

Delegated Report		Analysis sheet		Expiry Date:		04/06/2009	
		N/A / attached		Consultation Expiry Date:		15/05/2009	
Officer				Application Number(s)			
Aysegul Olcar-Chamberlin				2008/4756/P			
Application Address				Drawing Numbers			
267 West End Lane London NW6 1QS				See draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of three air conditioning units on the boundary wall of rear garden.							
Recommendation(s):		Grant Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	02	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		A site notice was displayed from 23/04/09 to 14/05/09. No reply from the adjoining occupiers is received.					
CAAC/Local groups* comments: *Please Specify		West End Green CAAC raised no objection.					

Site Description

The application relates to the ground and basement floor retail unit in a mid-terrace property on the west side of West End Lane. There are residential flats on the upper floor levels of the building. The site is located within the West End Green Conservation Area.

Relevant History

2007/3877/P- Planning permission was refused on 15/11/2007 on for the retention of 3x air conditioning units to rear of existing shop (class A1). The reasons for refusal are:

- 1) *“Insufficient information has been submitted to demonstrate that the proposed air conditioning units will not cause noise disturbance to the detriment of the occupiers of neighbouring properties contrary to policy SD6 (amenity for occupiers and neighbours), SD7B (noise/vibration pollution) and SD8A (disturbance from plant and machinery) of the London Borough of Camden Unitary Development Plan 2006.”*
- 2) *“The three air conditioning units, by reason of their siting, material finish and visibility, are detrimental to the appearance of the building and character and appearance of the West End Green Conservation Area contrary to policies B1 (General design principles), B3 (Extensions and alterations) and B7 (Conservation areas) of the London Borough of Camden Replacement Unitary Development Plan 2006, and advice contained within the Camden Planning Guidance 2006.”*

EN07/0880 - Enforcement notice dated 13/02/08 coming to an affect on 28/03/08 was served to the premise against the installation of the unauthorised a/c units. The Council required the removal of the a/c units.

Relevant policies

Camden Replacement Unitary Development Plan 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
Appendix 1 – Noise and Vibration Thresholds

Camden Planning Guidance 2006

West End Green Conservation Area Statement

Assessment

Proposal

The proposal is for installation of three air conditioning units on the boundary wall of the rear garden (following the removal of the existing a/c units on the rear elevation of the building, which are the subject of an enforcement notice).

The existing three a/c units would be mounted to the boundary wall on the rear garden. They would be approximately 30cm above the ground level (garden level).

The main issues are the impact on amenity of occupiers of nearby residences and character and appearance of the building, surrounding buildings and conservation area.

Amenity

The proposed air conditioning units would be approximately 5.5m from the closest residential property on the first floor level of the application property.

The predicted noise level cited in the acoustic report (for the three units with screening) demonstrates that the proposal would not increase background noise more than Camden Council's requirement. The predicted noise level at the nearest noise sensitive premises with all 3 units operation will be 38dB(A). No details of the screening are submitted with this application and a condition has been attached to require details of this.

The Council's Environmental Health Officer has no objection to the installation of the a/c units as proposed in this application and has recommended a condition for fitting a timer during operation hours from 08:00 to 20:00 to ensure that the unit does not operate at night.

Subject the conditions which are recommended above, the proposal is considered to comply with policies SD6, SD7 and SD8 of the UDP.

Appearance

The existing air conditioning units on the rear elevation of the building are considered to be harmful to the appearance and character of the building and the wider conservation area. Although, there are a number of other air conditioning units on the neighbouring property, these appear to have been approved in the 1980s when the neighbouring site underwent a change of use to Class A3. At this stage the area was not designated as a conservation area and less scrutiny was required for appropriate placement of service equipment. The subject area was subsequently designated as a conservation area in 1995 when the West End Green Conservation Area was formally adopted by the Council.

The proposed location of the air-conditioning units is considered to be acceptable as it is well screened from the front of the application site and views along Dennington Park Road and Inglewood Road. Given the a/c units would be re-located on the boundary wall, the proposal would prevent the harm caused to the appearance of the building by the existing a/c units.

Recommendation: It is considered that, subject to appropriate safeguarding conditions, planning permission should be granted in this case.

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