

DISCLAIMER

Decision route to be decided by nominated members on Monday 29th March 2010. For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		05/04/2010	
		N/A / attached		Consultation Expiry Date:		10/3/2010	
Officer				Application Number(s)			
Hugh Miller				2010/0373/P			
Application Address				Drawing Numbers			
Prospect Cottage Heath Street London NW3 6UG				Please refer to decision notice.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of one air conditioning unit on the rear roof terrace and associated timber screening to single family dwellinghouse (Class C3).							
Recommendation(s):		Grant					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	23			No. of objections	02

		No. of responses	03		
		No. Electronic	00		
Summary of consultation responses:	<p><u>4 Holly Hill Object:</u> Yet again a further application. My previous objections remain. This is a cottage in a conversation area based in a typically cool climate. The need for air conditioning must at most be marginal. I object to the potential noise of the unit, the direct view I will have of the screening and the affect on our carbon footprint. The unit faces my rear garden and the noise it generates will make it difficult to read and relax out there when the unit is on and likewise for me to have my windows open. There must be a reason why this application keeps being made and then withdrawn. <i>Officers' response / comment See below paras. 2.1-3.5</i></p> <p><u>8 Holly Hill, Object:</u> Concern about noise nuisance especially on summer nights when with bedroom windows are opened. British summers are not hot enough to warrant the use of air conditioning units; especially after 11:00pm & before 8:00am. <i>Officers' response / comment See below paras. 2.1 -3.5.</i></p>				
CAAC/Local groups comments:	Hampstead CAAC: No response (25/03/2010).				

Site Description

A 2-storey dwelling house adjoining a narrow alleyway which connects Heath Street with Holly Mount, located in Hampstead CA and defined as making a positive contribution to the CA. It is flanked by Prospect House on this alley and the rear of properties in Heath Street. Its rear roof is just visible over the flat roof of nos. 63-67 Heath Street from street level. It has a pitched roof and gable front and rear end walls. A small roof terrace is located at the rear to the south of the property projecting out along the boundary with Prospect House and overlooking Holly Hill.

There are three existing air conditioning units located at first floor level at 63 & 65 Heath Street and six existing air conditioning units at ground floor level at 57-59 Heath Street. Both buildings are due south east of the host building.

Relevant History

- October 2009 - Withdrawn - Installation of an air conditioning unit on the rear roof terrace and associated timber screening to single family dwellinghouse (Class C3), 2009/3701/P.
- October 2007 - Withdrawn - Installation of an air conditioning unit on flat roof, 2007/4159/P.
- March 2007 PP granted - Remodelling of rear elevation at first floor level to set back the rear gable wall and create a new roof terrace with railings adjoining this and to partially extend the flat-roofed element over the existing roof terrace, plus creation of new basement to provide additional accommodation for the dwelling house, ref. 2006/5894/P
- July 2005 – PP granted - Erection of 1st floor rear extension with adjoining cantilevered balcony terrace and erection of roof lantern with associated raising of whole roof and parapets, in association with installation of new mezzanine floor to provide additional accommodation for dwelling house, ref. 2005/2839.
- January 2008 - Withdrawn - Installation of an air conditioning unit on flat roof, 2007/5358/P. February 2005 – Application withdrawn - Installation of new roof lantern, alterations to fenestration on western rear elevation, erection of rear extension at first floor on existing terrace area with raised party wall height, and new cantilevered balcony, for single family dwellinghouse. Ref. 2005/0355/P

Relevant policies

RUDP 2006:

SD1 – Quality of Life;

SD6 – Amenity for occupiers and neighbours;

SD7 – Light, noise and vibration pollution;

SD8 – Disturbance;

B1 – General Design Principles;

B3 – Alterations and extensions;

B7 – Conservation areas.

Camden Planning Guidance 2006

Section 28: Noise and vibration

Assessment

1.0 Background

1.1 On three previous occasions applications for the installation of air conditioning units were withdrawn twice by the applicant and one without any explanation. Two of the withdrawn applications (2009/3701/P 2007/5358/P) had the proposed air conditioning unit located on the rear roof terrace to the south of the property, adjacent to the eastern boundary wall and one (2007/4159/P) on the western flat roof area adjacent to the western boundary.

2.0 Proposal

2.1 The current proposal is to locate one air conditioning unit and associated timber screening on the rear roof terrace to the south of the property, adjacent to the southern boundary railings, which is in a similar location to two of the earlier schemes (2009/3701 and 2007/5358).

3.0 Design

3.1 The proposed air conditioning unit would be located on the inner face of the east flank wall of the host

building at the rear on the roof terrace. The area is completely enclosed and is not visible from long or short views from street level; i.e. to the south, east and west from either Holly Hill or Heath Street. The location is thus considered an acceptable location for such plant, not harmful to the appearance of the host building or the character and appearance of the conservation area.

4.0 Amenity for occupiers and neighbours

4.1 The nearest residential properties are at 69-73 Heath Street, due east, Prospect House due west, and at nos. 6-10 Holly Hill due south west. Within Heath St. the residential occupiers are located at first floor and above whilst at Holly Hill and Prospect House, the entire buildings are all residential occupiers. The nearest residential window is located at Prospect House due west. The window is positioned 2-storeys above the roof terrace of the host building and at a distance of approx. 7.5m away from the proposed plant. The residential properties that raised objections to the proposal are some 20m away to the south west.

4.2 To the south east at the rear of buildings on Heath St. (63-67 and 57-59) there are nine existing air conditioning units which are visible from the rear of the host and adjacent residential buildings. It should be noted that the Council has no record of noise nuisance complaints from adjacent occupiers pertaining to these existing air conditioning units.

4.3 The acoustic report refers to pre-existing noise levels over a period of 24 hours from 13:25 hours Tuesday 13 October to 13:30 hours Wednesday 14 October 2009. The report also refers to its general compliance with British Standards BS:8233:1999. The report states *“The plant noise level from the proposed unit is predicted to achieve 17dB LAeq at 1.0m outside the nearest residential window at Prospect House. This is some 22dB below the lowest measured LA90 background noise level of 39 dB during the proposed operating hours of the unit”*. The proposed unit would be (a single Daiken condensing unit, model no. 4MXS80E) that would be screened by an acoustic enclosure (Ref. Environ Modula 1.1.25AC) which would further minimise noise to adjacent occupiers.

4.4 The Council’s Environmental Health officer has assessed the submitted acoustic report, and has deemed it to comply with Camden’s requirements set out in the Unitary Development Plan. However, they had concerns about having the unit in use for 24 hours given the location of the residential window at 7.5 Metres away. Therefore, it is considered that the proposed plant should not be operated outside the hours of 11:00pm to 07:00am and a condition is attached to this effect.

5.0 Conclusion

5.1 It is considered that the installation of the air conditioning unit would not result in material harm in terms of design and appearance of the host building or the character and appearance of the conservation area. The submitted acoustic report has demonstrated that the mitigating measures would ensure that there is no harm to residential occupiers’ amenities (noise nuisance) at nearby buildings and a condition is proposed restricting the hours that the plant can operate. The proposal is therefore considered acceptable.

6.0 Recommendation. Grant planning permission.