

London Office:
80-83 Long Lane
London, EC1A 9ET

25th April 2025

Via Planning Portal only

Dear Sir/Madam,

HOUSEHOLDER PLANNING APPLICATION UNDER THE TOWN & COUNTRY PLANNING ACT 1990.

INSTALLATION OF TWO CONDENSING UNITS AT 40 KING HENRY'S ROAD, PRIMROSE HILL, HAMPSTEAD, LONDON, NW3 3RP.

Please accept this covering letter as an accompaniment to this householder planning application for the proposed condensing units at 40 King Henry's Road, London, NW3 3RP ('the site'). This letter provides a summary of the site and the proposed development.

Please also find enclosed the following documentation:

- Completed application form
- CIL form
- Location & block plans
- Full set of existing and proposed plans
- Environmental Noise Survey & Plant Assessment
- Thermal Comfort Analysis

The Site & Surroundings:

The application site is occupied by a four-storey (including basement) semi-detached building on the northern side of King Henry's Road. The building previously comprised a basement flat with a three storey dwelling above. However, a Lawful Development Certificate has recently been granted for the amalgamation of the two existing dwellings to create a single dwelling (ref: 2025/0723/P). The property is in use as a single dwelling house. The rear garden backs onto the railway and is bounded by mature landscaping.

This part of King Henry's Road comprises dwellings of similar architectural compositions and material palettes, typically consisting of yellow-brick facades, porticos, white painted timber sash windows with decorative surrounds and hipped or mansard roofs. The site is not located within a conservation

area but the application property is a non-designated heritage asset as identified on Camden's Local List.

Proposal:

The proposed development is limited to the installation of two wall-mounted condensing units to the side elevation of the property.

Planning History:

– The Site –

On 14th December 1982, planning permission was granted (ref: H9/10/18/35212) for the continued use of the basement as a self-contained flat.

On 16th March 2025, a Certificate of Lawful Development was granted (ref: 2025/0723/P) for the amalgamation of 2 x separate residential units into a single dwelling house (Class C3).

There is a live application for minor alterations to the dwelling house under ref: 2025/1503/P which is yet to be determined.

– Surrounding Sites –

The planning history search in the surrounding area has identified a few dwellings along King Henry's Road with recent permissions for condensing units, as below:

44/44A King Henry's Road:

On 2nd February 2024, planning permission was granted (ref: 2023/3130/P) for alterations to front and rear elevations including installation of new and replacement windows and doors and erection of external staircase to rear. Installation of air source heat pumps to side elevation and solar PV panels to flat roof. Associated external works including paving and fencing to garden.

3 King Henry's Road:

On 5th September 2024, planning permission was granted (ref: 2024/0092/P) for a new lead cover and installation of an air conditioning unit onto flat part of roof.

Flat J 6 King Henry's Road:

On 4th February 2025, planning permission was granted (ref: 2024/5695/P) for the enclosure of a roof terrace at third floor level to form winter garden; extending of glazed tower with roof access hatch; installation of PV panels and air cooling units at roof level, and ASHP at ground floor level; replacement windows to front elevation.

Legislation, Policy & Guidance:

Legislation

Section 38(6) of the Planning & Compulsory Purchase Act provides that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development which incorporates three specific strands – economic, environmental and social.

The following sections of the NPPF are most relevant to the consideration of this application:

- Section 12 (Achieving well-designed places)
- Section 14 (Meeting the challenge of climate change, flooding and coastal change)
- Section 16 (Conserving and enhancing the historic environment)

The Development Plan

For the purposes of this site, the adopted Development Plan includes the London Plan (2021) and the Camden Local Plan (2017). Camden's Planning Guidance (CPG's) provide advice and information on how the council will apply their planning policies, which can be material considerations in planning decisions. The policies and guidance most relevant to the consideration of this application are as follows:

London Plan (2021)

- D4 Delivering good design
- D14 Noise
- SI 4 Managing heat risk
- HC1 Heritage conservation and growth

Camden Local Plan (2017)

- A1 Managing the impact of development
- D1 Design
- A4 Noise and Vibration
- CC1 Climate change mitigation
- CC2 Adapting to climate change

Camden's Planning Guidance (CPG's)

- Amenity (2021)
- Home Improvements (2021)
- Energy efficiency and adaptation (2021)

- Design (2021)

Planning Assessment:

Design & Heritage

Camden Local Plan (CLP) Policy D1 requires development to be of the highest architectural and urban design quality and have particular regard to design and visual impacts, the context within which it is placed, and the contribution it makes to the landscape qualities of the area. The aim of this policy is reflected in London Plan Policy D4 (Good Design). Specific guidance in relation to the achievement of good design is further provided in the 'Home Improvements' and 'Design' Camden Planning Guidance (CPG). The Design CPG confirms that air-conditioning units can cause significant visual blight, and their location should be carefully considered to minimise their visual impact.

