Expiry Date – 11.4

Development Control – Delegated Officer Report

Application Number: AWDM/0241/16 Recommendation – Approve

Site: 61 Mansell Road, Shoreham

Proposal: Retrospective application to provide condensing/air conditioning units and acoustic enclosure for condensing unit.

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 10.3

Site and Surroundings

This application relates to the Mansell Post Office/convenience store on the west side of Mansell Road at its junction with Lennox Road. The post office is part of a terrace of three and has a separate flat at first floor level accessed from Lennox Road. 63 and 65 Mansell Road, to the north, are terraced family houses.

The property is not in a conservation area and is not a listed building.

Proposal

Planning permission is sought to retain an existing condensing unit (to regulate the temperature of chillers in the shop) and an existing air conditioning unit on the ground floor rear wall in a stacked arrangement adjacent to the boundary with No. 63. This application seeks to enclose the condensing unit in an acoustic enclosure.

This application follows on from a refusal last November to site a condensing unit at first floor level on an existing rear flat roof. The two units referred to in this application were on site in position at the time of the previous application and remain in position now unaltered since last November.

Relevant Planning History

AWDM/1097/15 - New condensing unit on top of flat roof to west (rear) elevation for Post Office. Refused 5.11.15

AWDM/0473/13 -Installation of ATM in front window of post office. Granted 17.6.13

Consultations

Pollution Control: *'I have taken a look at this application, I assume they will be re-positioning the air conditioning unit slightly higher up the wall to accommodate the acoustic enclosure around the condensing unit?*

Section 7 of the Noise Assessment-External Condensers specified a minimum attenuation of 17dB would be required to achieve the required sound levels. The specification for the acoustic enclosure indicates it will provide between 20-24dBA attenuation. I am satisfied that the installation of this enclosure will address my concerns.

***The enclosure should be installed by a competent person in accordance with the manufacturer's instructions and guidelines**.'*

Representations

None received.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2012
Saved Local Plan Policies RES7 and H18
Core Strategy Policy 16

Planning Assessment

Principle

Plant necessary to run a business is supportable where it does not lead to unacceptable nuisance to any neighbour or is visually unattractive in a prominent position.

Neighbour amenity

The two units erected are on the boundary with No. 63, at ground floor level in a stacked arrangement. Noise readings taken at the time of the last application indicate a noise nuisance from the condensing unit. This was borne out in the three objections received at the time. The air conditioning unit does not cause a noise problem. The condenser unit does as it runs 24 hours a day and clicks on and off as required to cool the chillers in the shop.

Para 123 of the NNPF states that Planning policies and decisions should aim to:

- Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- Recognize that development will often create some noise and existing business wanting to develop in continuance of their business should not have unreasonable

restrictions put on them because of changes in nearby land uses since they were established.

The applicant now proposes to keep both units in their current positions but to house the condensing unit in an acoustic box. The air conditioning unit is not causing a noise nuisance but will need to be repositioned slightly higher to accommodate the new housing below.

Pollution Control are satisfied that the acoustic housing proposed will prevent the current noise nuisance. This application is recommended on the basis that the works are completed within two months by a competent person.

Visual amenity

Neither unit will be visible from the street. The air conditioning unit, in its slightly elevated position, will be visible from adjoining gardens but it is considered that it would be unreasonable to prevent their retention on visual grounds as these units are required to support the running of the valuable local business involved.

Recommendation APPROVE subject to the following conditions:

1. Installed within 2 months by a competent person.
2. Approved Plans

Informative

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. It may be necessary to raise the height of the air conditioning unit in order to fit the acoustic housing to the condensing unit in accordance with the manufacturer's instructions. If it is repositioned higher this must be by the minimum amount possible to avoid the unit being highly prominent from neighbouring properties.

Is recommendation contrary to any representations? N

Case Officer signed:	MOK	Date: 23.3.16
Authorised and signed by:	Gary Peck	Date: 24 March 2016