



DESIGN, ACCESS & HERITAGE STATEMENT

June 2022

*5 Pilgrim's Lane,
London, NW3 1SJ*

1.0 Introduction

- 1.1 This Planning, Design, Access & Heritage Statement has been prepared by Drawing and Planning Ltd, on behalf of the applicant Ms Alison J. Baker, in support of this Householder Planning application at 5 Pilgrim's Lane, London, NW3 1SJ.
- 1.2 This proposal, seeks permission for the '*Installation of air conditioning units within an acoustic enclosure plus associated screen within the side courtyard*'.
- 1.3 The purpose of this statement is to clearly set out and consider all the relevant planning considerations for the proposed development. The statement will set out the national and local planning policies which are relevant to the application and provide an assessment of how the proposed development accords with those policy requirements.
- 1.4 This statement should be read in conjunction with the following accompanying documents:
 - Completed application form;
 - Site location plan;
 - Architect's drawings;
 - Daikin Stylish Brochure
 - Appendix 1 - Low sound enclosure - Daikin EKLN140A
 - Noise Impact Assessment - by Clement Acoustics



Fig. 1: Site Location Map

2.0 The Application Site

Site Context and Location

- 2.1 The Site hosts a two-storey semi-detached dwelling house, built c.1960 as an infill development together with adjoining No.5a on the southwest side of Pilgrim's Lane. Historic Ordnance Survey maps indicate that the Site historically provided a secondary access point for the Rosslyn Hill Chapel, from Pilgrim's Lane. Nos. 5 and 5A Pilgrim's Lane were constructed as a symmetrical pair.
- 2.2 The building is not statutorily or locally listed, but is located within the Hampstead Conservation Area. The existing building is not identified as a positive contributor to the conservation area within the CAS. As a result, the building can be considered to make a neutral contribution to the Conservation Area. The site is also located within the Hampstead Neighbourhood Plan area.
- 2.3 The building includes a two-storey front projecting wing, with internal garage located at ground floor, built as a later extension. There is a side projection at first floor cantilevered over the side access to the rear garden, set back from the front façade. To the rear, the building has an existing full width single storey extension.
- 2.4 Pilgrim's Lane comprises a rich mixture of architectural styles, there is considerable variety in design, colour palette and historic interest. There are a number of listed buildings within proximity to application site. These include No. 1 - 3 Lloyds bank which is a Grade II* listed, situated immediately south of the application site. No. 38 Pilgrim's Lane - Rosslyn House is Grade II listed & located adjacent to the application site (south east).
- 2.5 Hampstead is a Conservation Area of considerable quality and variety. A range of factors and attributes come together to create its special character. These are principally; its topography; the Heath; the range, excellence and mix of buildings; the street pattern and Hampstead's historical association with clean water and fresh air. The Conservation Area stretches beyond the village itself to include South End Green, Frognaal and Rosslyn Hill and offers many fine and interesting examples of the architectural development of London.
- 2.6 Hampstead was designated a Conservation Area (with North End, the Elms, Vale of Health, Downshire Hill) on 29 January 1968. The reasons given for its designation were: *The large number of listed buildings of architectural interest, the historical association of these buildings in terms of former residents and of the village in the context of the history of London as a whole; The street pattern of the original village which is retained and is reflected in the fragmentation of the street blocks and close and irregular grouping of the old buildings; The striking topography which gives rise to the complex of narrow streets and steps characteristic of the village and provides an important skyline when viewed from other parts of London; The proximity of the unique open space of Hampstead Heath & its integration with the village on the northern side.* When designated, the area was named Hampstead Village Conservation Area. As it has been extended beyond the original village it is now known as Hampstead Conservation Area.

