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Head of Planning
Planning, Transport and Development
London Borough of Lambeth
Phoenix House
10 Wandsworth Road
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29 November 2023

Dear Sir/Madam

**Application for full planning permission for the installation of air conditioning unit within an acoustic plant enclosure and other associated works at George West House, 2-3 Clapham Common North Side, Lambeth, London, SW4 0QL
Application by Akelius UK Fourteen Ltd**

I act on behalf of Akelius UK Fourteen Ltd, which is the freeholder of the above site and am instructed to submit an application to your Authority for the *“Installation of air conditioning units with plant enclosure and other associated works (part retrospective)”* on the northeast corner of land to the rear of the main building at George West House, 2-3 Clapham Common North Side, Lambeth, London, SW4 0QL.

This application follows an application with LPA ref: 22/03924/FUL which sought the installation of two sets of air conditioning units with plant enclosure located at ground level to the rear of the building; one to the rear of the stair core adjacent to the undercroft entrance and the other on the opposite corner of the building (northeast corner of the site). This application was Refused by decision notice dated 27 March 2023 and the decision notice lists two reasons as follow:

‘1 The proposed enclosure located to the north-east corner would, by reason of its scale, bulk and dimensions, would have an unacceptable impact on amenities of future occupiers of the adjacent residential flats (at ground and first floor level of George West House) due to impact on natural light, sense of enclosure and resulting in poor outlook contrary to Policy Q2 of the Lambeth Local Plan (2021) and the Building Alterations and Extensions (2015).

2 It has not been demonstrated that the proposed enclosure would have acceptable impacts on occupiers of first floor flats at Porteus Place with regards to heat rejection. As such the proposal would be contrary to Policy Q2 of the Lambeth Local Plan (2021).’

An application was subsequently submitted (LPA ref:23/02477/FUL) seeking the *‘Installation of an air conditioning unit within an acoustic plant enclosure at ground floor level on land to the rear of the main building (retrospective)’* and granted by decision notice dated 22 November 2023. This application confirms that the previously proposed AC unit to the rear of the main building and adjacent to the entrance undercroft is acceptable.



This application therefore is submitted to regularise the proposed air conditioning units located on the northeast corner of land to the rear of the main building and to agree upon the details of the plant enclosure.

The application has been submitted via the Planning Portal (Ref: PP-12629034). Accordingly, please find enclosed the following submitted in support of the planning application.

- (i) The planning application Form, signed and dated;
- (ii) Site Location Plan (drawing reference: PO-001 Rev.PI);
- (iii) Existing Ground Floor plan (drawing reference: E1-100 Rev.PI);
- (iv) Existing North East and South West Elevation (drawing reference: E3-102 Rev.PI);
- (v) Existing North West Elevation (drawing reference: E3-103 Rev.PI);
- (vi) Proposed Core A Ground Floor plan (drawing reference: PI-100A Rev.PI);
- (vii) Proposed Core A North East and South West Elevations (drawing reference: P3-302A Rev.PI);
- (viii) Proposed Core A North West Elevation (drawing reference: P3-303A Rev.PI);
- (ix) Proposed Core A Acoustic enclosure - Section Rear (drawing reference: P4-123A Rev.P2)
- (x) Technical submission - Core A Acoustic Enclosure to Condenser Units (drawing reference: P3-304A Rev.PI);
- (xi) Daylight/Sunlight Report prepared by DelvaPatmanRedler dated November 2023;
- (xii) Noise Impact Assessment prepared by Jostec dated 24 July 2023; and
- (xiii) The relevant Community Infrastructure Levy form sign and dated.

Please note the relevant planning application fee has been paid directly via the Planning Portal. In addition, we would be grateful if you could take into account the contents of this letter in your consideration of the application.

The Proposal

The proposals relate to the installation of 1 No. Daikin REYQ18U and 1 No. REYQ12U mechanical air conditioning condenser units enclosed within a bespoke acoustic enclosure to serve residential dwellings served by Core A at George West House. A total of 32 units are served by these air conditioning units.

The AC units are already installed on the northeastern corner of the site, at ground floor level to the rear of the main building (See Fig1). The installation of these ac unit is subject to a planning enforcement query with ref: 23/00236/3CNS. This application therefore seeks to regularise these two AC units and agree upon the plant enclosure details.

