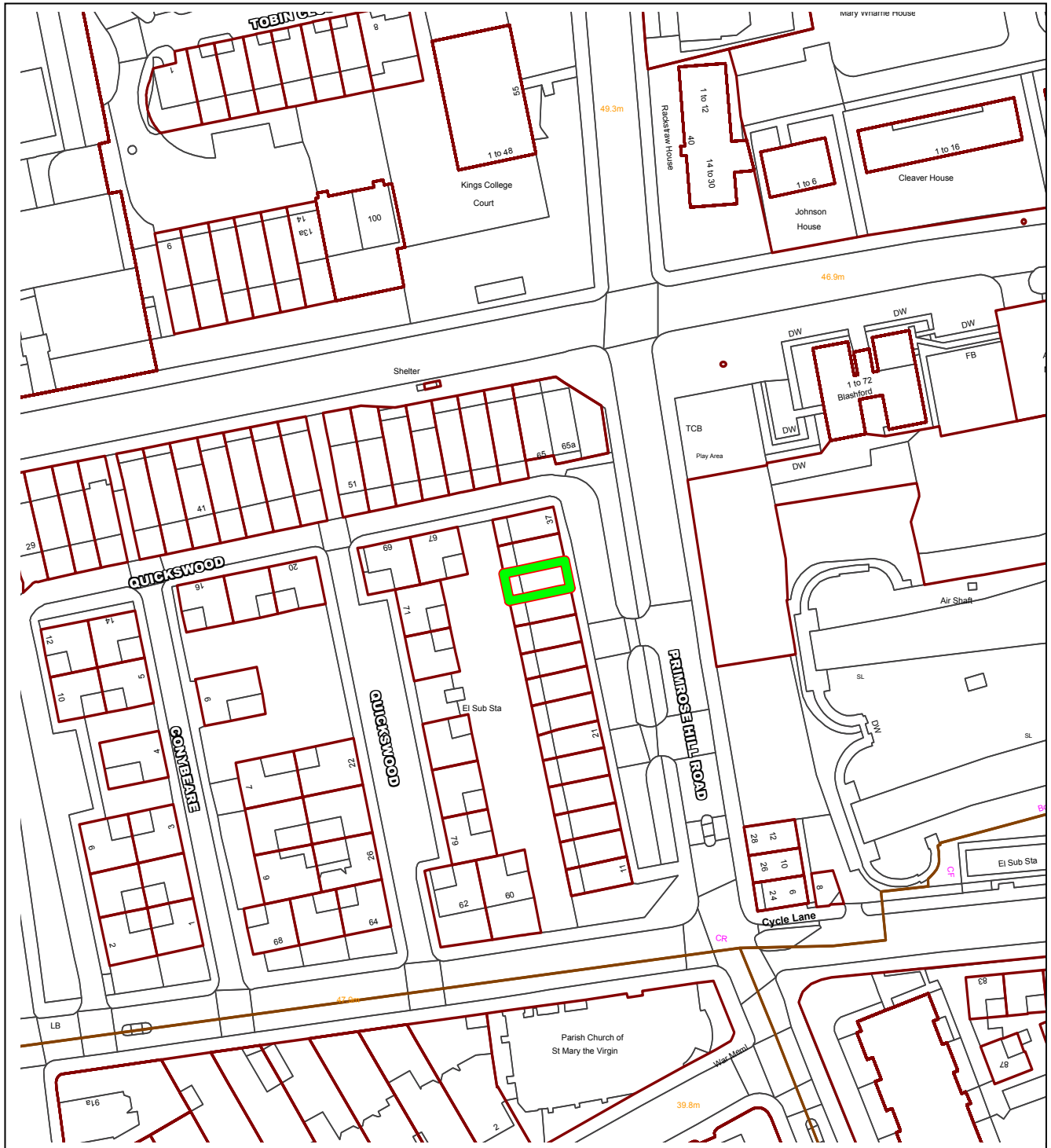


# 33 Primrose Hill Road (2020/3896/P)

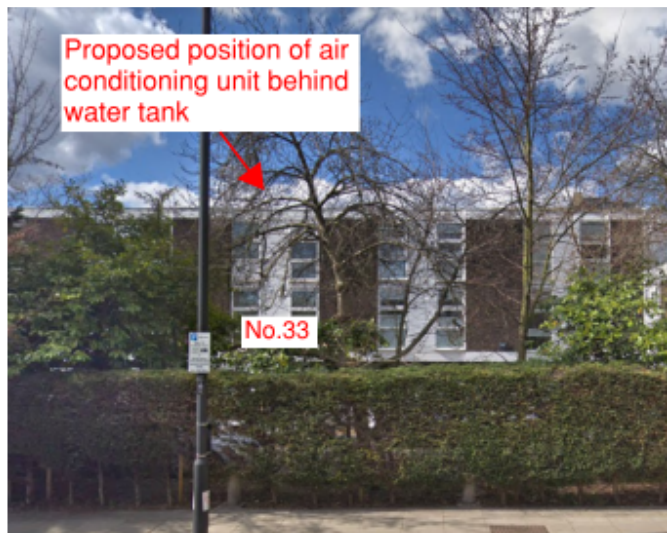


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*Photo 1 – showing front elevation of building*



*Photos 2 and 3 – showing aerial view of roof area and street facing (front) elevation of building*



<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>04/12/2020</b>
<b>(Members Briefing)</b>		N/A	<b>Consultation Expiry Date:</b>	<b>07/11/2020</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Tony Young			2020/3896/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
33 Primrose Hill Road London NW3 3DG			Refer to draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Installation of air conditioning unit located on flat roof to residential dwelling, including installation of mansafe anchor system fixed to roof and glazed roof hatch to replace skylight.				
<b>Recommendation(s):</b>		Grant planning permission		
<b>Application Type:</b>		Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers &amp; local groups</b>	No. notified	<b>0</b>	No. of responses	<b>1</b>	No. of objections	<b>1</b>
	A site notice was displayed from 14/10/2020 to 07/11/2020					
<b>Summary of consultation responses from local residents, CAAC / Local groups, etc.</b>	<p><u>The Belsize Society</u> responded and objected to the proposals as follows:</p> <p>1. <i>“Please can you provide the view or the proposed elevation of the property as seen from both public pavements. Otherwise it is impossible to ascertain the impact of the proposal.”</i></p> <p><u>Officer response</u></p> <p>1. <i>The submitted drawings (which include existing and proposed rear and front elevations) are considered to provide a sufficient level of detail in order to fully assess the impact of the proposal (see Sections 3-5 below in main body of report for assessment).</i></p> <p><i>Note, an email was sent to the Belsize Society on 11/02/2021 concerning this matter; however, no response has been received to date.</i></p>					