Relevant Planning History

2.7 There are various planning applications registered on the Council's online planning records, which are listed as follows:

- **Ref. 2021/3160/P** External alterations including the installation of timber framed window to ground floor front elevation associated with the conversion of garage to habitable space, replacement of the rear window with new door, installation of glazed lean-to canopy to side elevation and installation of timber garden sheds to the rear. **Granted 12/04/2022**
- **Ref. 2020/4635/P** Erection of a part single/two storey rear extension, following the demolition of the existing single storey rear addition, increase in height of the parapet wall of the existing two storey extension to the front elevation, installation of bin stores with associated façade/fenestration alterations to the front, and rear elevations, installation of rooflights and alterations to the hard landscaping arrangement to the front and rear elevations. **Withdrawn 22/12/2020**
- **Ref. TP/28340/C/7432** The erection of a pair of semi-detached houses, with a private garage at No. 5, Pilgrim's Lane, Hampstead, and the formation of a new access to the highway, in accordance with your letter dated 30th July, 1954, specifying the use of Leicestershire Grey Rustic facing bricks **Granted 19/08/19 54**

3.0 The Nature of the Proposed Development

3.1 This proposal, seeks permission for the 'Installation of two new wall mounted external air conditioning units (Daikin RXA35A Condenser Units) within a Low sound enclosure Daikin EKLN140A single bank acoustic louvred enclosure system. The unit and enclosure will be located within the rear/side courtyard, set adjacent to the side wall of the existing single storey rear extension. The enclosure will be powder coated aluminium, secured within a powder coated steel framing (all RAL 7016 anthracite grey). See Appendix 1 - Low sound enclosure - Daikin EKLN140A.

4.0 Planning Policy Context

- 4.1 A summary of the relevant legislation and policy relevant to the consideration of the application is provided in this section.

Primary Legislation

- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when making any determination under the Planning Acts, that determination should be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the local planning authority, in exercising their planning functions within conservation areas, pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

National Planning Policy Framework 2021 (NPPF)

- 4.4 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is an important material consideration in decision making. Section 16 (Conserving and enhancing the historic environment) sets out how heritage assets should be conserved in a manner appropriate to their significance.
- 4.5 The approach set out in Section 16 is based on the applicant providing a description of the significance of any heritage assets (para 189). Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected (para 190). Local planning authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness (para 192). Local planning authorities should give great weight to the asset's conservation (para 193).
- 4.6 Paragraph 200 of the NPPF states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. It continues proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
- 4.7 Paragraph 201 states that not all elements of a Conservation Area will necessarily contribute to its significance. It goes on to state that the:
- 'Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.'*

- 4.8 Annex 2 of the NPPF defines significance as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting

5.0 Local Planning Policy Context

- 5.1 The Statutory Development Plan for the site comprises the following Development Plan Documents:

- London Plan (2021);
- Camden Local Plan (2017);
- Hampstead Neighbourhood Plan (2018-2033)

- 5.2 The Development Plan documents and policies relevant to the application are as follows:

Camden Local Plan (2017)

- A1 Managing the Impact of Development
- D1 Design
- D2 Heritage
- CC2 Adapting to Climate Change

Hampstead Neighbourhood Development Plan 2018

- Policy DH1 Design
- Policy DH2 Conservation Areas and Listed Buildings

Supplementary Guidance - Camden Planning Guidance (CPG)

- Amenity - January 2021
- Design - January 2021
- Home improvements - January 2021
- Transport - January 2021
- Trees CPG – March 2019
- Biodiversity CPG – March 2018

Hampstead Conservation Area statement PDF (2001)

