

Development Control
London Borough of Camden
Camden Town Hall Extension
Argyle Street Entrance
Euston Road
London
WC1H 8EQ

Our ref. HJWB/KHO/SGP/J5834

Your ref.

20 October 2008



Dear Sir

**Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990
66 Heath Street, Hampstead, London, NW3**

On behalf of our client, Soho Estates, we enclose herewith an application for planning permission and listed building consent for alterations to the existing air extract and fresh air supply ductwork arrangement at the rear of the building and at roof level. The details of this proposal are set out in full in the supporting documentation submitted with these applications.

We enclose the following information:

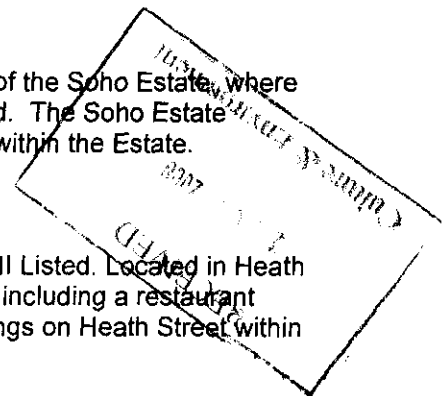
- Three copies of the planning application forms and duly completed Certificate A;
- Three copies of the red line site location plan;
- Three copies of existing and proposed plans and elevations;
- Three copies of the Design Statement (KM Services);
- Three copies of existing photographs;
- A cheque for the sum of £335

Background

The context for these applications is the strategic and long-term management of the Soho Estate, where residential, commercial, leisure and social and community uses are all provided. The Soho Estate consistently invest and actively seek to enhance the overall offer and facilities within the Estate.

The Site

The building is located within the Hampstead Conservation Area and is Grade II Listed. Located in Heath Street, on the road frontage, the site contains residential and commercial uses including a restaurant (Class A3) use on the ground floor. As such the property is typical of the buildings on Heath Street within this part of the Conservation Area.



London (West End & City) Birmingham Cardiff Glasgow Leeds Manchester Milton Keynes West Malling

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Planning History

The planning history indicates that the use of the ground floor as a fish bar and restaurant was established in April 1959 (TP/77593/24/04/59). Applications for full planning permission (PP/8702772) and listed building consent (PP/8770364) for the refurbishment of the existing shopfront and restaurant were granted in July and October of 1987.

Applications for the erection of a ventilation shaft at the rear of the property were granted permission in February of 1978 (PP/25999 and HB 1898)

As such, this proposal is entirely compatible with the long term and will established uses on site. The City Council have previously granted permission for works which are similar to these new proposed.

Proposal

The proposal is for the removal of the existing fan box units from within the first floor rear room and the re-siting of the replacement units on the main roof of the building. The ductwork within the first floor room is to be replaced and routes re-configured.

The main extract ductwork riser running up the external wall to the rear is to be re-used and a new fresh air duct from the first floor room running up the external rear wall alongside existing extract duct is to be installed. New ductwork and fan units are proposed to be installed onto the main roof area.

Details of the proposed materials and location of the proposed duct work and plant are shown on the enclosed plans. Details of the specifications of the proposed plant and a noise survey are also enclosed.

Planning Policy

The London Borough of Camden UDP was adopted in June 2006.

The principal strategic policies aim to 'protect and enhance the Borough's historic environment and ensure that all development is designed to the highest standard and protects and enhances its surroundings' (S7).

Policy SD6 states that the council will not grant planning permission for development that it considers causes harm to the amenity of occupiers and neighbours. The factors the Council will consider include visual privacy and overlooking, noise and vibration levels, and odour fumes and dust. Unless appropriate attenuation measures are available and are included, planning permission will not be granted for development likely to generate noise/vibration pollution (Policy SD7 B).

Planning permission will only be granted for plant or machinery including ventilation or air handling equipment, if it can be operated without causing a loss of local amenity and does not exceed Noise and Vibration thresholds (Policy SD8).

Policy B1 (General Design Principles) aims to ensure that 'development is designed to a high standard'. Development should;

- a) respect its site and setting
- b) improve the spaces around and between buildings, particularly public areas;
- c) provide appropriate high quality landscaping and boundary treatments; and
- d) seek to improve the attractiveness of an area and not harm its appearance or amenity.

Similarly, planning permission will not be granted for alterations and extensions that would cause harm to the architectural quality of the existing building or to the surrounding area (Policy B3).

As the building is Grade II listed, Policy B6 (Listed Buildings) seeks to 'to preserve or enhance the character of listed buildings as buildings of special architectural or historic interest' only granting listed building consent for 'alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building'.

As part of the Hampstead Conservation Area, Policy B7 (Conservation Areas) advises that 'consent will only be granted for development in a conservation area that preserves or enhances the special character or appearance of the area'.

Information and advice on the application of UDP policies is given as supplementary Planning Guidance in 'Camden Planning Guidance 2006'.

Guidance states that 'where ducting, plant or machinery are required on the outside of the building, which is acceptable only in refurbishment projects where there is no feasible alternative, it should be located on rear or side elevations, or the least prominent elevations, and must not obscure access to daylight and sunlight, or provide any nuisance for occupants of the development or adjacent buildings'.

It also advises that 'plant and machinery be located as close as possible to their end uses, with the design and materials used for plant machinery and ducting, as well as for ancillary structures as screening, where located on the exterior of the building, must be consistent with those of the building'.

In addition plant and machinery on roofs should not be visible from the street, public vantage points or from immediately adjacent buildings. Where located on roofs consideration must be given to the possibility of future renewable energy installations.

Special consideration should be given to the installation of plant, machinery and ducting on listed buildings and in conservation areas. Fewer external solutions are likely to be appropriate in these locations and all installations must be in keeping with the design and materials of the building.

Planning Assessment

The proposals have been sensitively designed and considered in accordance with Policy to ensure that they do not harm the character or appearance of the conservation area in line with policy B7, and that their positioning will not cause any harm to the special interest of the building in line with policy B6.

There is already existing plant and machinery on-site at roof level. This proposal will not significantly change the existing arrangement. As a result of its location on the roof at the back of the building, it will not be visible from the street. Subsequently, in accordance with Policies B1, B3, B6 and Supplementary Planning Guidance, it will not cause material harm to the appearance of the building or area.

The minor alterations to the existing plant arrangement will not adversely affect the special interest of the listed building, neither will they have any detrimental impact on the character and appearance of the conservation area.

The noise vibration generated would not materially increase background noise levels and accord with the Borough's standard noise requirements set out in Table E of Appendix 1 in the UDP. As such, the proposed plant will have no detrimental impact on the amenity of adjoining occupiers.

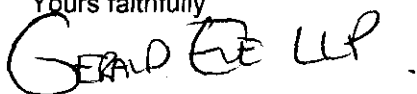
In accordance with supplementary guidance, the ducting is to be located on the rear elevation as shown on the attached drawings, thereby not obscuring access to daylight and sunlight or causing a nuisance to occupants or adjacent buildings.

To conclude, we are of the view that this proposal wholly accords with the Borough's policies and does not have a detrimental effect on the character or appearance of the listed building or conservation area.

We look forward to confirmation of the applications registration and to the proposals expeditious progress to determination.

Please contact Sam Palmer of this office in the first instance on 020 7333 6224.

Yours faithfully

A handwritten signature in black ink that reads "GERALD EVE LLP". The signature is stylized, with the first letters of each word being prominent.

Gerald Eve

cc	Paul Whalan	-	Soho Estates
cc	Carl Haynes	-	Gerald Eve