

Location Wessex Gardens Primary School Wessex Gardens London
NW11 9RR

Reference: 24/1153/FUL Received: 20th March 2024
Accepted: 25th March 2024

Ward: Childs Hill Expiry 20th May 2024

Case Officer: Daniel Wieder

Applicant: Mr Paul Meredith

Proposal: Installation of 1no. Air source heat pump to pool. Installation of Solar PV panels to the main block front of the pitched roof (Retrospective Application)

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location and Block Plan T1-7388 Dwg No. 1
Heat Pumps and Solar Panel Locations T1-7388 Dwg No. 2
Solar Panel Location Plan T1-7388 Dwg No. 2 Rev A
Existing and Proposed Elevations T1-7388 Dwg No. 3
Heat Pump Locations T1-7388 Dwg No. 4
Design and Access Statement (March 2024, T1-7388)

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

OFFICER'S ASSESSMENT

This application has been called in to be considered at a Planning Committee, rather than be determined under officer delegated powers, by Cllr Zinkin (Golders Green Ward). The planning consideration given is "due to the planning policy aspects of air source heat pumps in dense urban environments close to adjacent housing."

1. Site Description

The application site relates to Wessex Gardens Primary School, Wessex Gardens, within the ward of Golders Green.

The building is owned and operated by The London Borough of Barnet.

The original school buildings, constructed in the 1930s in a Neo-Georgian style, feature solid brick-faced elevations. It is two-story structure with a clay-pitched tile roof. Additional extensions and blocks have been built on site including the Music building and swimming pool block. The swimming pool block is a single-storey structure with a felt flat roof. The Primary school fenestration has had all original timber casement windows replaced with white uPVC double-glazed windows. The doors to the school are aluminium doors and access to the school site is from Wessex Gardens Road.

There are no protected trees on site, nor does the application site lie within a conservation area or contain a locally or statutory listed building.

Officers visited the site on the 6th of May 2024.

2. Relevant Planning History

Reference: F/01711/13

Address: Wessex Gardens Primary School, Wessex Gardens, London, NW11 9RR

Decision: Approved subject to conditions

Decision Date: 18 June 2013

Description: Retrospective application for installation of 106 solar panels on the roof of school building.

3. Proposal

This application seeks retrospective permission for the installation of 1no. Air source heat pump adjacent to the pool and the installation of Solar PV panels to the main block front of the pitched roof.

The bank of solar panels subject to this retrospective application measures c13m wide and c2.8m in height (26 panels).

The new ASHP system and solar panels are intended to replace life expired gas fuelled plant and electrical system to provide a means of energy efficient heating and electricity at the school in order to reduce carbon emissions and assist in the Councils drive to towards achieving Net-Zero.

4. Public Consultation

Consultation letters were sent to 150 neighbouring properties.

A general development site notice was posted outside the site on the 4th of April 2024.

0 responses were received.

Consultees:

Environmental Health officers have been consulted throughout the lifetime of the application and their comments have been incorporated in the report below.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was updated on 19th December 2023. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2021

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The new London Plan which sets out the mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd of March 2021 and supersedes the previous Plan.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7, CS9, CS14
- Relevant Development Management Policies: DM01, DM04

Barnet's New Local Plan (Reg 24)

Barnet's Draft Local Plan - Reg 24: The Reg 22 version of the draft new Local Plan was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan underwent an Examination in Public (Reg 24). The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the Local Plan 2012.

In order to address issues of legal compliance and deficiencies in soundness the Council has produced Main Modifications to the Local Plan (Appendix A - Schedule of Main Modifications.pdf (modern.gov.co.uk)). These Main Modifications were approved by Cabinet on March 12th 2024 and will now be subject to a 6 week period of formal public consultation commencing in May 2024. Whilst the Council moves forward to formal adoption of the Local Plan (subject to the outcome of the public consultation and the Inspectors Report) the Main Modifications shall be considered, in the interim, a relevant material consideration in the Council's decision making on planning applications.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)
Sustainable Design and Construction SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- i. The impact on the appearance and character of the area
- iii. The impact on the amenities of neighbouring occupiers

iii. Other material considerations

5.3 Assessment of proposals

Impact on the appearance and character of the area

The NPPF attaches great importance to the design of the built environment, stating that, "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities" (para.131). It stresses the need to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings and smaller developments. While it states that local authorities should not impose architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness.

