

Recommendation: **GRANT PERMISSION**

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

## 5 **Statutory and Non Statutory Consultations**

### **Environmental Health Manager, Community Group Comment:**

When the units were run at maximum there was definitely an increase in noise levels to a point where it would be likely to have an adverse impact on the nearest residential receptor. There is no guarantee that the units will only ever be used in quiet mode only and/or at one time. I would suggest that the applicant may want to consider getting an acoustic assessment done to clarify whether mitigation measures are necessary, or potentially relocating the units onto the east elevation (driveway) wall at ground level if this is believed this will prevent any possible adverse impact on nearest residential receptors. As we have no record of noise complaints at this time I would recommend that an informative be added to any positive decision confirming that the granting of permission does not permit the emission of noise from the site, nor does it supersede the general requirement of the Environmental Protection Act 1990.

**Planning Officer Comment:** Plans have been amended to address the concern outlined above which proposes moving both fan units to the side (east) elevation at ground level towards the rear of No 3. This is considered to be a sufficient measure to reduce the harm caused and will be discussed in more detail later in the report. An informative will be included with the decision as requested above.

## 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: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

**Summary:** Comments made that the units are in close proximity to two bedrooms and cause a noise nuisance to No 4 Arun Close. A suggestion has been made that the units are moved to the side of No 3.

**Planning Officer Comment:** This will be commented on within section 7 'Planning Considerations' of the report.

## 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. The two fan units are providing a service to the dwelling of No 3 and are considered to be acceptable subject to planning conditions.

(ii) Impact upon the character of the area

The proposed position of the units will be on the lower part of the side elevation of No 3 towards the rear of the dwelling. The units will be stacked on top of each other and will be adequately screened by the opposite boundary wall which is constructed of timber fencing approximately 2m high. No 3 Arun Close is also positioned on an slope from east to west meaning it is lower in position then its neighbour to the side. This will result in the units being screened further and will ensure that they are not viewable from Arun Close nor London Road. Therefore the units will not be viewable from the public realm and should not create a harmful visual appearance when looking at No 3 from the streetscene.

(iii) Impact upon residential amenity and Noise

Comments have been received from No 4 Arun Close (the attached neighbour) in regards to the loud sound caused from the units in their current position. Following a site visit and assessment it was considered that the units were at risk of causing a noise nuisance and therefore it was recommended that both units were moved to the side (east) elevation of No 3 (as advised by Environmental Health) and at a lower position on the wall to reduce the impact caused and reduce the harm of the noise nuisance.

The applicant was in agreement with this proposal and therefore the plans were changed to this affect and re-advertised with no additional comments from neighbours being received. The proposed new siting of both units is considered to reduce the harm caused significantly enough to be considered an acceptable solution. This coupled with the support of Environmental Health and no additional objections from neighbours has lead to the assessment that both fan units should not impact the neighbouring residential amenity significantly and can therefore be considered acceptable. An informative will be included with the decision supporting that if complaints are made to Environment Health regarding both units then further action in the future may need to be taken but this will be separate to planning. A condition will be included with the decision requesting that the changes are made within 1 month of the determination date in order to prevent further action being taken by the Councils enforcement team.

## **8 Conclusion**

It is considered that subject to suitable conditions planning permission can be recommended.

## **9 RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00737 subject to the following conditions:-

- 1 The two existing air conditioning and heating fans shall be moved to the proposed new location within 1 month of the date of this planning permission unless a revised time scale has been agreed in writing by the Local Planning Authority.

**Reason:** To protect the occupants of nearby residential properties from noise and vibration nuisance having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Proposed Elevations Plan: Received via email 04.10.2016

Block Plan: Received via email 04.10.2016

**Reason:** - To ensure provision of a satisfactory development.