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21 March 2022

## Planning Statement

*Rev A.*

**Address:** 21 Cressy Road, Hampstead.  
**Proposal:** Retention of air conditioner units.

The intention of this application is to seek planning permission to retain the two external condenser units and replace the existing cupboard in which they are situated, with a purpose built acoustic enclosure following refusal notice 2020/4238/P.

### Conservation Area.

The site is not listed but lies within the Mansfield Conservation Area. The building is identified as being a positive contributor in the Mansfield Conservation Area Appraisal and Management Strategy 2008.

### Recent redevelopment.

Planning permission (2014/2553/P) was granted in 2015 for the change of use from 4 x residential units to 2 x residential dwellings (1x2 bed and 1x3 bed); excavation and development of a new basement; a lightwell and basement shaft to the side of the building; a replacement single-storey rear extension and the installation of a new front wall and automatic gate to parking space.

These works were undertaken with the addition of an air conditioning system for No. 21 including the installation of 2no. condenser units which were fixed to the rear flank wall of No. 23.



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### **Enforcement action (historic).**

Notice EN17/0257 was served by Angela Ryan on 14 July 2017 to remove the condenser units from the rear flank wall.

It was considered that ‘the site occupies a prominent end of terrace position, where the flank wall of the property is visible from both Cressy and Constantine Roads. A single-storey element lies adjacent to the site. Two air conditioning units have been installed on the flank wall of No. 23 Cressy Road at first-floor level. These units have been installed without the benefit of planning permission. The site is an end of terrace building and the flank elevation is visible from the wider public realm. Due to their positioning, the air conditioning units in their location are considered to detract from the visual amenity of the host building and this part of the Mansfield Conservation Area and would set an unacceptable precedent should they be allowed to be retained.

### **Remedial works (historic).**

As the units were considered to detract from the visual amenity of the host building and the wider Conservation Area, the decision was taken to move the units from their elevated position on the rear flank wall down into the rear garden. The units were no longer fixed to the building and were no longer visible unless stood in the rear garden. As such, the enforcement action was removed and the case closed.

The property was subsequently sold to the current owners.

### **Current position.**

Enforcement notice EN20/0530 was then served regarding the condenser units and so retrospective permission was sought for retention of the units in their current location. This application was subsequently refused (2020/04238/P) due to a lack of evidence that the units would not cause noise disturbance and harm.

### **Requirement.**

The requirement set by planning is that noise levels generated by the equipment must be at least 10dB below the background noise levels, and no more than 57 dB  $L_{Amax}$ .

### **Noise Assessment.**

Following planning refusal, a noise assessment was commissioned and undertaken by Climate Acoustics. The results were that the background noise levels measured 35 dB  $LA_{90}$ , 1-hour in the daytime and 32 dB  $LA_{90}$ , 1-hour at night which means that the units need to achieve a rating noise criteria level equal or below 22 dB  $L_{Ar,Tr,15-minutes}$ .



## Impact.

The units are currently concealed within a wooden cupboard but this cupboard offers no acoustic reduction and the noise assessment confirmed that the units emit noise levels that exceed 22 dB L<sub>Ar,Tr,15-minutes</sub>. As such, an unsatisfactory situation exists and remedial works are required.

Notwithstanding this failure, the units are located in the rear garden of No. 21 and are not visible from the any road or the wider Conservation Area. They are also not fixed to the host building but instead fixed to the garden wall.

## Proposed works.

In order to reduce the noise levels to 22 dB L<sub>Ar,Tr,15-minutes</sub> a bespoke acoustic enclosure must be installed as per the specifications and design by Noico Noise Control. Planning permission is therefore required for the erection of the acoustic enclosure and retention of the air conditioning units inside the enclosure.

## Noise & vibration.

Policy A4 – Noise and Vibration of the Camden Development Policies aims to ensure that noise and vibration is controlled and managed, and sets out the Council's thresholds for noise and vibration. The current standard stipulates that vibration levels should be 0.2 to 0.4 VDV (Vibration Dose Values) ms<sup>-1.75</sup> between 07:00-23:00hrs day & evening and between 0.13 VDV ms<sup>-1.75</sup> between 23:00-07:00hrs at night. In terms of noise levels they should not exceed 72dB<sub>L<sub>AEQ</sub></sub> in the day and 62dB<sub>L<sub>AEQ</sub></sub> at night.

The condenser units that have been installed have no manufacturer's vibration data because it is undetectable. A car driving along any of the roads that surround the local area would cause a much greater vibration.

