

Planning and Development Control  
Camden Council  
Camden Town Hall  
London  
WC1H 8ND

16 July 2024

Dear Sir/Madam

## **11 CANNON LANE, HAMPSTEAD, LONDON, NW3 1EL**

On behalf of the applicant, Serena Mignatti, we write in respect of an application for full planning permission for the following development, at 11 Cannon Lane, Hampstead, London NW3 1EL ('the Site'):

*'External Installation of one new air conditioning (AC) unit at lower ground floor level'*

The application is submitted through the Planning Portal with the following reference number: PP-13232959.

We set out below, details of the site, the planning history, the proposed development, the planning policy framework and heritage assets, an assessment of the proposed development against the relevant development plan policies, and finally details of the submitted planning application documents.

### **The Site**

The Site is located on the corner of Well Road and Cannon Lane and is enclosed within a 4-5 m high Grade II listed brick wall. The Site is accessed from a gate through the Old Parish Lock Up entrance on Cannon Lane which is also Grade II listed.

The Site contains a single storey dwelling house that is understood to have been constructed in 1980. The dwelling follows the contour of the land from north to south and appears to be split over several levels when viewed externally. The brick built house covers almost the whole of the site with outdoor amenity being provided by an internal courtyard. There is a four car garage located within the curtilage of 24 Well Road, which is owned by 11 Cannon Lane and it is understood that there are access rights to access the garage from Well Road.

The height of the Listed boundary wall largely screens the house from public view so that only the upper parts of its brick elevation and windows and some its roof can be seen from the street. Due to the narrowness of the surrounding streets, this visibility is primarily when looking from the junction with Well Lane, to the east.

The surrounding area is predominantly residential and to the north is Cannon Hall which is Grade II listed.

### **Planning History**

The following provides a summary of the planning history for the Site that is available online.

- **Planning Reference: HB2561** – ‘Formation of a new door and frame in existing “jailhouse” entrance in Cannon Lane’, was granted permission on 21 October 1978. There are no documents or further information available for this application online.
- **Planning Reference: 26032** – ‘Erection of a dwelling house’, was granted permission on 24 October 1978. There are no documents or further information available for this application online, but it is assumed that this is the original planning permission for the dwelling that is currently on the Site .
- **Planning Reference: 31320** – ‘Erection of a house, including the planting of three silver birch trees’, was granted permission on 19 February 1981. There are no documents or further information available for this application online.
- **Planning Reference: 35787** – ‘Erection of a garage’, was refused permission on 21 April 1983. There are no documents or further information available for this application online.
- **Planning Permission (Reference: 2015/0127/P)** and Listed Building Consent (**Ref: 2015/0366/L**) was granted for ‘Demolition of existing single building/structures and replacement with a 6-bed dwelling house with basement’ on 6 November 2015. This was subject to a S106 Legal Agreement which was required to ensure the Listed Boundary Wall was not damaged during the construction amongst other things. This planning permission was not implemented on the site.  
  
Listed building consent was required because the proposal included the removal of a section of the listed wall and its reconstruction following the completion of the development, and because the development fell within the curtilage of a listed building (Old Parish Lock Up on the Site).
- **Planning Permission: (Reference 2023/5402/P)** - ‘Installation of two new rooflights to main roof and three new rooflights in the art room on the north/east corner, replacement of two windows to the basement with one large window and internal alterations’ was granted permission on 24 May 2024. This planning permission relates to the refurbishment of the existing property that is currently taking place.

## Proposed Development

The proposed development involves the external installation of the new air conditioning unit which will be located in the hobby room at lower ground floor level along the eastern façade of the property. This proposal is part of the on going refurbishment works of the existing three bedroom dwelling.

The AC unit is required to facilitate the reduction in overheating within the property by providing cooling measures. Simulation tests carried out in the hobby room to test overheating levels confirmed that even with improved glazing size, u-values and mechanical ventilation, overheating would still occur. As a result of this conclusion, it is considered that active cooling in the form of an external condenser is required to this room. The AC unit is energy efficient and will reduce carbon footprint within the site.

