

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>29/12/2022</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>04/12/2022</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Josh Lawlor			2022/2248/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
15 Holly Lodge Gardens London N6 6AA			See decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Installation of air conditioning unit and acoustic cabinet to side elevation (within side courtyard area).					
<b>Recommendation(s):</b>		Refuse Planning Permission			
<b>Application Type:</b>		Householder Planning Permission			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>0</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed from 09/11/2022 to 03/12/2023</p> <p>The application was advertised in the local press from 10/11/2022 to 04/12/2022</p> <p><i>No responses were received</i></p>					
<b>Local Amenity and Conservation Groups</b>	<i>No response received</i>					

## Site Description

The application building is a two storey (plus loft) detached dwelling house located towards the northern end of the Holly Lodge Estate. The building features semi-circular bow windows, timber detailing to the front gable and tall chimneys. These details reflect inspiration of the Arts and Crafts and Garden City Movement. The rear has been significantly extended with a conservatory extension and two storey flat roof extension.

The building is located within the Holly Lodge Conservation area and is identified as making a positive contribution to the character and appearance of the conservation area. The Holly Lodge Estate is a distinctive planned development in the Garden Suburb tradition, dating to the interwar period (1920's) and located on the south-facing slopes below Highgate Village. There is a homogeneity to the original design of the buildings which lends a strong sense of place.

The site is also located within the Highgate Neighbourhood Plan area.

## Relevant History

### Relevant Planning History:

**2019/0585/P** Erection of roof extension, two-storey rear extension, part one storey part two storey side extension, rooflights, associated alterations, demolition of the existing rear addition and garage.  
**Withdrawn 25/03/2019**

*Withdrawn due to Officers raising concerns over scale, massing relationship to character and style of the building and wider conservation area.*

**2021/6200/P** Variation of condition 2 (Approved Plans) of planning permission reference 2020/5325/P dated 23/3/21, as amended by ref 2021/2482/P dated 16/08/2021 (for erection of single-storey rear extension, glazed side extension, alterations to rear/side fenestration and elevations), namely alterations to the side extension's pitched roof. **Granted 02/02/2022**

**2021/6200/P** Variation of condition 2 (Approved Plans) of planning permission reference 2020/5325/P dated 23/3/21, as amended by ref 2021/2482/P dated 16/08/2021 (for erection of single-storey rear extension, glazed side extension, alterations to rear/side fenestration and elevations), namely alterations to the side extension's pitched roof. **Granted 02/02/2022**

**2022/1838/P** 2022/1838/P Proposed works at the front of the property as permitted development by virtue of Class F of Part 1, Class A of Part 2, Class D of Part 2 and Class C of Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the Order") for re-surfacing and widening of the driveway, replacement of the gates to the side of the house, installation of electric vehicle charging points on the side wall of the house, and the removal of a section of the front boundary wall. **Granted 13/09/2022**

**2022/1064/P** Erection of a single-storey pool house in the rear garden. **Granted 10/08/2022**

## Relevant policies

### The National Planning Policy Framework 2021

### London Plan 2021

### Camden local Plan 2017

### Policy CC1: Climate Change Mitigation

Policy CC2 Adapting to climate change  
Policy D1: Design  
Policy D2: Heritage  
Policy A1: Managing the Impact of Development  
Policy A4: Noise

## **Highgate Neighbourhood Development Plan (2017) (HNP)**

Policy DH2: Development Proposals in Highgate's Conservation Areas

[Holly Lodge Estate conservation area appraisal and management strategy 2012](#)

## **Camden Planning Guidance**

- [Home improvements](#) - January 2021
- [Energy efficiency and adaptation](#) - January 2021
- [Amenity](#) - January 2021

## **Assessment**

### **1. The proposal**

1.1. Planning permission is sought for the installation of an air conditioning (AC) unit. It would be installed within the side courtyard, fixed to the side elevation. It would be housed in a louvred acoustic housing.

