 05-10-2007

WA/48/08/	Erection of poly tunnels between existing glasshouses and on adjacent land.	Approve Conditionally 26-11-2008
WA/29/11/	Application for removal of conditions 2 & 3 following grant of planning permission WA/70/68	NON DET APPEAL 10-08-2011 Appeal: Allowed 07 12 2011

No comments

REPRESENTATIONS

Representations received:

WALBERTON PARISH COUNCIL - response awaited.

BARNHAM PARISH COUNCIL - NO OBJECTION:

Comments on Representations received:

No comments

CONSULTATIONS

Environmental Health

Consultations responses received:

ENVIRONMENTAL HEALTH - NO OBJECTION:

The proposed extension to the height of the boundary fence may be of assistance in reducing the transmission of noise arising on the application site to adjacent residential premises.

Comments on Consultation responses:

No comments

POLICY CONTEXT

Designation applicable to site:
Outside the Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [GEN7](#) The Form of New Development

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area or highway safety. It is also considered that these conditions do not comply with national planning policies in that they are not valid and they place unjustifiable burdens on the applicants.

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

The proposal is intended to reduce the level of noise intrusion on adjacent properties "Firefly" and "Kilkenny". The proposal is considered to have a positive impact on the amenity of the occupiers of these adjacent properties.

The proposed increase in the height of the acoustic fencing would, on its own merits, not detract from the character and appearance of the adjacent properties and would not have a harmful impact on the appearance of the street scene.

Approval of the application will not result in any significantly harmful impact on neighbouring occupiers in terms of loss of light or as the wall is located to the north of the properties

The proposal would therefore comply with policies GEN7 of the Arun District Local Plan and is recommended for approval.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Site Location Plan
Site Plan
Proposal Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy GEN7 and GEN32 of the Arun District Local Plan.

- 3 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that (the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character)and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7 GEN32

NATIONAL POLICIES: National Planning Policy Framework

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.