

PLANNING APPLICATION NUMBER:P15/0340

Type of approval sought	Full Planning Permission
Ward	Kingswinford North & Wall Heath
Applicant	Mrs H. Porter
Location:	KINGSWINFORD CONSERVATIVE CLUB, 24, OAK STREET, KINGSWINFORD, DY6 9LS
Proposal	INSTALLATION OF 3 NO. CONDENSING UNITS ONTO THE REAR OF THE PROPERTY
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The site comprises a detached social club building built close to the back edge of the pavement and with a bowling green located to the rear of the site. The original Victorian building was extended in the 1960s and 1980s with the addition of a single storey flat roofed front/side/rear extensions and improvements to the accessibility of the building provided ramped accesses made in recent times (2014).
2. The bowling green extends across most of the width of the site and measures 23m in depth from the rear elevation of the building to the rear boundary of the site. The rear of the site is enclosed by close boarded fencing set on concrete gravel boards that stands approximately 2.4m in height.
3. Immediately adjoining the western elevation of the club building is a large detached dwelling (No. 26 Oak Street). This dwelling appears associated with the club building.
4. The site is located within a predominantly residential area with dwellings backing onto the rear boundary and adjoining the eastern and western boundaries of the site.

PROPOSAL

5. The proposal seeks the installation of 3 No. condensing units to the rear of the club premises. The units would be sited on top of a raised patio located to the rear of the building. The patio stands approximately 0.5m above the adjoining ground level and is enclosed by a 1m high wooden fence. The patio is covered by a flat roof that projects beyond the rear elevation of the building.
6. The air conditioning units would be screened behind the existing wooden barrier that encloses the patio area standing 1.6m above the ground level of the bowling green below. The units would be installed 100mm off the rear wall and would be spaced 300mm apart. The units would be set back 1.2m from the front edge of the raised patio area.

HISTORY

7. None of relevance.

PUBLIC CONSULTATION

8. The application was advertised by way of neighbour notification letters being sent to the occupiers of sixteen properties within close proximity to the site. The latest date for comments was the 3rd April 2015. Nine letters of objection have been received from residents living in Park Street to the rear of the site and from Cross Street to the west of the site raising concerns that the proposed air conditioning units would result in an unacceptable level of noise and disturbance to the detriment of residential amenity.

OTHER CONSULTATION

9. Head of Environmental Health and Trading Standards: No objection subject to a condition to limit future noise levels of the units to protect residential amenity.

RELEVANT PLANNING POLICY

10. National Planning Guidance (2012)

The National Planning Policy Framework (NPPF) sets out the Governments planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions, but does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved.

11. The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development.

Planning Practice Guidance

- Noise
- Use of Planning Conditions

Unitary Development Plan (2005)

- DD4 Development in Residential Areas
- EP7 Noise Pollution

ASSESSMENT

12. The main issues are

- Design
- Neighbour Amenity

Design

13. The proposed air conditioning units would be sited to the rear of the building positioned under a partially enclosed raised patio area screened from view by an existing wooden fence. The units would not be visible from the residential dwellings located to the rear of the site and would not be visible within the street thereby ensuring that they would not have an adverse impact upon the character of the area and would be in accordance with saved Policy DD4 of the Adopted Dudley Unitary Development Plan (2005).

