

OVERVIEW AND SCRUTINY COMMITTEE – 24 SEPTEMBER 2024

**MEMBER SCRUTINY ITEM REQUEST – PLANNING APPEAL AT WOODHAM
MORTIMER**

BRIEFING NOTE

1. The purpose of this note is to provide an update to the Committee on those matters previously considered by the Working Group and to provide the further information requested which has been supplied by the Environmental Health Team.
2. Environmental Health received complaints of noise from dog barking and generator use in March 2022, and then again in September 2022 regarding dog barking and bonfires. In both cases, following investigation, visits, and the collection of noise recordings, it was not found that there was evidence of a statutory nuisance that required further enforcement action. The site was then vacated and no further complaints arose.
3. Environmental Health was consulted on the planning applications that then followed. The principal concern was the ability for the development to provide suitable living conditions to future occupiers due to the road traffic noise from the A414. Site layout and caravan construction suggested that significant adverse impacts from noise and vibration could be avoided and that the aims of the national planning policy framework and noise policy statement for England could be met. Existing nearby residents were concerned by the potential loss of amenity caused by noise if the development went ahead. It was the view of Environmental Health however that there was nothing inherently noisy in the proposed residential use of the site that would significantly and adversely impact on amenity (such as plant and machinery). The proximity of the caravans to the site boundary was felt to have no bearing on residential amenity from an Environmental Health viewpoint, and obviously factors such as visual impact were taken account of by Planning Officers.
4. Noise or behaviour issues (including dog barking and loud music) arising from the potential occupation of the site would not have been a material planning consideration in so far as potential detriment to amenity was concerned. These are matters aside of the principle of development and can only be dealt with through the statutory nuisance regime.

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September 2024