

David Peres da Costa  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

3 February 2020

Dear Mr Peres da Costa

**PD7193: 44-44A GLOUCESTER AVENUE, BLOCK E - TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATION FOR PLANNING PERMISSION (PP-08264900)**

On behalf of Victoria Square Property Company Limited ("the Applicant"), please find enclosed an application ("the Application") for planning permission for the installation of two external condenser units within an enclosed plant store in the private courtyard garden of Block E at 44-44A Gloucester Avenue, NW1 8JD ("the Site").

**BACKGROUND**

Planning permission was granted on 22 June 2017, under application ref: 2016/7089/P for:

*"The partial demolition of the house at No.44A Gloucester Avenue to accommodate a rear and mansard roof extension, with restoration of architectural features and enlargement of existing basement."*

This planning permission was granted subject to a number of planning conditions, including pre-commencement conditions which have since been discharged (see summary below).

- Condition 4 (Materials) – discharged on 7 May 2019 (ref: 2018/2986/P);
- Condition 6 (Temporary Basement Construction) – discharged on 28 November 2018 (ref: 2018/2989/P);
- Condition 8 (Façade Retention Works) – discharged on 28 November 2018 (ref: 2018/2991/P); and
- Condition 9 (Structural Method Statement) – discharged on 6 September 2018 (ref: 2018/2990/P).

Since the approval of planning permission in June 2017, the Applicant has appointed a full technical design team to deliver the scheme. Through detailed design work, the need has arisen for a number of non material amendments to the approved scheme. Accordingly, an application under Section 96a of the Town and Country Planning Act 1990 was submitted on 6 December 2019 for non material amendments to permission ref: 2016/7089/P. A concurrent application was also submitted to re-discharge condition 4 to secure details of a number of revised materials. Both applications have been validated and are currently pending determination (refs: 2019/6222/P and 2019/6223/P respectively).

**PROPOSED DEVELOPMENT**

This Application seeks the installation of two external condenser units within an enclosed plant enclosure in the courtyard garden of Block E (i.e. the house).

The proposed development follows input from the project's M&E consultant, who identified the requirement for mechanical ventilation to provide appropriate ventilation to the basement level within the property. In order to deliver a comprehensive

and consistent ventilation strategy, comfort cooling utilising the ceiling / floor mounted fan coil units is proposed throughout the whole of the house.

It is proposed that the two condenser units would be enclosed within an external plant store, which would be fronted with specialist acoustic louvres. The plant enclosure would be located within the private courtyard garden of Block E, between the bin store and an external store. The enclosure would measure 1.56m (w) x 0.81m (d) x 2.42m (h) and would be visually screened by the siting of planters within the courtyard.

## PLANNING POLICY CONTEXT

### Town and Country Planning Act 1990

Section 70 of the Town and Country Planning Act 1990 states that when determining applications for planning permission, the Local Planning Authority (LPA) should “*have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations*”.

### The Development Plan

The Development Plan for the Site comprises:

- The London Plan (March 2016);
- The Camden Local Plan (July 2017); and
- The Site Allocations Plan (September 2013).

### Other Policy Material Considerations

The revised National Planning Policy Framework (“the NPPF”) was published on 24 July 2018 and sets out the government’s planning policies for England and how these are expected to be applied. The revised NPPF replaces the previous Framework, published in March 2012, and forms a material consideration in the determination of planning applications.

The Planning Guidance (PPG), published on 6 March 2014 (and subsequently amended), provides further guidance on the implementation of the planning policies set out in the NPPF. The PPG is a material consideration and should be read in conjunction with the NPPF.

In addition to the above, both the London Borough of Camden and the Mayor have adopted a series of Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG), which provide additional guidance and detail to support the effective implementation of adopted Plan policies.

Finally, the GLA is in the process of preparing a new London Plan. The independent examination of the Submission Version commenced on 15 January 2019, and the Hearing sessions were completed by the end of June 2019. The GLA published a consolidated version of the draft Plan, incorporating suggested changes, in July 2019. In October the Inspector’s Report was published and on 9 December 2019, the Mayor issued to the Secretary of State his intention to publish. Adoption of the new London Plan is anticipated for February / March 2020. Given the advanced stage in the preparation of the new London Plan, its policies should be afforded significant weight.

