

COMMITTEE REPORT

Date: 18 August 2011 **Ward:** Dringhouses And
Woodthorpe
Team: Major and **Parish:** Dringhouses/Woodthorpe
Commercial Team Planning Panel

Reference: 11/01398/FUL
Application at: Doctors Surgery 40 Moorcroft Road York YO24 2RQ
For: Four no. cooling units to side elevation (Retrospective)
By: The Partners York Medical Group
Application Type: Full Application
Target Date: 26 August 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 The application seeks retrospective planning permission for the installation of four air conditioning units to the side elevation of the doctors surgery.

1.2 Planning permission was granted in March 2010 for the erection of a replacement doctors surgery. No air conditioning units were identified on the plans but have since been installed.

1.3 The application has been called to committee by Cllr Anna Semlyen on the grounds that the units compromise the space between the surgery and the neighbouring residential property.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYGP18

External attachments to buildings

3.0 CONSULTATIONS

3.1 Internal

Environmental Protection Unit - No objections to the application. The noise was assessed on the site visit with the units running at full power. It is considered that there would not be a loss of amenity during daylight hours but that the units should not be used during the night time. As such a restrictive operating hours should be conditioned.

Highway Network Management - No implications

3.2 External

Cllr A Semlyen - Objects to the development. Neighbouring residents have complained that:

The application is retrospective.

There is no adequate drainage for the condensing water which will run off to the neighbours wall.

Loss of amenity due to noise.

Units are inconsistent with the character of the properties close by.

Units are in the 1 metre space between the surgery and house despite CYC having made space a condition of the development.

Units not in original planning brief

Dringhouses/Woodthorpe Planning Panel - No objections

Neighbours - Letters of objection from 36 and 38 Moorcroft Road and 108 Bramble Dene on the following grounds:

Units are easily visible from the street.

Make the development inconsistent with the residential character of the properties close by.

Should be screened from the street.

Should not be placed near residential properties.

Units are placed within the 1m gap between the surgery and neighbouring dwelling, despite the CYC making the gap a condition.

Units drain onto the path below and onto the foot of the house wall.

Possible noise issues.

Units should be relocated.

Restrictive hours of use condition should be attached if permission is granted.

4.0 APPRAISAL

4.1 Key Issues

- Impact upon neighbours amenity

4.2 The relevant City of York Council Draft Deposit local Plan Policy is GP18 'External Attachment to Buildings'. This states that where planning permission or listed building consent is required for external attachments to buildings, such as security alarms, CCTV cameras, light fittings and roller blinds, permission will be granted where their design, location, materials and colour do not significantly detract from the visual appearance of the building or the visual amenity of the area, or the character and appearance of conservation areas.

PROPOSAL

4.3 The application site consists of the recently constructed doctors surgery at 40 Moorcroft Road. During the construction of the surgery four air conditioning units have been erected to the side elevation of the surgery without the benefit of planning permission. This application seeks to regularise this situation. The units are located to the southern elevation of the surgery, within a 1 metre wide space between the surgery and the neighbouring residential property at 38 Moorcroft Road. The units are located approximately 2.3m back from the front elevation and are positioned to provide air conditioning for the ground floor and first floor. The units fill approximately half of the width of the passageway at a height of approximately 2.2m.

NOISE

4.4 Concerns have been raised that the units would result in an unacceptable amount of noise being generated resulting in a loss of amenity to the neighbouring residential property. Environmental Health Officers visited the site and witnessed the units running on full power. It was considered that there would not be a loss of amenity during the

daytime but that there may be some loss of amenity during the evening. Conditions are therefore proposed to allow the running of the units during daytime hours only.

VISUAL IMPACT

4.5 The units are located within a narrow gap between the surgery and the neighbouring residential property. As such they are not considered to be prominent and can only be seen when stood directly to the front of the passage way. The units do narrow the passage way at this point but due to the fact that they are set back from the front elevation the sense of space around and between the property has not been compromised and does not result in an unacceptable degree of separation between the properties.

RELOCATION OF UNITS

4.6 The application for the units is retrospective and the applicant wishes for the scheme to be considered as submitted. It would be difficult to relocate the units to a different elevation due to the level of interconnection between the external units and the internal ones. In addition if they were to be relocated they would still lie in close proximity to residential properties and would be more visually prominent. If maintenance is required to the neighbouring properties elevation the external housing can be temporarily removed to give access.

DRAINAGE

4.7 Concerns have been expressed that the units would drip water into the passageway between the properties. Air conditioning units do condense a small level of liquid from the circulated air and this is discharged through an external drainage pipe and onto the ground. However, the amount of water expelled would not be to a level that would damage the neighbouring property or its foundations.

5.0 CONCLUSION

5.1 It is considered that the proposed air conditioning units are acceptable. There would not be any unacceptable loss of amenity due to the level of noise generated and the visual impact is minimal. Officers recommend approval.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 The development hereby permitted shall be carried out in accordance with the following plans and other submitted details:-

Drawing number WOODTHORPE PP 03 Rev A received 4th August 2011

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 hereby approved air conditioning units shall only be operated between the hours of 08:00 to 18:00 Monday to Sunday and at no other time

Reason: In the interests of the amenities of nearby residential properties

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

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 to the character of the area or neighbouring residential amenity. As such the proposal complies with Policy GP18 of the City of York Development Control Local Plan.

Contact details:

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