

Application No:	Consultees Name:	Received:	Comment:	Response:
2022/5452/P	Rachel Hermer	16/03/2023 16:43:04	OBJ	<p>We write to lodge our objection to the retrospective planning application for air conditioning units and an enclosure at 40 Hillway N6 on the Holly Lodge Estate, a conservation area.</p> <p>Please note that although the covering letter from Savills on behalf of the owner, Anthony Bandak, refers to retrospective planning application, some of the work has not yet been undertaken. The letter implies that the enclosure to the three air conditioning units is already in place. As of March 16th 2023 this is not the case and the air conditioning units remain uncovered.</p> <p>We formally lodge an objection to the units and the enclosure on 3 key points:</p> <ol style="list-style-type: none"> <li>1. Noise levels: The Air Conditioning units will present an unacceptable level of noise, over the Camden limits, and will detrimentally impact our living conditions.</li> </ol> <p>The Noise Impact Assessment Report that forms part of the application identifies the current levels of noise of the units as above Camden's stated acceptable limits. In order to bring the levels closer to acceptable levels, the report suggests mitigation by building an enclosure around the air conditioning units. This has yet to be built and the report itself does not guarantee the enclosed unit will sufficiently lower noise levels when it is built. Rather, the report states when referring to the levels the noise the enclosure has to mitigate, "The above values should be provided to an enclosure manufacturer, who should be able to advise on the practicality of achieving these levels." There is no guarantee it can happen and no guarantee the noise levels will be brought under Camden's acceptable limits and not adversely impact neighbours' reasonable living conditions. Even if a manufacturer can be found who can build a unit that brings down the noise to the hoped for levels quoted in the report, this still does not bring the noise the air conditioning units will make down to Camden's acceptable levels. As the report says,</p> <p>"As presented in Table 6.4 and Appendix B, the plant installation with acoustic enclosure would not be expected to meet the requirements of the proposed criteria...</p> <p>According to BS 8233: 2014, a typical building facade with a partially open window offers 15 dB attenuation. It can therefore be predicted that, in addition to meeting the requirements of the set criteria, the emissions from the proposed plant would be expected to meet the most stringent recommendations of the relevant British Standard, with neighbouring windows partially open."</p> <p>As the report states, the only way the enclosure (not withstanding the caveats above) can meet the acceptable levels requires a further condition. This is that neighbouring windows are only 'partially open.' By any measure, this can not be considered a reasonable or acceptable condition!</p> <p>The closest window stated in the report is a small ensuite shower room our son's bedroom - where he both sleeps and studies. In summer, to achieve an acceptable air flow he has to work and sleep with that window wide open in conjunction with his bedroom windows which are also very close to the air conditioning units (left hand window as you look at house from the garden). It is not reasonable to assume any kind of 'partial opening'. When the air conditioning units are likely to be most at use and at their noisiest, this will be when our windows throughout the house will be wide open, particularly at night. The noise at night in his room will be unacceptable for sleeping and working conditions.</p> <p>In addition, please note that even though the extension on No.40 was completed some months ago, the image</p>

Application No:      Consultees Name:      Received:

Comment:      Response:

in the acoustic report 18033-SP1 represents the pre-extension building. Therefore, what it does not show is just how far the extension comes out and where the air conditioning units are actually positioned. They are very close to my son's bedroom windows – so the picture does not sufficiently indicate how much of an issue this will be if planning permission is granted. This image also does not indicate just how close the units are to our living area and garden. In the heat of summer our living room doors are wide open to the garden, we use the garden extensively during the day and the evenings – precisely at the time when the air conditioning units will be running for long periods of time at their noisiest/highest settings. The level of noise they generate according to their own sound report will not meet reasonable levels for living conditions on either side of their house.

Siting of the Proposed Enclosure:

You'll also note from the drawings of the proposed enclosure that the suggested site is set further out from the building where the current units are situated. This siting brings them closer to our son's bedroom windows and closer to our garden, increasing the impact of the noise in both those locations (please see South Elevation and Proposed Section 01 drawings).

## 2. Sustainability and Camden's Climate Action Plan and Camden's Local Plan

The air conditioning units contravene Camden's Climate Action Plan and Home Improvement Planning Guidance and Camden's Local Plan.

We note the guidance...

"Air conditioning units are discouraged by the Council, in line with Policy CC2 and guidance in CPG Energy Efficiency and adaptation. If you are concerned that your home overheats in summer beyond comfort levels, you should consider passive cooling measures which do not rely on an energy source like air conditioning. The following measures could be taken to reduce overheating..."

The owners of number 40 have not lived in the property for a number of years (they've owned it for a long time but it has been empty – and remains so) and they have had every opportunity to build in passive cooling measures in the extensive works they have undertaken – rather than carbon monoxide emitting air conditioning units. Given the high awareness of sustainability and home improvement, and that owner is a director of a property development company, there is no excuse for the lack of sustainable measures. Nor is there anything in the application that states the case for overheating of the house and any sustainable measures taken to mitigate it. There is nothing in their application that suggests such unsustainable units are necessary and proportionate to the damage they will inflict.

We note the Council's recent refusal of planning permission for air conditioning to no 15 Holly Lodge Gardens – despite their reports on overheating.

"The proposal has failed to adequately justify the need for active cooling in order to reduce and mitigate the impact of dwelling overheating and thereby fails to demonstrate that carbon dioxide emissions will be minimised, contrary to policies CC1 (Climate Change Mitigation) and CC2 (Adapting to climate change) of the Camden Local Plan 2017."

Application No:      Consultees Name:      Received:

Comment:      Response:

## 3. Unsightly appearance and intrusiveness of a/c units and enclosure

Living in a conservation area puts a responsibility on us all to preserve or enhance our neighbourhoods with the home improvements we undertake. The three large units are unsightly and already intrude on us visually inside and outside our home. The proposed enclosure will be more prominent and, as per its purpose, be of greater size than the current units uncovered. It will be even more detrimental to our enjoyment of our living area and also our garden. The proposed siting of the unit places it even more visibly on the extension roof and will only make the visual intrusiveness of the development worse for us and will have a negative impact on the character of the area.

In conclusion, we object to the planning permission on three grounds: unacceptable noise levels that do not meet Camden's standards and will be detrimental to our living conditions; no justification of need in the context of Camden's sustainability pledge and unsightly appearance of the units and proposed enclosure that visually intrude and will have a negative impact on the character of the local conservation area.

We would like to request the planning officer visits our property to look at the development from this perspective.

We also request that in refusing planning permission for the air-conditioning units, the council requires the physical removal of the units. As cited above, they present an unsightly blot for neighbours in a conservation area – and will bring confidence that they will not be used despite the lack of planning permission.

Yours sincerely

Rachel Hermer and David Burnside  
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