Application Number: ADC/0429/07 **Recommendation – APPROVE**

Site: **Subway, 32 High Street, Shoreham-by-Sea BN43 5DA**

Proposal: **2 air conditioning condensers and 2 refrigeration room condensers at rear (retrospective)**

The Application

The premises comprise a shop on the groundfloor used primarily for the sale of cold food, with self contained offices above.

The air conditioning units measure 0.9m in width and 0.75m in height, whilst the refrigeration condenser units measure 0.3m in width and 0.3m in height.

The surrounding area is predominantly commercial in nature, although there are a small number of flats located above some of the premises notably above the adjoining Barclays Bank to the east. A number of nearby commercial premises have similar air conditioning units.

Consultations and Representations

Director of Services: The Environmental Health section raise no objection.

Adur District Conservation Advisory Group: No objection.

Third Parties: The resident of the Bank House, above the bank to the east, objects on grounds of noise, disturbance and smells from the premises, stating that the rear of his building is less than 1m away from the applicant's building and he is unable to have his rear doors or windows open without suffering unpleasant smell, the premises trading from 8am-1am. However, his objection contains no specific reference to the air conditioning units. ***[NB. he has requested to speak at the Committee meeting]***

He attended Committee & objected to noise from units — he played a recording of the noise.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): NE9, CH4, DEV1
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AB4, AS1
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPG15 'Planning and the Historic Environment' (DoE 1994)
PPG24 'Planning and Noise' (DoE 1994)

Planning Assessment

Policies

The site is in the Conservation Area where there is a statutory duty to have regard to the desirability of preserving or enhancing the character of

appearance of the area. This is reflected in policies AB4 and CH4. Structure Plan policy DEV1 requires high standards of design, layout and construction, whilst taking into account the needs of service providers and ensuring the integrated provision of infrastructure and utilities.

Planning Policy Guidance 24 guides local authorities on the use of their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise. It also advises on the use of conditions to minimise the impact of noise.

Visual amenity, character and appearance

The rear courtyard of Subway is completely screened by a 2m high wooden fence. The units are therefore completely screened from public view and do not impact on the Conservation Area.

Installations of this type are commonplace on other premises in the area and are consistent with the character of this High Street location.

Residential amenity – Noise

The Council's Environmental Health section have reviewed the information submitted in the application and are satisfied that the units do not result in a significant impact in terms of noise emissions.

Recommendation

APPROVE for the reason:-

The development does not affect the character or appearance of the Conservation Area and has taken place without resulting in unacceptable detriment to the amenities of neighbouring properties. It consequently does not conflict with the relevant policies of the Adur District Local Plan (AG1, AB4, AS1) and the West Sussex Structure Plan (CH4, DEV1).

No conditions

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