The specification and technical details of the AC unit is identified in more detail on the enclosed drawings and specifications submitted for information only:

- Environ - Drg No: 190723-001-2
- Environ SC 100\_Rev P1 – Environ SC Louvered Acoustic Enclosure
- Environ - Specifications

Details of the energy performance and noise impact levels are set out on the enclosed Energy Statement and Noise Impact Assessment.

## Planning Policy Framework and Heritage Assets

The Site lies within the London Borough of Camden (the Council). The Camden Local Plan (2017) (CLP) is the key strategic document in Camden’s development plan and sets out the vision for shaping the future of the

borough and contains policies for guiding planning decisions. The London Plan (2021) (LP) also forms part of the development plan for Camden and therefore policies from the London Plan are also taken into consideration for the determination of planning applications.

The Council is currently in the early stages of preparing a new local plan and consultation on the new draft local plan and site allocations took place between 17 January to 13 March 2024.

The Site is identified as being within the Hampstead Conservation Area (CA) and the Hampstead Archaeological Priority Area on the online adopted Camden Policies Map.

The property is accessed through a gate in the wall of Cannon Lane which leads to a small building called the 'Old Parish Lock Up'. This building is a Grade II Listed Building (Historic England list entry number 1272513) that was first listed on 11th August 1950. The Historic England description is as follows:

*Parish lock-up, now forming the entrance passage to a later house. c1730, built into garden wall of No.14, Cannon Place (qv). Brown brick wall with plinth base and circular tie plates. Single storey 2 windows. Segmental arched doorway with brick dentil cornice and original ledged and braced door with wrought-iron hinges. Doorway flanked on either side by small, heavily barred, lunettes. INTERIOR: vaulted brick single cell. HISTORICAL NOTE: prisoners were held here prior to appearing before magistrates at No.14 Cannon Place. The lock-up was in use until 1832 and is one of the few left in London.*

The Site was originally within the grounds of Cannon Hall (14 Cannon Lane) but was sold off and now forms an entirely separate property. Hence the reference to 14 Cannon Lane in the above description.

The boundary wall that runs along Cannon Lane and Well Rd, along with the gates and bollards are also Grade II listed. It should also be noted that Cannon Hall, located 40m to the north-west of the site is Grade II\* Listed and the property known as Cannon Cottage on the corner of Well Road and Christchurch Hill is Grade II Listed.

The existing house on the site is not statutory listed or locally listed.

## **Planning Policy Assessment**

The following provides an assessment of the proposed development against the key relevant policies of the development plan.

### Noise

Policy D14 (Noise) of the LP sets out:

*A In order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by:*

- 1) avoiding significant adverse noise impacts on health and quality of life*
- 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change*
- 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses*
- 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)*
- 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation*

6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles

7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

Policy (A4 Noise and vibration) of the CLP sets out:

*The Council will seek to ensure that noise and vibration is controlled and managed.*

*Development should have regard to Camden's Noise and Vibration Thresholds (Appendix 3). We will not grant planning permission for:*

- a. development likely to generate unacceptable noise and vibration impacts; or*
- b. development sensitive to noise in locations which experience high levels of noise, unless appropriate attenuation measures can be provided and will not harm the continued operation of existing uses.*

*We will only grant permission for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity. We will also seek to minimise the impact on local amenity from deliveries and from the demolition and construction phases of development.*

The character of the area is residential in nature with the nearest noise sensitive receptors located at neighbouring property No 22 Cannon Lane to the east at a distance of approximately 9 metres from the proposed plant. There is a substantial brick wall between this property and the proposed plant and therefore it is considered this acts as a form of an acoustic barrier. It should also be noted that the proposed AC plant is not anticipated to exhibit any tonal or impulsive characteristics provided it is well maintained. All proposed external plant will be inverter driven and, therefore, will gently ramp up and down depending on the demands on the various systems, therefore the noise generated by the plant will be negligible. The proposed AC unit is consistent with the requirements of the CLP and London Plan Policies and Paragraphs 80, 91 and 123 of the NPPF 2023.