6.0 Assessment of the Proposed Development

- 6.1 This proposal, seeks permission for the 'Installation of two new wall mounted external air conditioning units (Daikin RXA35A Condenser Units) within a Low sound enclosure Daikin EKLN140A single bank acoustic louvred enclosure system. The unit and enclosure will be located within the rear/side courtyard, set adjacent to the side wall of the existing single storey rear extension. The enclosure will be powder coated aluminium, secured within a powder coated steel framing (all RAL 7016 anthracite grey). See Appendix 1 - Low sound enclosure - Daikin EKLN140A.
- 6.2 The application drawings, submitted with this proposal, show the two air conditioning units as proposed, to the side elevation of the host dwelling. This proposal, includes the provision of an acoustic enclosure (a Low sound enclosure Daikin EKLN140A single bank acoustic louvred enclosure system) to mitigate any noise and screen the units from view, from within the side courtyard.
- 6.3 Policy D1 of the Local Plan (Design) states that the Council will seek to secure high quality development and will require that development (inter alia): respects local context and character; preserves or enhances the historic environment and heritage assets in accordance with policy D2 Heritage; comprises details and materials that are of high quality and complement the local character; and preserves strategic and local views.
- 6.4 Furthermore, Policy DH2 of the Neighbourhood Plan (Conservation areas and listed buildings states) states that planning applications within a Conservation Area must have regard to the guidelines in the relevant Conservation Area Appraisal(s) & Management Strategies. New development should take advantage of opportunities to enhance the Conservation Areas.
- 6.5 The *Design* CPG (2021) states that the Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area. The *Home Improvements* CPG (2021) is also directly relevant and requires alterations to properties to respect existing character and context. The relevant parts of the CPG have been carefully considered as part of design development. The guidance also states that materials should form an integral part of the design process and should relate to the character and appearance of the area, particularly in conservation areas or within the setting of listed buildings. **Assessment:** The applicant asserts that this development is both within keeping in the conservation area and represents a high-quality development that respects local context and character and will preserve or enhance the historic environment and this heritage asset.

Assessment of significance

- 6.6 The key issues for consideration in this instance, would be the impact of the proposals on:
- Character of the conservation area
 - Neighbouring amenity
 - Ability of the site to support biodiversity

Character of the Conservation Area

- 6.7 This application proposes to install an air conditioning system to the host dwelling, to be located at ground floor level, along the southern side elevation of the property, within a side courtyard accessway, which will be screened from local view behind the sites existing high boundary fencing. Furthermore, the proposed plant, would be enclosed within a bespoke acoustic enclosure, to protect the amenities of neighbouring residential properties. The enclosure would therefore only be visible from a limited number of upper floor windows. Its concealed position, hidden behind the existing brickwork site boundary wall and foliage plantings that make up the existing site boundaries, would ensure that the proposed plant, would not appear out of character, within the rear garden setting and would therefore cause no harm to the character and appearance of the host property nor to the Hampstead Conservation Area. This proposal therefore accords with policy D2 of the Local Plan.

Amenity of neighbours

- 6.8 The application has been submitted with the benefit of a Noise Impact Assessment, prepared by specialist acoustic engineers, Clement Acoustics. The assessment, identifies the nearest noise sensitive receptors and demonstrates that the equipment will achieve the Council's acoustic criteria when screened by an acoustic enclosure. The enclosure should provide sufficient attenuation to achieve a maximum cumulative sound pressure level of 33 dB(A) when measured at 1m in all directions and accounting for reflections. Subject to support from Council being offered, the applicant would be happy to address further details of the proposed enclosure by Condition, should the need arise.
- 6.9 Based upon this compliance with the Council's acoustic criteria, the applicant asserts that the proposal would not cause harm to neighbouring amenity, in accordance with policies A1 (managing the impact of development) and A4 (noise and vibration).

