

APPLICATION NO: F/YR19/0357/O

SITE LOCATION: Land South East Of 182, Wype Road, Eastrea

UPDATES

**1. Neighbour representations**

1.1 1 Further letter of support received from resident of 127 Wype Road noting that since living at the address since 1982 the are unaware of any noise complaints regarding their farming operations, nor any consistent regular noise issues generated from 182 Wype Road and therefore cannot envisage any issues with the proposal.

**2. Agent Correspondence**

2.1 Members have received correspondence from the applicant's agent including photographs and raises the following points;

- The site falls within the 30mph zone and is therefore deemed to be within the settlement rather than the open countryside
- No noise issues have ever been reported by nearby neighbours

2.2 Officers note the comments and respond as follows;

*30mph zone*

2.3 The location of a road traffic sign does not feature as a criteria setting out where and when a site should be considered to fall within or outside of a settlement. Policy LP12 Part A (a) including the footnote sets these criteria out. For this reason the site is deemed to fall outside of the settlement.

*Noise*

2.4 Whilst the Council holds no records relating to noise related issues from the adjacent farm, this development proposes to place properties significantly closer to the farm, its access and outbuildings than any existing properties and therefore occupiers of the development would be at a greater risk of experiencing noise nuisance should it arise.

**3. Amended Plan**

3.1 The applicant has proposed a 1.2m high bund along the northern boundary with 1.5m high planting. This is to offer noise mitigation and screening and a green solution rather than a fence.

3.2 Officers note the comments and respond as follows;

3.3 Officers are unable to accept the amendment to the proposed plans as the bund would constitute operational development prompting a description change and neighbour etc. notification in-line with our Statement of Community Involvement. There has been

insufficient time ahead of Planning Committee to undertake this. The proposed planting as opposed to fencing would constitute 'landscaping' which is not committed at this time and therefore would not form a consideration at this stage.

3.4 Notwithstanding this, the Council's Environmental Protection team has commented on the proposed bunding as follows;

*"I acknowledge the addition of a 1.2 metre bund, but this is unlikely to provide any meaningful noise attenuation. Vehicles, especially those being of agricultural nature will still be viewable above the bund, and even though there are proposals to undertake hedge planting along the top of the bund, this will have no noticeably positive effect from an acoustics and noise control standpoint.*

*Whilst the main workshop doors face north west, towards the road and not directly onto the proposed dwelling position, this should not be relied upon as a means of significant noise attenuation given that noise generated within the structure will reverberate off of internal surfaces, and therefore not emanate only in a straight line towards the road, but instead also be directed at an angle, some towards the location at which the dwellings are proposed. There is also no requirement that the workshop door must remain closed, and it would be sensible to assume that the majority of works in there will be undertaken with the door open for ease of access/egress, unless the weather is particularly inclement.*

*The submission of the latest information has not altered my opinion (previously provided on 30.05.19) on environmental health grounds.*

**Resolution:**

Recommendation Refuse as per section 12 of the officer's report.