### Site Description

The application site is a 3-storey terraced house located on the west side of Primrose Hill Road, not far from the junction with Adelaide Road. The host building consists of a flat roof with an existing water tank structure in the centre and 2 skylights on either side. The roof is otherwise absent of roof furniture or equipment.

The host building is not listed nor is it located within a Conservation Area.

### Relevant History

**EN20/0431** - Installation of air conditioning unit without seeking consent. Breach ceased following the removal of the air conditioning unit. The current planning application was subsequently submitted. Case closed 29/07/2020

### Relevant policies

#### National Planning Policy Framework 2019

#### London Plan 2021

#### Camden Local Plan 2017

A1 - Managing the impact of development

A4 - Noise and vibration

D1 - Design

CC1 - Climate change mitigation

CC2 - Adapting to climate change

## Camden Planning Guidance

CPG Design January 2021

CPG Home improvements January 2021

CPG Amenity January 2021

CPG Energy efficiency and adaption January 2021

### Assessment

#### 1. Proposal

1.1 Planning permission is sought to install an air conditioning unit, mansafe anchor system and glazed roof hatch to replace an existing skylight on the flat roof of the host building in connection with an existing residential use.

#### 2. Assessment

2.1 The principle considerations in the determination of this application are:

- the design and impact of the proposals on the character and appearance of the host building and wider streetscene;
- the justification for comfort cooling in line with the London Plan 'cooling hierarchy'; and
- the impact of the proposal on neighbouring amenity.

