

Development Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Dear Sir/Madam,

Submission of a householder planning application for installation of ac unit at No.1 Belsize Lane Camden NW3 5AA

On behalf of our client, Ms Caroline Wilson Palow, we hereby submit an application for householder planning permission in respect of the proposed alterations to No.1 Belsize Lane. A description of the proposed development is as follows:

“Installation of AC unit and enclosure in lightwell of lower ground north east elevation, and associated works.”

This letter should be read in conjunction with supporting plans and documents, including:

- Completed application form;
- CIL form;
- Site location plan (dwg. no. 0400-A1-001 Rev P1);
- Existing lower ground floorplan (dwg. no. 0400-A2-010 Rev P1);
- Existing north east elevation (dwg. no. 0400-A2-120 Rev P1);
- Proposed lower ground floor plan(dwg. no. 0400-A4-010 Rev P1);
- Proposed north east elevation (dwg. no. 0400-A4-120 Rev P1);
- Noise Impact Assessment, by KP Acoustics; and
- Overheating Analysis, by Love Design Studio.

This application has been submitted via the Planning Portal (ref: PP-12379793) and payment of the requisite application fee will be made on submission.

Site and Context

The application site is located on the corner of Belsize Lane and Perceval Avenue, in a residential area. It comprises of a two-storey, detached dwellinghouse, with accommodation in the roofspace, constructed of red brick with render detailing.

The principal elevation (north west) faces on to Belsize Lane, with the side elevations facing Perceval Avenue (south west) and the residential garden (north east), and the rear elevation (south east) facing the neighbouring property of No.3 Perceval Avenue.

The surrounding area is predominantly residential, with neighbouring properties having a mixture of scale, design and appearance. Red brickwork is the predominant building material, although render and other materials are present on some buildings.

The site is located within the Fitzjohns Netherhall Conservation Area, but it is not subject to an Article 4 Direction and retains its Permitted Development rights.

Figure 1 Aerial Image of the site (identified in red)



Planning History

Planning history:

The site has been subject to several planning application in the past, for alterations and extensions to the property, with the most recent set out below:

Application ref.	Proposal	Decision
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2023/1455/P	Replacement of two ground floor side doors with windows and replacement gate on Perceval Ave.	Granted 19.05.2023
2015/4256/P	Installation of 2no external air conditioning units on the rear elevation.	Withdrawn
2014/1560/P	Installation of boundary wall, new openings on ground and first floors for new windows, alterations to fenestration on all elevations, and extension of existing garage to create garden shed.	Granted 21.08.2014
2011/1731/P	Alterations and extension including basement excavation under the footprint of the existing building and associated lightwells to front and rear, alterations to fenestration at rear, erection of two dormers and enlargement of existing dormer on rear roof slope and infill extension at rear first floor of dwelling house (Class C3).	Granted 27.07.2011

Proposal

The proposal is to install an air conditioning unit (Daikin RXYSCQ4TV1 Condenser Unit) with enclosure in the light well of the north east lower ground elevation of the property. This elevation faces into the private residential garden of the property. The alterations required to undertake this work are relatively minor in scale (creation of a condenser enclosure and opening in wall for ducting) and are required to provide improvements to the overheating of the property, at present and in the future.

Planning Policy Context

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

In this instance the 'Development Plan' comprises of; the Camden Local Plan (adopted in 2017) and the London Plan (adopted in 2021).

The following documents are also material considerations:

- National Planning Policy Framework ("NPPF") (2021);
- Planning Practice Guidance ("PPG") (2021); and
- Fitzjohn Netherhall Conservation Area Character Appraisal and Management Plan (2022).

In terms of the adopted Local Plan Policies Map designations, the site lies within the designated Fitzjohn Netherhall Conservation Area. There are no other designations that affect the site. The site is also at low risk of flooding, being located within Flood Zone 1, and there are no other environmental constraints.

The Planning (Listed Buildings and Conservation Areas) Act 1990, specifically at Section 72, requires planning applications to pay special regard “*to the desirability of preserving or enhancing the character or appearance of the area.*”

National Policy and Guidance on designated and non-designated heritage assets is also asserted within chapter 16 ‘*Conserving and enhancing the historic environment*’, of the National Planning Policy Framework (NPPF).

Planning Assessment

The key planning considerations include:

- Design and heritage impacts; and
- Neighbouring amenity.