An environmental noise survey has been undertaken to establish the existing prevailing sound levels at the location representative of the sound climate outside the nearest noise sensitive receptors to the proposed site. Details of the noise levels are set out on the enclosed Noise Impact Assessment prepared by Noise Solutions Ltd (NSL)

## Energy

Policy GG6 (Increasing Efficiency and Resilience) of the London Plan sets out:

*To help London become a more efficient and resilient city, those involved in planning and development must:*

*A seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero carbon city by 2050*

Policy CC1 (Climate change mitigation) of the Camden Local Plan (CLP) sets out:

*The Council will require all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation.*

*a. promote zero carbon development and require all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy;*

*d. support and encourage sensitive energy efficiency improvements to existing buildings;*

*To ensure that the Council can monitor the effectiveness of renewable and low carbon technologies, major developments will be required to install appropriate monitoring equipment.*

Policy CC2 (Adapting to climate change) of the CLP sets out:

*The Council will require development to be resilient to climate change.*

*All development should adopt appropriate climate change adaptation measures such as:*

*a. the protection of existing green spaces and promoting new appropriate green infrastructure;*

*b. not increasing, and wherever possible reducing, surface water run-off through increasing permeable surfaces and use of Sustainable Drainage Systems;*

*c. incorporating bio-diverse roofs, combination green and blue roofs and green walls where appropriate; and*

*d. measures to reduce the impact of urban and dwelling overheating, including application of the cooling hierarchy.*

The supporting text of Policy CC2 goes on to say:

#### *8.34 Climate change adaptation measures*

*To minimise the risks connected with climate change we will expect the design of developments to consider anticipated changes to the climate. It is understood that some adaptation measures may be challenging for listed buildings and some conservation areas and we would advise developers to engage early with the Council to develop innovative solutions.*

#### *Cooling*

*8.41 All new developments will be expected to submit a statement demonstrating how the London Plan's 'cooling hierarchy' has informed the building design. Any development that is likely to be at risk of overheating (for example due to large expanses of south or south west facing glazing) will be required to complete dynamic thermal modelling to demonstrate that any risk of overheating has been mitigated.*

*8.42 Active cooling (air conditioning) will only be permitted where dynamic thermal modelling demonstrates there is a clear need for it after all of the preferred measures are incorporated in line with the cooling hierarchy.*

*8.43 The cooling hierarchy includes:*

- Minimise internal heat generation through energy efficient design;*
- Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls;*
- Manage the heat within the building through exposed internal thermal mass and high ceilings;*
- Passive ventilation;*
- Mechanical ventilation; and*
- Active cooling.*

The external building fabric is existing and cannot be upgraded without considerable cost and loss of internal floor area. As part of the measures taken to reduce overheating, the glazing has been replaced with new improved U values and window solar control glazing. The g-value has also been reduced to provide a balance between mid-season passive gains and reducing direct solar load. As mentioned above, within the hobby

room, even with improved glazing size, u-values and mechanical ventilation, overheating would still occur within the hobby room and therefore active cooling in the form of external condenser is required.

The energy strategy undertaken demonstrates how the reductions in emissions are achieved using energy efficient services and using low carbon technologies, thereby demonstrating compliance with Building Regulations. The proposed development is both energy efficient and reduces carbon footprint therefore complying with the requirements of CLP and London Plan policies. Furthermore, the Energy Statement outlines the measures which have been taken to reduce overheating in the property by considering the cooling hierarchy as it relates to the existing building in line with the requirements of the Camden Local Plan Policies.

It is essential that new development demonstrates a reduction in carbon emissions to improve the sustainability of the buildings within the City. The proposed AC unit will be installed externally within the primary building and avoids the need for demolition and/or construction which prevents impacts to residents through its sustainable approach. The proposed plant will be energy efficient and will assist in meeting these targets and the improvements in efficiency will assist the wider Government targets of reaching Net Zero Carbon 2050.

Details of the energy levels and performance are set out in the enclosed Energy Statement prepared by Flatt Consulting.

