

Officer's Report

Application Number	HGY/2023/0137
Type	Lawful development: Proposed use
Location	177 Victoria Road, Wood Green, London, N22 7XH
Proposal	Certificate of lawfulness for the installation of an external Air Source Heat Pump (ASHP) located on the side wall of the property - proposed use
Case Officer	Mercy Oruwari
Valid Date	16/01/2023
Applicant	Ms Tanya Weintrobe
Agent	Mr Neil Kahawatte

RECOMMENDATION

Permitted Development

PLANNING HISTORY

The planning history of the site has been taken into account when coming to this decision:

- HGY/2021/2642 - Partial demolition and rebuild of existing single storey rear ground floor extension, erection of single storey side bike store and replacement front gate, demolition of and replacement of existing rear dormer to dwellinghouse. Granted
- HGY/2012/1513 - Demolition of existing rear conservatory and erection of new single storey ground floor extension. Granted
- HGY/2005/1468 - Approval of details pursuant to condition 6 (soundproofing) attached to planning permission HGY/2005/0720. Granted
- HGY/2005/0720 - Change of use of property from residential to residential childrens home. Granted
- HGY/2003/1902 - Erection of single storey rear conservatory. Granted
- HGY/1998/1312 - The erection of a ground floor rear extension and rear dormer window. Lawful
- OLD/9999/2678: 28/9/98 Certificate of Lawfulness for erection of ground floor rear extension and rear dormer window.

RELEVANT PLANNING LEGISLATION

The application has been made under section 192 of the Town and Country Planning Act 1990 and relevant amendments. This not a planning application but instead the applicant seeks confirmation that the proposed development is lawful. As such, the impact of the proposed development of the neighbour's amenities or the character of the area cannot be taken into consideration for this submission.

ANALYSIS/ASSESSMENT OF THE APPLICATION

Class G: Installation, alteration or replacement of an air source heat pump (ASHP) on domestic premises

A certificate of lawfulness for the installation of an air source heat pump (ASHP) on the rear of a dwelling house can be issued if the proposal meets all the criteria under The Town and Country Planning (Generally Permitted Development) (England) Order 2015 – Part 14, Class G 'The installation, alteration or replacement of microgeneration air source heat pump (ASHP) on a dwellinghouse'.

The current proposal will be assessed against these requirements as follows -

G.1. Development is not permitted by Class G unless the air source heat pump complies with the MCS Planning Standards or equivalent standards

Complies - Yes

G.2. Development is not permitted by Class G if:

(a) in the case of the installation of an air source heat pump, the development would result in the presence of more than 1 air source heat pump on the same building or within the curtilage of the building or block of flats;

Complies – Yes

(Comment: There are no other ASHPs installed and only one is proposed in this application)

(b) in the case of the installation of an air source heat pump, a wind turbine is installed on the same building or within the curtilage of the dwellinghouse or block of flats;

Complies - Yes

(c) in the case of the installation of an air source heat pump, a stand-alone wind turbine is installed within the curtilage of the dwellinghouse or block of flats;

Complies -Yes

(d) the volume of the air source heat pump's outdoor compressor unit (including any housing) would exceed 0.6 cubic metres;

Complies – Yes

(Comment: This will be monitored by the relevant Noise team)

(e) any part of the air source heat pump would be installed within 1 metre of the boundary of the curtilage of the dwellinghouse or block of flats;

Complies - Yes

(f) the air source heat pump would be installed on a pitched roof;

Complies -Yes

(g) the air source heat pump would be installed on a flat roof where it would be within 1 metre of the external edge of that roof;

Complies - Yes

(h) the air source heat pump would be installed on a site designated as a scheduled monument;

Complies – N/A

(I) the air source heat pump would be installed on a building or on land within the curtilage of the dwellinghouse or the block of flats if the dwellinghouse or the block of flats is a listed building;

Complies – N/A

(j) in the case of land within a conservation area or which is a World Heritage Site the air source heat pump—

(i) would be installed on a wall or a roof which fronts a highway; or

(ii) would be installed so that it is nearer to any highway which bounds the curtilage than the part of the dwellinghouse or block of flats which is nearest to that highway; or

Complies - N/A

Or

(k) in the case of land, other than land within a conservation area or which is a World Heritage Site, the air source heat pump would be installed on a wall of a dwellinghouse or block of flats if —

(i) that wall fronts a highway; and

(ii) the air source heat pump would be installed on any part of that wall which is above the level of the ground floor storey.

Complies – Yes

Development is permitted by Class G subject to the following conditions of G3:

(a) the air source heat pump is used solely for heating purposes;

Must be in compliance

(b) the air source heat pump is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;

Complies - Yes

(c) the air source heat pump is, so far as practicable, sited so as to minimise its effect on the amenity of the area; and

Complies - Yes

(d) the air source heat pump is removed as soon as reasonably practicable when no longer needed.

Must be complied with

SUMMARY AND CONCLUSION

The proposed development constitutes permitted development by virtue of Schedule 2, Part 14, Class G of the Town and Country Planning (General Permitted Development) Order 2015 and is considered to be lawful.

Informatives:

- All conditions outlined in G3 must be upheld for the works to be classed as Permitted Development. Failure to follow these conditions removes all Permitted Development rights in accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015 – Part 14, Class G and will be subject to a Full/Householder application for further assessment.