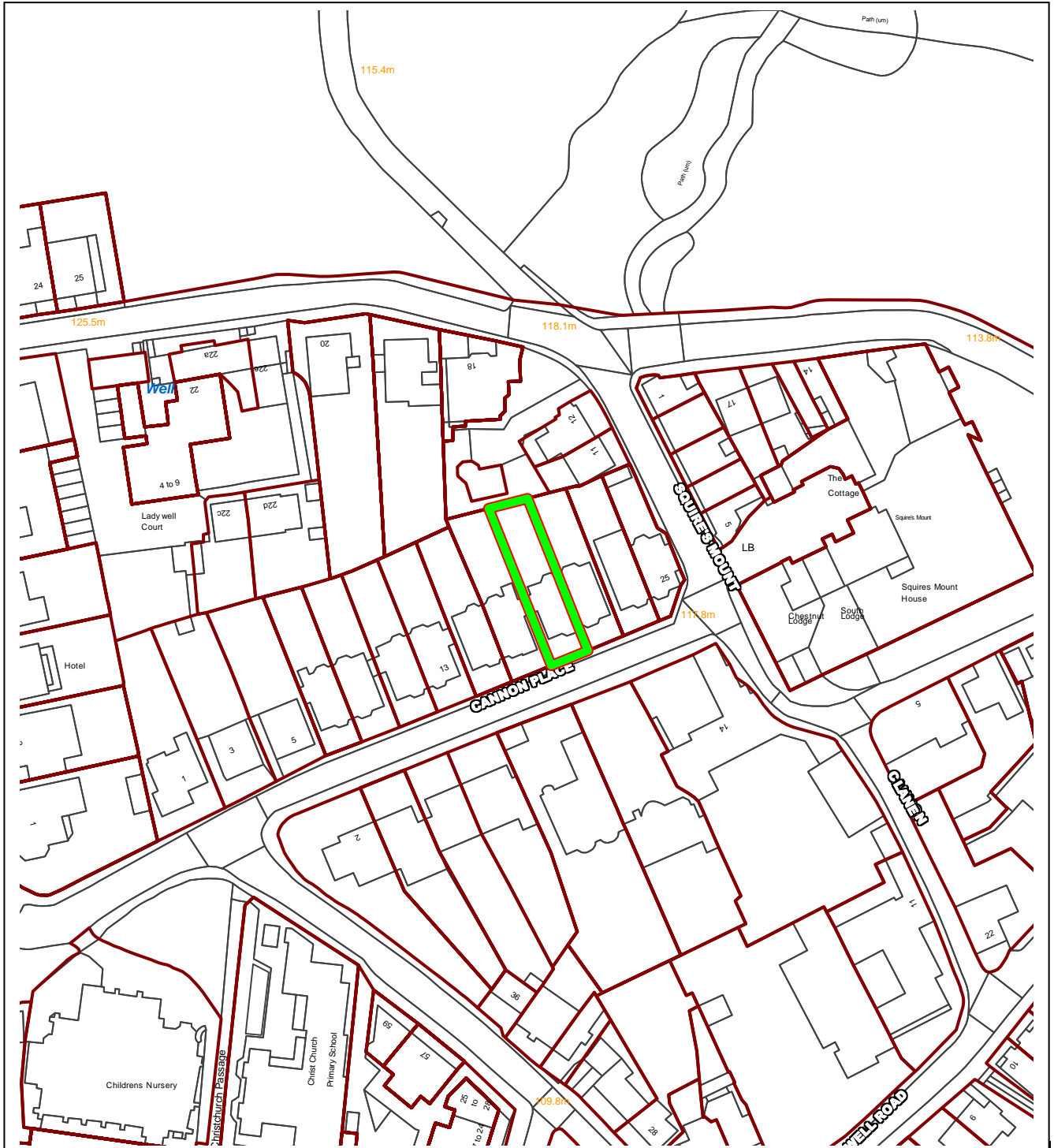


2024/0989/P

19 Cannon Place



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