

COMMITTEE REPORT

Committee: West/Centre Area
Date: 15 May 2008

Ward: Westfield
Parish: No Parish

Reference: 08/00574/FUL
Application at: Acomb Branch Library Front Street York YO24 3BZ
For: Siting of Portakabin to rear for a temporary period to be used as a standby point for yorkshire ambulance service (resubmission)
By: Yorkshire Ambulance Service
Application Type: Full Application
Target Date: 7 May 2008

1.0 PROPOSAL

1.1 The application is for the siting of a Portakabin to the rear of Acomb Branch Library for temporary period to be used a standby point for Yorkshire Ambulance Service (resubmission).

1.2 The application comes before committee at the request of Cllr Susan Galloway in order to assess the potential impact on the amenity of the conservation area and the occupants of the neighbouring dwellings.

1.3 The proposed Portakabin would be sited on the grass amenity area to the rear of the library. The proposed Portakabin would be set back 1 metre from the rear boundary of the site. The Portakabin would measure 8.642 metres in length, 3.266 metres in width and 2.573 metres in height. The site is just outside Acomb Conservation Area, the front half of the library is within the conservation area.

1.4 The ambulance service would like to place Portakabins in 'Hot Spots' where there is a high demand for Ambulance attendance to accidents/incidents. According to the agent this is one such location. The Portakabin would be in use 24 hours a day, 7 days a week. The Portakabin would have kitchen facilities, toilet and seating area.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest Acomb Area 0007

Air safeguarding Air Field safeguarding 0175

Conservation Area Acomb 0031

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYGP1

Design

CYGP4A

Sustainability

CYGP23

Temporary planning permission

CYHE2

Development in historic locations

CYC3

Change of use of community facilities

3.0 CONSULTATIONS

3.1 PUBLICITY DATES/PERIODS

Neighbour Notification - Expires 16/04/2008

Site Notice - Expires 25/04/2008

Press Advert - Expires 23/04/2008

Internal/External Consultations - Expires 16/04/2008

8 WEEK TARGET DATE 07/05/2008

3.2 INTERNAL CONSULTATIONS

HIGHWAY NETWORK MANAGEMENT - No objections

- No highway objections

- Noted the chosen position of the portakabin would probably affect a tree, there would be no objections to the portakabin being sited elsewhere within the 'grassed area'

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT - No objections

Due to the distance between the rear boundary of the site and Front Street, and the location of the library car park, it is unlikely that the parking space and position of the vehicle will detract from the setting of conservation area.

Due to the temporary nature of the proposed Portakabin and ambulance stand-by point and the limited distant views of the building from Front Street, this proposal is unlikely to detract from the existing character and appearance of the conservation area.

ENVIRONMENTAL PROTECTION UNIT - No objections

3.3 EXTERNAL CONSULTATIONS/REPRESENTATIONS

None received at the time of writing the report.

4.0 APPRAISAL

4.1 RELEVANT SITE HISTORY

08/00221/FUL - Site Portakabin for temporary period to be used as standby point for Yorkshire Ambulance Service. Also form 1 no. parking space for ambulance - Withdrawn

07/00320/GRG3 - Single storey front and side extensions; wood pellet silo within wooden enclosure - Approved

05/01921/GRG3 - Single storey extension and alterations to existing library - Approved

4.2 ADDITIONAL PLANNING POLICY

Planning Policy Guidance 15 "Planning and the Historic Environment"

4.3 KEY ISSUES

1. Visual impact on the conservation area
2. Impact on neighbouring property

4.4 ASSESSMENT

PLANNING POLICY

4.4.1 Policy GP1 'Design' of the City of York Council Development Control Local Plan includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.4.2 Policy C3 'Change of use of Community Facilities' of the City of York Council Development Control Local Plan states that permission for the redevelopment of community facilities will only be granted where the proposals are of a scale and design appropriate to the character and appearance of the locality, it can be demonstrated that the buildings or land are surplus to or no longer capable of

meeting the existing or future needs of the local community, or it can be demonstrated that alternative acceptable sites for the existing use can be provided.

4.4.3 Planning Policy Guidance Note 15 'Planning and the Historic Environment' (PPG15) sets out the approach to dealing with proposals that affect Listed Buildings and Conservation Areas. PPG15 advises that new buildings intended to stand alongside Listed Buildings should be 'carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials'. New buildings do not have to be detailed copies of their neighbours but should form a harmonious group with them. In making decisions on proposals in Conservation Areas, Planning Authorities have a statutory duty to consider the desirability of preserving or enhancing the character or appearance of the Conservation Area. Policy HE2 'Development within Historic Locations' of the City of York Development Control Local Plan are also relevant to this proposal. These policies expect proposals to maintain or enhance existing urban spaces, views, landmarks and other townscape elements and not to have an adverse effect on the character or appearance of the Conservation Area.

