

8 July 2019

VIA PLANNING PORTAL



Development Management
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Dear Sir/Madam,

APPLICATION FOR PLANNING PERMISSION FOR INSTALLATION OF PLANT AND ASSOCIATED WORKS

37-39 SOUTH END ROAD, HAMPSTEAD, LONDON, NW3 2PY

PLANNING PORTAL REF. PP-07954949

On behalf of our client, Carebrook Ltd ("Carebrook"), Savills is instructed to submit a full planning application for the installation of plant and associated works at 37-39 South End Road, Hampstead, London, NW3 2PY ("the site").

Accordingly, please find enclosed:

- Application form and Ownership Certificate;
- Site Location Plan;
- Various drawings:
 - TD18/PM103/PLS1.2 (Existing roof plan planning);
 - TD19/PM103/PL01.2 Rev A (Proposed roof plan planning); and
 - STS0231-M01 Rev T1 (Proposed HVAC Layout).
- Various technical specification sheets:
 - Mitsubishi Electric PUZ-M140VKA (CU1);
 - Mitsubishi Electric SUZ-M71VA (CU2); and
 - Systemair RS70-40EC (EF1).
- CIL Form.

A BACS payment for £462.00 has been made given this submission via the Planning Portal.

Proposals

Full planning permission is sought for the installation plant and associated works at roof level to facilitate the beneficial occupation as a Pret A Manger ("Pret") sandwich shop. The works relate to the new flat roof over the unit for which planning permission is being sought separately.

Planning Policy Context

National Planning Policy

The National Planning Policy Framework ("NPPF") (February 2019) provides general advice alongside the presumption in favour of sustainable development. It notes that planning should act to encourage and not act as an impediment to sustainable growth. Section 12 expresses the importance to plan positively for the achievement of high quality and inclusive design for all development and to establish a strong sense of place, using streetscape and buildings to create attractive and comfortable places to live, work and visit.

Development Plan

The development plan for the site comprises the Camden Local Plan (July 2017) and the Hampstead Neighbourhood Plan (October 2018). The most pertinent policies from these documents are summarised in the following paragraphs.

Camden Local Plan (July 2017)

Policy A1 (Managing the Impact of Development) identifies that the Council will seek to protect the quality of life of occupiers and neighbours and that development will be permitted unless unacceptable harm to amenity is caused.

Policy A4 (Noise and Vibration) states that the Council will not grant planning permission for development likely to generate unacceptable noise and vibration impacts. The policy continues to note that the Council will only grant permission for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity.

Policy D1 (Design) promotes high quality design in development that respects local context, character and materials that complement the local character. The policy identifies multiple criteria to encourage such quality.

As the site falls within the Hampstead Conservation Area, Policy D2 (Heritage) is also relevant. The policy notes that the Council will seek to preserve or enhance heritage assets, including conservation areas. It notes that the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas. Relevant statements are discussed below.

Hampstead Neighbourhood Plan (October 2018)

Policy DH1 (Design) sets out several high level design aspirations, encouraging developments to respect and enhance the character areas and local context.

Policy DH2 (Conservation areas and listed buildings) requires development within a conservation area to, amongst other matters, have regard to relevant guidelines and take advantage of opportunities to enhance the conservation area.

Supplementary Planning Documents

The development plan is also supported by Supplementary Planning Documents (or Guidance), known locally as Camden Planning Guidance ("CPG"). The most pertinent of these are referenced below.

CPG: Amenity (March 2018)

This CPG provides information on key amenity issues, including noise and vibration.

Assessment

There are considered to be two key issues in the assessment of this application for planning permission – the acceptability of the proposals in respect of design and amenity. These key issues are assessed in turn below.

Design

The site is not listed, however it does fall within the Hampstead Conservation Area.

The proposals relate to the installation of plant and associated works upon the flat roof of the building. The plant will be located in an area suitable to locate the plant for ready maintenance and limited visibility from the public realm given the parapet wall to the shopfront, with no bearing on the Hampstead Conservation Area. The proposed plant and condensers will have no material impact upon the external appearance of the building or setting within the streetscene given that the plant will be located where there are no prominent views of it from street level or the public realm. The plant will not obscure any architectural or significant features of the building and therefore the proposals would not have any adverse effect on the character or appearance of the building. Likewise, given the existing position, the additional plant will not materially affect the outlook or amenity of residential premises that overlook the roof area.

The proposed installation of external plant within the flat roof area is therefore considered to be entirely acceptable in design terms, satisfying Policies D2 and D2 of the Camden Local Plan and the thrust of high quality design encouraged by the NPPF.

Amenity

Carebrook is keen to ensure the installation of the additional plant and associated works to facilitate their beneficial occupation, whilst being mindful of the need to respect the amenity of occupiers within the surrounding area. The nearest noise sensitive premises is considered to be the first floor residential flats adjoining the site.

Owing to the site's location over Hampstead Heath railway lines and within a busy urban area, the site has very high background noise levels. As a result it is expected the proposals would be acceptable and would not materially affect the amenity experienced by the nearest noise sensitive premises. Given existing railway line directly beneath the site, it is not considered that the proposed plant will result in any material difference to the amenity of occupiers of the site itself, or neighbouring occupiers given the location of the site and its surroundings in this location. The proposed plant is therefore considered to be in accordance with Policies A1, A4, D1 and D2 of the Camden Local Plan, Policies DH1 and DH2 of the Hampstead Neighbourhood Plan as well as the objectives and direction of the NPPF.

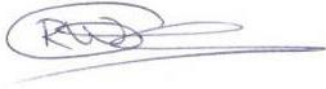
Summary

The proposals relate to the installation of plant and associated works to facilitate the beneficial occupation of a ground floor unit by Pret. The works are considered a positive measure enabling Pret's occupation and long-term occupation of a vacant ground floor unit. The modest installation of plant upon a replacement flat roof area is considered acceptable in design terms, including preserving the amenity of neighbouring occupiers. The proposals are therefore considered to be in accordance with policies of the Camden Local Plan and the Hampstead Neighbourhood Plan as well as the objectives and direction of the NPPF. It is therefore respectfully requested that planning permission be granted.

I look forward to receiving confirmation that the application has been registered in due course and I would welcome the opportunity to discuss the details of the application with the appointed Case Officer at the earliest opportunity.

Should you require any further information, please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in blue ink, appearing to read "Rhys Govier", with a long, horizontal flourish extending to the right.

Rhys Govier
Associate

Enc. As above