## PLANNING POLICY ASSESSMENT

### Principle of Development

**Policy CC2** (Adapting to Climate Change) of the Camden Local Plan requires development to be resilient to climate change, including by, inter alia, adopting “*measures to reduce the impact of urban and dwelling overheating*”. In accordance with **Policy CC2**, the Council will discourage the use of air conditioning and excessive mechanical plant, unless it can be demonstrated that there is a clear need for it.

As previously identified, the requirement for mechanical ventilation was identified by the project’s M&E consultant in order to provide appropriate ventilation to the basement level of the house.

### Design

The Site is located within the Primrose Hill Conservation Area, therefore the design and heritage policies set out within Chapter 7 of the Camden Local Plan are of particular importance.

In accordance with **Policy D1** (Design) of the Camden Local Plan, the Council will seek to secure high quality design in development that, inter alia, respects local context and character, preserves or enhances the historic environment and comprises details and materials that are of high quality and complement the local character.

**Policy D2** (Heritage) identifies that the Council will “*preserve and, where appropriate, enhance Camden’s rich and diverse heritage assets and their settings*”. In order to maintain the character of Camden’s conservation areas, **Policy D2** states that the Council will require development to preserve or, where possible, enhance the character or appearance of the area.

The proposed development comprises the installation of plant within a plant enclosure in the private courtyard garden of Block E. Given the location of the proposed plant enclosure to the rear of Block E, it will not be visible from public views within the conservation area. The proposed enclosure incorporates a similar design to the adjacent bin / external stores in order to deliver a cohesive visual appearance. Screening in the form of landscaping / planters is proposed to minimise the visibility of the plant enclosure and other stores from within the courtyard garden.

In the light of the above, it is considered that the proposed development is of an appropriate scale and design in the context of the Site and its surroundings and would not detrimentally effect the character or appearance of the Conservation Area within which the Site is located.

### Amenity

The Camden Local Plan recognises the importance of protecting the quality of life of occupiers and neighbours. Accordingly, **Policy A1** (Managing the Impact of Development) states that planning permission will only be granted where it would not result in unacceptable harm to amenity.

With specific regard to noise, **Policy A4** (Noise and Vibration) states that planning permission will not be granted for development that is likely to generate unacceptable noise and vibration impacts. Planning permission will only be granted for noise generating development that can be operated without causing harm to amenity.

An Environmental Noise Survey and Plant Noise Assessment Report, prepared by Hann Tucker Associates, has been submitted as part of this Application. The Report provides an assessment of the potential noise impact of the proposed

development on neighbouring noise sensitive receptors and concludes that the proposed development would not exceed the prescribed noise criteria of the Local Planning Authority.

The proposed development is, therefore, considered to be in accordance with the relevant planning policy framework.

### ADMINISTRATIVE MATTERS

This application is submitted via the Planning Portal, ref: PP-08264900 and comprises:

- Application Form;
- Site Location Plan;
- Application Drawings, prepared by 21st Architecture Ltd (see Table 1 below);
- PL7 Full Planning Document, prepared by 21st Architecture Ltd; and
- Community Infrastructure Levy Form.

**Table 1: Application Drawings**

DRAWING TITLE	DRAWING NUMBER	REVISION	SCALE
Site Location Plan	173_PL7_S_00	*	1:500 @ A1
Proposed Ground Floor Plan – Block Plan	173_PL7_GA_10	*	1:200 @ A1
Proposed Floor Plans General Arrangement	173_PL7_GA_00	*	1:100 @ A1
Proposed Plant Room Plans, Section and Elevation	173_PL7_GA/GS/GE_01	*	1:100 @ A1

The application fee of £487.00 (including £25 Planning Portal administration fee) has been calculated in accordance with The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (As Amended) and payment has been online.

We look forward to receiving acknowledgement of registration of the application shortly. In the interim should you have any queries, or require any further information, please do not hesitate to contact either Harriet Humphrey ([harriet.humphrey@montagu-evans.co.uk](mailto:harriet.humphrey@montagu-evans.co.uk) / 020 7312 7541) or Anna Russell-Smith ([anna.russell-smith@montagu-evans.co.uk](mailto:anna.russell-smith@montagu-evans.co.uk) / 020 7312 7498) at this office.

Yours sincerely,

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