

Athenaeum House, Vale of Heath (2014/7108/P)

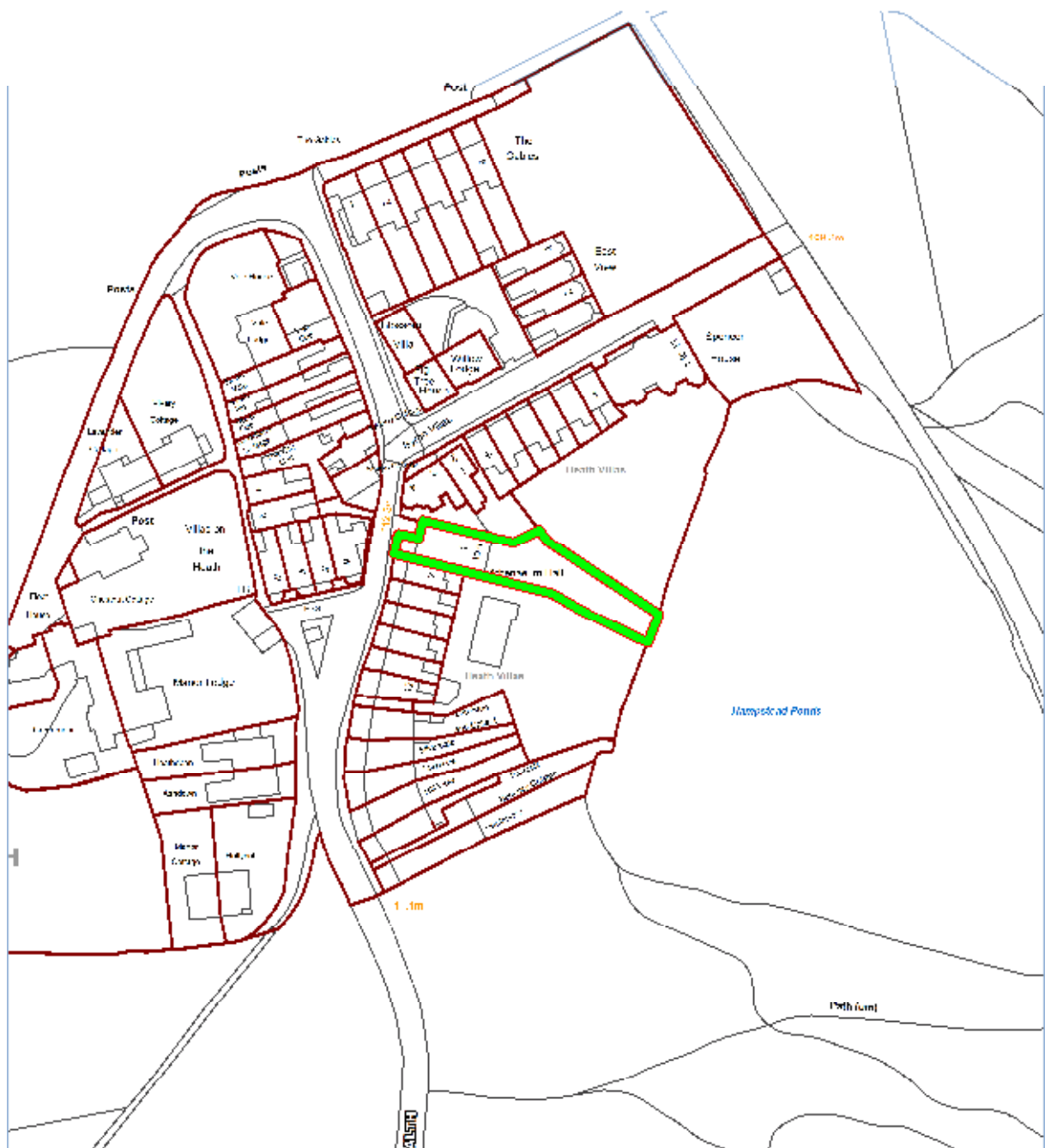




Photo 1: Rear elevation



Photo 2: View to rear of property



Photo 3: Residential properties to the south of the application site



Photo 4: Residential properties to the north of the application site



Photo 5: Front elevation

<b>Delegated Report</b> <b>(Members Briefing)</b>		Analysis sheet		Expiry Date:	08/01/2015
		N/A		Consultation Expiry Date:	01/01/2015
Officer			Application Number(s)		
Mandeep Chaggar			2014/7108/P		
Application Address			Drawing Numbers		
Athenaeum Hall Vale of Health London NW3 1AP			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
<b>Proposal(s)</b>  Installation of an air conditioner unit on the balcony.					
Recommendation(s):		Grant conditional permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	15	No. of responses	15	No. of objections	05
			No. Electronic	00		
Summary of consultation responses:	<p>Site notice erected 11/02/2015 – 04/03/2015 and advertised in the Ham and High on 19/02/2015 – 12/03/2015.</p> <p>5 objections received from local residents at No.1 Byron Villas, Flat 1 Athenaeum Hall, 8 Heath Villas, Athenaeum Hall Residents Association Ltd and Vale of Heath Society summarised below:</p> <ol style="list-style-type: none"> <li>Noise concerns (<b><i>Please refer to section 2.2 of the report.</i></b>)</li> <li>Visual intrusion and out of place in a conservation area. (<b><i>Please refer to section 2.1 of the report.</i></b>)</li> <li>The installation of the unit on the exterior wall of the building is not permitted under the terms of the Lease. (<b><i>This is not a planning consideration and is a matter between the leaseholder and freeholder.</i></b>)</li> <li>The unit will presumably emit heat which Flat 3 and 4 will suffer from. (<b><i>The air condenser unit would be positioned on a balcony below flats 3 and 4, any heat would be dispersed.</i></b>)</li> </ol>					
CAAC/Local groups* comments: *Please Specify	<p>The Heath &amp; Hampstead Society – objected on 7.01.2015, summarised below:</p> <ol style="list-style-type: none"> <li>Noise concerns (<b><i>Please refer to section 2.2 of the report.</i></b>)</li> <li>Unsuitable by the positioning of such a unit externally, in full view of the Vale Pond and could set an unwanted precedent. (<b><i>Please refer to section 2.1 of the report.</i></b>)</li> </ol>					

