

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>06/04/2010</b>
		N/A / attached		<b>Consultation Expiry Date:</b>	<b>24/03/2010</b>
<b>Officer</b>			<b>Application Number</b>		
Max Smith			2010/0875/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Unit 4 8 William Road London NW1 3EN			See decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Installation of one ground based dry air cooler at front and 3 wall mounted air conditioning units on front elevation of existing commercial unit.					
<b>Recommendation:</b>		Refuse planning permission			
<b>Application Type:</b>		Full Planning Permission			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>22</b>	No. of responses	<b>04</b>	No. of objections	<b>03</b>
			No. Electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>The application was advertised with a site notice and immediate neighbours were notified by letter.</p> <p>Three letters of objection were received raising the following points:</p> <ol style="list-style-type: none"> <li>1. Noise levels would disturb nearby residents, particularly in the summer months and at night.</li> <li>2. Even if undertaking are given to restrict noise, the onus will be on local residents to prove a breach.</li> <li>3. Residents would need to invest in double glazing.</li> <li>4. There is already enough noise from Hampstead Road.</li> </ol> <p>One neighbour has commented on the scheme, stating that the proposal should be determined with proper regard to the site's problematic noise history. They also consider that additional residents should have received written consultations regarding the scheme.</p> <p><i>Response: Consultation was carried out in accordance with Camden's consultation standards. For the other points, please see 'Assessment' below.</i></p>					
<b>CAAC/Local groups comments:</b>	No response received to date.					
<b>Site Description</b>						
A two-storey industrial unit in use as an "Electronic Communication Compression Hub". The site is not in a conservation area.						
<b>Relevant History</b>						
2009/5776/P: Installation of one ground based dry air cooler at front and 3 wall mounted air conditioning units on side elevation. Withdrawn by applicant.						
2009/2043/P: Installation of five a/c units on flank elevation of office building used for telecommunications switch (sui generis). Prior approval required – approval refused.						
PS9805246. Change of use from light industrial unit to use as a telecommunications switch site (sui generis) with ancillary office and workshop space together with the installation of a standby generator and air conditioning units at the rear of the building. Granted 23/04/1999.						
PSX0004074. Installation of a dry cooler unit to the front forecourt. Granted 18/07/2000.						
<b>Relevant policies</b>						
<b>London Borough of Camden Replacement Unitary Development Plan 2006</b>						
SD6 – Amenity for occupiers and neighbours						
SD7 – Light, noise and vibration pollution						
SD8 – Disturbance						
B1 – General design principles						
Appendix 1 – Noise and Vibration Thresholds						
<b>Camden Planning Guidance 2006</b>						
<i>The following policies in the draft LDF Core Strategy and Development Policies documents have been taken into consideration</i>						
<b>Camden Development Policies Proposed Submission</b>						

DP24 – Securing high quality design

DP26 – Managing the impact of development on occupiers and neighbours

DP28 - Noise and Vibration

*As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.*

## **Assessment**

### **Proposal**

The installation of 3 air conditioning units on the wall of the premises and the replacement of an existing chiller unit, positioned in the front forecourt.

### **Amended plans**

The proposals would relocate the existing three air conditioning units onto the front elevation from the side, in order to further reduce any potential noise impact on neighbouring properties.

**Main Issues:** The visual impact of the proposal and whether there would be any adverse impact on neighbours in terms of noise.

### **Visual Impact**

Whilst the siting of plant on the front forecourt of the building is less than ideal in visual terms, it is noted that a dry cooler unit has previously been approved in a similar location, which the current proposal would replace. The forecourt also contains other plant, including a generator and diesel tank. In this context the proposed replacement cooler would be acceptable.

It would also be preferable for the air conditioning units to be located on a secondary elevation. However, in their proposed location they would be screened by the cooler and would not significantly detract from the appearance of the building. The proposal is therefore in accordance with policy b1 of the UDP.

### **Residential Amenity**

The main impact on residential amenity would arise from the noise generated by the new plant. A number of residential units at Hampstead House are located very close to the site and as the plant would be operating throughout the day and night it is particularly important that Camden's noise criteria would be met.

An Acoustic Report has been submitted to support the application, and this has been reviewed by the Council's Environmental Health Officer. It is considered that the Acoustic Report is deficient in both the breadth and clarity of the acoustic information provided. Further information has been sought, but not obtained.

Given the location of the site in proximity to a number of residential properties and the noise concerns raised by neighbours, the deficiencies in the Acoustic Report warrant refusal of the application as being contrary to Policy SD6 of the UDP.

The proposal would not harm amenity in term of loss of light, outlook or increased overlooking.

### **Disclaimer**

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