### **2. Assessment**

2.1. The principal considerations material to the determination of this application are as follows:

- Energy and Sustainability
- Design and Conservation
- Residential amenity

### **3. Cooling Hierarchy**

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

3.2. 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.

- 3.3. The applicant has submitted a dynamic thermal modelling statement (TM59 Overheating report) 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 in the snug and dining/living rooms. Section 4 mentions 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.
- 3.4. The applicant reports that the proposed air conditioning unit is the minimum size necessary to resolve overheating in the snug and dining/living rooms on the ground floor. The overheating report does not specify where they are proposing active cooling as this is only mentioned in the Design and Access Statement which is a supporting document. There is a mismatch between where overheating is expected in the overheating report and where the applicant is proposing air conditioning. In addition, for the rooms identified as overheating the TM59 Overheating report does not clearly show that there will be overheating.
- 3.5. Testing should have been undertaken to the following criteria as outlined in [GLA Energy Assessment guidance section 8](#) as paragraph 8.14 of this report states that “*It is expected that the CIBSE compliance criteria are met for the DSY1 weather scenario*”. According to paragraph 8.15, “*Additional testing should be undertaken using the 2020 versions of the following more extreme design weather years:*
- *DSY2 – 2003: a year with a very intense single warm spell.*
  - *DSY3 – 1976: a year with a prolonged period of sustained warmth.*
- 3.6. The modelling incorrectly uses a 2041-2070 future scenario. Current modelling demonstrates limited overheating in the DSY1 criteria.
- 3.7. Overheating must be clearly demonstrated despite the introduction of preferred passive measures in the two bedrooms where active cooling is proposed. This must be using the correct DSY2 & DSY3 weather files, **not** future projections.
- 3.8. The applicant has failed to demonstrate overheating in the rooms which are cited as requiring air conditioning. It is also noted that this house has seven other rooms which do not fail the (contested) overheating assessment. The other rooms can be used when these rooms ‘overheat’. The applicant could also use fans (the overheating report does not consider the use of fans) which use much less energy than AC.
- 3.9. Active cooling has negative impacts on the environment by contributing to the urban heat island effect, and increased energy use leading to higher CO2 emissions within the borough. This goes against Local Plan policy CC1 which aims for developments to be reducing carbon dioxide emissions.

#### **4. Design and Heritage**

- 4.1. Camden Local Plan Policy D1 (Design) seeks to secure high quality design in development which respects local context and character. Policy D2 (Heritage) states that the Council will preserve and enhance Camden’s heritage assets and their settings, including conservation areas. The Council will not permit development that results in harm that is less than substantial to the significance of the heritage asset unless the public benefits of the proposal significantly outweigh that harm. The council will also require that development within conservation areas preserves or, where possible enhances the character or appearance of the area.
- 4.2. Policy DH2 of the Highgate Neighbourhood Plan (HNP) states that development proposals, including alterations or extensions to existing buildings, should preserve or enhance the character or appearance of Highgate’s conservation areas.
- 4.3. The air conditioning unit would be located in the side courtyard which is out of view from the public realm.

The unit is relatively small in scale and would not harm the appearance of the building or the wider conservation area. The design of the enclosure would also be acceptable.

4.4. Special attention has been paid to the desirability of preserving or enhancing the character or appearance conservation area, under s. 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

## **5. Amenity**

- 5.1. The Council will seek to ensure that the amenity of neighbours is protected. The factors the Council will consider are the impact on daylight/sunlight, noise, overlooking, outlook, and artificial light levels (light pollution).
- 5.2. The applicant has submitted an acoustic report which has been reviewed by the Council's Environmental Health Officer, and it has been 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.

## **6. Recommendation**

6.1 Refuse planning permission for the below reason:

*1. The proposal has failed to adequately justify the need for active cooling in order to reduce and mitigate the impact of dwelling overheating and thereby fails to demonstrate that carbon dioxide emissions will be minimised, contrary to policies CC1 (Climate Change Mitigation) and CC2 (Adapting to climate change) of the Camden Local Plan 2017.*