

**DISCLAIMER**

Decision route to be decided by nominated members on ----- (date to be inserted). For further information see

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

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>03/12/2007</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	15/11/2007
<b>Officer</b>			<b>Application Number(s)</b>	
Sharon Bermingham			2007/5123/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
22-26 Cricklewood Broadway London NW2 3HD			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>				
Repositioning of existing air conditioning plant, plus erection of acoustic enclosure to the rear of existing car showroom.				
<b>Recommendation(s):</b>		Grant Planning Permission subject to conditions		
<b>Application Type:</b>		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	26	No. of responses	02	No. of objections	02
			No. Electronic	00		
Summary of consultation responses:	<p>Consultation expiring 15/11/2007</p> <p>Objections received:</p> <ul style="list-style-type: none"><li>- Object to the planned repositioning of the air conditioning plant because of the noise the plant will generate and the consequent effect on our quality of life The front of our flat faces Cricklewood Broadway with its attendant noise and pollution, the back by contrast is residential in character and forms part of a square with gardens and trees which is relatively quite at most times of the day and night. By objecting to this application we hope to preserve this amenity. <b>(The proposed units comply with Environmental Health noise standards)</b></li><li>- The acoustic enclosure does not guarantee the masking of the noise produced which could rise considerably in the years to come, as indeed could the hours which it is kept running. <b>(Condition to be placed on the decision notice requiring the units to comply with Environmental Health Standards)</b></li><li>- This application if approved could lead to other installations in the vicinity and the resulting “noise creep” would make the living conditions intolerable. <b>(As the application is considered acceptable in design and noise standards we cannot refuse on the basis of precedent.)</b></li><li>- As the new application is still only 5 metres from our living room, most of the objections and correspondence of the past five years are still relevant and I hope will be considered, including the observation that this plant is servicing a three unit showroom and was previously run seven days a week. <b>(Objections received from this objector are the same as submitted in the previous application. Condition to be placed on the decision notice requiring the units to comply with Environmental Health Standards to protect residential amenity).</b></li><li>- Glad the air conditioning units are being removed from their gardens but object to the noise, fumes and possible fire hazard. <b>(The proposed units comply with Environmental Health noise standards)</b></li></ul>					
CAAC/Local groups* comments: *Please Specify	N/A					

### Site Description

The proposed air conditioning units and acoustic enclosure is located in the rear yard of 22-26 Cricklewood Broadway. The yard backs onto a small service lane. It is not located in a conservation area.

### Relevant History

N/A

## **Relevant policies**

### **Replacement Unitary Development Plan 2006**

S1/S2 Sustainable Development  
SD6 Amenity for occupiers and neighbours  
SD7 Light, noise and vibration pollution  
SD8 Disturbance  
B1 General design principles  
B3 Alterations and extensions  
Appendix 1

### **Camden Planning Guidance 2006**

Noise and vibration

## **Assessment**

### **Design**

The proposed air conditioning units will be located within an acoustic enclosure, which is, constructed of painted aluminium framework and louver blades. It will be within the rear yard of the property, which backs onto a narrow service lane. The enclosure will be located within the rear yard of the property, behind the boundary wall with the adjacent property. The top 300mm of the enclosure will be visible above the rear boundary wall. As the structure will be largely concealed behind the boundary walls and will not be visible from the highway it is considered acceptable.

### **Amenity for occupiers and neighbours.**

The acoustics report submitted with the application states that an acoustic enclosure has to be installed to enable the proposed air-conditioning units to comply with the Council's noise standards. Details of the proposed acoustic enclosure show that this will allow the units to operate at least 10db below the lowest measured background noise. In order to protect the residential amenity of the surrounding residents it is recommended that a condition be attached to the planning permission requiring the acoustic enclosure to be installed prior to the operation of the air conditioning units. In addition this condition will require the acoustic enclosure to comply with the calculations given for the acoustic enclosure in appendix C of the acoustic report. To ensure the air conditioning units continue to operate within the Council's noise standards, it is recommended that a condition be attached to the planning permission requiring the units operate at least 5dba below the background noise level.

The use of the premises is subject to an enforcement investigation. The lawful use of the property is as a Sui Generis Car showroom. The property is now used as an A1 furniture shop. It is recommended that an informative be included in the decision notice advising of the need to apply for planning permission for such a change of use.

### **Recommendation:**

Grant subject to conditions.