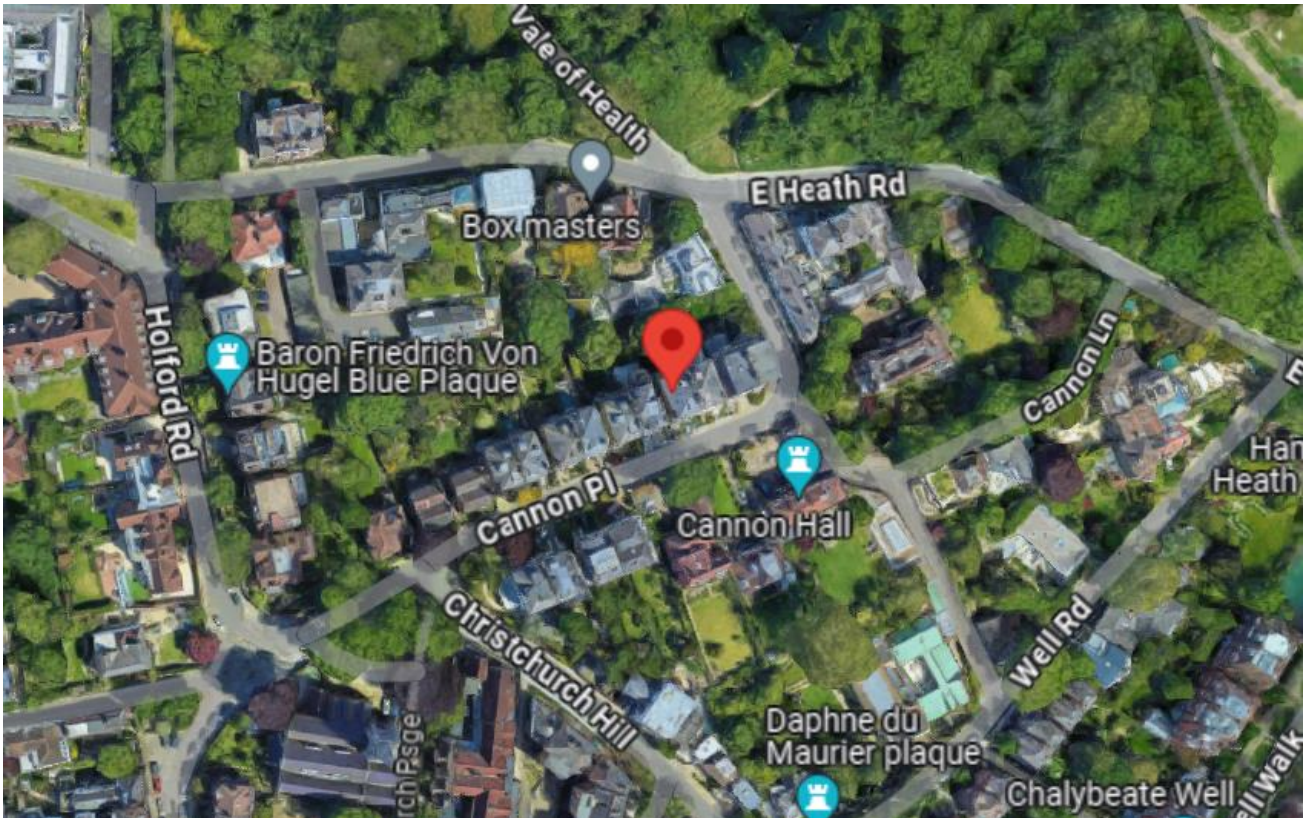


Photo 1 (above): Aerial view (source: Google 3D)



Photo 2 (above): Rear garden (source: Design and Access Statement)