CLP Policy D2 seeks to protect and enhance Camden's historic environment, including locally listed buildings. New development must be sensitive to local character, scale and materials, ensuring that heritage significance is preserved or enhanced. Where a proposed development would result in harm to a heritage asset, it must be clearly justified and outweighed by public benefits. This echoes the provisions of London Plan Policy HC1.

Paragraph 212 of the NPPF states, *"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset"*.

The application building forms part of a group of buildings along King Henry's Road (1-49 (odd) and 8 54 (even)) identified for their architectural and townscape significance. While these buildings are not statutory listed, they are included on Camden's Local List given their contribution to a sense of place, local character and civic pride. The group listing is described as, *"group of mid 19th century semi detached (and in some cases linked) and terraced houses on both sides of street, Intact and relatively unaltered group of high architectural quality creates fine consistent townscape"*.

The identified group of locally listed buildings principally derive their significance from their illustrative value at 19th century townhouses and the aesthetic value this group provides in creating a cohesive streetscape characterised by similar architectural compositions and material palettes, typically consisting of yellow-brick facades, porticos, white painted timber sash windows with decorative surrounds and hipped or mansard roofs. This architectural detailing adds a sense of grandeur to the properties. As non-designated heritage assets, they are of comparably lower significance within the hierarchy

The proposed condensing units would be wall mounted on the rear side facing external wall which is set in by 1.2m and thus would not be visible from public vantage points. Condensing units feature on a number of other properties along King Henry's Road, as clear from a review of the planning history in the locality. It is noteworthy that No.38 (adjacent) features condensing units in a similar location to the proposed (see image below).



Neighbours wall mounted condensing units (No.38)

The presence of air conditioning units on the building would not therefore depart from the existing setting and the units have been discreetly located to preserve the significance of the host property and wider group of NDHA's, and the positive contribution which these make to the character and appearance of the area. The proposal therefore accords with CLP Policies D1 and D2, the Design CPG, Policy HC1 of the London Plan and the aims and objectives of the NPPF.

Energy and Sustainability

London Plan Policy SI 4 requires development proposals to minimise overheating and reduce reliance on air conditioning. Major developments must follow a cooling hierarchy, prioritising passive design measures like insulation, shading, and natural ventilation before using mechanical or active cooling systems. The postamble confirms that while the cooling hierarchy applies to major developments, the principles can also be applied to minor development.

CLP Policy CC1 confirms that the Council will require all development to minimise the effects of climate change. The Council will promote net zero and require all development to reduce carbon dioxide emissions, support and encourage sensitive energy efficiency improvements to existing buildings and expect all developments to optimise resource efficiency.

CLP Policy CC2 requires development to be resilient to climate change. All development should adopt appropriate measures include those to reduce the impact of urban and dwelling overheating, including application of the cooling hierarchy. The council require proposals to demonstrate how

adaptation measures and sustainable development principles have been incorporated into the design and implementation.

The Energy Efficiency CPG confirms that air conditioning will only be permitted where its need is demonstrated and the steps in the cooling hierarchy are followed. The CPG recognises that in certain cases, opportunities for cooling are unable to be controlled through passive measures alone. It states at paragraph 10.11 that the council will resist applications proposing active cooling in residential developments where no risk of overheating is identified.

A Thermal Comfort Analysis and Environmental Noise Survey accompanies this application. The thermal comfort analysis undertaken for 40 King Henry's Road demonstrates that the proposal fully complies with the cooling hierarchy set out in Policy SI 4 of the London Plan (2021). A step-by-step assessment was carried out using dynamic thermal modelling (CIBSE TM59 methodology) to explore passive and mechanical strategies before resorting to active cooling.