Neighbour Amenity

14. The Head of Environmental Health and Trading Standards has considered the objections received in relation to the proposed air conditioning units and concerns with respect to potential noise and disturbance and impacts upon residential amenity. The application has been submitted with a technical specification, which stipulates sound pressure levels. This states that maximum sound pressure levels from the proposed units is between 51-53 dB (A) at a distance of 1 metre. The edge of the nearest affected residential garden is approximately 20 metres away from the proposed units (there is a garden slightly closer to the conservative club; however, the units are shielded from this garden by the building which will provide sufficient acoustic protection). The cumulative level for all three units operating together would be a maximum of 56dB (A) at 1 metre when added together, given that sound pressure levels are added on a logarithmic scale. Based on the appropriate acoustic distance attenuation calculations, the resultant worst case predicted sound level for all three units operating would be 30dB (A) at the edge of the nearest affected residential garden. Therefore facade (external) levels at the residential properties would not be expected to exceed 24dB (A) and a partially open window generally reduces noise by 13 dB (A). The resultant calculated internal noise levels would therefore be lower than existing internal noise levels at the residential properties.
15. The calculated levels are based on the units being new and so could potentially alter in the future if the function of the units deteriorates, hence the request for a condition to ensure amenities are protected for the lifetime of the development. The applicant would need to take appropriate action to reduce noise should there be any future non-compliance with the recommended condition. In view of the above, the proposed units would not result in an unacceptable level of noise to the occupiers of nearby residential properties subject to a condition to ensure the retention of future noise levels to protect residential amenity. The proposed development would therefore be in accordance with saved Policies DD4 and EP7 of the Adopted Dudley Unitary Development Plan (2005).

CONCLUSION

16. The air conditioning units would be sited to the rear of the site and would be screened by existing fencing thereby not having an adverse impact upon the character of the area or upon outlook from the rear of residential properties. The air conditioning units would not result in an unacceptable increase in noise levels and would ensure the protection of residential amenity to the occupiers of the nearby houses.

RECOMMENDATION

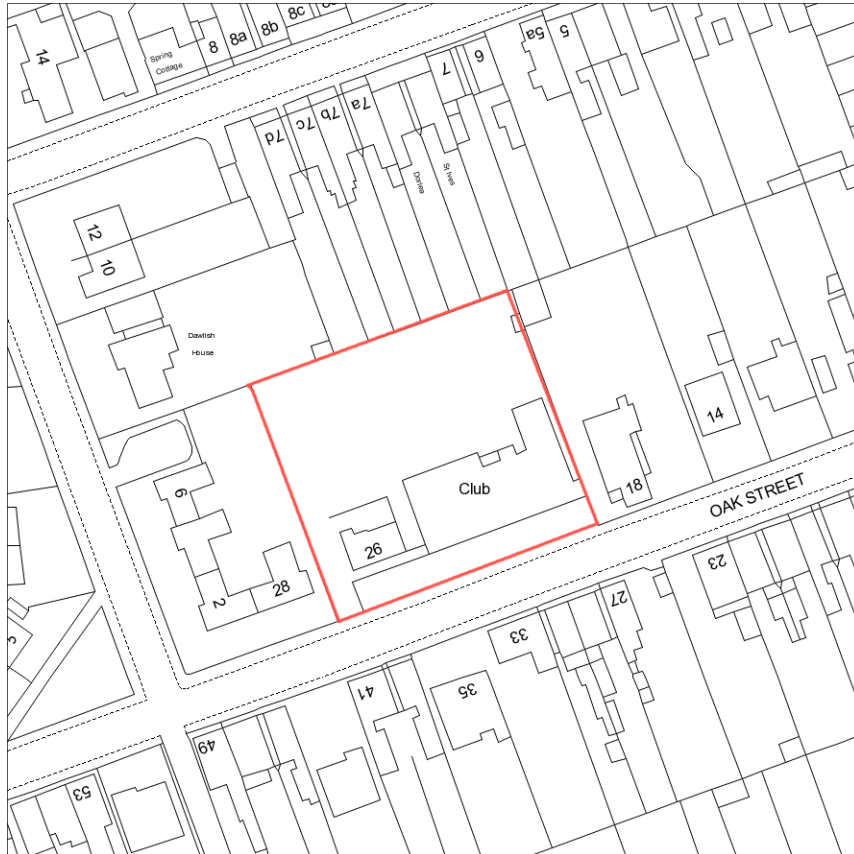
17. It is recommended that the application be APPROVED subject to conditions.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Air conditioning outdoor unit installation dated 5th March 2015.
3. The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed background sound levels by more than 5dB(A) between the hours of 0700-2300 (taken as a 15 minute LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the local planning authority.