Design and impact on heritage asset

The NPPF requires Heritage Assets to be conserved in a “*manner appropriate to their significance*” (paragraph 189). Paragraph 199 of the NPPF states ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’. Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification (paragraph 200).

Policies D3 and D4 of the London Plan (2021) requires development to incorporate the highest quality materials and design appropriate to its context and have regard to the pattern of development of the area in terms of orientation, scale, proportion and massing.

Policy HC1 of the London Plan (2021) states ‘development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings’.

Policy D1 of the Camden Local Plan (2017) states that the Council will seek to secure high quality design in development. Development should respect local context and character, and comprise of details and materials that are of high quality and complement the local character. Proposals must preserve or enhance the historic environment and heritage assets in accordance with Policy D2.

Policy D3 of the Camden Local Plan (2017) states that the Council will not permit the loss of or substantial harm to a designated heritage asset, including Conservation Areas. The Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area. The Fitzjohns/Netherhall Conservation Area Character Appraisal & Management Plan states that *“In all cases, existing/original architectural features and detailing characteristics of the Conservation Area should be retained and kept in good repair, and only be replaced when there is no alternative, or to enhance the appearance of the building through the restoration of missing features”*.

In regard to the proposed condenser enclosure, the location is within the private residential garden and would not therefore be visible from the public realm. The proposal does not adversely affect any original architectural features and the overall design of the building will be unaffected. Given the insignificant scale of the proposal, and its location within the private area of the property the character and appearance of the Conservation Area will be protected.

An Overheating Analysis of the existing building has been undertaken which sets out the passive cooling measures to mitigate overheating which have been utilised in the existing building. This includes natural ventilation, upgrades to windows, doors, and insulation, and use of a green roof and vegetation for temperature regulation. External shade such as external shutters, canopies, awnings, and brise soleil, are not considered appropriate due to the building’s location in the Conservation Area. Analysis of these existing measures identifies that that overheating risk is identified, and even with additional passive measures such as solar film on windows and mechanical ventilation with heat receiver, there would still be a risk of overheating, As such, and as per the last stage of the cooling hierarchy, active cooling was the only measure that would mitigate overheating risk within the property.

In summary, the proposed development would preserve the character and appearance of 1 Belsize Lane and the surrounding conservation area. There would be no impact on any historic architectural features or detailing that enhance the conservation area and the alterations are appropriately designed. Resultingly, there is no harm to the significance of the Fitzjohn Netherhall Conservation Area as a designated heritage asset.

The proposal therefore accords with the NPPF (2021), Policies D3, D4 and HC1 of the London Plan (2021) and Policies D1 and D3 of the Camden Local Plan (2017).

Neighbouring Amenity

Policy A1 of the Camden Local Plan (2017) states that the Council will seek to protect the quality of life of occupiers and neighbours. Permission will be granted for development unless this causes unacceptable harm to amenity. The policy seeks to ensure that the amenity of communities, occupiers and neighbours is protected.

A Noise Impact Assessment (NIA) is submitted with this application which considers the potential for noise disturbance from the condenser unit to the neighbouring residential properties. The closest noise sensitive receiver is the first floor window on the rear elevation of 3 Perceval Avenue, to the south east. This window would be approximately 9 metres from the proposed condenser unit.

The rating level was compared with the representative background noise level to assess the likelihood of impact considering the environmental noise context of the area as per the requirements of BS4142:2014. It was concluded that noise emissions from the proposed unit would not have an adverse impact on the nearest residential receivers.

In addition, an enclosure is proposed around the condenser unit, which will further reduce an noise created by the unit and the impact will be less than that identified within the assessment.

The amenity of this neighbouring property is therefore preserved and there would be no adverse impacts created by the proposal. As such, the proposal complies with Policy A1 of the Camden Local Plan (2017).

Conclusion

The proposal represents a minor alteration to the dwelling which has been designed so as to ensure it will protect and enhance the character of the Conservation Area. Furthermore, there will be no adverse impact on neighbouring amenity in terms of noise disturbance. It has been demonstrated that the proposal complies with the Development Plan and the relevant heritage legislation. We therefore consider that planning should be granted without any delay.

Yours faithfully,

A handwritten signature in black ink that reads 'M Pearce' with a horizontal line underneath.

Matthew Pearce MRTPI

Principal Planner