



Officer Report

Application Number: HGY/2023/1397
Application Type: Householder planning permission
Address: 5 Alexandra Gardens, Hornsey, London, N10 3RN
Proposal: Installation of external air conditioning unit.
Case Officer: Cameron Sturges
Valid Date: 25/05/2023
Applicant: Mr Andreas Hartmann
Agent:

RECOMMENDATION

Approve with Conditions

1. SUMMARY OF RECOMMENDATION

GRANT PLANNING PERMISSION, Subject to conditions.

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Site and Surroundings

2.1 The subject site is a 2-storey terraced dwelling house containing flats and accommodation in the loft located on the western side of Alexandra Gardens. The surrounding uses are residential. It is not located within a conservation area nor is it situated within the curtilage of a listed building.

Description of Development

2.2 This proposal is for the installation of an air conditioning unit on the northern rear first floor flank elevation.

Relevant Planning and Enforcement History

2.3 The planning and enforcement history pertaining to the subject site is listed below:

HGY/2020/0370 - Erection of rear dormer with linked extension above outrigger roof and associated raising of party wall, installation of 2 front rooflights, replacement of rear staircase to first floor rear door – APPROVED 09/04/2020

HGY/2020/2931 - Erection of rear dormer with linked roof extension with side facing 2nd floor window, addition of a roof terrace, installation of platform with stairs to access the back garden (retrospective) – REFUSED 08/01/2021

HGY/2021/1550 - Retrospective application for retention with alterations of rear dormer with linked roof extension, repositioning of stairs from first floor to access rear garden – APPROVED 06/07/2021

DEP/2020/00533 – Departure from Approved Drawings/Plan – Case closed 25/08/2021

PRE/2019/0258 - Loft conversion with dormers to front and rear of terrace house. raising of party wall as necessary, possible squaring off of rear wall/ bay window and new balcony to rear.

3. CONSULTATION RESPONSE

3.1 The below internal departments were consulted:

LBH EHS – Noise and Pollution: No comments received.

4. LOCAL REPRESENTATIONS

4.1 The application has been publicised by way of 9 letters. No representations were received in response to notification and publicity of the application.

5. MATERIAL PLANNING CONSIDERATIONS

5.1 The main planning considerations raised by the proposed development are:

1. Design and appearance; and
2. Impact on neighbouring amenity

Design and appearance

5.2 The proposed air conditioning unit as shown on the submitted plans would be located at first floor level at the rear of the property and would serve the upper levels of the dwelling related to 5 Alexandra Gardens. The plans lack accurate information regarding the appearance of the property, however, on the balance It is considered that the size, location and design of the air conditioning unit would ensure that it is not visually dominant in appearance and would not be considered to have a detrimental impact upon the host building and the visual amenities of the area. Therefore, the local character and visual amenity of the area will be protected.

Impact on neighbouring amenity

5.3 The minor scale and discreet siting of the installation means that it will result in no material loss of sunlight or daylight, or have an overbearing appearance to the neighbouring property. There will be no material loss of privacy to neighbouring properties.

5.4 The maximum noise levels of the equipment would be unlikely to cause noise and disturbance and the nearest window is for the host flat. A Noise Impact Assessment by Clear Acoustic Design dated 15th May 2023 has been submitted with the application and concludes that the external air conditioning unit would not be harmful to the amenity of neighbouring residences. It will be conditioned that the proposed air conditioning unit when operating the cumulative noise level LAeq TR arising from the unit, measured or predicated at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB9A) below the background noise level LAF90 Tbg. The measurement and/or predication of the noise should be carried out in accordance with the methodology contained within BS 4142:2014.

5.5 The proposal is acceptable in amenity terms and is in general accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policy SP11 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

Conclusion

5.6 The proposal is considered acceptable in terms of its impact upon the character and appearance of the host property and surrounding area. Furthermore, the scheme complies with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and Policy SP11 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

5.7 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

6. CIL APPLICABLE

6.1 N/A

7. RECOMMENDATION

GRANT PERMISSION subject to conditions:

Conditions:

Conditions:

- 1 The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The design and installation of the air conditioning unit shall be such that when operating the cumulative noise level LAeq TR arising from the unit, measured or predicated at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or predication of the noise should be carried out in accordance with the methodology contained within BS 4142:2014.

Reason: To protect neighbouring resident's amenity.

Informatives:

INFORMATIVE: Hours of Construction Work

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday

8.00am - 1.00pm Saturday

and not at all on Sundays and Bank Holidays.

INFORMATIVE: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.