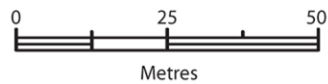
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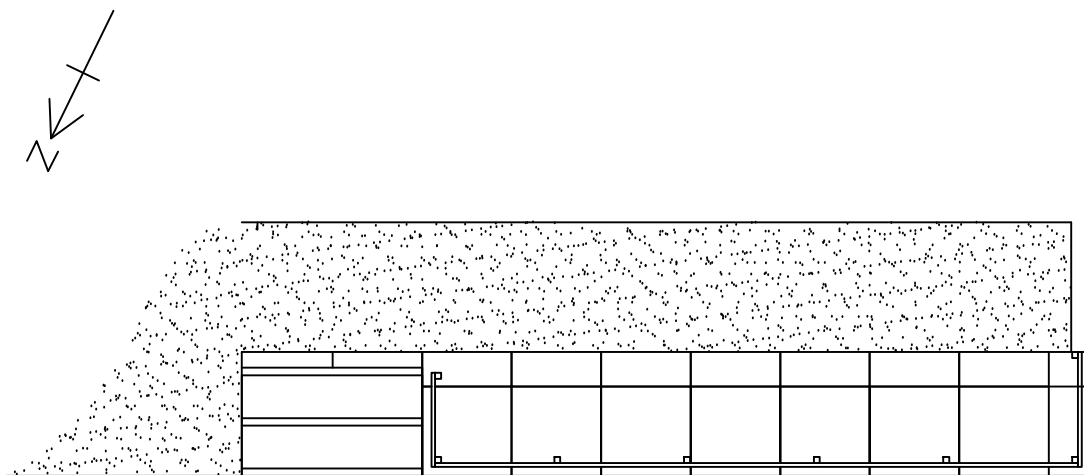
The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.