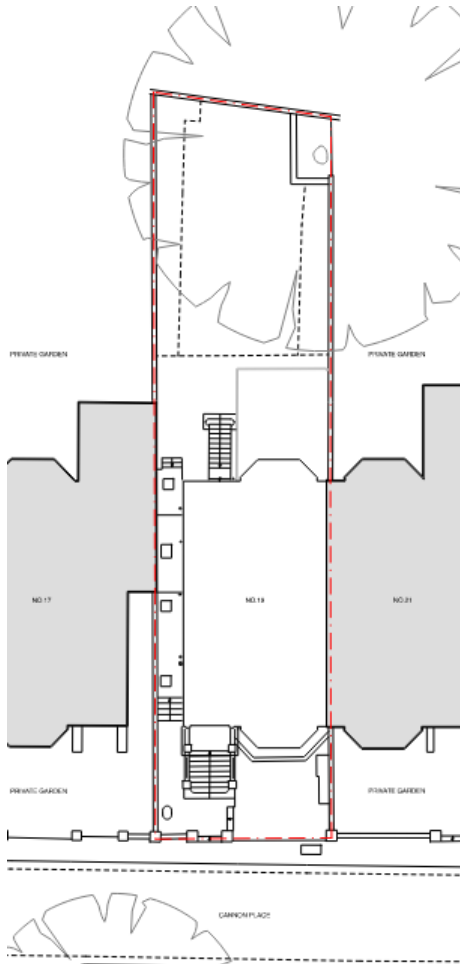


Photo 3 (above): Existing site plan
(Source: Existing drawings)

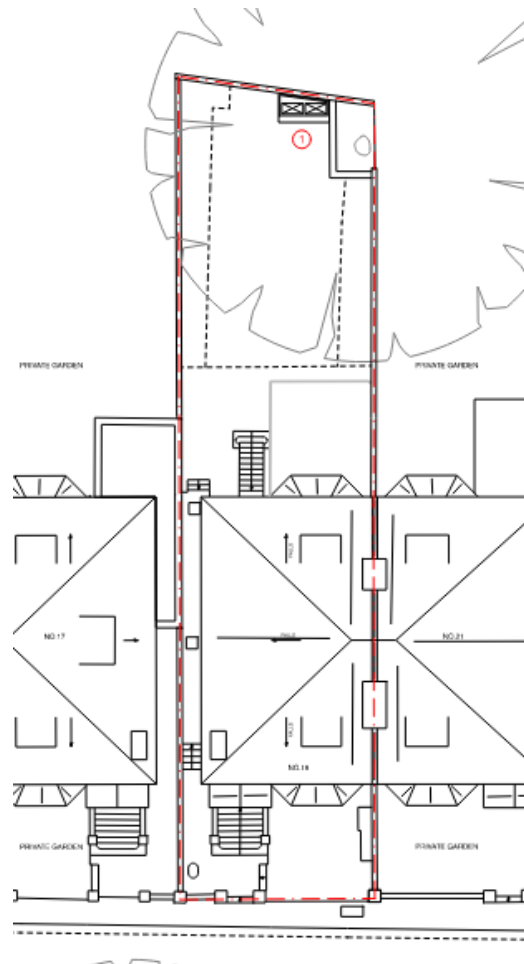


Photo 4 (above): Proposed site plan
(Source: Proposed drawings)

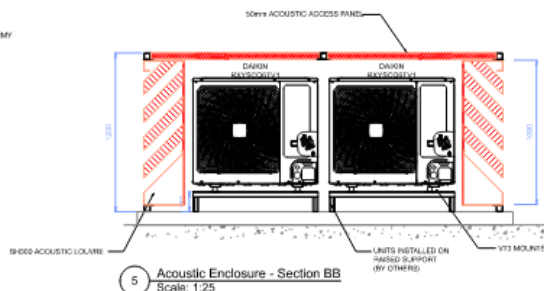
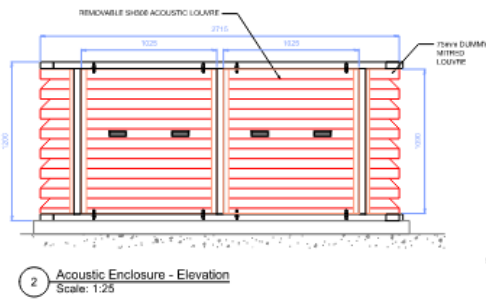
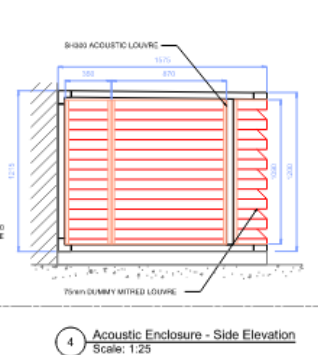
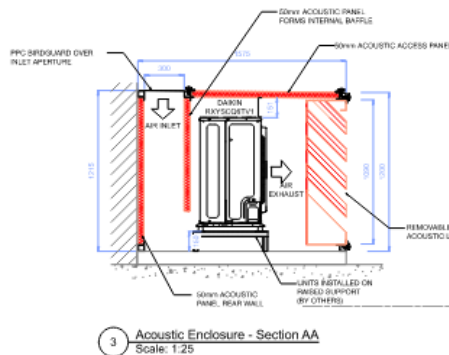
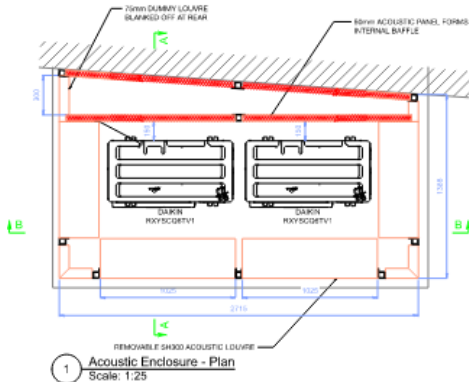


