

Delegated Report		Analysis sheet		Expiry Date:		12/11/2014	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		30/10/2014	
Officer				Application Number(s)			
Olivier Nelson				2014/5941/P			
Application Address				Drawing Numbers			
Sesame Wholefoods 128 Regent's Park Road London NW1 8XL				See attached			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Works to front forecourt including new paving and replacement of basement grille with obscure anti-slip glass and installation of two external condenser units to rear basement area.							
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 20		No. of responses 01		No. of objections 00	
Summary of consultation responses:	Site notice - 03/10/2014 -24/10/2014 Press notice – 09/10/2014 – 30/10/2014 One letter of support was received: Something different on the street and good to have a shop open.					
Primrose Hill CAAC	Objection 1. We object on principle to the provision of air-conditioning in this location. We note that the Council is required by the NPPF to ensure that development is sustainable, and low-carbon: the accretion by small plant installations is cumulatively unsustainable, and should be refused. <i>(see paragraph 5.1)</i> 2. We note that there is no provision of acoustic enclosures to the proposed condensers. In this closely built area, protection for occupiers from noise, and especially the disruptive noise of plant cutting in and out, is essential. <i>(see paragraph 3.2)</i> 3. We also note that there is no provision for fresh air input from the front of the building, thus increasing the demands on the proposed air-conditioning plant, and energy use. We object to the removal of the original iron grille to the front, which also contributes to natural ventilation of the basement. <i>(see paragraphs 2.2 & 5.1)</i>					

Site Description

The application site includes a ground and basement floor retail unit forming part of the main high street shopping frontage in the Primrose Hill Conservation Area, on the eastern side. The upper floors are in residential use. The building is noted as being a positive contributor to the Conservation Area.

The site is within the designated Regents Park Road Neighbourhood centre retail parade. The adjoining unit to the south is under A1 use and the adjoining unit to the north is in A3 use.

Relevant History

2014/3016/P - Change of use at basement and ground floor levels from retail (Class A1) to beauty, health and medical (sui generis) use and replacement of grille over front lightwell with glass. **Granted 24/09/2014**

Relevant policies

National Planning Framework (2012)

The London Plan (2011)

LDF Core Strategy and Development Policies (2010)

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP28 (Noise and vibration)

DP30 (Shopfronts)

Camden Planning Guidance (2013)

CPG1 (Design)

CPG 3 (Sustainability)

CPG6 (Amenity)

Primrose Hill Conservation Area Statement

Assessment

1. Detailed Description of Proposed Development

1.1 The application proposes two outdoor air conditioning units serving rooms at basement and ground floor level. The units would be mounted on steel brackets on the side wall. The units would be at basement level. The 2 units would be 735h x 936w x 300d mm. The metal grille at the front of the property would be replaced with anti-slip walk-on glass cover. The front area is to be paved in York stone similar to the neighbour at 130.

2. Design

2.1 The air condenser units would be mounted on a frame attached to the side wall and would be away from the large window at basement level. The condenser units would be to the rear of the site and as such will not be visible from any public space and will be mostly screened from the adjoining residential flats to the rear. As such the proposed development is considered to be consistent with LDF policies CS14 and DP24 of the London Borough of Camden's Local Development Framework as well as Camden Planning Guidance on Design.

2.2 The change at the front of the property to the paving and grille would reflect the gradual change at properties on the terrace, all of which do not have the metal grille. The toughened glass would help to ensure natural light is received to the basement. Although the grille would be lost, this has occurred throughout the terrace so would be acceptable. There would be adequate ventilation to the basement level as shown at other properties on the terrace. The proposal

would be in line with CPG 1.

3. Amenity

3.1 Policy DP26 aims to protect the quality of life of neighbours that might be affected by developments. The proposal would have noise implications on neighbouring properties due to the air conditioning units and ducting.

3.2 Overall it is considered that the condenser unit would not cause harm to the character and appearance of the Primrose Hill Conservation Area. The position of condenser units next to the basement of another shop helps to reduce the harm caused to residential properties. The siting has been carefully thought out in order to have a negligible visual impact on the Conservation Area. The condenser unit is unlikely to significantly harm the amenity of nearby occupant and residents, and would be in compliance with the relevant LDF policies and Camden Planning Guidance.

4. Noise

4.1 Policy DP28 states that the Council will not grant planning permission for development likely to generate noise pollution or development sensitive to noise in locations with noise pollution, unless appropriate attenuation measures are provided. According to Table E of policy DP28 (page 133 of Camden Development Policies) noise at 1m external to a sensitive façade shall be at least 5dB(A) or noise that has a discrete continuous note at 1m external to a sensitive façade shall be at least 10 dB(A) below the existing background noise level.

4.2 The proposed location of the air conditioning units, to the rear of the building at basement level, will be near non-habitable windows to the basement of the adjoined shop. The Applicant has submitted a noise report which concludes that the proposed plant is capable of meeting the local authorities' noise requirements by being at least 5dBA below background noise levels. The units would not be operated before 0700 or after 2100 and are located at least 1m from the nearest sensitive façade.

4.3 As such conditions are recommended requiring that the units are not operated outside these hours and requiring that the noise levels at sensitive adjoining frontages do not exceed local authority standards.

4.4 For the reasons listed above the proposal is considered to be in accordance with Development Policy DP26 and DP28 of the London Borough of Camden's Local Development Framework.

5. Sustainability

5.1 LDF Policy DP22 requires developments to incorporate sustainable design and construction measures. Where traditional mechanical cooling e.g. air conditioning units are proposed, applicants must demonstrate that energy efficient ventilation and cooling methods have been considered first. It is not practicable to provide ground or air source heat pumps to provide cooling as these systems must usually be designed in when a building is under construction. Given the minor scale of the floor area to be cooled with traditional ventilation, the proposal is considered to be acceptable with regard to sustainability.

6. Recommendation

Grant conditional planning permission

DISCLAIMER

Decision route to be decided by nominated members on Monday 22nd December 2014. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.