

Delegated Report		Analysis sheet	Expiry Date:	05/11/2015
(Members Briefing)		N/A / attached	Consultation Expiry Date:	08/10/2015
Officer			Application Number(s)	
Laura Hazelton			2015/4658/P	
Application Address			Drawing Numbers	
47 Frognal London NW3 6YA			Please refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of 2 x air conditioning units to rear lightwell with noise mitigation screen and installation of an external staircase from ground to lower ground floor level.				
Recommendation(s):		Grant conditional planning approval		
Application Type:		Householder Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	13	No. of responses	00	No. of objections	00
			No. Electronic	00		
Summary of consultation responses:	<p>The application was advertised in the local press on 17/09/2015 (expiring 08/10/2015) and a site notice was displayed between 16/09/2015 – 07/10/2015.</p> <p>No objections were received from neighbouring occupants.</p>					
CAAC/Local groups* comments: *Please Specify	<p>The Hampstead Conservation Area Advisory Committee (CAAC) were notified by email on 10/09/2015 and objected on the following grounds:</p> <ul style="list-style-type: none"> • Lack of information regarding the 8 solar panels; • Concerns regarding the impact of the air conditioning units on the occupants of the host property. <p>Officer Response</p> <ul style="list-style-type: none"> • The solar panels originally included for consideration in this proposal were removed as they are classed as permitted development under Schedule 2, Part 14 of the Town and Country Planning (General Permitted Development) (England) Order 2015. • The Council's Environmental Health Officer does not object to the proposal in terms of noise 					

Site Description

The host building is a large 4 storey semi-detached property on the west side of Frognaal, south of the junction with Frognaal Way. The property is in use as a single family dwellinghouse in a predominantly residential area.

The host property is located within the Hampstead Conservation Area. The building is not Listed, but is described as making a positive contribution to the area. Neighbouring property no.49 Frognaal is a Grade II Listed Building.

Relevant History

2015/0879/P - Alterations and extension to the existing front/side entrance porch of single family dwelling (Class C3). Granted 05/05/2015.

Relevant policies

National Planning Policy Framework 2012

London Plan 2015, consolidated with amendments since 2011

LDF Core Strategy and Development Policies

Core Strategy

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

Development Policies

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

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

DP28 Noise and vibration

Supplementary Planning Guidance

Hampstead Conservation Area Statement 2001

CPG1 (Design) 2015

CPG6 (Amenity) 2011

Assessment

1.0 Proposal

1.2 This application seeks planning permission for:

- the installation of 2 x air conditioning units to the rear lightwell of the property with associated noise mitigation screening; and
- the erection of a new black metal staircase from ground floor level down to lower ground floor level, positioned in the rear lightwell.

1.3 Operating hours have not been specified for the proposed air conditioning units, but the noise impact assessment submitted in support of this application shows the units to comply with Camden's noise standards for 24 hour use.

2.0 Assessment

2.1 The main planning considerations in the assessment of this application are:

- The principle of the proposal and design (the impact that the proposal has on the character of the host property as well as the wider Hampstead Conservation Area);
- The impact of the proposal on the setting on the neighbouring Listed Building; and
- Noise impact and amenity (the impact of the proposal on the amenity of adjoining occupiers).

3.0 The principle of the proposal and design

3.1 Policy DP24 requires new development to meet a high standard of design which respects the setting, context, and the proportions and character of the existing building. Policy DP25 requires new development to both preserve and enhance the character and appearance of conservation areas.

3.2 The proposed air conditioning units would be located in the lightwell to the rear of the property. The units would not be visible from the public realm and there would be very limited views from the rear of adjoining neighbours. The existing rear projection of the host building would block views of the units from neighbouring Listed Building no.49, and there would be limited views from no. 45 due to the acute angle of visibility from the neighbouring windows. The units would also be screened from view by the proposed noise mitigation screening. By virtue of their proposed location, the units are not considered to harm the character or appearance of the host property or wider Hampstead Conservation Area.

3.3 The proposed staircase would be a simple design, constructed of metal and painted black. The staircase would replace an existing hanging ladder to provide access from the garden into the rear stairwell. The stair case would not be visible from no.49 and there would be limited views from no.45. The simple metal design is considered acceptable and would not detract from the character of the host property or harm the setting of the neighbouring Listed Building.

4.0 Amenity

4.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the

amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. Furthermore, Policy DP28 seeks to ensure that noise and vibration is controlled and managed, and will only grant planning permission for plant or machinery if it can be operated without causing harm to amenity and does not exceed noise thresholds.

4.2 The applicant has submitted a Noise Impact Assessment (NIA) in support of the application which includes calculations of predicted noise levels following the installation of the proposed air conditioning units.

4.3 The closest noise sensitive windows are the rear windows of adjoining neighbour no.45, approximately 9m away. Operating hours have not been specified, but the NIA demonstrates that the units would comply with Camden's standards for 24 hour use, following the installation of noise mitigation screening.

4.4 The Council's Environmental Health Officer has assessed the submitted NIA and does not object to the application. Approval would be granted subject to the standard condition that external noise levels emitted from the proposed plant equipment shall be lower than the lowest background noise level by at least 10dBA at the nearest and/or most affected noise sensitive premises; and the condition that the noise mitigation screens are installed prior to the first use of the units in accordance with the recommendations made in the NIA.

4.5 The proposals are not considered to cause harm to the amenity of neighbouring occupiers in terms of a loss of outlook, daylight, privacy or noise levels.

5.0 Recommendation

5.1 Grant planning permission subject to conditions

DISCLAIMER

Decision route to be decided by nominated members on Monday 26th October 2015. For further information please click [here](#).