Supporting Biodiversity

- 6.10 Whilst the footprint of the acoustic enclosure and slatted screen would be approx. 2sqm, or about 1% of the rear garden, no loss of available soft landscaping is expected, as the enclosure, would be situated in an area that is currently finished with hard standing (paved side access footpath) within the rear garden. Policy BG1 of the Neighbourhood Plan emphasises the need for development to expand the potential to support biodiversity. This proposal would therefore not reduce the area available for planting in any way. All trees and plantings that enclose the site and act as natural screening of this private rear garden space, would be retained without alteration. The applicant therefore asserts that the placement of the air conditioning units to the side elevation of the host dwelling, set at ground level within the rear garden, would not undermine the ability of the site to support soft landscaping to enhance the biodiversity as expected by the policy.
- 6.11 The proposed air conditioning units would be wall-mounted, close to ground level and would be screened by the proposed acoustic enclosures. The applicant therefore asserts that the proposed plant, would have no discernible impact on the health of any trees that might be in close proximity. The applicant would welcome any comments made by the Council's tree officers and would seek to address these where required, should any arise.

- 6.12 The applicant would in addition, welcome any comments that might be raised by the Neighbourhood Forum, should any mitigation measures be suggested. As such, the applicant asserts that the proposal should be deemed acceptable in terms of local plan policy A3 (Biodiversity), D1 (design).

Hampstead Conservation Area Statement

- 6.13 The London Borough of Camden adopted the Hampstead Conservation Area Statement in October 2001. This document has been produced to provide a detailed appraisal of the area's architectural and historic character and special interest.
- 6.14 There are a number of listed buildings within proximity to application site. These include No. 1 - 3 Lloyds bank which is a Grade II* listed and situated immediately south of the application site. No. 38 Pilgrim's Lane - Rosslyn House is Grade II listed and located adjacent to the application site (south east).
- 6.15 The special character of the Conservation Area comprises a range of factors and attributes. These are principally; its topography; value and variety of buildings; the street pattern and Hampstead's historical rural type character. The Conservation Area stretches beyond the village itself to include South End Green, Frognal and Rosslyn Hill. The Conservation Area Statement, divides Hampstead into eight sub areas. The site is located in Sub Area Three: Willoughby Road/Downshire Hill. This sub area is comprised of five-character zones, Pilgrim's Lane is located within the Willoughby Road character zone.
- 6.16 It is noted that No.5 and 5A are not referred to within the description of the character area. Also, neither of the properties are highlighted as a positive contributor on p.53 of the Conservation Area Statement. The building has been altered over time, including a first-floor extension to projecting garage which shows a contrast between the age and colour of the masonry from between ground to first floor. A side projection at first floor cantilevered over side access to rear garden and a rear extension.
- 6.17 The existing building reflects the character of this part of the conservation area insofar as it is single dwelling house, constructed in brick, located within a section of the conservation area with no overarching consistency in terms of building age, or design. As such, we consider that the existing building makes a neutral contribution to the conservation area.



Fig. 2: Proposed front elevation



Fig. 3: Existing Front Elevation



Fig. 4: Existing Side Elevation Courtyard **Fig. 5: Existing Rear Elevation, showing side access courtyard path**

6.18 The proposed alterations are considered to comply with the Council's detailed CPG, and with policies D1 and D2 of the local plan, and DH1 and DH2 of the Neighbourhood plan.

7.0 Cooling Hierarchy Statement

Description of the Proposal

7.1 'Installation of air conditioning units within an acoustic enclosure plus associated screen within the side courtyard'.

7.2 Camden Council require any active cooling measures to be justified in relation to policy CC2 which states that all development should adopt measures to reduce the impact of urban and dwelling overheating. This includes the application of the cooling hierarchy. The cooling hierarchy includes:

- Minimise internal heat generation through energy efficient design;
- Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls;
- Manage the heat within the building through exposed internal thermal mass and high ceilings;
- Passive ventilation;
- Mechanical ventilation; and
- Active cooling

The Cooling Hierarchy

7.3 Minimise internal heat generation through energy efficient design:

Response: This application seeks consent for the installation of an air conditioning system only and does not include any other external works or alterations to the existing building. It is noted that new light fittings will be fitted throughout the host dwelling, which will seek to utilise low energy LED lamps.

