DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

WB/08/0488/FULL

Unit D4, Yeoman Gate,
Yeoman Way.

DATE OF SITE VISIT: 20.4.11

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES):

None.

PROPOSAL

Relocation of 6 air conditioning units to ground mounted position on south elevation. The applicant explains this would be in accordance with the layout adopted at the neighbour unit D3 and D2 with the nascent screen hedge retained.

SITE AND SURROUNDINGS:

The proposal concerns Unit D4 of a new office development at Yeoman Gate in Durrington, comprising five 2-storey buildings sub-divided into 13 units. The site is access from Yeoman Way and lies north of Littlehampton Road, bounded by Ferring Rife to the south. Ferring Rife is a stream liable to flooding and is of ecological importance. The redevelopment of the site was approved in January 2006 (WB/05/1145/FULL).

In the same block on the southern elevation sits three other groups of air conditioning units which are ground mounted (twelve in total). These are hard up to the rear wall and are set behind a nascent hedge, planted a year ago by the managing agents of the development to screen the units as part of the discharge of the overall landscaping condition for the development. This followed representations made by officers after threatened enforcement action against a number of occupiers who had mounted air conditioning units at first floor level without the benefit of planning permission. These have all now been resolved and the application site is the only outstanding unit with elevated mounting.

The units are occupied by offices.

The air conditioning units serving D4 are six in number and cuboid in shape and measure 0.8ms c 0.8 metres x 0.3 metres and are finished in white. They are mounted above the ground floor windows but below the first floor window cill on the rear of the building (south elevation) at a height of around 2.75 metres.

RELEVANT PLANNING HISTORY:

In accordance with the requirements of the original permission for the redevelopment (WB/05/1145/FULLrefers), an unobstructed gap of 3m width allowing views from within Yeoman Gate through to Ferring Rife must remain between the proposal site and the adjoining office building.

The Environment Agency requires an 8 metre buffer zone between the buildings and Ferring Rife, for maintenance and ecology purposes. This area should be free of buildings, lighting and other fixings etc.

The siting of the proposed air conditioning units is adjacent to an area of low native woodland edge mix planting that formed part of the approved landscaping scheme under condition 10 of WB/05/1145/FULL

The landscaping scheme has still yet to be fully implemented but does include a nascent hedge described above.

The current application follows an enforcement investigation over the current unauthorised a/c units and their unsightly impact.

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

No comments received from The **Environment Agency** but in respect of the a similar application (WB/07/1414/FULL) for air conditioning units at the adjacent Unit C2 site commented that:

it was satisfied that the proposed development (air conditioning units) would not increase the risk or extent of flooding to other properties and uses and would not in themselves be exposed to an unacceptable flood risk.

The works would however, require the prior consent of the Environment Agency under Section 109 of the Water Resources Act 1991.

The site lies within a sensitive groundwater area and precautions must be taken to avoid discharges and spills to ground both during and after construction.

The **Assistant Director (Health and Housing Services)** raises no objection

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved,

would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

RELEVANT PLANNING POLICIES:

Policies BE1, RES7 and H18 of the Saved Worthing Local Plan 2003.
Planning Policy Statement 1: Delivering Sustainable Development
PPS4: Planning for Sustainable Economic Growth
PPS9: Planning For Biodiversity and Geological Conservation
PPS23: Planning and Pollution Control

PLANNING ASSESSMENT:

The principal issues raised are:

- Visual impact and impact on attractiveness of Yeoman Gate office park
- Impact on neighbour amenity
- Impact on environmental resources

Visual impact and impact on attractiveness of Yeoman Gate office park

The office park is the only substantial office development built in the town in recent years and is the town's premiere new park for attracting and nurturing sunrise including high tech and blue chip businesses.

The air conditioning units are required to provide satisfactory working conditions for staff. A design fault with the office park buildings appears to be at the heart of the problem. The office units are south facing with significant levels of glazing on this aspect and have no brille soleils. Natural ventilation to provide a suitable temperate environment also appears absent. The extensive use of electronic equipment in the offices adds to the problems of excessive heat in the summer. The use of air conditioning units externally sited at the rear is an inevitable and natural response.

Several air conditioning units were located at first floor level but a number were ground mounted. By and large these have now been regularized and resited to ground floor level, with a nascent hedge planted under the landscaping plan for the original development,

The current application is the last remaining unauthorised wall mounted group of air conditioning units to seek regularisation.

Certainly, the proposed repositioning of the air conditioning units is far preferable to the existing elevated and obtrusive first floor location. Whilst they are numerous and still sited in a prominent position, visible from the pedestrian entrance to the rear of the site from Littlehampton Rd and Northbrook College site and pedestrian paths to the west, they are far less

obtrusive and unsightly. They also sit amongst the other groups of air conditioning units and as such are not especially prominent or noticeable. The rear location is less sensitive than the front.

The ideal solution would be to build a communal air conditioning system to serve all the blocks and integrate the design of this into the architecture of the blocks but is not practicable and the solution being promoted of ground floor mounted units at the rear and screened by a hedge appears to be the most realistic.

Impact on neighbour amenity

Details of sound level emissions are absent but the air conditioning units are long established and the Environmental Health Manager has not raised any objections. The nearest dwellings are remote and no objections have been raised by adjacent office occupiers.

Impact on environmental resources

The site lies within a sensitive groundwater area and the **Environment Agency** have previously advised in respect of the recent application (WB/07/1414/FULL) for air conditioning units at the adjacent Unit C2 site commented that: precautions must be taken to avoid discharges and spills to ground both during and after construction. This may be addressed by condition.

RECOMMENDATION

Grant planning permission subject to following conditions works executed within 6 months of planning permission; approved plans; protect groundwaters

REASON FOR APPROVAL

The proposal would reduce the visual impact of the current air conditioning units without harm to any neighbour or the environment subject to the safeguards imposed. As such it complies with Saved Worthing Local Plan policies BE1, RES7 and H18 and PPS23: Planning and Pollution Control; and PPS9: Planning For Biodiversity and Geological Conservation.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION? No.

DELEGATED

Case Officer sign.....[redacted]...Date.....17.5.11.....

Authorising Officer sign.....[redacted].....Date.....19.5.11.....