4.4.4 Policy GP4a 'Sustainability' of the City of York Council Development Control Local Plan (2005) states that proposals for all development should have regard to the principles of sustainable development. Development should: provide details setting out the accessibility of the site by means other than the car and, where the type and size of development requires, be within 400 metres walk of a frequent public transport route and easily accessible for pedestrians and cyclists; contribute towards meeting the social needs of communities within the City of York and to safe and socially inclusive environments; maintain and increase the economic prosperity and diversity of the City of York and maximize employment opportunities; be of a high quality design, with the aim of conserving and enhancing the local character and distinctiveness of the City; minimize the use of non-renewable resources, re-use materials already on the development site, and seek to make use of grey water systems both during construction and throughout the use of development. Any waste generated through the development should be managed safely, recycled and/or reused. The 'whole life' costs of the materials should be considered; minimize pollution, including that relating to air, water, land, light and noise; conserve and enhance natural areas and landscape features, provide both formal and informal open space, wildlife area and room for trees to reach full growth; maximize the use of renewable resources on development sites and seek to make use of renewable energy sources; and make adequate provision for the storage and collection of refuse and recycling.

4.4.5 Policy GP23 'Temporary Planning Permission' in the City of York Council Development Control Local Plan (2005) states that planning permission will be granted for the temporary use of land or the erection of temporary buildings for a limited period provided: there would be no loss of amenity to the occupants of adjacent property as a result of the proposal; or the applicant can demonstrate that there is no viable permanent alternative immediately available; and where appropriate, plans are to be brought forward for permanent development; and that the period for which consent is sought is the minimum required to allow the permanent development proposal to be implemented; or a trial period is necessary for the development, to allow an assessment of its character or effects.

CHARACTER AND APPEARANCE OF THE ADJACENT CONSERVATION AREA

4.4.6 The proposed Portakabin would not be visible from the Front Street or the wider conservation area. The proposed parking space for the ambulance would be to the side of the library and would be partially visible from Front Street but is not considered to be unduly intrusive. Both the Portakabin and the parking space would be visible from the dwellings to the side (2 and 4 Alexa Court and 1 South View Terrace), however as it would only be for a temporary period it is not considered to cause significant harm to the neighbours outlook.

4.4.7 The proposed building is set 4 metres away from the closest tree and therefore is not considered to cause any significant harm to the tree.

IMPACT ON NEIGHBOURING PROPERTY

4.4.8 There is some concern regarding disturbance to the occupants of the neighbouring dwellings, from noise (such as sirens, manoeuvring of vehicles in close proximity to residential properties during the night, general use of the Portakabin 24 hours a day), and flashing lights. It is considered that it would be prudent that if planning permission was granted it was for one year to monitor the situation and any potential problems that may arise. The lights and sirens from the ambulance vehicles could be conditioned so that neither are used until the ambulance vehicles are on Front Street.

4.4.9 The building is of a temporary nature and the applicant/agent has not submitted details of a future permanent alternative. A temporary building of this appearance in close proximity to the conservation area and dwellings would not be acceptable as a permanent development and therefore a temporary planning permission is considered appropriate until a permanent alternative can be found.

5.0 CONCLUSION

5.1 There are concerns regarding potential noise and light disturbance (especially during anti-social hours) to the occupants of the nearby dwellings from the proposed ambulance stand by point. Together with the temporary nature and appearance of the building in close proximity to Acomb Conservation Area (that would not be acceptable on a permanent basis) and therefore it is considered to be fair and prudent to grant temporary permission for 1 year. A 1 year time period should allow the Council adequate time in which to gauge the impact of the proposal upon adjacent dwellings, in terms of noise and light disturbance and/or the applicants to find a permanent alternative.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 The development hereby permitted shall be carried out only in accordance with the following plans:-

Drawing Number YAS 08/28/A received 12 March 2008
Drawing Number BR0028 received 12 March 2008;

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

2 The development hereby permitted shall be removed and the land reinstated to its former condition at or before 31 May 2009; unless an extension of the period shall first have been approved in writing by the Local Planning Authority, through the submission and approval of a planning application.

Reason: So that the Local Planning Authority may assess the impact of this upon the living conditions of neighbouring residents.

3 Notwithstanding the submitted details the colour of the proposed building should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved colours.

Reason: So as to achieve a visually cohesive appearance in close proximity to the Acomb Conservation Area.

4 Notwithstanding the submitted details the sirens and lights of the ambulance vehicles shall not be used until the vehicles have exited the Acomb Branch Library site.

Reason: To protect the amenity of the occupants of the neighbouring dwellings.

7.0 INFORMATIVES: Notes to Applicant

1. In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference the residential amenity of the neighbours, the visual amenity of the building and the adjacent conservation area, and highway safety. As such, the proposal complies with Policies GP1, SP6, GP23, HE2 and C3 of the City of York Development Control Local Plan (2005).

Contact details:

Author: Victoria Bell Development Control Officer

Tel No: 01904 551347