7.4 Reduce the amount of heat entering a building in the summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls:

Response: The subject building is an existing family home, set on a residential street, within the Hampstead Conservation Area. Consequently, limited opportunity for external alterations or building fabric upgrades exist due to its location. The air conditioning will be used both for cooling (during the summer months) and heating (during the winter months), subsequently removing the need for a gas or electric central heating system. The applicants have also asserted that the proposed air conditioning system, will only be used during extreme weather events (high summer months – low winter months) as opposed to being in use all year round, to limit its overall usage.

7.5 Manage the heat within the building through exposed internal thermal mass and high ceilings:

Response: The building is existing and as such doesn't allow for alterations to create higher ceilings or thermal mass elements.

7.6 **Passive Ventilation:**

Response: The building in its current form, supports a number of passive ventilation amenities, which would be used to increase ventilation. To the rear elevation at ground floor level, a large set of patio doors plus a large window from the kitchen, opening out onto the rear garden, plus various doors and windows to the side elevation, fronting the side courtyard. At first floor level, the building supports nine+ windows to the front, side and rear elevations, which are all confirmed to be openable windows, to enhance passive ventilation.

7.7 **Mechanical Ventilation:**

Response: The property currently supports minimal mechanical ventilation options, limited to an upstairs bathroom. This mechanical ventilation will not provide the building with the required cooling and heating.

7.8 **Active Cooling:**

Response: An active cooling system would not be the most efficient means of cooling the family home during the high summer months, due to the size of the required external units and the limited reduction in air temperature they create. The proposed air conditioning units provide the most efficient means of heating and cooling the home using smaller external units. An active cooling system would also not provide the necessary heating during the colder winter months.

7.9 The site is an existing family dwelling, set within a conservation area and therefore minimising heat generation through steps further up the hierarchy are not feasible or practicable. Other passive forms of ventilation have been explored and are listed below:

- Heating & cooling ceiling systems - **ventilation combined with active cooling system**
- Purge ventilation - **Acoustically treated extractor fans only for habitable rooms**
- MVHR and Radial Ducting - Increased extract and supply rated of warm or cool air - **Not applicable as this would involve major internal works at the property**
- Ground to air subsoil exchanger - **non applicable**
- Compressor chiller and enthalpy - **non applicable**
- Chilled water coil - **non applicable**

Passive Ventilation Applicable in the property

- Small Inlet, Big Outlet – Opening the windows to create vacuum effect, which will increase the speed of the air flowing in the room
- Openings at Diagonal Opposites – The windows can be open front and rear which will allow cross ventilation of the house.
- Roof vents – Openable rooflight located in the roof – to allow the hot air to escape.

7.10 The use of a hybrid methods (active and passive) to provide ventilation is considered acceptable due to the constraints of the existing building.

8.0 Conclusion

- 8.1 The NPPF sets out a presumption in favour of sustainable development. Paragraph 11 states that proposals which accord with the development plan should be approved without delay and that where plans are absent, out of date, silent or indeterminate, applications should be approved unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits.
- 8.2 It is the applicant's assertion that the proposal to install two new wall mounted external air conditioning units (Daikin RXA35A Condenser Units) supported by a low-sound enclosure (Daikin EKLN140A single bank acoustic louvred enclosure system) would be acceptable, policy compliant and would not cause harm to the character and appearance of the host property or the wider conservation area.
- 8.3 It is therefore asserted that the proposed air conditioning units would have a minimal impact if any on neighbouring amenity and are acceptable in principle. The minor alterations required to the main house for this installation, would not cause an impact to either neighbouring residential amenity.
- 8.4 We consider that the proposed alterations would enhance the usability of the host dwelling throughout the winter and summer months, with the mitigation works (acoustic enclosure) designed to protect neighbouring residential amenity. The applicant therefore seeks the support of the Local Planning Authority for this planning application.
- 8.5 For the above reasons, when taken as a whole, the proposal is considered to represent sustainable development as defined within the NPPF and should be granted planning permission.