## Design

Policy D1 (Design) of the CLP sets out that the Council will seek to secure high quality design and will require that development (inter alia):

- *respects local context and character;*
- *preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;*
- *is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;*
- *is of sustainable and durable construction and adaptable to different activities and land uses; and*
- *comprises details and materials that are of high quality and complement the local character.*

There are no structural alterations required as a result of the proposal. The design and materials of the proposed AC units and acoustic screening have been carefully chosen to respect the existing building and character of the local area. The materials will be high quality, sustainable and of durable construction to ensure longevity. The proposals therefore comply with CLP Policy D1.

## Impact on Heritage

Policy D2 (Heritage) of the CLP states that the Council will preserve and, where appropriate enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. The Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed buildings.

In order to maintain the character of Camden's conservation areas, the Council will (inter alia):

- require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area; and
- preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.

To preserve or enhance the borough's listed buildings, the Council will (inter alia):

- resist development that would cause harm to significance of a listed building through an effect on its setting.



The existing house on the site is not statutory listed or locally listed. However, it lies within the curtilage of the Grade II listed Old Parish Lock-up and 18<sup>th</sup> century boundary wall, as well as within the Hampstead Conservation Area.

The proposal will have no effect upon the Grade II listed Old Parish Lock-up and perimeter garden walls the significance of which will be supported and sustained. The character and appearance of the Hampstead Conservation Area and the setting of nearby heritage assets will be preserved. The effect upon heritage assets further from the Site will be neutral, given the degree of separation in terms of distance and visibility, and their heritage significance will thus be similarly safeguarded.

Therefore, in terms of heritage, the proposals are in compliance with the law, the National Planning Policy Framework (December 2023), and CLP Policy D2.

## Conclusion

Overall, the proposed development is in compliance with the relevant policies of the Development Plan and National Planning Policy. The proposals seek to install a new external AC unit on the eastern elevation of the building which is required to reduce overheating in the hobby room of the lower ground floor.

The Energy Statement and Noise Assessment both conclude that the plant, with an appropriate acoustic enclosure will reduce the noise by 9Db, will not cause a noise nuisance at the nearest noise sensitive receptors and therefore, plant noise should not be a reason for refusal of planning permission. The proposed plant will be energy efficient and reduce carbon emissions which assist the wider Government targets of reaching Net Zero Carbon 2050.

It is respectfully requested that planning permission is granted for the proposed development.

## The Planning Submission

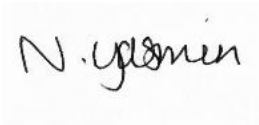
The following documents are submitted in support of this planning application:

- Planning Application Form (Prepared by Carter Jonas) ;
- CIL Information Form (Prepared by Carter Jonas);
- Energy Statement (Prepared by FLATT);
- Noise Impact Assessment (Prepared by NSL Ltd); and
- The following 'as existing' and 'proposed' plans and drawings (Prepared by Serena Mignatti):
  - A204\_SM\_DD\_P\_Rev 00 - Site Location Plan
  - A204\_SM\_DD\_P\_01\_Rev 02 – Existing Roof Top
  - A204\_SM\_DD\_P\_01\_Rev 02 – Existing Floor Plan
  - A204\_SM\_DD\_P\_01\_Rev 02 – Existing Elevation No.2
  - A204\_SM\_DD\_P\_01\_Rev 02 – Existing Elevation No.4
  - A204\_SM\_DD\_P\_01\_Rev 03 – Proposed Roof Top
  - A204\_SM\_DD\_P\_01\_Rev 03 – Proposed Floor Plan
  - A204\_SM\_DD\_P\_01\_Rev 03 – Proposed Elevation No.2
  - A204\_SM\_DD\_P\_01\_Rev 03 – Proposed Elevation No.4

The planning application fee of £328 (including the Planning Portal service charge and VAT) has been paid online through the Planning Portal.

We trust that we have provided you with all of the information required to determine the application and look forward receiving confirmation of validation. Please do not hesitate in contacting me should you require any further information to assist.

Yours faithfully

A handwritten signature in black ink that reads "N. Yasmin". The signature is written in a cursive style with a small dot above the 'i' in "Yasmin".

**Nilufa Yasmin MRTPI**  
Planner

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