

Recommendation: **GRANT PERMISSION**

National Planning Policy Framework 2012

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Local Plan (Core Strategy) March 2011

CS17 (Concentration and Distribution of Development within the Urban Areas)
CS4 ()
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

AL3 (Town, District and Local Centres)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environmental Health Manager, Community Group

Updated comments: Agree with a compliance condition for the works to be carried out in accordance with the Noise Impact Assessment received 08.12.2017 and for the working hours request to be included as an informative.

Previous Comments:

I have now read the report and have no issues with it. Happy to discharge the condition (or at least the first part of it) the second (verification test still to be within the condition to be discharged).

I have read the little information provided for this proposal but could not find any acoustical information relating to existing background noise level and expected noise levels once all A/C unit are installed together with noise reduction from the paladin. Only from the drawing, it is unlikely that the Paladin will offer much noise reduction or containment, further, units located above the paladin will be able to emit noise unrestricted. Therefore I would not be able to support this application and would like to object to it until such time as acoustical information is provided.

If you are minded to grant this application, I would request that a condition to produce and submit a BS4142 based report be incorporated within the permission. The acoustic aim should be not to increase existing background noise level thus preserving and not adding to it thus allowing creeping background noise level to occur. A second condition for a verification survey shall be submitted within a month of operation to evidence method of controlling noises from those equipment have been achieved. A third condition controlling the working hours of the ancillary operations is recommended.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 4

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (vi) Pollution

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Impact upon the character and appearance of the area

7.3 The proposed changes to the existing unit include the addition of fire exit doors to the rear of the building. This is considered to be acceptable in design terms. The provision of the air conditioning units and gas bottle storage unit would not be highly visible from the public realm as they would be located at the rear of the unit. Overall the physical changes are considered to have minimal impact.

(iii) Impact upon residential amenity

7.4 The proposed air conditioning units and gas bottles are to be located at the rear of the building in a dedicated service yard which serves the unit and the wider retail park. It is exclusively commercial in terms of land use and the retail park is surrounded by a highway Brockhampton Lane and Selbourne Road. The closest residential property is over 40m in distance, beyond the retail park and highway which is considered to be a sufficient distance in order to ensure any impact caused is limited and acceptable.

(vi) Pollution

7.5 Following a consultation with Environmental Health an environmental noise assessment report has been submitted with the application which is considered to be acceptable. A condition shall be included with the decision to ensure that the works are carried out in accordance with the report which is considered to be sufficient to cover the concerns raised regarding verification. Working hours shall be included as an informative as part of the decision. The report has found that the absolute noise levels incident on the closest residential properties are sufficiently low, and so are not considered to have an adverse impact. The proposal is considered to accord with Policy DM10 of the Core Strategy 2011. A further condition shall be included with the decision regarding working hours.

8 Conclusion

8.1 The application is considered to be acceptable as it would accord with local plan policy and given that the nearby residential properties are an acceptable distance away from the commercial retail park and the site. The application is recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/01204 subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Noise Impact Assessment Received 08/12/2017

Covering Letter: Received 13.11.2017

Air Conditioning Unit Specifications: Received 13.11.2017

Gas Bottle Specifications: Received 13.11.2017

Site Location Plan: Received 13.11.2017

Proposed Block, Floor and Elevation Plan: Drawing No 5635/11

Reason: - To ensure provision of a satisfactory development.

- 3 The development hereby permitted shall be a mutually exclusive alternative to the development granted planning permission under planning permission ref: APP/16/00836 and shall not be carried out in combination with that consent.

Reason: To accord with the terms of this application and to ensure a satisfactory development in the interests of the character and appearance of the area having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012

- 4 The works shall be carried out and maintained in accordance with the Noise Impact Assessment Report received 08.12.2017.

Reason: To protect the occupants of nearby residential properties from noise disturbance and to be in accordance with policy DM10 of the Havant Borough Core Strategy 2011 and National Planning Policy Framework 2012.