

# Chichester District Council

PLANNING COMMITTEE

9 June 2021

## Planning Noise Advice Document

### 1. Contacts

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### 2. Recommendation

- 2.1. **That Planning Committee approves the Sussex Planning Noise Advice Document for consultation.**
- 2.2. **That authority be delegated to the Director of Planning and Environment (following consultation with the Cabinet Member for Environment and Chichester Contract Services) to consider the representations arising from the consultation exercise and, provided the representations do not require significant amendments to the Document, to approve adoption (with minor amendments if considered appropriate) of the Document.**

### 3. Background

- 3.1. Noise can have a significant effect on the environment, health and quality of life of individuals and communities. There is evidence suggesting links between exposure to noise and negative life outcomes, for instance; educational outcomes in children, prevalence of heart disease and heart attack. The National Policy Planning Framework (NPPF) paragraph 170e, 180a, 180b and 182 makes reference to noise and noise is a material consideration in the determination of planning applications.
- 3.2. Officers of the Council's Environmental Protection team are a consultee to the Development Management Service for planning applications received by the Council, South Downs National Park Authority (for that part of the national park in Chichester district) and WSCC Waste and Minerals planning applications for various environmental impacts including noise. Four officers of the team have a post graduate acoustics qualification to provide them with the appropriate expertise and noise is the most common environmental impact that officers are asked to comment on. Officers assess applicants' noise reports and data, negotiate appropriate mitigation

and make recommendations for planning conditions to be appended to any given permission, or in some cases for refusal of permission.

- 3.3. The government replaced its Planning Policy Guidance Note 24, Planning and Noise (PPG24) with new guidance in the NPPF in 2012. Since that time the government has also published the Planning Practice Guidance (noise) and the Institute of Acoustics, Chartered Institute for Environmental Health and Acoustics and Noise consultants have published the ProPG: Planning & Noise guidance document to fill the absence of guidance. Nevertheless it would provide for more defensible decision making, such as at planning appeal, if local guidance were to be adopted to provide a policy steer to applicants and agents for planning applications.
- 3.4. A group of Sussex Environmental Health Officers has produced the 'Planning Noise Advice Document' (PNAD) (March 2021). This is a broad ranging document that seeks to 'provide advice for developers and their consultants to assist in making planning applications'. The document covers noise and vibration and in particular aims to complement the Noise Policy Aims set out in the Noise Policy Statement for England (2010), which seek to:
  - Avoid significant adverse impacts on health and quality of life
  - Mitigate and minimise adverse impacts on health and quality of life, and
  - Where possible to contribute to the improvement of health and quality of life.
- 3.5. The PNAD has implications for the Council's 'Local List' which stipulates the information required to support a valid planning application. As such the Local List will be amended to reflect the PNAD if and when it is adopted.
- 3.6. Officers are also discussing the possibility of adopting the PNAD with SDNPA and the WSCC Minerals Team.

#### **4. Outcomes to be achieved**

- 4.1. The outcome sought by consulting on the PNAD is to make the document more robust by giving the developer and planning agent community the opportunity to comment on it prior to adoption.
- 4.2. The outcome sought through the Council's subsequent adoption of the PNAD are to:
  - Provide clarity to planning agents and applicants as to the Council's approach to noise related issues through the development management system.
  - To assist the Council in being robust where planning refusals are subject to appeal.

#### **5. Proposal**

- 5.1. To consult developers and agents on the draft for adoption PNAD as a local technical advice guidance note to offer clear and consistent guidance to developers in relation to noise related issues when submitting planning applications.

## 6. Alternatives considered

- 6.1. The alternative would be not to carry out a consultation prior to adopting the PNAD or not adopting the PNAD at all. Neither approach would maximise the potential for the document to give clarity to noise related matters through the council's development management process including planning appeals.

## 7. Resource and legal implications

- 7.1. The intended work is within existing budgets and staffing resource.

## 8. Consultation

- 8.1. The Council will consult planning agents, architects and consultants drawn from the Development Management Uniform IT system.
- 8.2. The consultation period will be from 21 June to 6 August 2021 following Planning Committee approval. Should the consultation result in inconsequential changes to the document then subject to the Planning Committee's agreement, the recommendation will be to adopt the PNAD without returning to the Committee. However should the consultation comments require key changes to the draft PNAD the amended strategy will then be return to Planning Committee for approval and adoption.

## 9. Community impact and corporate risks

- 9.1. Adoption of the PNAD supports our Corporate Priority to 'maintain our built and natural environments to promote and maintain a positive sense of place.

## 10. Other Implications

	Yes	No
<b>Crime and Disorder</b>		✓
<b>Biodiversity and Climate Change Mitigation</b>		✓
<b>Human Rights and Equality Impact</b>		✓
<b>Safeguarding and Early Help</b>		✓
<b>General Data Protection Regulations (GDPR)</b>		✓
<b>Health and Wellbeing</b> The effective management of land contamination ensures that the issue is properly considered and managed proportionately and appropriately so as to minimise the impact on public health.	✓	

## 11. Appendices

11.1. Draft for consultation 'Planning Noise Advice Document: Sussex'.