

Reference: 08/ELE00190/ELECSA

Building Control

Deposit Date: 09.06.2008 Installed a Gas Boiler Vented Hot Water Cylinders

Reference: 08/COR01354/CORGI

Building Control

Deposit Date: 04.07.2008 BRECECA: Lighting circuit Detached shed garage or greenhouse
Lighting circuit Dwelling house New consumer unit Dwelling house

Reference: 08/BRE00099/BRECECA

Building Control

Deposit Date: 21.03.2016 Install replacement windows in a dwelling Install replacement door in a dwelling

Reference: 16/FEN00672/FENSA

Building Control

Deposit Date: 24.06.2018 Install one or more new circuits

Reference: 18/NIC01233/NICEIC

Application Number	24/2329/HOT
Address	87 Albury Close, Hampton
Proposal	Installation of one air source heat pump to the rear of house at g/f level
Contact Officer	Brad Greening
Target Determination Date	2 December 2024

1. INTRODUCTION

This application is of a nature where the Council’s Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

Before preparing this summary report the planning officer considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge and nearby residents.

By indicating that the development proposal complies with relevant Local Plan Policies, the planning officer has considered the information submitted with the application, any previous relevant applications, any comments received in connection with the application and any other case specific considerations which are material to the decision.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The subject site is approximately 139m² and contains a double-storey semi-detached dwelling, sharing a wall with no. 85 to the west. The rear yard contains a close-boarded fence approximately 1.8m high.

The application site is situated within Hampton Village and is designated as:

- Area Susceptible to Groundwater Flood - Environment Agency (Superficial Deposits Flooding - >= 25% <50% - SSA Pool ID: 396)
- Article 4 Direction Basements (Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018)
- Community Infrastructure Levy Band (Low)
- Surface Water Flooding (Area Less Susceptible to) - Environment Agency
- Take Away Management Zone
- Village (Hampton Village)
- Village Character Area (Queenswood Avenue Estate and west of Hanworth Road - Area 2 Hampton Village Planning Guidance Page 19 CHARAREA09/02/01)
- Ward (Hampton North Ward)

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises the installation of an air source heat pump to the rear ground floor of the existing dwelling. The applicant has applied for a noise infringement of the MCS Noise standards (maximum 42dBA at neighbouring noise sensitive receptors) by 1.6dBA.

There is no relevant planning history associated with the site.

4. CONSULTATIONS CARRIED OUT

The list of neighbours notified of this application are listed above.

No letters of representation were received.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

- 4. Decision-making
- 12. Achieving well-designed places

These policies can be found at:

<https://www.gov.uk/guidance/national-planning-policy-framework>

London Plan (2021)

The main policies applying to the site are:

- D4 Delivering good design
- D6 Housing quality and standards
- D14 Noise

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan>

Richmond Local Plan (2018)

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1	Yes	Ne
Impact on Amenity and Living Conditions	LP8	Yes	Ne
Local Environmental Impacts, Pollution and Land Contamination	LP10	Yes	Ne

These policies can be found at

https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Richmond Publication Local Plan (Regulation 19 version)

The Richmond Publication Version Local Plan (Regulation 19 version) was published on 9 June 2023 for public consultation which ended on 24 July 2023.

The Publication Version Local Plan, together with all the representations received during the representation period, the plan and its supporting documents were submitted to the Secretary of State for examination on 19 January 2024. The submission documents do not form part of the statutory development plan for the Borough, however, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the Publication

Plan.

The Publication Version Local Plan, including its evidence base, are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below where it is relevant to the application.

Note that it was agreed by Full Council on 27 April, when the Publication Plan was approved, that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95 will continue to be used; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement; all other aspects and requirements of these policies will apply.

Issue	Publication Local Plan Policy	Compliance	
		Yes	No
Local character and design quality	28	Yes	No
Amenity and living conditions	46	Yes	No
Local Environmental impacts	53	Yes	No

Supplementary Planning Documents

Design Quality

Development Control for Noise Generating and Noise Sensitive Development
Village Plan - Hampton

These policies can be found at:

https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and visual amenity
- ii Impact on neighbour amenity

i Design and visual amenity

Policy LP1 of the Local Plan 2018 seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area. Proposals should demonstrate an understanding of the site and its context when considering the design including layout, siting and access and the compatibility of the works to the neighbouring uses.

