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**Via Planning Portal Only**

17<sup>th</sup> January 2025

Dear Sir/Madam

**CERTIFICATE OF LAWFUL DEVELOPMENT (PROPOSED) WITH RESPECT TO THE INSTALLATION OF AIR SOURCE HEAT PUMP AT 43A LANCASTER GROVE, BELSIZE PARK, LONDON, NW3 4HB**

This is an application under Class G of the Town and Country Planning (General Permitted Development) Order 2015 to obtain a Lawful Development Certificate to confirm that the proposed installation of an air source heat pump is not development and thus lawful.

**Submission Pack**

Please find attached for your consideration:

- Block plan and site location plan
- SE100-1: Existing site plan
- S100-1: Proposed site plan and enlarged site plan
- S101-0: ASHP enclosure sheet, including section plan, elevations and vertical sections
- VAILLANT AroTherm Plus air source heat pump product data.

**Description of Proposed Development**

This application is proposing the installation of an air source heat pump (ASHP) under Class G of the Town and Country Planning (General Permitted Development) Order 2015.

## **Site Description**

The site comprises a two-storey 1980's red brick property with basement and roof accommodation. It is divided into 2 self-contained flats.

The site is located on the northern side of Lancaster Grove in close proximity to the junction with Lancaster Drive that lies to the west. This part of Lancaster Grove is predominantly residential, characterised by a mixture of detached and semi-detached properties with similarly sized rear gardens that are predominated by vegetation and trees.

The property is located within the designated Belsize Conservation Area, though the property is not statutorily listed.

## **The Lawfulness of The Proposed Development**

Schedule 2, Part 14 (Renewable energy) Class G is of particular relevance to this proposal. For the avoidance of doubt Class G relates to the installation or alteration etc of air source heat pumps on domestic premises. Class G specifically references *'the installation, alteration or replacement of a microgeneration air source heat pump: (a) on a dwellinghouse or a block of flats; or (b) within the curtilage of a dwellinghouse or a block of flats, including on a building within that curtilage.'* The criterion of Class G is set out below, alongside how the proposal complies.

**G.1** *Development is not permitted by Class G unless the air source heat pump complies with the MCS Planning Standards or equivalent standards.*

**G.2** *Development is not permitted by Class G if -*

**G.2 (a)** *In the case of the installation of an air source heat pump, the development would result in the presence of more than 1 air source heat pump on the same building or within the curtilage of the building or block of flats;*

Only one ASHP unit is proposed. There are no existing ASHP on the site or within the curtilage of the building.

**G.2 (b)** *In the case of the installation of an air source heat pump, a wind turbine is installed on the same building or within the curtilage of the dwellinghouse or block of flats;*

Not applicable.

**G.2 (c)** *In the case of the installation of an air source heat pump, a standalone wind turbine is installed within the curtilage of the dwellinghouse or block of flats;*

Not applicable.

**G.2 (d)** *The volume of the air source heat pump's outdoor compressor unit (including any housing) would exceed 0.6 cubic metres;*

The volume of the outdoor compressor unit would be 0.38 cubic metres (including any housing) which is below the maximum. The details of the dimensions is attached within the arotherm plus specification sheet, which is attached within the submission pack.

**G.2 (e)** *Any part of the air source heat pump would be installed within 1 metre of the boundary of the curtilage of the dwellinghouse or block of flats;*

the ASHP units are positioned at least 1m from the nearest boundary, as detailed on 2/S100-1.

**G.2 (f)** *The air source heat pump would be installed on a pitched roof;*

Not applicable.

**G.2 (g)** *The air source heat pump would be installed on a flat roof where it would be within 1 metre of the external edge of that roof;*

Not applicable.

**G.2 (h)** *The air source heat pump would be installed on a site designated as a scheduled monument;*

The site does not fall within an area designated as a scheduled monument.

**G.2 (i)** *The air source heat pump would be installed on a building or on land within the curtilage of the dwellinghouse or the block of flats if the dwellinghouse or the block of flats is a listed building;*

The site is not listed nor is it located within the curtilage of any listed buildings.

**G.2 (j)** *In the case of land within a conservation area or which is a World Heritage Site the air source heat pump –*

*(i) would be installed on a wall or a roof which fronts a highway; or*

*(ii) would be installed so that it is nearer to any highway which bounds the curtilage than the part of the dwellinghouse or block of flats which is nearest to that highway*

The ASHP is proposed to the rear of the property, and would not be visible from a public road/ highway. It would therefore be no nearer to any highway which bounds the curtilage than the existing situation.

**G.2 (k)** *In the case of land, other than land within a conservation area or which is a World Heritage Site, the air source heat pump would be installed on a wall of a dwellinghouse or block of flats if—*

*(i) that wall fronts a highway; and*

As before, the ASHP is proposed to the rear of the property and would not be visible from the public realm.

*(ii) the air source heat pump would be installed on any part of that wall which is above the level of the ground floor storey.*

The ASHP is proposed to be located at the ground floor level and will not exceed this height.

**G.3** *Conditions – if no to any of the below, the proposal is not permitted development*

**G.3 (a)** *The air source heat pump is used solely for heating purposes;*

Yes, the ASHP will solely provide heating.

**G.3 (b)** *The air source heat pump is, so far as practicable, sited so as to minimise its effect on the external appearance of the building.*

The proposed ASHP is sited to the rear of the property therefore will not have an adverse impact on the character of the conservation area or the appearance of the building.

Furthermore, the enclosure, shown in detail on 5/S101, will be custom-made from pretreated, painted timber with louver size and spacing following the manufacturer's guidelines. The enclosure has therefore been sensitively designed to ensure there are no adverse visual impacts to the external appearance of the building.

**G.3 (c)** *The air source heat pump is, so far as practicable, sited as to minimise its effect on the amenity of the area; and*

As shown on 1/S100-1, the ASHP enclosures are set more than 12m from the original rear elevation of the house and adjacent properties, and nearly 9m from the closest point of no.45 Lancaster Grove's ground floor rear extension, to minimise noise disturbance and any adverse impacts to neighbouring amenity.

Furthermore, for the 5KW model, the ASHP product data indicates a maximum noise level of 54dB. The noise level decreases rapidly to under 30dB at a distance of 3m. The ASHP will therefore provide very little noise disturbance.

**G.3 (d)** *The air source heat pump is removed as soon as reasonably practicable when no longer needed.*

Not applicable.

The proposal is considered to satisfy all criteria as set out under Schedule 2, Part 14, Class G of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and as such, would be permitted development and lawful.

### **Summary & Conclusion**

The proposed installation of an air source heat pump is lawful under permitted development, as defined by Schedule 2, Part 14 (Class G) of the Town and Country Planning Act 1990, since the proposed ASHP complies with all of the provisions of Class G. It is therefore respectfully requested that a certificate is issued.

I trust the commentary above is clear but please do not hesitate to contact me if you have any queries or if I can offer any further points of clarification.

Yours faithfully

**Allen Sacbucker**  
**Associate**  
**SM Planning**