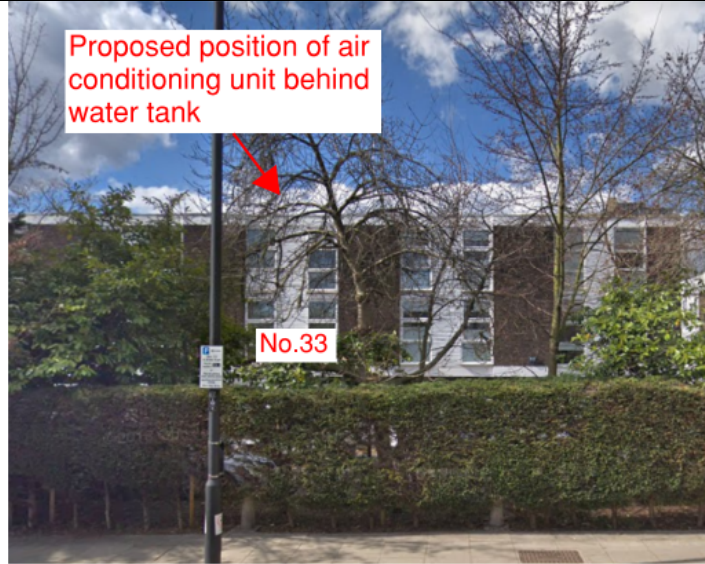
#### 3. Design

3.1 Local Plan Policy D1 (Design) establishes that careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development in Camden which integrates into its surroundings. It advises that "*Good design takes account of its surroundings and preserves what is distinctive and valued about the local area.*"

3.2 Policy D1 is supported by Camden Planning Guidance (CPG) Design. In particular, CPG (Design) in Chapter 9 (Building services equipment) recognises that design considerations should include the visual impact of building services equipment on the host building and streetscape, and in particular consider:

- use of screening or other techniques to minimise the impacts of plant, machinery and ducting must, in themselves, not cause visual blight;
- plant and machinery on roofs should not be visible from the street, public vantage points or from immediately adjacent buildings;
- the design and materials used for plant, machinery and ducting, as well as for ancillary structures such as screening, where located on the exterior of the building, must be consistent with those of the building; and
- plant and machinery should be designed in such a way that does not lead to issues of health, safety and security.

3.3 The building's 3-storey height and set-back position from the street, behind and below the height of a row of mature trees on the west side of Primrose Hill Road, ensure that the property is not visible from the public realm during seasons when the trees are in full leaf. Outside of these times (and as shown on Photo 2 below) the property remains partially screened by trees and it is noted that an existing water tank located on the flat roof is not visible except from long views.



*Photos 1 and 2 – showing aerial view of roof area and street facing (front) elevation of building*

- 3.4 The proposed air conditioning unit is a typical compact outdoor unit (measuring 700mm high x 900mm wide x 330mm deep) and would be mounted on anti-vibration brackets fixed to an existing water tank. As such, the unit would be located in the centre of the roof, behind and below the water tank structure, and would not be visible at the front of the property.
- 3.5 The unit would be set-back from the rear roof edge of the property by approximately 4m (and from the sides by approximately 2m), and as such, would not be visible from rear private gardens or local views. The unit would be visible to some degree in longer views; however, it would appear hardly noticeable given its diminutive size in these views and its centred position relative to an existing water tank which ensures that the proposed unit would blend in closely with this backdrop.
- 3.6 Other proposed ancillary works involve the installation of a mansafe anchor system and glazed roof hatch to replace an existing skylight on the flat roof. These proposed alterations would not cause any harm in visibility terms due to their modest size, low height and siting, and are considered to be appropriate. In order to safeguard the amenities of neighbouring occupiers, a condition would be attached to any approval to ensure that the proposed roof hatch shall only provide access to the flat roof for maintenance purposes.
- 3.7 Overall therefore, the proposal would not have any discernible impact upon the character and appearance of the building and wider streetscene, and would not be widely noticeable from public views at the front and rear. As such, the proposed development is acceptable in design terms in general accordance with Camden Local Plan Policy D1 and related Camden Planning Guidance.

#### **4. Energy efficiency and adaption**

- 4.1 Local Plan Policy D1 (Design) and Local Plan Policy CC1 expect all developments, whether for refurbishment or redevelopment, to optimise resource efficiency and minimise the effects of climate change.
- 4.2 More specifically, Local Plan Policy CC2 (Adapting to climate change) and CPG (Energy efficiency and adaption) confirm that the Council generally discourages the use of air conditioning or active cooling except in exceptional circumstances given the additional energy consumption required from operating the equipment and the adverse impacts on the microclimate from the warm air expelled from the equipment. As such, the Council will expect a justification to be provided for any proposals involving the installation of air conditioning equipment and supporting

information which demonstrates an appropriate level of mitigation and measures incorporated in line with the London Plan 'cooling hierarchy.'