Part 14 Renewable Energy of the General Permitted Development Order sets out the parameters for the installation of an air source heat pump on domestic premises under Class G. Of particular relevance to this application, the parameters allow for one ASHP per dwelling at ground floor level, provided the volume of the ASHPs outdoor compressor does not exceed 0.6m³, the ASHP is a minimum 1m from the boundary, and that it is sited so as to minimise its effect on the external appearance of the building and minimises its effect on the amenity of the area. It is noted that the ASHP will have an outdoor compressor that is 0.55m³ and is sited against the rear façade of the dwelling and at ground level, thereby minimising visual impact on the dwelling and surrounding area.

It is therefore considered that the proposed structure will have minimal impact on design and visual amenity and will comply with LP1 of the Local Plan and LP28 of the Publication Local Plan.

ii Impact on neighbour amenity

Policy LP8 states that development must protect the amenity and living conditions of existing, adjoining and neighbouring occupants. Design must allow for good daylight standards, avoid overlooking or noise disturbance, avoid visual intrusion, overbearing impacts or harm to the reasonable enjoyment of the uses of buildings and gardens. Harm may arise from various impacts such as noise, air pollution, odours or vibration.

Policy LP 10 states that the local environmental impact of development shall not lead to detrimental effects on health, safety and amenity of occupants of the development site or the surrounding land. In relation to noise, good acoustic design is encouraged which requires a noise assessment of equipment and its impacts on receptors and general background noise levels and appropriate mitigations measures where necessary.

The applicant has provided a noise assessment using the provisions of the MCS Planning Standards to determine whether or not the proposal will meet the maximum noise requirements of 42dBA at sensitive noise receptors. The assessment point carried out by the applicant was the ground floor window of the closest neighbouring property at no.85 which found that the proposed ASHP would exceed 42dBA by 1.6dBA.

A review of the proposal by the Council Environmental Health Officer has revealed a different assessment however as below:

- 1. The close boarded boundary fence will serve as an acoustic barrier for ground floor windows. With a separation distance of 3.5meters and considering the orientation i.e. acoustic radiation will be and a sound power $L_w = 62\text{dB}$ then predictions show $LP_{3.5m} = 46.2\text{ dB}$. Taking account of the fence then $L_{p3.5m} = 46.2 - 10 = 36.2\text{db}$ i.e. the proposed ASHP would meet MSC Planning Standards for Permitted Development Installations of Air Source Heat Pumps on Domestic Premises.*
- 2. If the upstairs window of the neighbouring property is considered then the benefits of the boundary fence are diminished as there is no interruption to the line of sight. However, the separation distance increases i.e. to around 6m. Thus, again from simple acoustic predictions as before $L_{p6m} = 41.6\text{dB}$. Again this meets the requirements of MSC Planning Standards.*

As such provided the plant is secured, i.e. a Daikin aroTherm 3, the acoustic predictions show the units would be compliant. I would add the above predictions have been undertaken using established acoustic predictions with a greater degree of certainty that the simplified method presented within the MSC Planning standards which uses various 'approximations' to simplify the process.

Given the above, it is considered that the proposed ASHP will meet the permitted standards of the MSC Planning Standards and therefore noise levels will be acceptable and the proposal will have minimal impact on the amenity levels of the neighbouring properties.

7. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.

On initial assessment this development is not considered liable for the Mayoral or Richmond CIL however this is subject to confirmation by the CIL Administration Team.

8. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the application process.

Grant planning permission

Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. For the reasons set out above, this application falls to be determined in accordance with the test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES / ~~NO~~

I therefore recommend the following:

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

This application is CIL liable YES* NO
(*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement YES* NO
(*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file) YES NO

This application has representations on file YES NO

Case Officer (Initials): BGR

Dated: 28 November 2024

I agree the recommendation:

Team Leader/Head of Development Management/Principal Planner - EL

Dated:02/12/2024.....

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Head of Development Management:

Dated:

REASONS:
CONDITIONS:
INFORMATIVES:

UDP POLICIES:
OTHER POLICIES:

The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES
