

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 14/00682/FULL6

Ward:
Plaistow And Sundridge

Address : Treesway Lodge Road Bromley BR1
3ND

OS Grid Ref: E: 541231 N: 170380

Applicant : Mr Clifford

Objections : YES

Description of Development:

Installation of 8 air conditioning units to flank elevation, with enclosure
PART RETROSPECTIVE

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Chain
London City Airport Safeguarding
London City Airport Safeguarding Birds
Metropolitan Open Land
Open Space Deficiency
Sites of Interest for Nat. Conservation

Proposal

This is a part retrospective application for the retention of 8 air conditioning units and associated enclosure; at the time of visiting the site 6 air conditioning units had been erected.

The proposed acoustic enclosure will be c 1.2m wide, 5.6m long and 2.4m overall height and 2.058m to the eaves. Doors at either end will be fitted with acoustic louvres.

Location

The application site is a detached dwelling house located on the east side of Lodge Road. The surrounding locality is predominantly residential in nature, characterised by detached dwellings set back from the highway by substantial front gardens with many mature trees which gives a semi-rural appearance. From the road the land rises to the east and to the west; houses to each side of the road are in an elevated position.

The road is unadopted and the land to the rear is designated as Metropolitan Open Land. The access road to Sundridge Park Manor is to the rear of the site.

Comments from Local Residents

Comments have been received from local residents and are summarised below; the full texts are available to view on file:

- incorrect information on application form
- incorrect information relating to the air-conditioning units
- unacceptable levels of noise - will result in lack of sleep, distress and possibly medical conditions
- Lodge Road is semi-rural and tranquil in nature - permission should not be granted for development likely to increase existing noise levels at any boundary without appropriate conditions attached

Additional comments received in respect of revised plans include:

- additional information confirms excessive and unlawful noise levels
- will extend external wall even closer to the boundary - planning permission already refused for existing wall
- report made to Local Authority Environmental Services Officer to ensure compliance - under reference CRM 1007347
- additional information supplied is still incorrect

Comments from Consultees

Given the residential location an acoustic assessment was requested. The report has now been received and Environmental Health (EHO) comment as follows: the level the consultant has specified is 24dB(A) at the façade which is really quite low. This will leave the noise about 6dB below the background level at the quietest point at night. Obviously in the Blackthorns garden closer to the units the level will rise somewhat but the background level is also higher during the daytime (i.e. when people are likely to use their garden) which has a masking effect. The report also refers to a solid brick wall between the gardens which will substantially reduce the noise in the garden behind the wall. Environmental Health comments indicate that the report is acceptable and the proposed enclosure is likely to be effective at reducing noise levels. The standard suggested is acceptable given the low background levels in this area. On the basis that this will be implemented in accordance with the submitted details no Environmental Health objections are raised in respect of the application.

Planning Considerations

The application falls to be determined in accordance with the NPPF, the London Plan and the following policies of the Unitary Development Plan:

BE1 Design of New Development
H8 Residential Extensions

SPG1
SPG2

Planning History

The most recent planning history includes planning permission ref. 12/01581 which granted consent for the increase of the roof height to include front dormer and elevational alterations, two storey rear part one/two storey sides and first floor front extension.

Two applications were submitted for consideration of a detached double garage to the front of the site with habitable accommodation above. One was withdrawn and the other, ref. 12/03288 was refused.

A further application was submitted, ref. 13/00074, to seek revisions to the previous approved application, ref. 12/01581, to include a single storey front extension (for a garage).

A retrospective application, ref. 13/03887, was refused but sought revisions to planning permission ref. 13/00074 and included additional rooflights to ground floor and second floor and alterations to garage roof design; alterations to widen front windows and corrected boundary details.

Enforcement action is currently under consideration and any updated information will be reported verbally to Committee.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Local objections are raised regarding noise levels from the units. In respect of impact on residential amenities, on the basis that an acoustic enclosure is provided, no environmental health objections are raised to the development. In respect of additional objections clarification has been sought from EHO in respect of the concerns over excessive noise. In order to understand decibel levels logarithmic addition must be used rather than arithmetic addition and the difference made between sound pressure (measured in dB re 2×10^{-5} Pascals) and sound power (measured in dB re 1×10^{-12} Watts). Different formulae apply depending on which is used but it is valid to use either measure to predict the level. EHO confirm the consultant's report is a reasonable evaluation of the likely noise.

The air-conditioning units without an enclosure are unlikely to be acceptable in respect of impact on neighbouring amenity and therefore careful consideration must be given as to the visual impact of the single storey enclosure. There is a tapering boundary to the site which means a nominal space remains to the front edge, tapering to a pinch point to the rear. Whilst part of the roof may be visible from Blackthorns the proposed structure, for the most part, will be screened by an existing wall between the two properties. Given the extent of the property frontage

from the road and that the enclosure will be situated beyond a front garage extension it will not appear as a dominant built form within the street scene.

