

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>01/11/2019</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		<b>3/11/2019</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Elaine Quigley				(i) 2019/4544/P (ii) 2019/5008/L			
<b>Application Address</b>				<b>Drawing Numbers</b>			
16 Cleveland Street London W1T 4HX				See draft decision notices			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
(i) Installation of an air conditioning unit with associated enclosure in the front lightwell at basement level and the rear lightwell at ground floor level to the existing residential dwelling.							
(ii) Installation of an air conditioning unit with associated enclosure in the front lightwell at basement level and the rear lightwell at ground floor level and installation of internal floor mounted and ceiling mounted air conditioning units, the existing residential dwelling.							
<b>Recommendation(s):</b>		(i) Grant conditional planning permission (ii) Refuse listed building consent					
<b>Application Type:</b>		i.) Full Planning Permission ii.) Listed building consent					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>		A site notice was displayed from 04/10/2019 to 28/10/2019 (the site notice for the listed building application was displayed from 08/10/2019 to 01/11/2019) and a press notice was published from 10/10/2019 to 03/11/2019. No consultation responses were received during the statutory time period.					
<b>CAAC/Local groups* comments:</b>		No responses were received from local groups					

## Site Description

The site is located on the east side of Cleveland Street with the western side of the street falling within the City of Westminster. It is in close proximity to the junction with Tottenham Street to the north and Goodge Street to the south. The site comprises a mid-terrace four storey Grade II listed building with basement and vaults under the pavement. It falls within the Charlotte Street conservation area. Works are currently ongoing to complete the conversion of the buildings into a single family dwelling.

## Relevant History

Planning permission and listed building consent were **granted** (2014/4508/P and 2014/4687/L) for change of use from community use D1 to C3 residential use (1x4 bed maisonette and 1x2 bed flat) and excavation of vaults at lower ground floor level.

Planning permission has been granted subject to s106 agreement (ref 2019/3867/P) on 01/04/2020 for conversion of 2 flats into a single family dwelling house (Class C3) and associated external alterations. Works have started to occupy the building as a single family dwelling.

Listed building consent was granted with warning of enforcement action (ref 2019/4759/L) on 01/04/2020 for external and internal works, including replacement of existing basement door on the rear elevation with a new door, installation of external lighting on ground floor front elevation, removal and replacement of entry phone system on the ground floor front elevation and removal and replacement of security alarm to first floor level on the front elevation, installation of secondary glazing, new built-in joinery, new door opening in hallway, new doors, new hearth and surround at second floor level and reinstatement of the original wall of the utility room at third floor level, all in association with the conversion of 2 flats into a dwelling house. Unauthorised works including installation of a security alarm and entry phones on the front elevation would be required to be removed within 9 months of the date of the permission to ensure their removal.

## Relevant policies

### National Planning Policy Framework (2019)

### The London Plan 2016

### London Plan Intend to Publish Version 2020

### Camden Local Plan 2017

A1 Managing the impact of development

A4 Noise and vibration

CC2 Adapting to climate change

### Camden Planning Guidance

Alteration and extending your home CPG March 2019

Amenity CPG March 2018

Design CPG March 2019

Energy efficiency and adaption CPG March 2019

Charlotte Street Conservation Area Appraisal and Management Plan 2008

## Assessment

### 1.0 PROPOSAL

1.1 The proposal would include the installation of external air conditioning units with acoustic enclosures in the front lightwell at basement level and at ground floor level on the shared boundary wall in the rear lightwell. Internally there would be both ceiling mounted or floor mounted air conditioning units in most of the rooms over the three floors of the listed building.

### 2.0 ASSESSMENT

2.1 The main considerations as part of the proposal are:

- Design – impact on character and appearance of the building and its historic fabric and impact on the character and appearance of the conservation area
- Amenity
- Sustainability

### Design

2.2 Externally the proposal would include the installation of air condensers with acoustic enclosures within the front lightwell at basement level and one at ground floor level attached to the shared boundary wall in the rear lightwell. The air conditioning unit and associated enclosure in the front lightwell would be partially screened from views from the street by the existing lightwell railings and bridge walkway to one of the entrance doors. The unit and associated enclosure would be discretely located and would only be visible from glimpsed views from the street. This would not harm the character and appearance of the building due to its location at basement level and its position on the side of the front lightwell. Consequently it would not be considered harmful to the character and appearance of the Charlotte Street conservation area.

The air conditioning unit in the rear lightwell would not be attached to the listed building but to the shared boundary brick wall that encloses the lightwell. Views of this air conditioning unit would only be possible from private views from high level windows. The location of the condenser would not harm the character or appearance of the building or the conservation area.

