

Mr. David McGahon
McLaren Excell
535 King's Road
London
SW10 0SZ

Application Ref: **2015/3189/P**
Please ask for: **Laura Hazelton**
Telephone: 020 7974 **1017**

13 August 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
34 Downshire Hill
London
NW3 1NU

Proposal:

Installation of 2 x air conditioning units on side extension roof; replacement of 1 x sash window at rear first floor level with new window to match existing; demolition of brick wall at lower ground floor level and replacement with new brick wall; and waterproofing membrane to existing front vaults.

Drawing Nos: 058-200, 058_102 P2, 058_103 P2, 058_104 P2, 058_105 P2, 058_110 P2, 058_111 P2, 058_112 P2, 058_113 P2, 058_114 P2, 058_202 P2, 058_203 P2, 058_204 P2, 058_205 P2, 058_210 P2, 058_211 P2, 058_212 P2, 058_213 P2, 058_214 P2, 058_204 T1, 058_205 PL-1, 058_122 P2, 058_123 P2, 058_124 P2, 058_125 P2, 058_130 P2, 058_131 P2, 058_132 P2, 058_133 P2, 058_134 P2, 058_481A P1, Design and Access Statement dated May 2015, Historic Building Statement dated June 2015, AC specification received 05/06/2015 and Noise Impact Assessment reference 10095-NIA-01 dated 5 May 2015

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 policies 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: 058-200, 058_102 P2, 058_103 P2, 058_104 P2, 058_105 P2, 058_110 P2, 058_111 P2, 058_112 P2, 058_113 P2, 058_114 P2, 058_202 P2, 058_203 P2, 058_204 P2, 058_205 P2, 058_210 P2, 058_211 P2, 058_212 P2, 058_213 P2, 058_214 P2, 058_204 T1, 058_205 PL-1, 058_122 P2, 058_123 P2, 058_124 P2, 058_125 P2, 058_130 P2, 058_131 P2, 058_132 P2, 058_133 P2, 058_134 P2, 058_481A P1, Design and Access Statement dated May 2015, Historic Building Statement dated June 2015, AC specification received 05/06/2015 and Noise Impact Assessment reference 10095-NIA-01 dated 5 May 2015

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 Reasons for granting permission:

The replacement of the existing first floor rear sash window is considered acceptable as the existing window is non-original and of no historic value. The top sash is to be restored and the bottom sash replaced to match. The replacement would match the existing historic windows and would result in a modest improvement to the appearance of the host property and preserve and enhance the wider Hampstead Conservation Area. As the application is for replacement windows, the proposal would not harm the amenity of any adjoining residential occupiers in terms of loss of light, outlook, enclosure or privacy.

The demolition and replacement of a structurally unsound brick wall at lower ground floor level is considered acceptable as the wall will be constructed in brick to match the original. The wall is not visible from street level and therefore would not harm the character or appearance of the wider Conservation Area.

The proposed air conditioning (AC) units will be located to the rear of the flat-roofed 1938 side extension. The existing asphalt-clad cold-water store will be removed and replaced with the AC units, which will be masked by a timber surround of a slightly smaller height and footprint than the existing water tank. The proposal also includes the removal and infill of an existing rooflight and the development is therefore considered a modest improvement on the current situation. The units would not be visible from the surrounding street level due to their location to the rear and the existing front parapet, and there would be negligible impact on the Hampstead Conservation Area. The application is accompanied by an acoustic report which demonstrates that the proposed units would comply with Camden's Noise Standards and therefore would not harm the amenity of neighbouring residents. Furthermore, the Council's Environmental Health Officer does not object to the development. As a safeguarding measure, the permission would be granted subject to the standard condition that the machinery is operated within the Council's noise thresholds.

One objection has been received and has been duly taken into account prior to making this decision. The site's planning history has been taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses under s.66 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies. The proposed

development also accords with policies 7.4, 7.6 and 7.8 of the London Plan 2011; and paragraphs 14, 17, 56 -66 and 126-141 of the National Planning Policy Framework

- 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.
- 3 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).

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



Ed Watson
Director of Culture & Environment