Neighbour objections refer to the point that the enclosure will extend the external wall even closer to the boundary and planning permission has already been refused for the existing wall. As referred to above enforcement action is under consideration for the works that have taken place without the benefit of planning permission. Members may wish to note that the wall to which the air conditioning units have been attached was part of the existing house (garage) prior to commencement of the current development.

On balance, given the findings from the noise assessment and that the visual impacts arising from the proposal are considered to be nominal the proposal is not considered to cause such harm to neighbouring amenities or the character of the area as to warrant a planning ground of refusal.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

as amended by documents received on 22.04.2014

RECOMMENDATION: PERMISSION

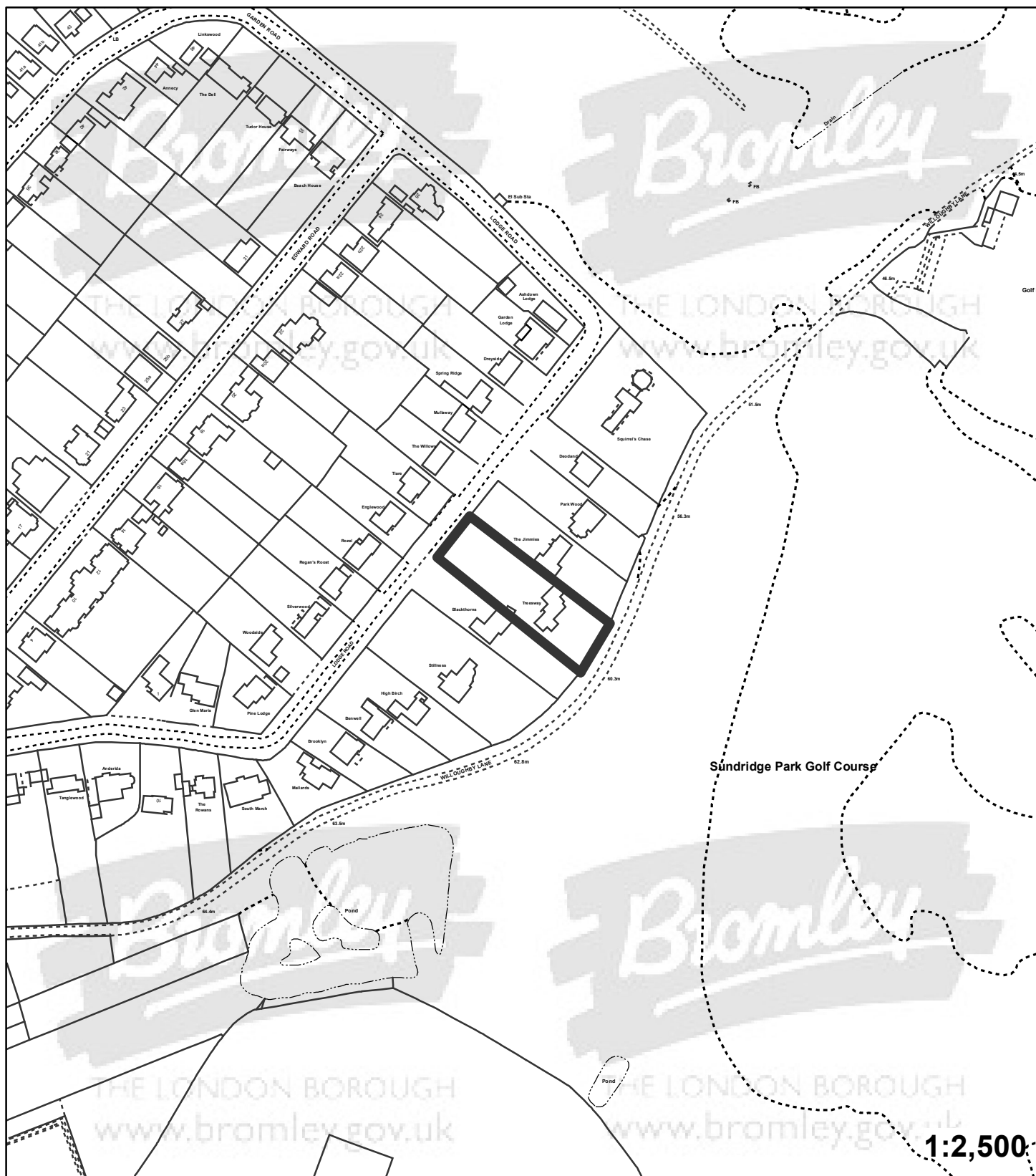
Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC07 Materials as set out in application
 ACC07R Reason C07
- 3 details for the acoustic housing shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before development commences on the enclosure and the scheme shall be fully implemented before occupation and permanently maintained as such thereafter.
 ADI15R Reason I15
- 4 ACK01 Compliance with submitted plan
 ACC01R Reason C01

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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