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the site context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), D1 and D4 (both of the London Plan 2021). Policy DM01 states that development proposals should have due regard for the character and pattern of in the local area and respect the appearance, scale, mass height and pattern of surrounding buildings, spaces and streets.

The single large 105kw ASHP unit is located to the northeast side of the pool block, with its only visual manifestation from the A41 road.

The bank of solar panels of the front roofslope of the main block is clearly visible from Wessex Gardens Road; however upon assessment this development is not considered to be harmful to the character and appearance of the school building nor particularly jarring or out of keeping within the streetscene.

Overall, officers do not consider that the development is detrimental to the established character and appearance of the school site or wider area; therefore, in this regard, it is in compliance with Policy DM01, of Barnet's Development Management Policies DPD.

The impact on the amenities of neighbouring occupiers

Section 12 of the National Planning Policy Framework (2023) sets out guidance for 'achieving well-designed places'. Paragraph 135 of the Framework states that planning policies and decision should ensure that development "...create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users..." (part f).

Policy D13 of the London Plan 2021 places the onus on the applicant, as per the Agent of Change principle, to manage noise other potential nuisances as a result of the development. Policy D14 of the London Plan 2021 specifics further that noise should be managed and mitigated to improve health and quality of life.

Policy CS5 of the LB Barnet; Local Plan (Core Strategy) DPD (2012) and Policy DM04 of the LB Barnet; Local Plan (Development Management Policies) DPD (2012) seek to protect and enhance Barnet's character and identify the environmental considerations for development.

Generally the Council requires the noise level emanating from Air Source Pumps should be

at least 5-10dB(A) below the background level due to continuous hum. The closest distance to the nearest residential property is approximately 36m, whilst the product literature of the ASHP mentions that the noise produced by the 105kW heat pump unit is measured at 53dB(A) at a distance of 10 meters. The Design and Access states that the typical range of ambient background noise in urbanized areas, which generally fluctuates between 60 to 70dB, the background noise may be greater in this area as the A41 is adjacent to the heat pump.

Environmental Health officers have been consulted, who have reviewed the submitted technical information and commented that ASHPs are welcomed as a sustainable source of heat and "in as far as the noise is concerned (whilst noting that the applicant is mistaken to generally assume the typical range of ambient background noise in urbanized areas fluctuates between 60 to 70dB, which is quite high and more likely only along busy roads), the school is a significant distance from neighbouring premises with the busy A41 providing a noisy background and likely to drown out the noise of the ASHP at the nearest sensitive residents." No objections are therefore raised.

In assessment, the development is not considered to prejudice the residential amenities of neighbouring properties in terms of noise and disturbance.

Other material considerations

In addition to the above, officers have regard to Section 2 National Planning Policy Framework, which focuses on promoting sustainable development, Section 14 which states that "the planning system should support the transition to a low carbon future in a changing climate"; Policy SI 1 and SI 2 of the London Plan 2021 which support improving air quality and minimising greenhouse gas emissions; Policy CS9 of Barnets Core Strategy (Ensuring the Efficient Use of Natural Resources) and DM04 of Barnets Development Management Policies 2012 which highlights that reducing carbon dioxide (CO₂) emissions, adapting to future climate change, ensuring resource use is kept within acceptable levels, promoting biodiversity and improving quality of life are all key objectives for Barnet.

The Air Source Heat Pumps, which replace the schools older heating system, and solar panels, would be a renewable upgrade, providing substantial improvement to the heating system as well as being energy efficient and reducing carbon emissions for the surrounding area, which supports the aforementioned policy objectives and is afforded significant weight in the planning balance.

5.4 Response to Public Consultation

- N/A

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the development would have an acceptable impact on the character and appearance of the application site, and the wider street scene. The

development is not considered to have an adverse impact on the amenities of neighbouring occupiers and would support the objectives to minimise greenhouse gas emissions. This application is therefore recommended for APPROVAL.

Site Location Plan:



Ordnance Survey (c) Crown Copyright 2023. All rights reserved. Licence number 100022432

BLOCK PLAN
Scale 1:1250