## Site Description

The site is located on the north side of Vale of Health in the Hampstead Conservation Area with the Hampstead ponds to the rear. The site is located in designated Open Space Metropolitan Open Land. The site comprises a four storey purpose built block with basement. The planning application relates to Flat 2 on the first floor. There is a basement which serves a communal parking and service area.

## Relevant History

No relevant planning history.

## Relevant policies

### NPPF (2012)

**London Plan 2015, consolidated with alterations since 2011**

### LDF Core Strategy and Development Policies (2010)

CS1 (Distribution of Growth)

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)

### Camden Planning Guidance

**Hampstead Conservation Area Statement 2002**



## Assessment

### 1. Proposal

1.1 The proposal is for the installation of an air conditioning unit on the balcony to the rear of Flat 2, Athenaeum House. The unit is set back from both edges of the balcony and would be placed along the external wall of the property. The unit measures 0.90m wide, 0.32m deep and 0.80m high.

1.2 The main issues are:

- Design and conservation
- Amenity

### 2. Assessment:

#### Design and conservation

2.1 DP24 seeks to ensure development takes account of the character of the parent building. With regard to buildings services equipment such as AC units, point e of the policy notes that development needs to find the appropriate location for building services equipment. This is further supported by CPG1 which states plant and machinery should be located as close as possible to their end use.

2.2 The proposed air condenser unit would be located on the first floor rear balcony, positioned against the rear wall and set in 0.687m from the side of the balcony and 1.58m from the end of the balcony. At present there is a glass balustrade surrounding the balcony.

2.3 When considering the proposed unit within the context of the parent building it would appear as a minor addition to the rear elevation. Furthermore, given its relatively small size and as it would be partially screened by the balustrade of the terrace it would not be readily visible from views within the rear garden. With regard to long distance views, the property is located approximately 40m from Vale Pond, given the distance it is considered the proposed unit would not be harmful to the appearance of the host property and character and appearance of the conservation area. The generator would be visible from upper floors of buildings on the site, but only when the occupiers of the upper flats are leaning out of their window or over the balcony.

### 3. Amenity

3.1 Due to the nature of the development there would not be an impact on daylight, sunlight, privacy or outlook. The only concern for neighbour amenity would be that of increase noise.

3.2 A noise assessment has been submitted and has been assessed by the Council's environmental health team. It has been demonstrated that operational noise levels will be entirely satisfactory at potentially affected nearby sensitive receptors.

3.3 During the period 07.00 to 21.00 hours, with the heat pump operating on full load, the BS4142 rating noise level will also be 36.9 dB LAeq,t. This is 0.4 dB above the worst-case (ie lowest) background noise level prevailing during this period, which is 36.5 dB LA90,1h.

3.4 During the period 21.00 to 07.00 hours, with the heat pump operating on quiet mode, the BS4142 rating noise level will also be 27.9 dB LAeq,t. This is 0.2 dB above the worst-case (ie lowest) background noise level prevailing during this period, which is 27.7 dB LA90,5m.

3.5 The scheme is acceptable to environmental health officers; a condition is recommended to ensure the measures are installed in accordance with the recommendations and the equipment meets our noise standards to safeguard the impact on neighbouring amenity.

**4. Recommendation:** Grant conditional permission.

#### Disclaimer

Decision route to be decided by nominated members on 11<sup>th</sup> May 2015. For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members briefing'



Mr Amos Goldreich  
Amos Goldreich Architecture  
Studio 32  
Bickerton House  
25 Bickerton Road  
London  
N19 5JT

Application Ref: **2014/7108/P**  
Please ask for: **Mandeep Chagger**  
Telephone: 020 7974 **6057**

10 February 2015

**DRAFT**

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**Athenaeum Hall  
Vale of Health  
London  
NW3 1AP**

**DECISION**

Proposal:  
Installation of an air conditioner unit on the balcony.

Drawing Nos: 078: 100, 101, 102, 103, Noise Assessment, Design and Access Statement.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).



- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

078: 100, 101, 102, 103, Noise Assessment, Design and Access Statement.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the [adjoining] premises [and the area generally] in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

#### Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council->

contacts/environment/contact-the-environmental-health-team.en or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment

**DRAFT**

**DECISION**