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|-----------------|-----------------------------------------------------------------------------------------------------------------|---------------|-----------------|
| Site Address:   | 14 The Briars, Waterberry Drive, Waterlooville, PO7 7YH                                                         |               |                 |
| Proposal:       | Installation of new Air Conditioning unit at first floor level and retention of existing air conditioning unit. |               |                 |
| Application No: | APP/14/00030                                                                                                    | Expiry Date:  | 24/03/2014      |
| Applicant:      | Mr Bond                                                                                                         | Team:         | Team 2          |
|                 | Cyan Solutions                                                                                                  |               |                 |
| Agent:          | Mr Potter                                                                                                       | Case Officer: | Daphney Haywood |
|                 | JBC Ltd                                                                                                         |               |                 |
| Ward:           | Waterloo                                                                                                        |               |                 |

Recommendation: **GRANT PERMISSION**

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**1 Site Description**

Commercial premises located within the Waterberry Drive industrial estate.

**2 Planning History**

None relevant

**3 Proposal**

Installation of new Air Conditioning unit at first floor level and retention of existing air conditioning unit.

**4 Policy Considerations**

National Policies

National Planning Policy Framework

Core Strategies 2011 forming part of the HBLDF  
CS16 (High Quality Design)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

**5 Statutory and Non Statutory Consultations**

Environmental Health Manager, an acoustical report condition to be submitted prior commencing is required. I have seen the acoustical outputs of the machine, but this does not put it into context in relation to the local environment or the potential for disturbance.

The report should follow the guideline on reporting from BS4142. Until such a report is received, I would recommend refusal on noise ground. Should the Planning Authority be minded to grant this application I would like the following condition to be inserted.

**1. Noise generated from the condenser units and other equipment.**

**Condition 1:** Any proposal relating to install noise making equipment (i.e. refrigeration units, air conditioning, extract ventilation equipment) schemes

shall be agreed and approved in writing by the District Planning Authority prior any development takes place.

**Reason:** To protect the occupants of nearby residential properties from noise, vibration and/or odour nuisance.

**BS4142 Requirement**

Noise resulting from the use of any/all plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-1997.

**Reason:** in the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area.

I think the report is necessary to prevent creeping background noise. if the noise is not controlled at a planning stage and complaints starts coming in at a later stage, when the site is operational, Environmental Health will have to pick up the case and this potentially could cost the operator more to retrospectively fit acoustical mitigation.

Property Services Manager

I can confirm that Havant Borough Council own the freehold of the land.

## **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: 11

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

**Summary:**

**Comment:**

## **7 Planning Considerations**

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) Visual Impact
- (iii) Environmental consideration

(i) Principle of development

The site lies within the built up area and within an established industrial estate, and the proposal is acceptable in principle subject to development control considerations.

(ii) Visual Impact

The air conditioning units located/to be located at first floor on the side elevation of the building, and will not be prominent in the street scene.

(iii) Environmental consideration

Air conditioning units will generate some external noise which has the potential to cause nuisance, however the site is located within an existing industrial area where a number of properties have installations which result in noise. Additionally, there are no residential properties in proximity to the application site. The Environmental Health Officer has raised objection as an acoustic report has not been provided, however, given the context as set out above, whilst creeping noise could be an issue, should there be a noise nuisance complaint the matter could be dealt with under the legislation provided by the Environmental Protection Act, and therefore it is not considered that a refusal of the planning application can be substantiated.

## 8 Conclusion

The application is considered acceptable and approval is recommended.

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## 9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00030 subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.  
**Reason:** To comply with 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:

Location Plan BRS206SP  
Block plan scale 1:500 First floor plan WJ001-0008b  
Technical specifications PUHZ-RO125VHA, MUZ-HC35VA AND MUZ-HC35VAB  
Ground and first floor elevation

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

- 3 Noise resulting from the use of the equipment hereby approved shall not exceed a level of 5dB(A) below the existing background noise level (or

10dB(A) below if there is a particular tonal quality), when measured according to British Standard BS4142-1997

**Reason:** To protect the amenities of occupiers of nearby occupiers from unreasonable noise levels and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.