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80-83 Long Lane,
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Via Planning Portal only

28th October 2022

Dear Sir/Madam,

INSTALLATION OF TWO AIR CONDENSOR UNITS AND ASSOCIATED ACCOUSTIC ENCLOSURES

FLAT 29 GAINSBOROUGH HOUSE, FROGNAL RISE, LONDON, NW3 6PZ.

Please accept this covering letter as an accompaniment to this full planning application for the proposed air condenser units at Flat 29, Gainsborough House, Frognal Rise, London 'the site'. The planning application is accompanied by a site location plan, existing and proposed plans, a noise impact assessment and a sustainability assessment.

The site:

The application site is comprises a six storey C1900 French style Chateau located on the south-western side of Frognal Rise. The building was converted to flats in the 1990's. The building is constructed of red brick with white painted timber windows and red tiled roof. This application relates to flat 29 which is a top floor duplex flat. The surroundings area is characterised by residential development. The property is not listed but is located in Hampstead Conservation Area.

The proposal:

The proposal seeks planning permission for the installation of two air condenser units and associated acoustic enclosures.

For full details of the proposal, please see the accompanying plans.

Planning policy:

National

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development which incorporates three specific strands – economic, environmental and

social. Section 12 (achieving well designed places) and Section 16 (Conserving and Enhancing the Historic Environment) are relevant to this application.

Local

For the purposes of this application, the adopted development plan for the London Borough of Camden comprises the London Plan (2021), the Camden Local Plan (2017) and Hampstead Neighbourhood Plan (2018). The Camden Planning Guidance Documents (CPG) Amenity (2021), Design (2021) and Energy Efficiency and Adaptation (2021), along with the Hampstead Conservation Area Statement and street scape audit (2001) and Hampstead Conservation Area Design Guides are relevant material planning considerations.

The below policies are considered most pertinent to the determination of the application:

London Plan (2021)

Policy D4 – Delivering Good Design
Policy D14 – Noise
Policy HC1 – Heritage conservation and growth
Policy SI 2 – Minimising greenhouse gas emissions
Policy SI 4 – Managing heat risk

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

Hampstead Neighbourhood Plan

Policy DH1 – Design
Policy DH2 – Conservation areas and listed buildings

Planning analysis:

Design, Visual and Heritage Impact

Camden Local Plan (CLP) Policy D1 and D2 and Hampstead Neighbourhood Plan Policies DH1 and DH2 requires development to be of the highest architectural and urban design quality and have particular regard to design and visual impact and to the context within which it is placed, and the contribution it makes to the landscape qualities of the area. The policies also require the character and appearance

of conservation areas to be preserved or enhanced. The aims of these policies is reflected in London Plan Policy D4 (Good Design) and HC1 (Heritage, Conservation and Growth).

Camden's adopted design guidance documents and conservation area statement provides some useful guidance on how to achieve high quality design that is sympathetic to the character and significance of the Conservation Area.

The Conservation Area Appraisal describes the character and appearance of the area as an exceptional combination of characteristics that provide distinct special qualities, with one of the major characteristics being the dense urban heart of Hampstead and the spaciousness of the outer areas. Historic interest is derived from the development of the C18 village. The application building is located in sub area 5 (Frognaal), identified as winding uphill northwards gently twisting until it reaches the back of Mount Vernon (Gainsborough House) with properties that are diverse in character aging between C18 and C20, with the oldest buildings being towards the northern end of the sub area. The application building, albeit much altered, is identified as making a positive contribution to the character of the conservation area. Issues identified in the conservation area include new additions that show little respect to their historic context.

Camden's adopted design guidance recommends that the minimum number of air condition units are provided, and their siting should be carefully considered to minimise their visual impact.

The proposed air condenser units are the minimum required to deliver an acceptable internal thermal environment for the occupant. The units and associated enclosures are discreetly located to the rear/side of the building, at seventh floor level, on flat roofed parts of the building that sit behind existing parapets. The units are modest in scale and would not be visible from views within the public realm. As such, the units are discrete, subservient additions to the building that would not harm its appearance nor the contribution it makes to the character and appearance of the conservation area.

For these reasons, it is considered that the proposed works would not have an adverse impact on the character and appearance of the host building or the wider area and complies with CLP Policy D1 and Neighbourhood Plan Policy DH1. Furthermore, the proposal preserves the contribution that the building makes to the character and appearance of the conservation area, in accordance with Local Plan Policy HC1, Neighbourhood Plan Policy DH2 and section 72 of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990.

Impact on Amenity

CLP Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. CLP Policy A4 states that the Council will not grant planning permission for development that is likely to generate unacceptable noise and vibration impacts.

The proposed units are located at high level, away from the neighbouring residential properties.

A noise assessment, by Clement Acoustics has been submitted with the application. The noise assessment concludes compliance with the acoustic criteria recommended by Camden's policies in relation to noise and disturbance. In addition, the assessment confirms that vibration from the proposed equipment is not expected, but that plant should, wherever possible, be installed on suitable isolators. It is also recommended that the plant is contained within an appropriately designed acoustic enclosure. If deemed necessary, such mitigation measures can be secured by appropriately worded planning conditions.

The proposed works will therefore have an acceptable impact on residential amenity and complies with CLP Policies A1 and A4 and the guidance contained within the 'Amenity' CPG.

Energy and sustainability

CLP Policy CC1 states that the council will require all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards by supporting and encouraging energy efficiency improvements to existing buildings.

CLP Policy CC2 states the Council will promote and measure sustainable design and construction by ensuring development schemes demonstrate how adaption measures and sustainable development principles have been incorporated into the design and proposed implementation. It states that all development should adopt measures to reduce the impact of overheating, including application of the cooling hierarchy.

The supporting text of CLP Policy CC2 states that air conditioning will only be permitted where dynamic thermal modelling demonstrates that there is a clear need for it after all of the preferred measures are incorporated in line with the cooling hierarchy.

An Energy and Sustainability Assessment has been prepared by EAL Consult to support this application. The assessment sets out how the proposed development will promote sustainability through both design and operation and proposes the use of enhanced fabric and energy efficiency measures to reduce CO₂ emissions by at least 25% above current building regulation requirements. Furthermore, the assessment includes a dynamic overheating analysis which demonstrates a potential overheating risk and an assessment of the works against the cooling hierarchy. This concludes that there is a clear need for the proposed condenser units and appropriate levels of thermal comfort in the building cannot be feasibly be achieved by sequentially preferable methods, as set out in the cooling hierarchy. Furthermore, the applicant has a medical condition which restricts the ability to regulate temperature. Appropriate confidential medical evidence has been provided with the submission. The proposed development complies with CLP Policies CC1 and CC2.

Living conditions

The occupier has a medical condition that inhibits normal ability to regulate core temperature. The proposal would significantly improve the occupant's quality of life.

Summary & Conclusion:

As set out in this letter, the proposed works create no harmful visual impact, will not negatively affect neighbouring amenity and the development has set out why the proposed equipment is required having regard to dynamic thermal modelling and the cooling hierarchy. The proposal preserves the contribution the building makes to the character and appearance of the conservation area. There is no conflict with the adopted development plan policies. It is therefore respectfully requested that planning permission is granted.

I trust the commentary above is clear but if you require any points of clarification or have any questions, please do not hesitate to contact me.

Yours faithfully

Stuart Minty
Director
SM Planning