

Officer Report

Application Number:	HGY/2023/3150
Application Type:	Householder planning permission
Address:	78 Woodfield Way, Wood Green, London, N11 2NT
Proposal:	Retrospective application for already installed AC units to the rear wall of the house
Case Officer:	Roland Sheldon
Valid Date:	23/11/2023
Applicant:	Mr Akef Qader
Agent:	Mr Ankit Patel

RECOMMENDATION

Approve with Conditions

1. Site and Surroundings

The subject site contains a two-storey detached dwellinghouse located on the western side of Woodfield Way, N11. The surrounding uses are residential. The site does not contain a listed building and is not located within a conservation area.

2. The Proposal

The proposal seeks retrospective consent for an air conditioning unit that has been installed on the rear wall of the dwellinghouse.

3. Relevant Planning and Enforcement history

The planning history in relation to the site is as follows.

Relevant planning history:

HGY/2023/0942: Certificate of lawfulness for the proposed conversion of garage into habitable room and a loft conversion with rear & side dormers and roof lights – Lawful 03/04/2023

Planning enforcement history:

ENF/2023/0414: Departure from Approved Drawings/Plans (Complaint r.e. insertion of rooflight and air conditioning unit) – ongoing investigation

4. Consultation response

a. The following were consulted on the planning application:

- LBH Planning Enforcement. No comments received.

5. LOCAL REPRESENTATIONS

The application has been publicised by way of letters sent to neighbouring occupants. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

Objecting: 1

Supporting: 0

The following local groups/societies made representations: No comments received.

The following issues were raised in representations and are addressed further on in this report or below:

- No consultation with neighbours before the works were undertaken at the host building
- The AC unit will cause noise nuisance during the summer months

6. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and character and
2. Impact on neighbouring amenity.

Design & Character

- Policy SP11 of the Strategic Plan and Policy DM1 of the Development Management DPD both aim to enhance the built environment through high quality design that respects local context and positive aspects of the area. Policy DM1 sets out that development should relate positively to its locality in terms of building height, form, scale, massing, building lines and architectural details and styles.

DPD Policy DM12 'Housing Design and Quality' states that extensions or alterations to residential buildings, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics and detailing of the original building, including external features such as chimneys, and porches. High quality matching or complementary materials should be used appropriately and sensitively in relation to the context.

The air conditioning unit has been installed on the rear wall of the dwelling. It is of a modest scale, measuring 0.52 metres in height, 0.69 metres width, with a projection of 0.3 metres.

The air conditioning unit is not positioned in a visually prominent position, to the rear of the site and is not visible from the public realm. Its scale has a negligible impact on the character

and appearance of the host building and the wider locality. The retention of the unit is therefore acceptable with regards to design and character considerations.

Impact on neighbouring amenity

London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing.

DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to the amenity of neighbouring residents.

Pertinent to this application, part c of the policy requires proposals to address issues of vibration, noise, fumes, odour, light pollution and microclimatic conditions likely to arise from the use and activities of the development.

The siting, scale and massing of the air conditioning unit has no impact on outlook or light of neighbouring residential occupants.

No supporting information has been provided with regards to the specifications of the air conditioning unit and likely noise levels that would be emitted from it. Notwithstanding this, given the modest size of the unit and its location set 2 metres off the boundary shared with no. 80 Woodfield Way, it is unlikely to result in generating a level of noise that would result in a materially unacceptable impact on the living conditions of neighbouring occupants.

No complaint has been received from neighbouring occupants about the noise actually generated from the unit, only on the basis of concerns that it could potentially cause noise and disturbance during use within the summer months.

A restrictive condition can be imposed on the development that sets out that the air conditioning unit shall maintained and serviced so as to prevent the transmission of noise and vibration into neighbouring premises.

Subject to compliance with this condition, the proposal would be acceptable with regards to amenity impact considerations.

7. Conclusion

The proposal is acceptable with regards to design, character and amenity impact considerations.

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

8. CIL APPLICABLE

The additional floorspace is less than 100 square metres and as such is not liable for CIL.

9. RECOMMENDATION

GRANT PERMISSION subject to conditions

Subject to the following conditions:

Conditions:

- 1 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.

- 2 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, in accordance with policy DM1 of the Haringey Development Management DPD (2017).

Informatives:

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our pre-application advice service and published development plan, comprising the London Plan 2021, the Haringey Local Plan 2017 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.