

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		06/11/2006	
		N/A / attached		Consultation Expiry Date:		13/10/2006	
Officer				Application Number(s)			
Victoria Lewis				2006/3439/P			
Application Address				Drawing Numbers			
71-73 Gloucester Avenue London NW1 8LD				See decision			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		Date		
Proposal(s)							
Retention of 2no. external air conditioning units in connection with retail (Class A1) use at the rear at lower ground floor level.							
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	08	No. of responses	00	No. of objections	00	
Summary of consultation responses:							
CAAC/Local groups* comments: <small>*Please Specify</small>		<p>Primrose Hill Conservation Area Advisory Committee have objected to the proposals on the grounds that air conditioning is unacceptable in principle on ecological grounds in a building of this type – traditional masonry construction with natural ventilation, and for its lawful planning use (retail and residential). Recommend refusal of consent and enforcement action.</p> <p>Response – The tests set out in the UDP for assessing proposals for plant and machinery are disturbance (policy SD6) and visual impact (policies B1 and B7). The proposal relates to an historic building. Proposals for new buildings would incorporate measures to achieve adequate natural ventilation.</p>					

Site Description

Numbers 71 and 73 Gloucester Avenue are both 3-storeys in height plus basement, and located on the southern side of Gloucester Avenue. The ground floors and basements are occupied as a single retail unit and are currently used as a bathroom showroom (Use Class A1). Both properties have a maisonette on the upper floors and small gardens at the rear, which are only accessible through the retail unit. An air-conditioning unit has been installed at the rear of each property.

The site forms part of the Primrose Hill Conservation Area.

Relevant History

EN05/1055 - 2 x air conditioning units at rear lower ground floor level. This complaint was been received on the basis that the units have been installed without planning permission and has resulted in the submission of the current planning application.

Relevant policies

SD6 – Amenity for occupiers and neighbours
SD7 – Light, noise and vibration pollution
SD8 – Disturbance from plant and machinery
B1 – General design principles
B7 – Conservation Areas
Appendix 1 – Noise and Vibration Thresholds
Primrose Hill Conservation Area Statement
Supplementary Planning Guidance – section 4 (July 2002)

Assessment

Overview

Planning permission is sought for the retention of 2 externally mounted Fijitsu air conditioning units which are located at the rear of 71 and 73 Gloucester Avenue, at lower ground floor level. The unit at the rear of number 71 is attached to the rear elevation of the building and the unit at the rear of number 73 is attached to the boundary wall between the two units.

Amenity

Policy SD8 of the UDP states that the Council will only grant planning permission for plant or machinery if it can be operated without causing a loss to local amenity and does not exceed the thresholds set out in Appendix 1 – Noise and Vibration.

An acoustic survey has been undertaken which found that the existing background noise level at the site between 07:00 and 23:00 is 36dB. The report states that the noise output from the units does not display tonal characteristics therefore in accordance with Appendix 1 of the UDP, noise output must be 5dB below the existing background noise level at 1 metre external to a sensitive facade, the sensitive facades being the windows to the flats above. The noise output from the units is 27dB and 23dB which complies with the standards set out in the UDP. Conditions restricting the noise output and hours that the units can be operated are recommended to ensure no noise and disturbance to the flats above.

Design

The units are discretely located at the rear of the building and are not visible from the public realm. In light of this the proposals preserve the character and appearance of this part of the Primrose Hill Conservation Area, in accordance with policy B7 of the UDP.

Recommendation

That planning permission be granted, subject to conditions.

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