

DISCLAIMER

Decision route to be decided by nominated members on Monday 23rd March 2009. For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>

Delegated Report (Members' Briefing)		Analysis sheet	Expiry Date:	23/10/2008
			Consultation Expiry Date:	08/10/2008
Officer			Application Number(s)	
Jenny Fisher			2008/4062/P	
Application Address			Drawing Numbers	
26 Lancaster Grove London NW3 4PB			Refer to decision letter	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of a heat pump heating/cooling unit to the rear of the back garden, together with the enlargement of one entrance, and installation of new timber gates to both entrances, to the front drive.				
Recommendation(s):		Grant planning permission with conditions		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	15	No. of responses	12	No. of objections	12
Summary of consultation responses:	<p>Letters of objection have been received from the occupants of the following: 28 Lancaster Grove 26 Eton Avenue and flats B and C 28 Eton Avenue flats 1, 2, 3, 4, 5, 7, the studio, the cottage The occupant of No. 28 Lancaster Grove commissioned his own acoustic report (KC Environmental Ltd.) forwarded to the Council's Environmental Health Team. The report refers to British Standard (BS) 4142. Concern raised refers to the noise generated. The objector's acoustic report concludes that UDP policy SD7 criteria the criteria for development likely to generate noise pollution as proposed in this application have not been met.</p> <ul style="list-style-type: none"> • additional noise level would not be occasional or infrequent, would be a dominant noise source in an area of very low levels; • due to close proximity increased level of noise would create a serious disturbance; • pumps would be only a few feet away from a garden seat in a pergola (at No. 28 Lancaster Grove), small garden therefore greater intrusion; • see no justification for an industrial unit; • question why pumps would be at bottom of applicant's garden. <p><i>Environmental Health Officer's comment concerning comments summarised above</i> I have also considered the report submitted by the neighbour's consultant in support of their objection of the application. However, whilst I understand the argument presented, I would add that BS 4142 is used as a guide and further states that the standard should not be used where the background noise levels are below about 30 dB and rating levels below about 35 dB which are considered to be very low.</p> <p><i>The planning officer and Environmental Health Officer met two of the objectors and the neighbour's consultant on 27th January 2009, to enable them to explain their concerns in detail and to give Officers the opportunity of explaining the Council's position.</i></p>					
CAAC/Local groups* comments: *Please Specify	<u>Belsize CAAC</u> No objection					

Site Description

A detached single family dwelling located on the south side of Lancaster Grove. It comprises ground and first floors, with additional accommodation in the roof space. The property has a large forecourt with openings at each end of the front boundary and vehicle access from the highway.

Gardens to the rear of residential properties fronting Eton Road back onto gardens to the rear of Lancaster Grove dwellings. To the west is Strathray Gardens. The three streets bound the area, which includes the development site, forming a triangular shape; the apex is to the east of No. 26. Properties towards the west have longer gardens than those towards the east that gradually reduce in length.

Within the Belsize Conservation Area.

Relevant History

None relevant

Relevant policies

Replacement UDP policies: S1/ S2/ SD6; SD7B; SD8; SD9; B1; B7; Appendix 1

Camden Planning Guidance: conservation area; design; energy and on-site renewable facilities; noise and vibration

Belsize Conservation Area

Assessment

There are three elements to this application:

1. The installation of a new heat pump heating/cooling unit in the south/east corner of the rear garden
2. The enlargement of a forecourt opening.
3. Installation of new timber gates to the front drive.

The installation of a new heat pump heating/cooling unit in the south/east corner of the rear garden.

Proposed is renewable low-carbon technology based around an air – to – water heat pump. The outdoor unit extracts free low temperature heat from the surrounding air and increases its temperature. Upgraded heat is then transmitted via the refrigerant circuit to the indoor hydro-box. The indoor hydro-box transfers the heat in the refrigerant to the water circulated in the central heating radiators, under floor heating system and domestic hot-water tank. The system would also provide air conditioning.

The unit would be installed within an acoustic enclosure, painted green to blend in with surrounding foliage. The box would be 2200mm (width) x 1500mm (height) x 1040mm (depth). It would be to the rear of the applicant's garden. The unit would be fitted onto a solid base and pipes would be buried under ground; the garden would be landscaped and the unit concealed by planting.

The use of more energy efficient, low carbon, sustainable technology is in line with the Government's Green Homes drive. The proposed technology would comply with the Council's UDP policy SD9 that seeks development that conserves energy and resources through designs for energy efficiency. The Council particularly welcomes developments that have low or zero emissions.

UDP policy SD7 declares that when development is likely to generate noise, attenuation measures to mitigate the impact on surrounding areas will be required if planning permission is to be granted. Appendix 1 sets out noise thresholds for adjoining residential sites. Policy SD8 states the Council will only grant planning permission for plant or machinery that can be operated without causing a loss to local amenity and does not exceed thresholds set out in appendix 1 (table E).

Table E states that at 1m external to a sensitive façade plant should not operate 5dB above the background noise level. Where there may be distinguishable note (whine/hum) then it should not operate 10dB above the background level. These thresholds are intended to ensure that local amenity is not harmed by allowing excessively noisy machinery. They are generally applied to applications for air conditioning and chiller units. In this case the installation of new low carbon technology is proposed that would operate at far lower level of noise than the average air conditioning unit.

The Council's Environmental Health Officer has read the acoustic report submitted by the applicant and is satisfied with recommendations proposed by the applicant's acoustic engineer. Attenuation to achieve a reduction in noise to below 35dB has been applied. An 11dB noise reduction can be achieved through the introduction of a five sided acoustic louvre enclosure as proposed, additional

attenuation would be provided by a timber fence and planting between properties. Although 35dB would not be 10dB below the recorded background noise level at all times over a 24 hour period, the levels of noise above background that would be generated are extremely low. According to British Standard 4142 rating levels below 35dB are considered to be very low. The World Health Organisation – Guidelines for Community Noise – March 2000 identifies + 5dB as being of marginal significance.

Camden Planning Guidance advises that where it is found that thresholds are exceeded and/or appropriate methods of attenuation cannot be achieved then planning permission is likely to be refused. In this case attenuation proposed would reduce any audible noise to a level of marginal significance. The purpose of UDP policies SD7 and SD8 and Design Guidance are to protect the amenities of adjoining occupiers in line with SD6. It is considered that the proposed unit would not harm the amenities of adjoining occupiers as a consequence of unreasonable levels of noise, whine or hum.

2. The enlargement of a forecourt opening.

The opening would be enlarged by the demolition of a 500mm. section of the existing boundary wall and decorative masonry pier to one side of the existing opening. The decorative pier would be re-instated in the new position. The existing footpath crossover and dropped curb would be retained as existing. The applicant intends to reduce the amount of hard surface on the forecourt by introducing larger areas of soft landscaping and planters.

3. Installation of new timber gates to the front.

The gates would replace existing within the front boundary wall, and be installed within the enlarged opening. They would be timber; the design of each would be matching. The existing gates would be replaced with what is considered a design more in keeping with the Arts and Crafts architecture of this and neighbouring properties. The existing pier would be carefully dismantled, all bricks and decorative elements preserved. The pier would be completely re-built in existing brickwork in the new position with all decorative features reinstated.

Conclusion

The introduction of renewable low carbon technology is welcome and in line with the Council's UDP sustainable strategic policies and SD9 that seeks conservation of energy and resources through renewable energy use. It is also in line with the Government's recently launched green homes drive. There would be no adverse impact on adjoining occupiers by reason of noise nuisance. Should planning permission be granted a condition is recommended to ensure that the method of attenuation that would form part of the approval shall be fixed before the use of the heat pump system commences.

It is considered that there would be no adverse visual impact arising from the proposal. The heat pump enclosure to the rear of the garden within a landscaped area would not have an adverse visual impact and works to the front boundary are also considered acceptable.

Recommend approval

