



Officer Report

Application Number: HGY/2024/1057
Application Type: Householder planning permission
Address: Flat 1, 325-327 Archway Road, Hornsey, London, N6 5AA
Proposal: Installation of a 5kw domestic Air Source Heat Pump in flat's rear garden.
Case Officer: Neil McClellan
Valid Date: 15/04/2024
Applicant: C/O agent C/O agent C/O agent
Agent: Mr Luke Cottrell

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

Installation of a 5kw domestic Air Source Heat Pump in flat's rear garden.

Site and Surroundings

The property to which the application relates is a split level 1-bedroom flat located over the ground and 1st floors to the rear of this 4-storey parade of ground floor commercial units, with flats above and to the rear. The application flat has access to and use of the rear garden.

There are similar sized flats either side and above the application either property. A narrow pedestrian alley runs behind the property's rear garden separating it from the rear gardens of properties in Hillside Garden.

The Highgate underground station is on the opposite side of Archway Road to the site.

Relevant Planning and Enforcement History

HGY/2022/2560 – Non-material amendment approved to planning permission HGY/2019/1227. Amendment was for the installation of a toilet & sink in the consented ancillary outbuilding.

HGY/2019/2545 – Planning permission granted for the erection of rear ground floor conservatory.

HGY/2019/1227 – Planning permission granted for the erection of an ancillary outbuilding in the rear garden.

CON/2019/0376 – Application for works to a tree in a conservation area (felling of Ash). No objection raised.

REPRESENTATIONS

Two representations have been received in response to notification and publicity of the application.

Two objections have been received, one from a neighbouring occupier and one from the Highgate CAAC.

The following issues have been raised:

- Appreciate and support the importance of transitioning to more sustainable energy sources.
- Concerned about potential noise pollution and the impact this might have on quality of life and health.
- Potential fire risk from the propane refrigerant used in the proposed model of ASHP unit.
- Residents should be kept informed of any changes to the proposal.

REASONS FOR GRANTING PERMISSION

The proposal is for the installation of an air source heat pump (ASHP) in the rear garden abutting the raised terrace. The ASHP would be Vaillant 7kw aroTHERM plus model for domestic use and be 1.1m wide, 0.45m deep, and 0.77m tall.

As a low carbon, low emission source of heating ASHP units are supported as a measure to reduce energy consumption/ reduce CO2 emissions, in turn addressing climate change and working towards Haringey's objective to be zero carbon by 2041 as set out in Haringey's Climate Change Action Plan (HCCAP) as well as meeting the requirements of policies SP4 and DM21.

Such a structure would be small in size and would not be visually prominent or harmful to neighbouring amenity, given where it will be located. The proposed ASHP and timber screening would be modest in bulk and scale and subordinate to the main dwelling. Therefore, the local character and visual amenity of the local area and Highgate conservation area would be protected.

The proposal would comply with Policy DM9 of the Development Management, Development Plan 2017 and would preserve or enhance the character and appearance of the conservation area. The proposal would be acceptable in heritage terms

In making a decision on this application, it is noted that typically 1 x ASHP unit can be erected in connection with a domestic premises / or in connection with a block of flats under permitted development, without the need for planning permission, as per Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The proposed ASHP would have a sound power as low as 54dB. It would have a floating floor design to reduce noise and vibration. According to the specification, this model of ASHP produces a controlled level of noise as low as 32dB at 5m from the unit. The nearest neighbouring residential window would be approximately 5.5 metres from the proposed unit.

Based on the siting and location of the ASHP and its separation distances to neighbouring properties, in specific habitable windows, the proposal will not harm amenity of neighbouring occupiers, falling below the permitted noise level of 42dB associated with ASHPs, as such meeting the requirement of policies DM1, DM21 and DM23. The permitted noise level of 42dB stipulate that

noise levels must remain at or below 42 decibels (dB) from 1 metre away from any habitable room for an ASHP on its own. A condition is being imposed relation to such a noise rating level.

Concerns have been raised by the CAAC regarding the potential fire risk arising from the model's propane refrigerant. However, this is one of the more common domestic models of ASHP is designed to be installed in proximity to residential buildings.

The proposed development is in general accordance with Policies DM1 and DM23 of the Development Management, Development Plan Document 2017, and policies SP4 and 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.

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 noise level from the operation of the air source heat pump hereby approved must not exceed 42dB LAeq (5 min) at 1 metre from the window of a habitable room on the façade of any neighbouring residential property. If, in the opinion of the Local Planning Authority the proposed air source heat pump result in any noise nuisance to the occupant of any neighbouring dwelling the Applicant shall install noise mitigation measures in agreement with the Planning Authority.

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.

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.