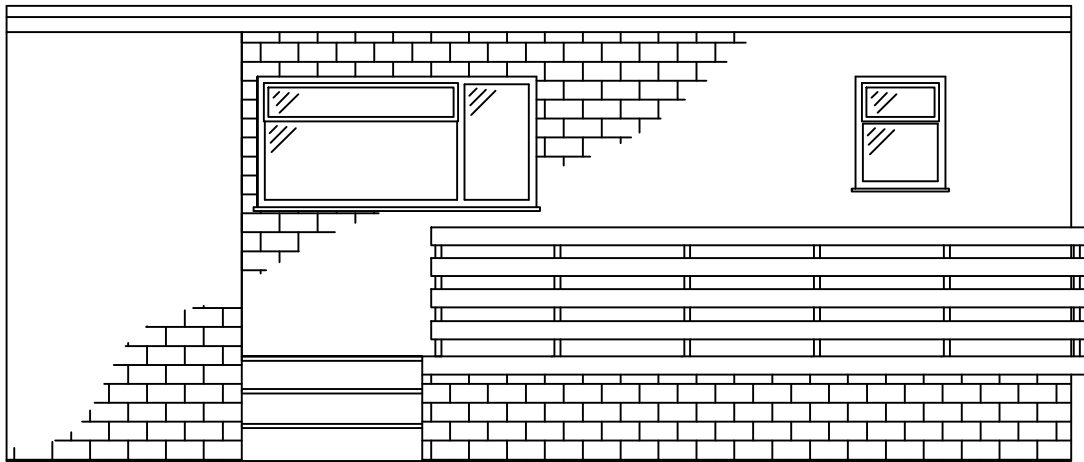
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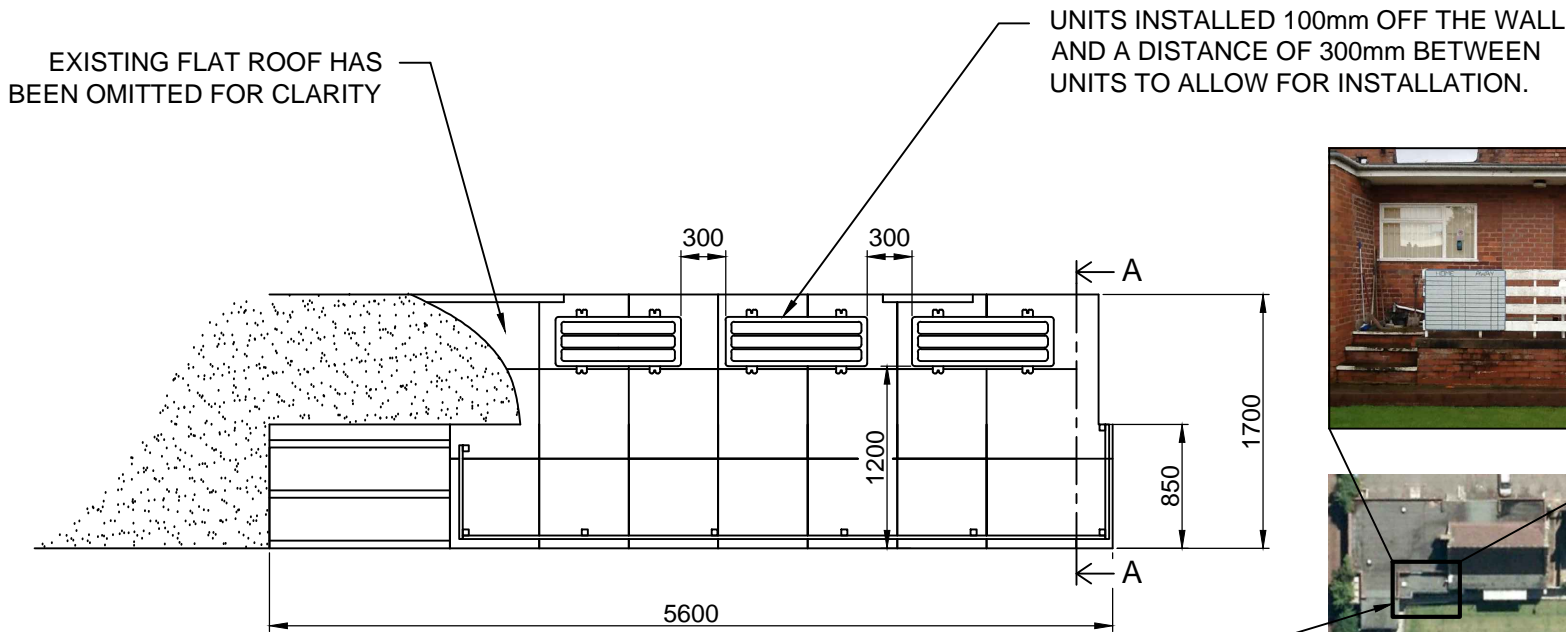
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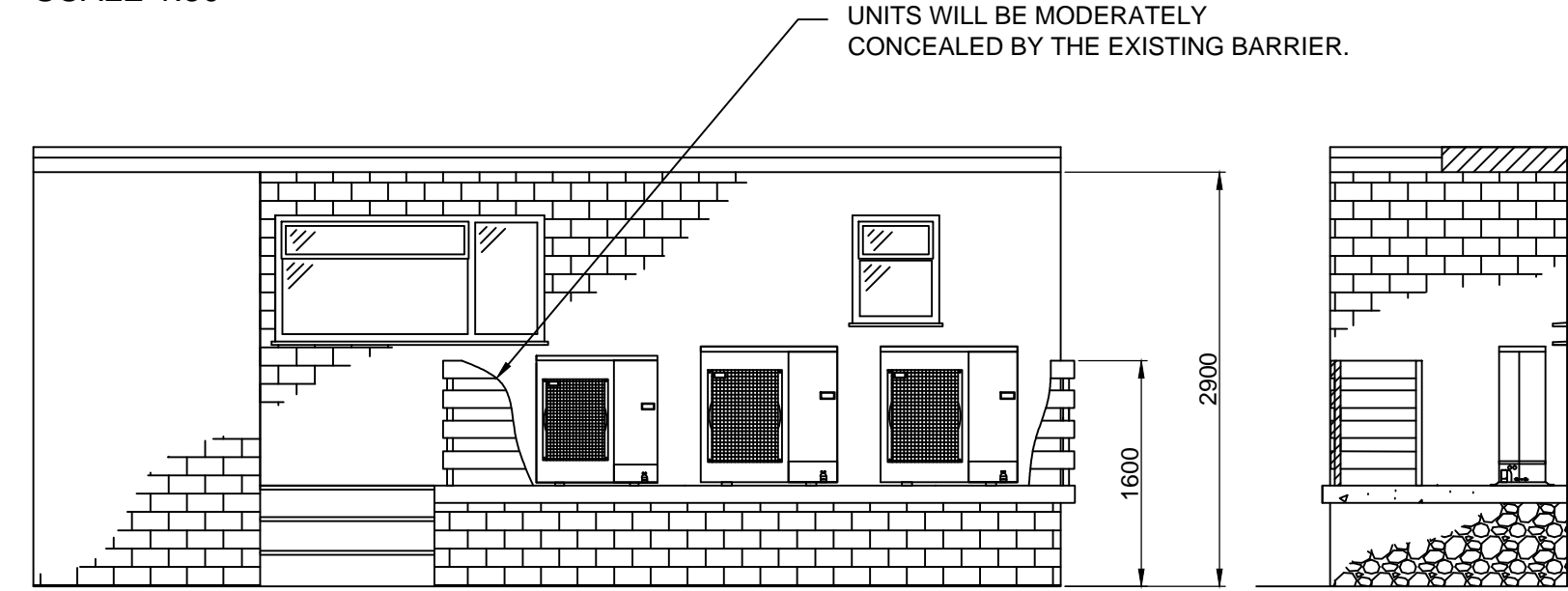
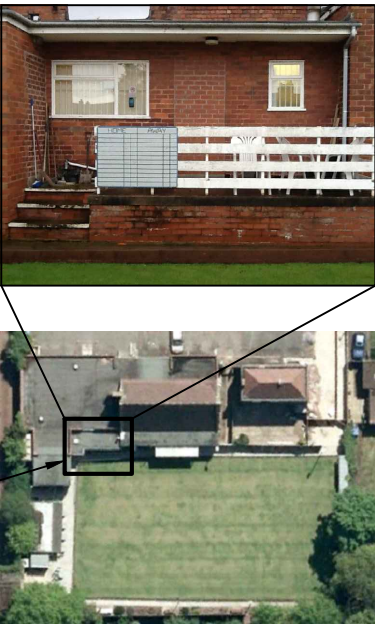
EXISTING PLAN VIEW
SCALE 1:50



EXISTING FRONT ELEVATION
SCALE 1:50



PROPOSED PLAN VIEW
SCALE 1:50



PROPOSED FRONT ELEVATION
SCALE 1:50

CUT A-A
SCALE 1:50

A3

DRAWING NO.
ADC/CON/AC/C/001

DATE 05 Mar 2015	DRAWN BY AD COOKSEY	CHECKED BY N PORTER	TITLE AIR CONDITIONING OUTDOOR UNIT INSTALLATION	ADDRESS KINGSWINFORD CONSERVATIVE CLUB, 24 OAK STREET, KINGSWINFORD, DY6 9LS	OWNER/CUSTODIAN MRS HELEN PORTER, CLUB SECRATARY
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- NOTES
- ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE STATED.
 - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ASSOCIATED DWGs.
 - 2 No. MITSUBISHI PUHZ-P100VHA4 & 1 No. SUZ-KA50VA-4 OUTDOOR UNITS TO BE INSTALLED.
 - UNITS TO BE FLOOR MOUNTED AND SECURED TO THE EXISTING BUILDING FABRIC.

