

Application ref: 2021/5723/P
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Development Management
Regeneration and Planning
London Borough of Camden
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www.camden.gov.uk/planning

apt Design Ltd
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LE16 9HW

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**27 Hampstead High Street
London
NW3 1QA**

Proposal:

Installation of external air conditioning unit and associated acoustic enclosure within the rear courtyard

Drawing Nos: EX001, EX002, EX110, EX310, PL110, PL310, Acoustic Louvres document, Environmental Acoustic Impact Assessment, The Cooling Hierarchy Statement.

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 The development hereby permitted shall be carried out in accordance with the

following approved plans: EX001, EX002, EX110, EX310, PL110, PL310, Acoustic Louvres document, Environmental Acoustic Impact Assessment, The Cooling Hierarchy Statement.

Reason:

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

- 3 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:1997 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 4 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 The air conditioning unit shall not operate outside of the hours of 10am to 6:30pm Monday - Friday, Saturday 10am - 6:30pm and on Sunday 12 noon to 6pm.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by noise from mechanical installations/equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:
The subject site is currently used as a shop over ground floor, upper ground floor mezzanine, basement and basement mezzanine levels. The proposal involves the installation of an external wall mounted air conditioning unit which will be enclosed within a Wakefield acoustic louvre system with bird mesh, and powder coated aluminium framework (in anthracite grey). This enclosure would be positioned on to the side wall of the rear single storey rear basement extension with its doors facing out on to the courtyard. The enclosure would not be seen from any public views and would be attached to an extension which is not an original part of the host listed building.
The servicing will utilise the existing non-original ceilings and voids, and would not impact on historic fabric in the building. Therefore it is not considered the conditioning unit would cause harm to the special architectural interest of the

original listed building. Overall, the proposed unit and enclosure would not result in harm to the significance of the listed building not that of the surrounding conservation area.

Due to the location and siting of the proposal, the unit/enclosure would not be considered harmful to the amenity of neighbouring occupiers in terms of loss of outlook, overbearing, privacy or daylight. A noise impact assessment has been submitted in support of the application that demonstrates that the air conditioning unit/enclosure would comply with Camden's minimum noise standards and would be considered acceptable subject to compliance with planning conditions. These conditions would seek to ensure Camden's noise thresholds are breached and ensure that the unit is installed in conjunction with noise and vibration measures.

Policy CC2 requires all new developments to adopt appropriate climate change adaptation measures. Active cooling (air conditioning) will only be permitted where all of the preferred measures are incorporated in line with the cooling hierarchy.

The subject building is grade II listed and therefore the application of the cooling hierarchy is limited by the buildings heritage constraints. The site is to be continually used in retail use and along with the recent refurbishment works to the building the air conditioning unit would help enhance the internal working conditions. The applicant has highlighted in their cooling hierarchy statement that the existing building has passive ventilation elements such as, the large opening doors to the lower ground floor which open out onto the courtyard, louvred glass fan light to the shopfront and on the upper ground/mezzanine level there are a number of openable rear windows. These all would allow for some ventilation in the building but more so for the summer, mechanical ventilation was considered not to provide the building with the required levels of cooling and heating and would not therefore be appropriate. It is considered that the external air conditioning unit would be the most appropriate and least invasive option to the building.

- 2 On balance, it is considered that the scope for passive measures to control excess heat at this property, given its heritage constraints, is limited. Given this context, it is considered that the proposal for an air conditions unit within an enclosure is acceptable in this instance.

No objections have been received prior to making this decision. The sites planning history was taken into account when coming to this decision.

Overall the changes would not harm the character and appearance of the host building, streetscene and Hampstead Conservation Area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies A1, A4, CC2, D1 and D2 of the Camden Local Plan 2017 and with policies DH1 and DH2 from the Hampstead Neighbourhood Plan 2018, the London Plan 2021 and the National Planning Policy Framework 2021.

- 3 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).

- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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.

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 2021.

You can find advice about your rights of appeal at:

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

Yours faithfully



Daniel Pope
Chief Planning Officer