- 4.3 In support of the application, the applicant has submitted a justification for the proposed air conditioning unit in the form of a written statement (Energy Efficiency and Adaption Justification from Schneider Designers dated 30/09/2020) which identifies the specific energy efficiency measures already undertaken to control cooling, including any passive measures as recommended in the 'cooling hierarchy.' The measures include the installation of shutters, a new energy efficient boiler, draught proofing, double glazed windows with trickle vents and roof insulation. The statement also refers to instances where opportunities for the adoption of passive cooling measures have not been possible and explains the reasons why this is the case.
- 4.4 The applicant confirmed that despite all the improvements and any passive measures undertaken, the top floor still remains uncomfortably hot, particularly during the summer months when the proposed air conditioning unit would provide the relief and comfort of cooling the property.
- 4.5 Therefore, in this particular instance, and having regard to all the supporting information submitted, it is considered that the need for comfort cooling is justified and demonstrated in general accordance with Camden Local Plan Policies D1, CC1 and CC2 and related Camden Planning Guidance.

## **5. Amenity**

- 5.1 Local Plan Policy A1 (Managing the impact of development) and Camden Planning Guidance (Amenity) seek to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents.
- 5.2 More specifically in regard to the proposal, Local Plan Policy A4 (Noise and vibration) confirms that planning permission will only be granted for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity.
- 5.3 The application is accompanied by a Noise Impact Assessment from Venta Acoustics (ref. VA3401/201007/NIA) dated 08/10/2020 which demonstrates that the proposal would comply with Camden's noise standards such that the amenities of the residential occupiers at the property and the area generally are safeguarded. As additional safeguarding measures, any approval would include a number of conditions to ensure that these noise standards are met.
- 5.4 Overall therefore, the proposal is not considered to have any adverse impact on the amenity of residential occupiers in terms of noise, vibration and outlook, and as such, the proposal accords with Camden Local Plan Policies A1 and A4, and related Camden Planning Guidance in this regard.

## **6. Recommendation**

- 6.1 It is therefore recommended that planning permission be granted.

**The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 15th March 2021, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.**

Application ref: 2020/3896/P  
Contact: Tony Young  
Tel: 020 7974 2687  
Email: [Tony.Young@camden.gov.uk](mailto:Tony.Young@camden.gov.uk)  
Date: 5 March 2021

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.camden.gov.uk](http://www.camden.gov.uk)

Schneider Designers  
Lower Ground Unit  
15 Eldon Grove  
London  
NW3 5PT

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## **Full Planning Permission Granted**

Address:

**33 Primrose Hill Road  
London  
NW3 3DG**

# DECISION

Proposal:

Installation of air conditioning unit located on flat roof to residential dwelling, including installation of mansafe anchor system fixed to roof and glazed roof hatch to replace skylight.

Drawing Nos: A-100 rev 00 to A-107 rev 00 (inclusive); Noise Impact Assessment from Venta Acoustics (ref. VA3401/201007/NIA) dated 08/10/2020; Energy Efficiency and Adaption Justification email from Schneider Designers dated 30/09/2020; Design and Access Statement and email from Schneider Designers dated 26/08/2020 and 10/02/2021 respectively.

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

Condition(s) and Reason(s):

- 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 D1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: A-100 rev 00 to A-107 rev 00 (inclusive); Noise Impact Assessment from Venta Acoustics (ref. VA3401/201007/NIA) dated 08/10/2020; Energy Efficiency and Adaption Justification email from Schneider Designers dated 30/09/2020; Design and Access Statement and email from Schneider Designers dated 26/08/2020 and 10/02/2021 respectively.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 Prior to first use, all approved machinery, plant or equipment shall be provided with acoustic isolation and anti-vibration measures as necessary, and in accordance with the scheme hereby approved, and thereafter shall be permanently retained and maintained in accordance with the manufacturers' recommendations.

Reason: To prevent the transmission of noise and vibration throughout the building and or into any neighbouring premises, thus safeguarding the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 The approved roof hatch shall provide access out onto a flat roof area for maintenance purposes only.

Reason: In order to prevent any overlooking of the neighbouring occupiers in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444).
- 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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.
- 4 The applicant's attention is drawn to the need to remove the air conditioning unit hereby approved from the roof of the building as soon as reasonably practicable when no longer required in order to minimize the impact on the appearance of the building and local environment.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer