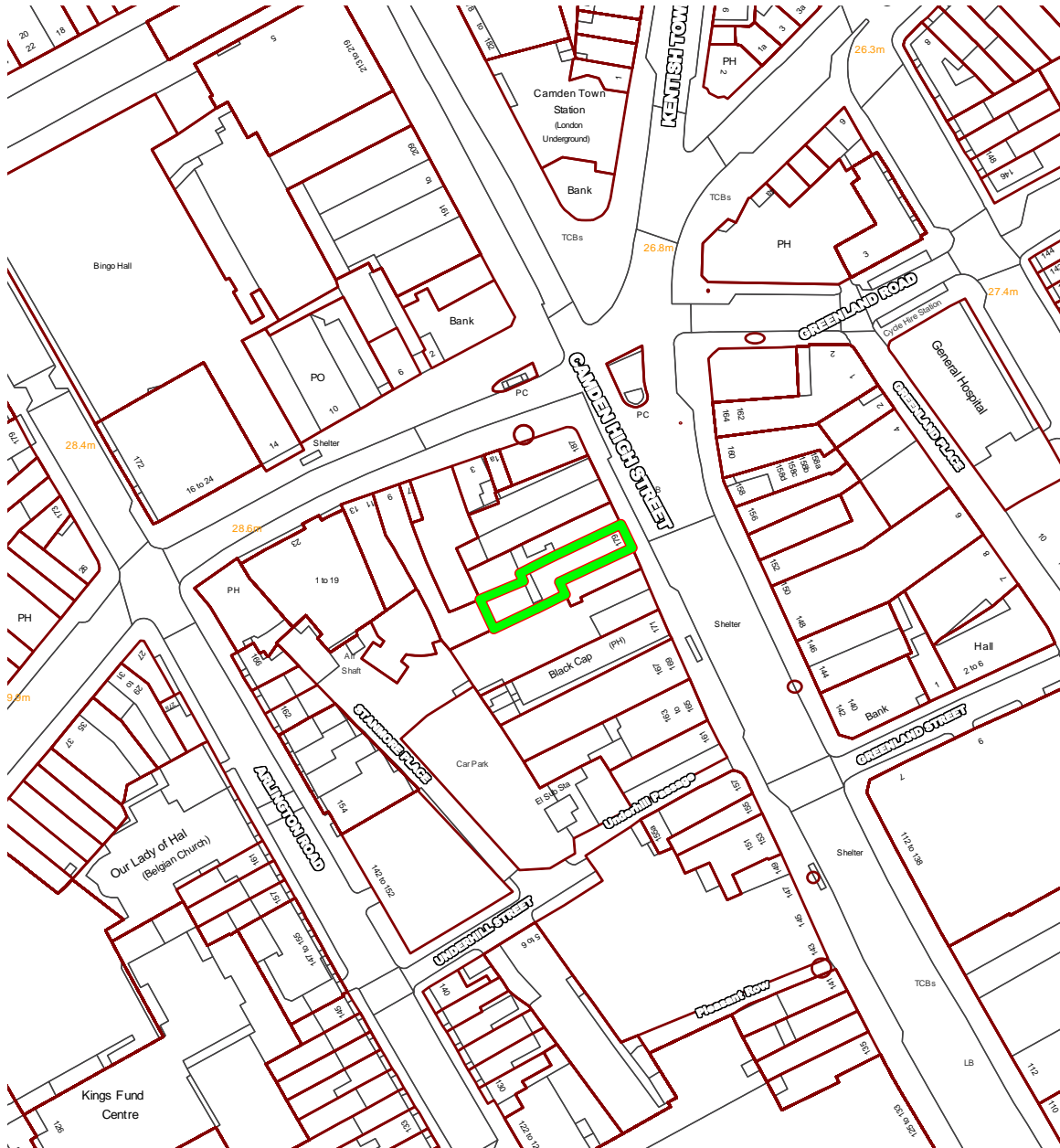


2016/0621/P

179 Camden High Street



View of the front elevation of the site address



View from behind the pitch roof of the single storey rear extension



View showing the 2no new small louvre and the single storey rear extension



View showing the unauthorised A/C unit to be relocated, the small window to be obscured by it, and the white coloured louvre, and the pitch roof.



Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	31/03/2016
		N/A / attached	Consultation Expiry Date:	31/03/2016
Officer			Application Number(s)	
Matthias Gentet			2016/0621/P	
Application Address			Drawing Numbers	
179 Camden High Street London NW1 7JY			2 x Photos; Email Response from Agent - 08/04/2016; Email Response from Agent - 05/04/2016; Agent's Response to CAAC's Objections - 24/03/2016; QF8554 PF5620 RP1 MGR - Noise Report ; PU.1015.30 - Design and Access Statement; [PU.1015.] 10 - Site Location Plan, 11 - Block Plan; [PU.1015.] 01 RevB, 05 RevA, 07 Rev C, 11.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
The installation of 2no air conditioning condenser units at ground floor level, cold room condenser unit and an A/C condensing unit to rear first floor roof terrace, addition of 2no louvres panels, and replacement of existing rear sash window with louvre at first floor level, all to rear of retail unit (Class A1).				
Recommendation(s):		Grant Conditional Planning Permission and Warning of Enforcement Action		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	09	No. of responses	00	No. of objections	00
			No. Electronic	00		
Summary of consultation responses:	Comments were not received following the statutory consultations carried out in the form of consultation letters to the relevant parties (expiry date: 23/03/2016), a Site Notice (erected on 04/03/2016 and expiring on 25/03/2016) and a Press Advert (published on 10/03/2016 and expiring on 31/03/2016).					
Camden Town CAAC comments:	<p>Camden Town CAAC was consulted by letters dated 02/03/2016 and expiring on 23/03/2016.</p> <p>An objection from the Camden Town CAAC has been received, summarised as follows:</p> <ul style="list-style-type: none"> ○ Object to the removal of the sash window to be replaced by louvre panel; ○ Object to the 3no condenser units. Too much plant added to the rear of the building, creating an eyesore. ○ Concerned that people may be living above or next door having to put up with 24hr sounds of AC units; ○ Application will create a slum. <p><u>Officer's Response:</u></p> <p><i>The sash window, once removed, will have to be kept on site to be re-instated once the operator ceases trading and prior to leaving the premises. This is to be conditioned and added to the decision.</i></p> <p><i>The rear of the host building reflects the commercial nature of Camden High Street. Condenser units, though not the most attractive of features, are unfortunately a necessity and form part of the commercial landscape in modern times. The Noise Report provided has been assessed by the Pollution Officer and was found to be satisfactory in adhering to Camden's requirement on noise level for this type of plant.</i></p> <p><i>There are to be 2no units at ground floor level which will be shielded by an adjacent brick boundary wall and therefore fairly out of sight. The other 2 units are to be installed behind the pitch roof of the ground floor extension which there too, will work as a shield, reducing the visibility of both units.</i></p> <p><i>Although it must be noted that one of the units has already been installed prior to the granting of this application. It has been requested to be moved from the front edge of the extension to be placed against the side wall of the staircase extension, at the rear of the extension's roof. It is also to be painted black to reduce its visibility.</i></p>					

Site Description

The site address is a 4-storey plus basement 19th century red brick building with Dutch gables and set along the pavement, with commercial at ground floor level, and associated commercial use to lower ground and upper floors. The property is located on the west side of Camden High Street, a few yards from Britannia Junction and Camden Town tube station to the north.

Relevant History

Site Address:

2016/0413/A – (granted on 01/03/2016) - Display of 1 x internally illuminated fascia and 1 x internally illuminated projecting signs.

2016/0167/P – (granted on 01/03/2016) - Installation of new shopfront and awning to retail unit (Class A1).

PEX0100397 – (granted at Members' Briefing on 16/07/2001) - The installation of a new shop front.

J11/18/G/30300 – (granted on 31/05/1961) - Alterations and additions at basement, ground and first floor levels at the rear of No. 179 Camden High Street, St. Pancras, to form new staircase.

Enforcement History:

EN16/0316 - Unauthorised installation of an A/C unit to edge of rear extension roof - in connection with undetermined application reference: 2016/0621/P

Adjacent Sites:

2015/4301/P – (granted on 15/09/2015) - Installation of 2 x air conditioning units and extract duct to ground floor rear elevation, new door at rear basement level, and installation of new shopfront - **279 Camden High Street**.