Photo 4 (above): Proposed acoustic enclosure (Source: Proposed drawings)

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	07/05/2024
		N/A	Consultation Expiry Date:	12/05/2024
Officer			Application Number	
Lauren Ford			2024/0989/P	
Application Address			Drawing Numbers	
19 Cannon Place London NW3 1EH			<i>See draft decision notice</i>	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal				
Installation of 2 air condenser units within an acoustic enclosure at ground floor level in the rear garden.				
Recommendation:	Grant conditional planning permission			
Application Type:	Householder Application			

Conditions or Reasons for Refusal:	<i>Refer to Draft Decision Notice</i>			
Informatives:				
Consultations				
Summary of consultation:	<p>Site notices was displayed near to the site on the 12/04/2024 (consultation end date 06/05/2024).</p> <p>The development was also advertised in the local press on the 18/04/2024 (consultation end date 12/05/2024).</p>			
Adjoining Occupiers:	No. of responses	04	No. of objections	03
Summary of consultation responses:	<p>Three letters of objections were received by neighbouring residents who live along Cannon Place. Their objections can be summarised as follows:</p> <ul style="list-style-type: none"> • Noise and vibration • Precedent • Accuracy of the noise assessment report submitted • Uncertainty of the purpose of the units. <p><u><i>Officer's Response</i></u></p> <ul style="list-style-type: none"> • <i>Please refer to sections 3 (amenity) of the report.</i> • <i>The Council's Environmental Health officer has reviewed the noise assessment report and did not raise any concerns relating to the accuracy of the report.</i> • <i>The applicant has confirmed that the units will be used for heating only (no cooling).</i> 			
Hampstead Neighbourhood Forum:	The Hampstead Neighbourhood Forum originally objected to the application, but later removed their objection on the basis that the units are not to be used for active cooling.			
Site Description				
<p>The application site comprises a three storey plus lower ground floor semi-detached single-family dwelling located on the northern side of Cannon Place in close proximity to the junction with Squire's Mount to the east. The surrounding area is mainly residential in terms of uses.</p> <p>The application site is not listed but is located within the Hampstead Conservation Area and is identified as making a positive contribution to the Conservation Area. The site is also located within the Hampstead Neighbourhood Plan area.</p>				
Relevant History				
<u>Application Site:</u>				
2010/5421/P: <i>Enlargement of dormers to front and rear roof slope, installation of three rooflights to side roof slope, re-building of existing porch, re-instatement of bay window to front elevation, re-opening of side doorway to create new window, removal of part of landing at rear upper ground floor level, installation of sash window to rear bay window and creation of patio area at rear lower ground floor level to dwelling (Class C3). Granted, 06/12/2010.</i>				

2023/1154/P: Conversion of two flats into one dwellinghouse. **Granted, 09/05/2023.**

2023/2360/P: Erection of two-story rear extension at lower ground and ground floor levels, infill extension on the side elevation at rear lower ground floor level, four rooflights on the side (western) elevation of the main roof slope and a green roof on the flat-roof extension. **Granted, 21/09/2023.**

2023/5393/P: Erection of single storey rear and side infill extension at lower ground floor level, infilling of archway on side wing, installation of replacement window at rear (upper ground floor level). **Granted, 24/05/2023.**

Surrounding Area:

None

Relevant policies

National Planning Policy Framework (2023)

The London Plan (2021)

Camden Local Plan (2017)

- A1 Managing the impact of development
- A3 Biodiversity
- A4 Noise and vibration
- D1 Design
- D2 Heritage
- CC1
- CC2 Adapting to climate change

Neighbourhood Plans:

- Hampstead Neighbourhood Plan 2018-2023

Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)

Conservation Statements:

- Hampstead Conservation Area Statement

Draft Camden Local Plan

The Council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications which has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. The Proposal

- 1.1. The applicant is seeking permission for the installation of 2 air condenser units within an acoustic enclosure at ground floor level in the rear garden. The acoustic enclosure would be approximately 1.2m in height, 2.7m in length and 1.38m deep. The applicant has confirmed that the units are to be used for heating only and would not be used for active cooling.