2.3 Internal works have been carried out to the building in the past when it was under the ownership of the NHS. Some of these insensitive alterations have been reversed for example the removal of partitions to reinstate the historic internal layout, following the selling of the building to a private owner and the subsequent change of use to residential use (see planning history section above for details). Internally the layout of the building has been returned closer to its original layout, the other original features that have survived include the original timber floors, the majority of the staircase, chimney breasts and some simple ceiling cornice in the first floor front room. It must be noted that there is heating in the form of radiators but there is currently no form of cooling system within the building. The installation of air conditioning units into a listed building that is occupied as a residential property is considered unacceptable in principle. Historic buildings would not have been cooled or heated in this way but with traditional radiators and opening windows together with a level of natural ventilation provided through apertures such as chimney breasts and air vents. The air conditioning units would result in the installation of additional pipework that could result in harm to the historic fabric including notching of the original timber floor structure and boarding and chasing pipework into or punching holes through the walls which is considered inappropriate and unnecessary.

2.4 In general the emitters would be floor mounted below the windows and would be encased with timber framed boxes. The basement rooms include two ceiling mounted air conditioning units: one in the front and rear rooms. The air conditioning units together with the housing to encase them would appear very bulky within the room projecting 0.5m in depth. This would harm the historic layout and plan form of the rooms particularly on the principal floors at ground and first floor levels and would result in harm to the spatial qualities of the rooms.

2.5 Paragraph 192 of the NPPF states that where a development would lead to less than substantial harm to the significance of a designated heritage asset, in this case the listed building, this harm should be weighed against the public benefits of the proposal. In this case the building is already being refurbished to be occupied as a self-contained residential dwelling for private use only, meaning there are no public benefits to the scheme. Consequently as there are no public benefits that are sufficient to outweigh the harm identified to the listed building listed building consent would be refused.

2.6 The design and access statement appears to suggest that the works are necessary to maintain good levels of comfort within the dwellings as other upgrades to the building fabric such as the installation of double glazed

windows are not permissible in the listed building. It must be noted that double glazing would help to insulate the building whereas the air conditioning units would help to cool the building. Notwithstanding this, there are alternative conservation-led measures that can be considered to insulate a listed building other than double glazed windows. This can include secondary glazing (which has recently been granted in this building), and use of heavy curtains that can help to reduce heat loss rather than more invasive measures that can harm the historic fabric of the listed building. The cooling of the building could be undertaken through natural ventilation by opening windows including those at the rear if there are concerns regarding traffic noise from Cleveland Street.

### **AMENITY**

2.7 The proposal would not include any extensions to the building and the installation of the air conditioning units would not harm the amenity of neighbouring occupiers in terms of loss of privacy, outlook or loss of daylight or sunlight.

2.8 The application has been supported by an acoustic report. Following discussions with the Council's Environmental Health team it is considered that the impact on amenity in terms of noise is acceptable as the noise levels emanating from the units would fall within the Council's minimum noise criteria providing standard noise conditions are attached to any planning permission. The impact on the amenity of the neighbouring occupiers would be considered acceptable subject to standard noise conditions being attached.

### **SUSTAINABILITY**

2.9 In accordance with CC2 (Adapting to climate change) the policy discourages active cooling and air conditioning and air conditioning units will only be permitted where thermal modelling demonstrates that a clear need for it after all preferred measures are incorporated in line with the London Plan cooling hierarchy. In addition, passive measures should be considered first. If active cooling is unavoidable, applicants need to identify the cooling requirement and provide details of the efficiency of the system.

2.10 The following measures that should be considered prior to active cooling are as follows:

1. Water based cooling systems reduce the need for air conditioning by running cold water through pipes in the floor and/or ceiling to cool the air;
2. Evaporation cooling could also be investigated, this cools air through the simple evaporation of water.
3. Ground source cooling. Ground source cooling is provided by a 'ground source heat pump' in the summer the ground stays cooler than the air and the difference in temperature can be harnessed for cooling;
4. Exposed concrete slabs can provide natural cooling. This leaves internal thermal mass (concrete slabs, stone or masonry which form part of the construction) inside a building exposed so that it can absorb excess heat in the day and slowly release it at night, and;
5. Developments could adopt a natural 'stack effect' which draws cool air from lower levels whilst releasing hot air.

2.11 Although the applicant has not supplied additional information to address the points above general assumptions can be made. With regards to measures 1 and 2, these elements would require more intervention to the listed building than what is being proposed with the installation of the air condenser unit. Water based cooling systems consist of cooling towers, condenser water pumps, reservoirs of cooling fluid, and make-up pumps. Measures 3 to 5 are applicable to new build dwellings only rather than existing buildings, which can only consider retrofitting options. Consequently it is considered that proposed air condenser units would offer better energy efficiency when compared to conventional fans to cool the rooms.

### **CONCLUSION**

2.12 For the above reasons, the development is considered unacceptable in listed building terms, as it would have a negative impact on the historic fabric and spatial qualities of the application building. As such, it would cause harm to the special interest of the grade II listed building and listed building consent would be refused.

2.13 Due to the location and appearance of the external condensers they would not be considered harmful to the character and appearance of the building or the surrounding Charlotte Street conservation area therefore planning permission would be granted. .

### **RECOMMENDATION**

Grant Planning Permission  
Refuse Listed Building Consent