

**Report to District Development Control  
Committee**

**Date of meeting: 16<sup>th</sup> October 2013**



**Epping Forest  
District Council**

**Subject: Planning Application EPF/0981/13 – 13 Forest Drive, Theydon Bois, Essex,  
CM16 7EX - Retrospective application for retention of rear conservatory  
store and external wall mounted air conditioning units at the rear**

**Officer contact for further information: Marie-Claire Tovey Ext: 4371  
Committee Secretary: S Hill Ext: 4249**

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**Recommendation:**

**That the application be granted planning permission subject to the following  
conditions:**

- 1. The rear conservatory hereby approved shall only be used for storage in  
connection with the A3 restaurant use of 13 Forest Drive and shall not at any  
time be used as a seating/dining area**

**Reason:- In the interests of neighbouring amenity.**

- 2. The rating level of noise (as defined by BS4142:1997) emitted from the air  
conditioning unit shall not exceed 5dB(A) above the prevailing background  
noise level. The measurement position and assessment shall be made  
according to BS4142:1997.**

**Reason: To protect nearby noise sensitive premises from significant loss of  
amenity due to noise.**

**Report**

1. This application has been referred by the Area Plans Sub Committee East with no recommendation, however it was recommended for grant of planning permission by Planning Officers subject to condition 1 above. As part of the referral, Area Plans Sub Committee East instructed Planning Officers to seek further information from the Council's Environmental Health Officers with regard to noise issues in relation to the operation of the air conditioning units and report the findings to this committee.

**Planning Issues**

2. Following a second consultation with Environmental Health the following comments were received:

"From the Environmental Health visits to the area, the air conditioning units do not appear to be causing any significant loss of amenity due to noise and therefore we have no objection. However, Environmental Health cannot be certain that all the air conditioning units were all operating at the time of our visits and noise from the air conditioning units may be currently

being masked by noise from the kitchen extract unit (which appears to be the main source of noise/complaint) and which will be the subject of a separate planning application.

In order to safeguard residential amenity due to any potential for noise from the air conditioning units a noise condition could be imposed in line with a standard condition that Environmental Health often apply for air conditioning units when any concerns are raised.”

### **Conclusion**

3. The application in this case, was referred to District Development Control Committee with no recommendation from the sub-committee, however the Planning Officers recommendation to grant planning permission still stands. The area committee requested for further information with regards to noise from the air conditioning units has been done, following a second consultation with Environmental Health Officer. The Planning Officer recommendation to approve the application still stands, but with the addition of the extra condition no.2 in the recommendation to ensure no significant impact on surrounding amenity.

4. The original report to Sub-Committee East is reproduced below: