
Site Address:	50 East Street, Havant, PO9 1AQ		
Proposal:	Installation of 2No. air conditioning unit.		
Application No:	APP/15/01273	Expiry Date:	01/06/2016
Applicant:	Mr Peter Raftery Hampshire Endodontics		
Agent:		Case Officer:	Heather Lealan
Ward:	St Faiths		

Recommendation: **REFUSE PERMISSION**

1 Site Description

50 East Street, Havant, PO9 1AQ. The site is located on the southern side of East Street; a mixed section of the street with some commercial units with flats over and other formally commercial units that have been converted to residential dwellings. The site is within St Faiths conservation area and is adjacent to a listed building.

2 Planning History

94/58542/003 - Amendment to previous approval & change of use to retail premises with living accommodation attached to specialist orthodontic practice and two self contained flats., PERM,
94/58542/004 - Demolition of conservatory at rear., PERM,
93/58542/000 - Change of use from shop and living accommodation to form single dwelling with external alterations to front., WD, 16/08/1994
93/58542/001 - Change of use of ground floor retail premises to specialist Orthodontic Practice, PERM,
95/58542/005 - Increase height of part of east boundary wall to 2m to facilitate construction of sun lounge., PERM, 27/07/1995
GEN/15/00812 - Installation of air conditioning unit., 10/08/2015 15:09:27
GEN/16/00208 - Proposed installation of air conditioning., INV,

3 Proposal

Installation of 2No. air conditioning units. Both are proposed to be located to the western elevation of the building. The one unit at first floor level and the second at ground floor level beneath an existing window.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)

CS16 (High Quality Design)
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.
Conservation Area: St Faiths

5 Statutory and Non Statutory Consultations

County Archaeologist
No concerns

Conservation Officer
No comments

Environmental Health Manager

The location of the units are such that the noise amplification will be very audible at the adjacent property.
From the plans provided the property to which the unit will face appears residential and with the height of the unit, proximity to hard reflective surfaces, although the data sheet informs of a decibel levels, free field, this in practice will be very different. Further tonality, impulsiveness is not taking into account.
Without information relevant to the acoustical impact of the proposed scheme, I would like to object on Noise ground.

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: 12

Number of site notices: One

Statutory advertisement: 29/04/2016

Number of representations received: One

Summary:

- a) The application form details the installation of a single A/C unit. However the elevation drawings show the addition of two A/C units.
Which is correct 1 or 2 units? *The application is for 2 units*
- b) The application states the single unit to be fitted will have a noise level of 50dBA. However in the letter to the council dated 3/2/16 the stated level is corrected to 63dBA. This figure applies to the unit when it is cooling. A figure of 65dBA is quoted for the unit when the unit is in heating mode. (a 3dBA increase equates to a doubling of the

noise level.) The noise level will be considerably more than "a fairly quiet noise in an office".

c) The letter dated 3/2/16 makes reference to a letter from the council dated 11/11/15, and dismisses points 1,2 and 3 of that letter. There is no record of the letter of the 11/11/15 in the planning documents online. *These were invalid letters and contain no further technical detail pertinent to this application*

d) Concerns regarding noise pollution to property.

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 streetscene
- (iii) Impact upon residential amenity

(i) Principle of development

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 streetscene

The siting of the units are such that they will not be readily visible from the public realm and it is considered that they are not an unusual feature to the side and rear of commercial buildings within a town centre location. As such it is considered that the scheme accords with Local Plan Core Strategy policies CS16 and CS11 to this regard.

(iii) Impact upon residential amenity

The air conditioning units have the potential to result in nuisance from noise or vibration to the adjacent residential dwellings and in the absence of satisfactory acoustic information this aspect of the scheme is currently unacceptable.

8 Conclusion

The case officer has sought to work with the applicant to gain the required acoustic information, (initially requested at validation stage), and, despite an email and contact directly by letter to the address provided on the application form, no contact has been received from the applicant within the requested timescale. Therefore, this application should be refused planning permission on the grounds that insufficient information has been submitted relevant to the acoustical impact of the proposed scheme on the adjacent residential dwellings.

9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/15/01273 for the following reason

- 1 Insufficient information has been submitted to the Local Planning Authority to enable an assessment to be made of the suitability of the air conditioning units in terms of risk of noise and vibration. As a result it has not been demonstrated that the units would operate in a satisfactory manner without detriment to the amenities of existing nearby residential properties. The proposal is therefore contrary to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.