

COMMITTEE REPORT

Committee: West/Centre Area
Date: 15 July 2010

Ward: Guildhall
Parish: Guildhall Planning Panel

Reference: 10/00726/FUL
Application at: 5 County House Mews Monkgate Cloisters York YO31 7NR
For: Installation of an air source heat pump to rear elevation
By: Mr Stuart Blackmore
Application Type: Full Application
Target Date: 1 July 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 This application seeks permission for the installation of an air source heat pump to the rear elevation of 5 County House Mews. The unit will measure 750mm x 950mm and will be situated at ground floor level.

1.2 The property is a three bedroom modern townhouse situated on the outskirts of the city centre in the Central Historic Core Conservation Area.

1.3 The application is being taken to committee as the applicant is an employee of the council.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006
Conservation Area GMS Constraints: Central Historic Core CONF
DC Area Teams GMS Constraints: Central Area 0002

2.2 Policies:

CYGP1 Design

CYHE3 Conservation Areas

CYGP18 External attachments to buildings

3.0 CONSULTATIONS

INTERNAL

3.1 DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT - No objections. The proposal preserves the character and appearance of the conservation area.

3.2 ENVIRONMENTAL PROTECTION UNIT - The EPU officer has concerns that the neighbouring properties would experience a loss of amenity based on the resulting noise from the air source heat pump. However the installation of a close boarded wooden fence on both party fence lines would reduce noise levels to a more acceptable level which is not considered to significantly harm residential amenity.

EXTERNAL

3.3 GUILDHALL PLANNING PANEL - The Panel do not object, however they express concern regarding noise levels.

3.4 PUBLICITY - The application was advertised by side notice and neighbour notification letter. No responses have been received.

4.0 APPRAISAL

KEY ISSUES

- Visual impact on the dwelling and the conservation area
- Impact on neighbouring property

RELEVANT PLANNING POLICY

4.1 Local Plan Policy GP18 states that where planning permission is required for external attachments to buildings permission will be granted where their design, location, materials and colouring do not significantly detract from the visual appearance of the building or the visual amenity of the area, or the character and appearance of conservation areas. GP1 states that development proposals will be expected to ensure that residents living nearby are not unduly affected by noise.

4.2 Local Plan Policy HE3 states that within conservation areas, proposals will only be permitted where there is no adverse effect on the character and appearance of the area.

VISUAL IMPACT ON THE PROPERTY AND CONSERVATION AREA

4.3 The air source heat pump is relatively small in size and will be positioned on the rear wall of the property, 0.5m from ground level situated between the French windows and the side boundary with no. 6. The property has a small enclosed rear yard which is not visible from the surrounding area. As such the proposal is not considered to harm the character and appearance of the conservation area nor the appearance of the dwelling.

IMPACT ON NEIGHBOURING PROPERTY

4.4 The main concern with this proposal is the potential loss of amenity due to noise as a result of the fan associated with the unit. The literature submitted with the application states that the unit produces a free field sound pressure level of 46dB(A) at 1 meter from source when operating at full capacity, and information from the

applicant claims that the unit when operating at reduced capacity produces a free field sound pressure level of 40dB(A) at 1 meter from source. Since these figures are given in free field conditions an additional 3dB needs to be added to take account for reflection from the rear property wall on which the unit is to be mounted and a further 3dB due to reflection off the boundary fencing. As a result the estimated noise levels are 52dB(A) at 1 meter and 46dB(A) at 1 meter, under the two different operating capacities. The noise level currently experienced in the rear yard is approximately 44dB(A) Leq 15 minute, although this is currently elevated due to building works being undertaken to the rear of the property and therefore it would be reasonable to suggest that the background noise level is actually in the region of 40dB(A).

4.5 As a result, the predicted noise levels at the neighbouring property (No 9 County House Mews) is predicted to be 10dB(A) above acceptable levels when the unit is operating at full capacity or 4dB(A) above acceptable levels when operating at reduced capacity. This would likely result in loss of amenity to the neighbours using their garden. For the neighbours at No 7 County House Mews noise levels are predicted to be 6dB(A) above the 40dB(A) threshold when the unit is operating at full capacity or just at acceptable levels when operating at reduced capacity.

4.6 Whilst these levels would usually be unacceptable, the internal layout of the neighbouring properties is such that most habitable rooms e.g. living room, bedrooms etc are on upper floors mostly with windows on the other side of the property. As a result the main concern relates to the potential for noise affecting the ground floor study/living areas with patio doors to the rear yards. It has been proposed by the applicant to install a close boarded wooden fence to both party wall fence lines. This would reduce the noise levels by approximately 15dB and would as such ensure that the noise levels at the nearest residential dwellings do not result in the loss of amenity.

5.0 CONCLUSION

5.1 The proposal, by virtue of its scale and position, and the agreement of the applicant to erect a close boarded fence is considered to prevent significant harm to residential amenity with regard to noise levels and with preserve the character and appearance of the conservation area.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 PLANS1 Approved plans

3 The air source heat pump shall not be brought into use until a 1.8m high close boarded fence has been erected in accordance with the details submitted and the fence shall remain in situ for as long as the air source heat pump is installed.

Reason: To reduce noise levels caused by the unit and to protect the residential amenity of adjacent neighbours.

**7.0 INFORMATIVES:
Notes to Applicant**

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the character and appearance of the conservation area and residential amenity. As such the proposal complies with Policies GP1, GP18 and HE3 of the City of York Development Control Local Plan.

Contact details:

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