Development Management – Delegated Officer Report

Application Number: AWDM/1273/15 Recommendation: APPROVE

Site: Britannia Inn, 98 Grinstead Lane, Lancing

Proposal: Retention of new temporary structure (refrigeration unit) within the garden area

Date of Site Visit: 28 September

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This is a retrospective application for the retention of a refrigeration unit located to the west side of this pub which sits at the junction of Crabtree Lane and Grinstead Lane.

Planning History:

None relevant to the determination of this application

Consultations:

Environmental Health originally commented:

the noise levels are minimal. I can confirm there are no EH objections.

In response to a letter of representation (see below), the Environmental Health Officer was consulted further and commented:

as discussed the specification refers to low noise "38dba" (sic). This is the wrong scientific notation, dB(A) should be used. In addition it does not state at what distance this level is measured. Which is critical. I have checked the company's website and I cannot find the answer. This needs to be clarified. However, I did note when on the website that the company offers silent running condenser housing which they claim reduces noise from condensers by 25dB(A). Therefore if noise is an issue then there is a fix.

I would ask that the applicant obtains clarification from the refrigeration provider on the actual noise levels.

Following further information from the applicant, the Environmental Health Officer concluded:

I have checked the noise levels and I can confirm they are not excessive which tally with my subjective opinion gained during my visit to the neighbouring property earlier

this year. However, at this time the main noise in the area was from the kitchen extract system.

I can therefore confirm that there are no environmental health objections to the application.

Lancing Parish Council: No objection

Representations:

2 letters of objection were received on the grounds of noise from the unit emitting a continuous drone to the detriment of the amenities of neighbouring properties. It is also stated that the structure is ugly.

Relevant Planning Policies:

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1 & AH7

National Planning Policy Framework (CLG 2012)

Planning Practice Guidance (CLG 2014)

Planning Assessment

Although the proposal has been described as ugly in one of the representation letters, and indeed is of limited visual merit, it is within an enclosed area which means that views from public viewpoints are very limited. It is not untypical of a building found to the rear of a business premises and the fencing which largely obscures it means it would be difficult to withhold permission for this reason.

The key issue is therefore noise from the unit. Although the Environmental Health Officer originally raised no objection, in light of the letters of representation further comments were sought and additional information received from the applicant. Following this further examination of the issues, the Environmental Health Officer considered that the noise levels were no excessive and raised no objection. On that basis, it would be difficult to withhold permission for noise reasons.

As a result, the application is considered acceptable.

Recommendation

APPROVE

Is recommendation contrary to letter(s) of representation? Y

Case Officer: [redacted] Date: 13/10/2015

Authorised by [redacted] Date: 13/10/2015