



Officer Report

Application Number:	HGY/2023/3325
Application Type:	Householder planning permission
Address:	49 Victoria Road, Wood Green, London, N22 7XA
Proposal:	Installation of an external air conditioning unit.
Case Officer:	Emily Whittredge
Valid Date:	28/02/2024
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Applicant:	Mrs. & Mrs. Rose
Agent:	Mr Nathan Turner

RECOMMENDATION

Approve with Conditions

1. Site Description and Proposed Development

The application relates to mid-terraced dwellinghouse located on the south side of Victoria Road. The surrounding area is predominantly residential in character. The site is not located within any conservation area and does not fall within the curtilage of a listed building.

The application seeks the installation of an external air conditioning unit within the rear garden adjacent the boundary with No. 47.

2. Policies and Constraints

Critical Drainage Area, DM DPD policy: DM26

3. Relevant Planning and Enforcement History

HGY/2023/1552

Rear dormer and outrigger extensions, and front roof lights (Certificate of lawfulness)
11/07/2023 Permitted Development

HGY/2021/0393

Erection of single storey rear infill extension.
11/03/2021 Approve with Conditions

4. Neighbour Consultations

Adjoining neighbours were consulted on this application.

Comments Received

Two objections were received in response to neighbour notification. Concerns were raised about noise and robustness of the Acoustic report.

5. Design

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, 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. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 requires the highest standard of design that respects local context and character and historic significance, which is equally supported by London Plan (2021) Policy D6.

The proposed condenser unit and acoustic enclosure are very minor in scale and significantly lower than the boundary fence. As such, the proposal would not have an adverse effect on the appearance of the site or surrounding area.

6. 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. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for the development's users and neighbours. The Council will support proposals that address issues of vibration, noise, fumes, odour, light pollution and microclimatic conditions likely to arise from the use and activities of the development.

The condenser unit would be sited 0.15 from the fence and 0.685 from rear elevation. A Noise Impact Assessment has been submitted demonstrating that the resulting noise level at the façade of the receptor will be 0.8dB below the background noise level at night and 5.8dB below the background noise level during the day when the proposed unit is operating at full capacity. A amendment was secured during the course of the application to include an acoustic enclosure to further enhance noise mitigation from the AC unit. To ensure that the residential amenity of neighbouring occupiers is protected in compliance with Policy DM1, a condition will be added to limit noise levels and to secure the installation of an acoustic enclosure, details of which have been submitted.

Subject to the application of conditions, the proposal would not adversely affect the amenity of neighbouring occupiers.

7. Conclusion

Subject to appropriate noise conditions, the proposal is considered acceptable in terms of its design and appearance, and impact on neighbouring amenity.

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 condenser and acoustic enclosure hereby approved by this permission shall be such that, when in operation, the cumulative noise level LAeq 15 min arising from the proposed plant, measured or predicted at 1m from the facade of nearest residential premises or at 1.2m above any adjacent residential garden, terrace, balcony or patio shall be a rating level of at least 10dB(A) below the background noise level LAF90. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014 and A1:2019. Upon request by the local planning authority a noise report shall be produced by a competent person and shall be submitted to and approved by the local planning authority to demonstrate compliance with the above criteria.

Reason: In order to protect the amenities of nearby residential occupiers consistent with Policy D14 of the London Plan 2021 and Policies DM1 and DM23 of The Development Management DPD 2017.

- 4 Prior to the first operation of the air conditioning unit hereby approved, all plant and equipment shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises, and these shall be so maintained thereafter. The plant shall be housed in an acoustic enclosure to secure the noise limits required by condition 3. If at any time the plant is unable to comply with this Condition, it shall be switched off and not used again until it is able to comply.

Reason: In order to protect the amenities of nearby residential occupiers consistent with Policy D14 of the London Plan 2021 and Policy DM1 of The Development Management

DPD 2017.

Informatives:

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.

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.