



Officer Report

Application Number:	HGY/2023/1490
Application Type:	Householder planning permission
Address:	43 Tottenham Lane, Hornsey, London, N8 9BD
Proposal:	Installation of 2 no air conditioning units, removal of windows from rear elevation and extension of roof terrace
Case Officer:	Ben Coffie
Valid Date:	06/06/2023
Applicant:	Mr Twin Estates
Agent:	matt letty

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Site and Surroundings

The subject site is a terraced Victorian building on the south-east side of Tottenham Lane in Hornsey. The site is not located within any conservation area but is opposite the Hillfield Conservation Area and does not fall within the curtilage of a listed building.

The site lies within a designated local shopping frontage (Tottenham Lane East). The site has a ground floor retail unit and three self-contained residential flats. The surrounding area is predominantly residential in character however the Highstreet has mixed commercial, retail and residential use.

Description of Development

Installation of 2 no air conditioning units, removal of windows from rear elevation and extension of roof terrace

Relevant Planning and Enforcement History

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

HGY/2019/2381- Change of use of part retail unit to residential with rear first floor extension. Conversion of existing residential accommodation to 3 x self-contained residential units (2 x studios and 1 x 2-bed). Creation of roof terrace with railings at rear second floor level. Alterations to shopfront including creation of new residential entrance to front elevation.

2. CONSULTATION RESPONSE

The below internal departments were consulted:

LBH EHS – Noise and Pollution: No objections

3. LOCAL REPRESENTATIONS

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

4. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

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

Design and appearance

The proposed air conditioning units would be installed within the second-floor terrace area which serves flat 3. As shown in the plans, the AC units will have an enclosure and therefore they will not be highly visible. It is considered that the size, location and enclosure of the air conditioning units 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.

Equally the removal of the first-floor window and the extension of the terrace area which serves flat 3 would not result in any detrimental impact upon the host building.

Impact on neighbouring amenity

The minor scale and discreet siting of the installation and the nature of the works 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.

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 ACA Acoustics prepared on the 25th August 2023 has been submitted with the application and concludes that the external air conditioning unit would not be harmful to the amenity of neighbouring residents. According to the acoustic report assessment of noise from the proposed equipment using manufacturer's published acoustic data. Calculated rating level for the new plant is at least 10dB below the background sound level during operating times of the new equipment when assessed at 1m from the closest noise-sensitive receptors.

It is proposed that due to the mitigation schemes such as bespoke acoustic enclosure and vibration isolators as shown in the report, the proposed new condensers and extraction equipment achieve the Local Authority's planning requirements.

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 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.

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

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.

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

N/A

7. RECOMMENDATION

GRANT PERMISSION subject to 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.