The report confirms that:

- Passive measures such as enhanced insulation, improved air tightness, and the use of thermal mass have been implemented to reduce heat gain.
- Natural ventilation using openable windows was explored, but restricted due to acoustic constraints identified in the Environmental Noise Survey. Notably, the site abuts the railway and the track is less than 20m from the rear façade of the host property.
- Mechanical ventilation systems (2–4 air changes per hour) were tested but found insufficient to maintain thermal comfort under current and future climate scenarios.

In relation to point two above, the submitted noise survey confirms identified that internal bedroom noise levels at 40 King Henry's Road exceeded relevant nighttime thresholds, including the BS8233:2014 and World Health Organization (WHO) guidelines for sleep disturbance. Specifically, the noise survey identified a total of 29 occurrences where the LA_{max} over a fifteen-minute period exceeded 55dB during the night (23:00 to 07:00 hours). The subjectively dominant noise sources were passing trains and distant traffic. The survey concludes that it is appropriate to assume closed windows during sleeping hours in any overheating mitigation strategy, as natural ventilation is not possible without comprising acoustic comfort.

Given the constraints identified above, comfort cooling (air conditioning) is justified as a last resort to ensure compliance with CIBSE TM59 overheating criteria and maintain habitable internal conditions. This approach follows the London Plan's cooling hierarchy and is considered necessary to provide a resilient and climate-adaptive solution that protects occupant health and comfort. A high efficiency heat recovery VRF system will replace the existing standard VRP system. It is also noteworthy that the efficiency, age and type of the existing cooling system is insufficient to obtain the required EPC rating.

For the reasons set out above, it is considered that the proposal would comply with CLP Policies CC1 and CC2, London Plan Policy SI 4 and the Energy & Efficiency CPG.

Neighbour Amenity

CLP Policy A1 requires that development must protect the amenity of both neighbouring properties and future occupants. It seeks to ensure that development does not result in unacceptable harm from factors such as noise, vibration, and odour, and that suitable internal living conditions are provided. Mitigation may be required where adverse effects are identified. Further guidance on the application of this policy is set out in the Amenity CPG (2021).

CLP Policy A4 states that any development must not generate unacceptable noise or vibration impacts – noise-generating developments such as plant and machinery must not harm local amenity.

An Environmental Noise Survey and Plant Assessment was undertaken by Quantum Acoustics Ltd to evaluate the potential noise impact of the proposed air conditioning units. Based on the measured background noise levels and in accordance with BS4142:2014 and Camden Local Plan requirements, strict plant noise emission criteria have been set. These criteria ensure that cumulative plant noise will remain below background levels at the nearest sensitive receptors, including residential windows at 38 King Henry's Road. The proposed combined plant emissions are 35dB during the daytime and 28dB at night (measured at 1m from a noise-sensitive residential window).

Compliance with these limits will ensure that the proposed plant will have no significant adverse impact on neighbour amenity in terms of noise and can be suitably controlled by condition. The assessment concludes there is no reason why planning permission should be withheld on noise grounds.

Due to the modest scale and siting of the proposed condensing units and the sites relationship to neighbouring plots, the proposal would not give rise to other impacts upon neighbour amenity such as natural light, outlook, or privacy.

Given the above, the proposed development would comply with CLP Policies A1 and A4, the Amenity CPG and the corresponding aims and objectives of the London Plan (2021) and NPPF.

Summary:

As demonstrated within this letter and the submitted plans, the proposed condensing units would not harm the character and appearance of the area and would preserve the significance of the host property and wider group of NDHA's.

A comprehensive Thermal Comfort Analysis demonstrates that passive measures alone are insufficient to maintain internal comfort levels. The proposed air conditioning system complies with the London Plan's cooling hierarchy and Camden's sustainability policies, ensuring energy efficiency and climate resilience.

The Environmental Noise Survey & Plant Assessment confirms that the proposed plant will operate within acceptable noise levels, safeguarding the amenity of neighbouring properties.

The development is therefore in accordance with the up-to-date development plan, and it is respectfully requested that planning permission is granted.

I trust this letter and the enclosed documents provide you with sufficient information to determine the application but if you require any points of clarification or have any questions, please do not hesitate to contact me.

Yours faithfully

Danielle Shaw

Planner

SM Planning