2013/1253/P – (granted on 17/05/2013) - Installation of 4 x A/C units with acoustic enclosures the lower flat roof to north west elevation and 1 x A/C unit with acoustic enclosure to the south east elevation at first floor level of retail unit (Class A1) - **211 Camden High Street**.

2012/3384/P – (granted on 18/09/2016) - Installation of 2 air conditioning units at roof level in connection with existing retail unit (Class A1).[Retrospective] - **143 Camden High Street**.

2011/5023/P – (granted on 29/12/2011) - Installation of 5 air conditioning units (removal of 2 existing air conditioning units) on the front first floor level flat roof, and alterations to shopfront onto Camden High Street and Pratt Street including installation of ATM onto High Street in connection with use of 96-98 as a bank (Class A2) - **96-98 Camden High Street**.

Enforcement History (Camden High Street):

EN07/0397 - 2 x air conditioning units on roof – 125-133 Camden High Street – The 2 new units are not visible from any viewpoint and not causing any noise nuisance.

Relevant policies

LDF Core Strategy and Development Policies

Core Strategy Policies

CS5 – Managing the impact of growth

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

Camden Planning Guidance

CPG1 – Design – Chap 11

CPG6 – Amenity – Chap 2 & 4 (as amended 2013)

National Planning Policy Framework 2012

Camden Town Conservation Appraisal (November 1986)

The London Plan 2016

Assessment

1. Proposal and Background

1.1 Retrospective Planning permission is sought for the following:

1.2 The installation of 2no air conditioning condenser units at low level to rear ground floor elevation, cold room condenser unit and an A/C condensing unit to rear first floor roof terrace, and the addition of 2no louvres panels to rear existing openings at ground floor level, and replacement of existing rear sash window with louvre at first floor level.

1.3 It is noted that the proposal has been the subject of an enforcement case reference: EN16/0316 (See above Relevant History) following the premature installation of one of the A/C unit by the edge of the roof terrace at first floor level. Reference to this, and subsequent amendment to the proposal for its relocation, has been referred to in the Officer's Response above.

1.4 The relocation of the unauthorised A/C unit from the front edge of the extension to be placed against the side wall of the stair case extension which was erected in early 1960s, from ground floor to second floor level.

1.5 The rear yard is a modest size and is surrounded by commercial backdrops, with no residential units in the immediate vicinity.

1.6 A Noise Report has been submitted, and has been found to be satisfactory and to comply with the Council's requirements.

2. Assessment:

Design

2.1 One of the considerations in the determination of this application is the impact of the proposal on the appearance of the host building, the character of the conservation area, and the rear streetscape.

2.2 The proposal, though yet to be granted, has already been implemented. All condenser units are now in place – two at ground floor level, and the other two, just above the roof of the ground floor extension. One of which needs to be relocated.

2.3 The two proposed condenser units at ground floor level are fixed to the elevation at ground level, and by an adjacent boundary wall which provides sufficient shielding to render both units unnoticeable from public view, being within a confined space with mostly commercial backing. Their impact on the rear streetscape is therefore limited.

2.4 The single storey rear extension, associated with two of the new louvres and two condensers was erected sometime in the 1960s. It measures 3.7 in height by 5m in width. Its roof surface measures between 5.1m in width (at the front) and 4.8m in width (at the rear) by around 5m in depth. It is adorned with a pitched roof protruding by 0.9m in height by 3.8m in width, leaving a gap of 0.6m between its base and the rear elevation of the main building.

2.5 The two proposed square louvres attached to the rear elevation of the single storey extension are to replace an existing unsightly louvre and an existing galvanised steel cowl, around 3m from ground level.

2.6 The proposed cold room condenser is located within the gap between the base of the pitch roof and the rear wall, at the bottom of the elevation, discreetly tucked away. The pitch roof offers enough shielding to render this unit, similarly to the other two units at ground level..

2.7 The fourth A/C unit has been installed on the side wall of the staircase extension, in line with the front edge of the

single storey rear extension. This prominent location was considered highly unsuitable, and an enforcement case reference: EN16/0316 (please refer to Relevant History) was opened as a result. It was therefore requested the unit be relocated towards to rear of the roof of the ground floor extension, behind the pitch roof, so that it is ceased to be an incongruous fixture and be less conspicuous. The proposal was amended accordingly to reflect this.

