

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		27/08/2021	
		N/A / attached		<b>Consultation Expiry Date:</b>		19/09/2021	
<b>Officer</b>				<b>Application Number(s)</b>			
Miriam Baptist				2021/3236/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
2 Akenside Road London NW3 5BS				Refer to 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 2 external wall-mounted air-conditioning units within an acoustic enclosure on the rear of existing garden outbuilding.							
<b>Recommendation(s):</b>		Refuse Planning Permission					
<b>Application Type:</b>		Householder Application					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
<b>Summary of consultation responses:</b>		<p><b>Site Notices</b> were displayed on 25/08/2021 expiring on the 18/09/2021 in the following locations:</p> <ul style="list-style-type: none"> <li>- Outside 2 Akenside Road</li> <li>- Outside 30 Lyndhurst Road</li> </ul> <p>A <b>Press Advert</b> was published on 26/08/2021 expiring on 19/09/2021.</p> <p>No objections or comments were received from adjoining occupiers</p>					
<b>CAAC/Local groups comments:</b>		No comments or objections received from the Fitzjohns Netherhall CAAC or any other local group.					

## Site Description

The site is a two-storey plus attic and basement single family dwelling house located in the Fitzjohns Netherhall Conservation Area. It is not a listed building but is identified as making a positive contribution to the conservation area within the Conservation Area Statement.

## Relevant History

**2017/5912/P** - Erection of a single storey timber garden building. Certificate of Lawfulness Granted 12/12/2017.

## Relevant policies

### National Planning Policy Framework 2021

### London Plan 2021

### Camden Local Plan 2017

Policy A1 – Managing the impact of development

Policy A4 – Noise and vibration

Policy D1 – Design

Policy D2 – Heritage

Policy CC1 – Climate change mitigation

Policy CC2 – Adapting to climate change

### Supplementary Guidance

CPG Home improvements (2021)

CPG Energy efficiency and adaptation (2021)

CPG Design (2021)

CPG Amenity (2021)

### Fitzjohns/Netherhall Conservation Area Statement 2001

## Assessment

### 1 Proposal

1. Planning permission is sought for the installation of two external wall-mounted air-condensing units on the rear facade of an existing garden outbuilding. The units would be mounted on the rear façade of the outbuilding facing the boundary fence to no 30 Lyndhurst Road and are intended to provide air-conditioning to the main house. The justification is that, since refurbishment of the house with an underfloor heating system fed by gas boilers, it has become apparent that a number of rooms are underheated in winter and overheat during warmer weather, when the current natural ventilation strategy is not capable of keeping temperatures within a comfortable range.

### 2 Revisions

2.1 The scheme has been revised to reduce unacceptable noise levels by the addition of an acoustic enclosure around the units.

2.2 The revisions made to the scheme did not materially affect the nature of the scheme and as such were accepted as amendments under the ongoing application without requiring further consultation.

### 3 Assessment

3.1 The main considerations in relation to this proposal are:

- Design and Heritage
- Amenity
- Energy and Sustainability

#### **4 Design and Heritage**

4.1 Policy D1 of the Local Plan requires proposals to consider the character, setting, context and the form and scale of neighbouring buildings; and the character and proportions of the existing building. Through Policy D2, the Council will seek to preserve and, where appropriate, enhance Camden's conservation areas.

4.2 The proposal is not considered to harm the character or appearance of the area. Although the units are not normally desirable additions to a conservation area, they would be adequately hidden between the rear façade of the garden outbuilding and the boundary fence to properties on Lyndhurst Road. They are not expected to be visible from the host house, surrounding properties, or from the public realm.

4.3 Despite this, the Council encourages passive design rather than active measures in line with energy and sustainability policies CC1 and CC2.

#### **5 Amenity**

5.1 Policy A1 of the Local Plan seek to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight. Policy A4 of the Local Plan seeks to ensure that noise and vibration is controlled and managed.

5.2 An acoustic assessment was submitted with the application. The nearest sensitive receivers have been identified as properties to the rear of Lyndhurst Road. The submitted acoustic assessment calculations have correctly been based on BS4142 Assessment Daytime and Night-time. The resultant levels have been calculated to be -4dB and -6dB below background level. This does not meet the criteria outlined by Camden's Local Plan which stipulates -10dB below background level. The scheme was thus revised with an acoustic enclosure to reduce the noise to an acceptable level. With acoustic screening to reduce the noise levels to -10dB below background level, the proposed units would not be considered to have a harmful impact on the amenity of neighbouring residential properties in terms of noise and disturbance.

5.3 The location and size of the units means they would not cause harm to the amenity of neighbouring residents in terms of loss of outlook or daylight.

#### **6 Energy and Sustainability**

6.1 In accordance with Policy CC2 of the Local Plan, the Council discourages active cooling, and developments should instead minimise use of energy and employ passive design measures to regulate temperature. Air-conditioning units would only be permitted where thermal modelling demonstrates that there is 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.

6.2 The applicant has not provided sufficient evidence to demonstrate that all preferred measures within the cooling hierarchy have been reviewed against the criterion (as required by *CPG Energy Efficiency*) and incorporated into the host building. The applicant has not provided a thermal modelling or overheating analysis to demonstrate that there is a clear need for the proposed units. Due to the lack of the above-mentioned information, the Council cannot be satisfied that the proposed works are necessary and that appropriate climate adaptation

measures to reduce the impact of urban and dwelling overheating could not be achieved by other preferred measures as set out in the cooling hierarchy. The proposal is therefore contrary to Policy CC2 (Climate change adaptation measures) of the Camden Local Plan 2017.

- 6.3 The applicant has stated the units proposed are air-source heat pumps, and subsequently are able to provide supplementary heating to the dwelling, currently heated by a gas boiler. It is acknowledged that, when used solely for heating, air-source heat pumps are considered renewable energy sources. However in this case the units are required for active cooling and the heating function is a potential ancillary use, rather than the sole use.
- 6.4 It should be noted that a similar application for an external a/c unit to 8 Downshire Hill was refused permission on 10.2.21 ref 202/2371/P for identical reasons as this case.

## **7 Conclusion**

- 7.1 The proposal is for the unjustified installation of air-conditioning to a single family dwellinghouse. The development would not have any significant impacts on design, heritage or residential amenity and would therefore comply with policies A1, A4, D1 and D2 of Camden's Local Plan 2017. However in the absence of information regarding the implementation of the cooling hierarchy and thermal modelling, the Council cannot be satisfied that appropriate climate adaptation measures to reduce the impact of urban and dwelling overheating, including the application of cooling hierarchy, has been taken and therefore the proposal is contrary to policy CC2 of Camden's Local Plan 2017.

## **8 Recommendation**

- 8.1 Refuse planning permission for the following reason-

In the absence of dynamic thermal modelling to demonstrate the need for active cooling equipment, the Council cannot be satisfied that the proposed works are necessary and that appropriate climate adaptation measures to reduce the impact of urban and dwelling overheating could not be achieved by other preferred measures as set out in the cooling hierarchy. The proposal is therefore contrary to policy CC2 (Climate change adaptation measures) of the Camden Local Plan 2017.