



Committee Report

Planning Committee North – 14 September 2021

Application no DC/21/2836/FUL

Location

Leiston Enterprise Centre
Eastlands Road
Leiston
Suffolk
IP16 4US

Expiry date 8 August 2021

Application type Full Application

Applicant Speller Metcalfe Ltd

Parish Leiston Cum Sizewell

Proposal Addition of 2No external wall mounted condensing units for air conditioning system

Case Officer Mark Brands
07881 234242
mark.brands@eastsoffolk.gov.uk

1. Summary

- 1.1 Full planning permission is sought for the addition of 2No external wall mounted condensing units for an air conditioning system at Leiston Enterprise Centre.
- 1.2 The item has come before Members because the development proposal relates to a building owned by East Suffolk Council, and therefore the Council's Constitution requires this application be determined by the Planning Committee (North).
- 1.3 The proposed wall mounted AC units are acceptable in terms of external appearance and siting on the building. It is necessary to secure a noise assessment by condition to ensure that any required mitigation is identified and delivered but, with that condition applied, the scheme is acceptable in terms of residential amenity. The proposal accords with the Development Plan and the application is recommended for approval.

2. Site description

2.1 The site consists of a business unit on the Eastlands Industrial estate (on a corner plot on Eastlands Road and King George's Avenue, within the Leiston settlement boundary).

3. Proposal

3.1 The proposal is for the installation of 2 No. external wall mounted condensing units for air conditioning system, which are to be located to the rear of the building.

3.2 Notice was served on East Suffolk Council, as relevant landowner, and Certificate B on a revised application form provided 29 June 2021.

4. Consultations/comments

4.1 No representations received; consultation period has expired.

Parish/Town Council

Consultee	Date consulted	Date reply received
Leiston-cum-Sizewell Town Council	28 June 2021	7 July 2021
Summary of comments: Leiston Town Council recommend approval.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	28 June 2021	7 July 2021
Summary of comments: A noise assessment should be submitted.		

5. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 7 July 2021

Expiry date: 28 July 2021

6. Planning policy

National Planning Policy Framework 2021 (NPPF)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

PL1 - Leiston Town Physical Limits Boundary (Leiston Neighbourhood Plan - 'Made' March 2017)

EMP1 - General Employment Areas (Leiston Neighbourhood Plan - 'Made' March 2017)

7. Planning considerations

- 7.1 Under section 38(6) of the Planning and Compulsory Purchase Act (2004), all planning decisions are to be taken in accordance with the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies are set out above.
- 7.2 Given the location on the rear elevation of the building, the proposed development is not going to be visible from the highway, and it will only be visible from people using the car park, or from neighbouring property. As such, the proposal does not have any significant impact on visual amenity of the wider area due to the discreet location. In any case, the units are fairly typical of ancillary equipment on a commercial building, so even from those locations where the development will be visible, that will not cause harm. As such there are no design concerns from the addition on the units on the building in this location, and the scheme accords with SCLP11.1.
- 7.3 The main potential concern arising from this sort of development is on neighbouring amenity from the noise emitting from the units. While the location of the air conditioning units is over 20m away from the nearest neighbouring boundary, and below an existing A.C. unit, there is no hard boundary treatment between the application site and neighbouring property to the West. To ensure neighbouring amenity is not adversely impacted from the new units, a noise assessment should be submitted to the LPA as set out in the response from the Environmental Protection Team. Following discussion with the Environmental Protection Team, the LPA is satisfied this can be provided in the form of a condition securing this assessment prior to their installation. The applicant's agent has confirmed they are satisfied with a condition being applied to any permission granted. Given the distance between the proposed units and neighbouring properties, officers are satisfied that any noise assessment is not likely to find the development unacceptable; rather, the assessment may identify mitigation may be required, and having liaised with the Environmental Protection Team, officers are satisfied that any mitigation could realistically be provided to ensure the noise level at neighbouring residential properties is at an acceptable level. With a planning condition applied securing a noise assessment, there are no objections from the Environmental Protection Team, and officers consider that the scheme meets the objectives of policy SCLP11.2 to ensure a high standard of residential amenity.

8. Conclusion

- 8.1 The siting and location of the units is considered acceptable in the discreet location proposed. To ensure there is no significant impact on neighbouring amenity a noise assessment will be secured by planning condition, to ensure neighbouring amenity will not be subject to unacceptable noise levels and set out (if necessary) what mitigation measures will be undertaken. The proposed development is therefore acceptable in accordance with the key Development Plan policies, and planning permission can be granted.

9. Recommendation

- 9.1 Approve.

10. Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with application form (amended certificate 29 June 2021), Daikin product details and drawing no. 2023 01 received 14 June 2021

Reason: For the avoidance of doubt as to what has been considered and approved.

3. Prior to installation a noise assessment shall be submitted to, and approved in writing by the Local Planning Authority. The details shall include all proposed plant and machinery and be based on BS4142:2014. A rating level (LAeq) of at least 5dB below the typical background (LA90) should be achieved. Where the rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.

Reason: In the interests of residential amenity as noise from fixed plant or machinery can be annoying and disruptive. This is particularly the case when noise is impulsive or has tonal characteristics.

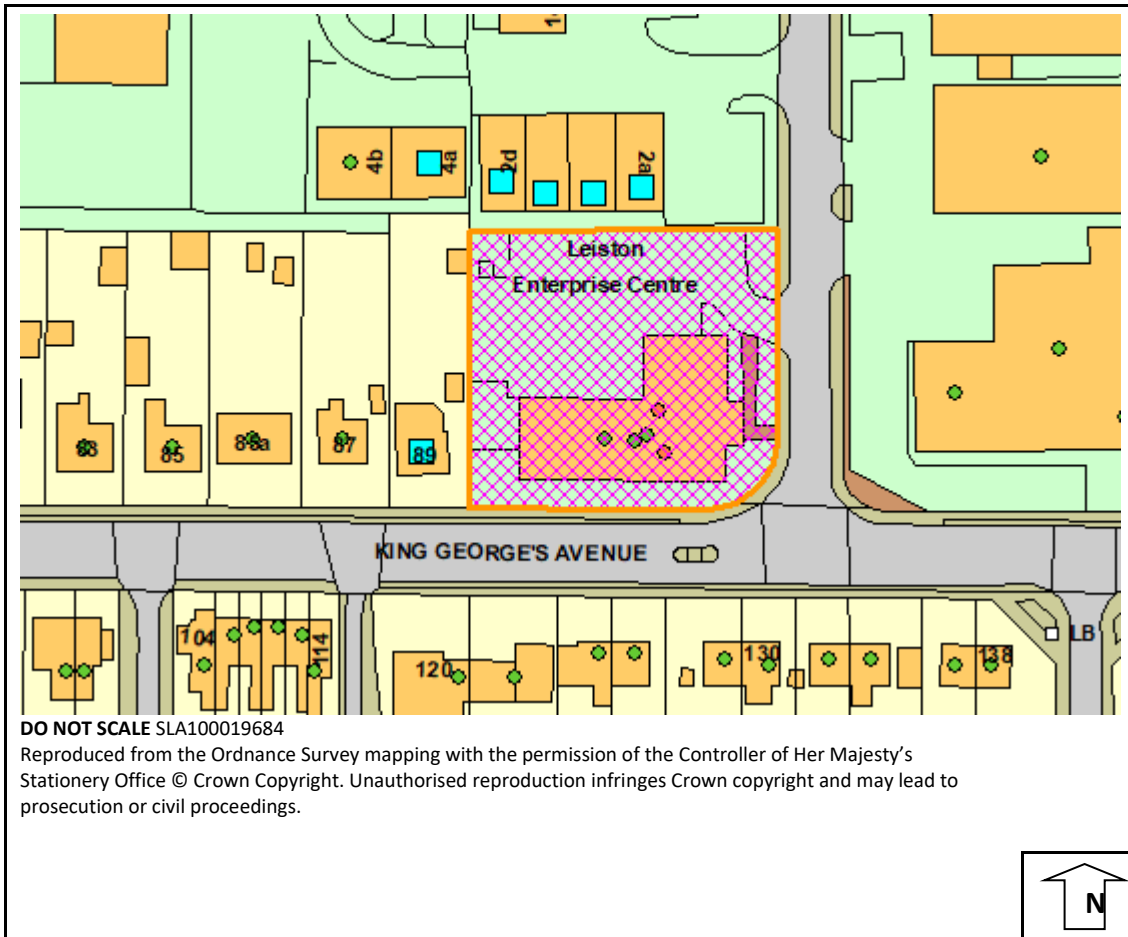
11. Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.





12. Background Papers

See application reference DC/21/2836/FUL on [Public Access](#)

Map



Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support