- 2.8 The new position is not an optimum location as it obscures a small side window being sited in front of it. However the window, which forms part of the rear ground to second floor extension housing a staircase, is not a historical feature of the building. Some of the original opening features were blocked up to accommodate the erection of the staircase. The existing window will not be damaged nor removed. A condition is to be added to have the unauthorised A/C unit painted black to reduce an element of light reflecting on it, and further reduce its visibility.
- 2.9 The existing sash window at first floor level is to be replaced with a louvre. Following a preliminary assessment, this element of the proposal received a negative response. Its refusal was considered to be a possibility. An opening under the existing sash window was put forward as a potential option which would allow for the retention of the sash window in its current setting. However, this was explained by the agent not be feasible in view of the extent of the internally installed equipment which required a ventilation outlet large enough to be efficient.
- 2.10 Following reassurance and confirmation by the agent that the sash window is to be retained on site, its replacement was considered to be acceptable. This is therefore to be conditioned as such and subsequently reinstated when the current occupier is to vacate the premises. The original white colour of the louvre has been viewed to be inappropriate as this would create a shining surface and would be detrimental to the character of the conservation area. It was therefore requested that the proposed louvre be painted in black to be, similarly to the condenser unit, less conspicuous
- 2.11 The proposed development, in terms of its size, scale, location and materials to be used is considered to be acceptable and would preserve the appearance and character of the host and adjacent buildings, the rear streetscape and the conservation area in accordance with Core Policy CS5 (Managing the impact of growth), CS14 (Promoting high quality places and conserving our heritage) and Development Policies DP24 (Securing high quality design), DP25 Conserving Camden's Heritage) and DP26 (Managing the impact of development on occupiers and neighbours).

Amenity

- 2.12 The Noise Report was assessed by the Pollution Officer and was considered to be satisfactory and complying with the Council's own policy. The required condition as recommended by the Pollution Officer has been added to the decision.

3. Recommendation

- 3.1 Grant Conditional Planning Permission with Warning of Enforcement Action to be taken to have the unauthorised A/C unit relocated from the edge of the roof of the single storey extension to the rear, behind the pitch roof and to the side of the staircase extension.

The decision to refer an application to Development Control Committee lies with the Executive Director of Supporting Communities. Nominated members will advise whether they consider this application should be reported to the Development Control Committee on Monday 13th June 2016. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Mr Jonathan Orchard
The Fruitful Design Consultancy Ltd
Unit 5
Chiltern House
Waterside
Chesham
Buckinghamshire
HP5 1PS

Application Ref: **2016/0621/P**
Please ask for: **Matthias Gentet**
Telephone: 020 7974 5961

8 June 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted and Warning of Enforcement Action

Address:
179 Camden High Street
London
NW1 7JY

DECISION

Proposal:

The installation of 2no air conditioning condenser units at low level to rear ground floor elevation, cold room condenser unit and an A/C condensing unit to rear first floor roof terrace, and the addition of 2no louvres panels to rear existing openings at ground floor level, and replacement of existing rear sash window with louvre at first floor level, all in connection with retail unit (Class A1).

Drawing Nos: 2 x Photos; Email Response from Agent - 08/04/2016; Email Response from Agent - 05/04/2016; Agent's Response to CAAC's Objections - 24/03/2016; QF8554 PF5620 RP1 MGR - Noise Report ; PU.1015.30 - Design and Access Statement; [PU.1015.] 10 - Site Location Plan, 11 - Block Plan; [PU.1015.] 01 RevB, 05 RevA, 07 Rev C, 11.

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

Condition(s) and Reason(s):

Director of Supporting Communities



- 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: 2 x Photos; Email Response from Agent - 08/04/2016; Email Response from Agent - 05/04/2016; Agent's Response to CAAC's Objections - 24/03/2016; QF8554 PF5620 RP1 MGR - Noise Report ; PU.1015.30 - Design and Access Statement; [PU.1015.] 10 - Site Location Plan, 11 - Block Plan; [PU.1015.] 01 RevB, 05 RevA, 06, 07 Rev C, 11.

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.

- 5 The louvre hereby approved shall be painted black. The original sash window is also to be kept on site and shall be re-instated prior to vacating the premises when such time arises.

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.

- 6 The plant units hereby approved, shall be painted black.

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.

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.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to be paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction

costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

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 Supporting Communities

DRAFT

DECISION