

Delegated Report		Analysis sheet		Expiry Date:		28/01/2022	
		N/A / attached		Consultation Expiry Date:		12/02/2022	
Officer				Application Number(s)			
Fergus Wong				2021/5936/P			
Application Address				Drawing Numbers			
12-16 Market House, Flat 6 Parker Street London WC2B 5PH				See decision notice.			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of an air-conditioning condenser unit at roof level.							
Recommendation(s):		Refuse Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining occupiers and/or local residents/groups		No. notified	1	No. of responses	0	No. of objections	0
Summary of consultation responses:							
CAAC groups comments:		No response received to date.					
Site Description							
This application relates to a two-bedroom flat and annex situated over the fourth and fifth floors of a modern block of flats known as 'Market House', located on the east side of Parker Street. Market House is unlisted; however it lies within the Seven Dials Conservation Area.							
Relevant History							
2021/5755/P – permission granted March 2022							
Replacement of fenestration and doors to front, rear and side elevations; removal of existing awning and replacement of soffit and fascia to rear elevation; all at 4th and 5th floor levels.							

Relevant Policies

The National Planning Policy Framework (NPPF) 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 Adaption to Climate Change

Camden Planning Guidance (CPG)

CPG Design (January 2021)

CPG Amenity (January 2021)

CPG Energy Efficiency and Adaption (January 2021)

Assessment

1 Proposal

- 1.1 Planning permission is sought for the installation of an air-conditioning unit on the roof to serve the application flat.

2 Assessment

- 2.1 The material considerations for this application are as follows:

- Design
- Amenity
- Energy and Sustainability

2.2 Design and Heritage

2.2.1 Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

2.2.2 The site is located in the Seven Dials Conservation Area. With the proposed air conditioning unit being sited at fifth floor (roof) level, it would not be visible from street level or other public views. There are existing rooflights/access hatches and other equipment at roof level, and therefore there would not be any detrimental impact to the appearance of the flat roof as existing.

2.2.3 Given the above, it is not considered that there would be any negative impact on the character and appearance of the host property and the wider conservation area, and would therefore be considered acceptable in terms of design and heritage in accordance with Local Plan policies D1 and D2.

2.3 Amenity

2.3.1 Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include: visual privacy, outlook, sunlight, daylight and overshadowing; artificial lighting levels; noise and vibration; odour, fumes and dust; and impacts of the construction phase, including the use of Construction Management Plans. Policy A4 also seeks

to ensure that noise and vibration is controlled and managed appropriately, setting out noise level thresholds to ensure that neighbours are adequately protected from noise and vibration.

2.3.2 The applicant has submitted an acoustic report which has been reviewed by the Council's Environmental Health Officer, and they have concluded that there would be no adverse impact on neighbouring residents in terms of noise and vibration. Compliance conditions would have been placed on the application in the event of an approval to limit noise and vibration. Because of the scale and siting on the unit, there would be no adverse impacts relating to outlook, daylight or sense of enclosure.

2.3.3 The proposal therefore complies with Local Plan policies A1 and A4.

2.4 Energy, Sustainability and Climate Change

2.4.1 Policy CC1 requires all development to minimise the effects of climate change. Policy CC2 requires development to be resilient to climate change.

2.4.2 In accordance with policy CC2, the Council discourages active cooling. Using active cooling systems increases energy consumption and carbon emissions, which would be contrary to the aims and objectives of policy CC1. Section 8.42 under CC2 states 'active cooling (air conditioning) will only be permitted where dynamic thermal modelling demonstrates there is a clear need for it after all of the preferred measures are incorporated in line with the cooling hierarchy'. Section 8.43 states 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.

2.4.3 The applicant has submitted a statement assessing the measures within the cooling hierarchy, which concludes that, even after such measures have been implemented, active cooling would be required to mitigate overheating.

2.4.4 The statement notes that some measures involving structural changes within the hierarchy could not be feasibly implemented owing to the limited scope of works possible in the refurbishment of an existing flat. This point is accepted. However, there are concerns that the statement otherwise fails to demonstrate both the need for active cooling and the consideration of other measures in relation to the hierarchy itself.

2.4.5 Section 2 relates to measures to reduce the amount of heat entering the building in summer. The applicant acknowledges that there are measures that can be implemented (that have yet to be), such as a solar blind, internal blinds and making use of the albedo effect internally. The applicant does not seem to have fully explored the potential cooling impacts that these measures may bring, as these measures do not seem to have been implemented, and there has been no numerical or modelling justification that has been presented to show that these measures would not be sufficient to mitigate overheating, and therefore that active cooling would be required. The approach taken within the cooling hierarchy statement seems to have dismissed potential viable options without full consideration or investigation.

2.4.6 The applicant has not carried out a dynamic thermal modelling study, as specified as being necessary in section 8.42 under CC2, to justify the need for active cooling. Even if the physical alterations as described above had been implemented and overheating did still occur, a thermal modelling study would have to be submitted to show that active cooling would be required. That a thermal modelling study has not been carried out means that insufficient evidence has been submitted to support the need for active cooling.

2.4.7 As insufficient evidence has been submitted to justify the need for active cooling, the application fails to comply with Local Plan policies CC1, CC2 and the Energy Efficiency and Adaption CPG.

3 Conclusion

The proposal has failed to adequately justify the need for active cooling in order to reduce and mitigate the impact of dwelling overheating, in terms of submitting additional evidence by means of a dynamic thermal modelling study, and thereby fails to demonstrate that carbon dioxide emissions will be minimised, contrary to policies CC1 and CC2 of the Camden Local Plan 2017. The proposal is therefore recommended for refusal for this reason.

Recommendation: Refuse Planning Permission