2. Design and Heritage

- 2.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.
- 2.2. The acoustic enclosure is limited in visibility from neighbouring properties. The condensers would be located at the end of the rear garden, within an acoustic enclosure which has a maximum height of 1.2m and would be screened from neighbouring properties by existing boundary fencing. The height of the enclosure would not exceed the height of the existing fencing. Given the size and scale of the units and enclosure, they would read as subordinate to the host building, and ensure that sufficient garden space is retained.
- 2.3. Due to the size and height of the condensers, their screened location and the fact that they would be located at the rear of the long garden, it is considered that the proposal would preserve the character and appearance of the Hampstead Conservation Area.
- 2.4. Special attention has been paid to the desirability of preserving or enhancing the character of appearance of the Hampstead Conservation Area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (2013).
- 2.5. The proposal would be in accordance with policies D1 and D2 of the Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan.

3. Amenity

- 3.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacts upon by virtue of noise or vibrations.
- 3.2. The application was accompanied by a Plant Noise Assessment which has been reviewed by the Council's Environmental Health (Pollution) Officer who are satisfied that the submitted acoustic report demonstrates that the proposed condensers and associated enclosure would meet local plan guidelines and is therefore acceptable in environmental health terms. The Council's Pollution Officer has recommended standard noise conditions to ensure that the equipment operates within the Council's minimum noise standards.
- 3.3. Given the scale of the proposed units, it is not considered that the proposal would result in any unacceptable outlook, daylight or sunlight effects.

3.4. It is not considered that the development would lead to a significant impact upon the amenities of any neighbouring resident. The development is thus considered to be in accordance with planning policies A1 and A4 of the Camden Local Plan 2017 and policy DH1 of the Hampstead Neighbourhood Plan.

4. Sustainability

4.1. Following concerns from the Neighbourhood Forum, the applicant has confirmed that the units are not to be used for cooling. A condition has been attached, requiring the units to not be used for cooling. The proposal is therefore in accordance with policy CC2 of the Camden Local Plan 2017.

5. Trees

5.1. The proposed equipment would be near the trunk of an established tree, therefore a condition has been attached requiring a method statement for any excavation within the root protection area of the trees on site to be submitted and approved, in line with BS5837:2012 "Trees in relation to design demolition and construction: recommendations". The proposal is therefore in accordance with policies A2 and A3 of the London Borough of Camden Local Plan 2017

6. Recommendation

6.1. Grant conditional Planning Permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 1st July 2024, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2024/0989/P
Contact: Lauren Ford
Tel: 020 7974 3040
Email: Lauren.Ford@camden.gov.uk
Date: 27 June 2024

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

TR STUDIO
St Bride Foundation
14 Brides Lane
London
EC4Y 8EQ

Dear Sir/Madam

DECISION
DRAFT

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
19 Cannon Place
London
NW3 1EH

Proposal:
Installation of 2 air condenser units within an acoustic enclosure at ground floor level in the rear garden.

Drawing Nos: TRS134_EX_001, TRS134_EX_002, TRS134_EX_003, TRS134_PP_100, TRS134_PP_101, TRS134_PP_102, Design & Access Statement, Planning Statement 11th March 2024, Plant Noise Assessment 02 August 2023.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

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

TRS134_EX_001, TRS134_EX_002, TRS134_EX_003, TRS134_PP_100, TRS134_PP_101, TRS134_PP_102, Design & Access Statement, Planning Statement 11th March 2024, Plant Noise Assessment 02 August 2023.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Prior to first use of the air source heat pumps hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pumps shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 5 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during demolition and construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in relation to design demolition and construction: recommendations". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 6 The external noise level emitted from plant, machinery or equipment at the development with specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with machinery operating at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 7 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

Chief Planning Officer