Manufacturer's specifications for the proposed AC units and plant enclosure are included within the pack of documents submitted with this application. However, for ease the plant enclosure proposed would be 3.4 metres in length at base level, 1.4 metres wide at its widest point and would have a maximum height of 3.05 metres, with the main bulk of the enclosure being 1.85 metres high. The proposed enclosure would be pre-galvanised steel and painted white.



Fig1. Existing view of the installed ac units, including from the rear access/egress of core A



Fig2. View from ground level flat when looking from the closed rear window



Fig3. View from ground floor level flat when opening windows and leaning out on window sill (Please note this picture was taken during construction works)



Fig4. View of basement flat's rear room



Fig5. View from basement level flat when looking from the closed rear door



Fig6. View from outdoor terrace basement flat when looking up

The proposed works will involve the minimum amount of intervention required in order to achieve an optimal result. The location of the air conditioning equipment has been selected to be as unobtrusive as possible with all connections discreetly housed internally.

It is important to note that access to the land to the rear of the main building at George West House can only be achieved through a locked metal gate that can only be accessed by the building's management with a security code and is restricted only for servicing the installed AC units. This area of land also serves as an emergency exit route in association to the building's circulation core A.

Residential access to the site is achieved through a front entrance facing Clapham Common North Side with a secondary entrance located southwest of the site within the undercroft.

Planning discussion

As previously stated, an application was previously submitted to the Council seeking the installation of AC units and enclosure (22/03924/FUL). The two reasons for refusal can be summarised as follows:

- The scale, bulk and dimensions of the AC enclosure having an impact on natural light, sense of enclosure and resulting in poor outlook
- Heat rejection impact from AC units on Porteus Place

Policy Q2 of the Lambeth Local Plan (2015) seeks the protection of amenity and requires development to take into consideration outlooks to secure privacy and avoid a sense of enclosure, the impact on levels of daylight/sunlight, noise, the quality of outdoor amenity spaces and the impact of any service equipment.

Policy Q5 seeks to sustain and reinforce the local distinctiveness of Lambeth with proposals responding to positive aspects of the local character including materials and quality and architectural detailing. In addition, Policy Q8 seeks construction detailing which is unified, visually attractive, robust and maintenance free.

Policy Q11(a)(ii) states that the council will generally expect proposals for new plant or replacement plant or equipment to be *'fully integrated into the building, not placed on publicly visible elevations and, where integration is not an option, are adequately and robustly screened.'*

The location of plant equipment has been carefully considered to ensure that there is little or no impact on the residential dwellings in the vicinity. In this regard, an assessment was carried out in November 2020 by Soundtesting to evaluate the best location for the plant equipment in terms of noise. The Mechanical Noise Report dated 4th December 2020 submitted in support of application with LPA ref:22/03924/FUL concludes that the best location for the proposed AC units and enclosure would be in the rear courtyard. Roof location was also reviewed, and the report confirms that *'The numerical assessment shows that there will be an adverse noise impact resulting from the proposed plant operation for the rooftop location option without further mitigation, based on measured background levels.'*

In terms of the location of the plant, the officer's report of the previously refused application (22/03924/FUL) deals with other possible locations for plant equipment on Section, *'Other Locations'*, paragraphs 7.18-7.22 where she concludes that *'officers do not feel that this has been appropriately explored especially given that there is a new roof being constructed to the property which will contain and has structural capacity to hold other equipment such as solar panels which is contained within an acoustic enclosure. Why the distance of an enclosure some approximately 8m away is an inappropriate distance or alternatively why it has not been explored to integrate within the building envelope.'*

In this regard, we note that Policy Q11(a)(ii) states that the council will generally expect proposals for new plant or replacement plant or equipment to be *'fully integrated into the building, not placed on publicly visible elevations and, where integration is not an option, are adequately and robustly screened.'*

The AC unit cannot be fully integrated into the building as there is no free space for the equipment. In this regard, application with LPA ref:19/02276/P30, granted on 25 September 2019 was fully built-up at the time of submission. This scheme was approved for a change of use of the building from office to residential. Moreover, application with LPA ref: 19/03122/FUL granted on 23 July 2021 which sought an additional storey atop the existing main building was also partially built at the time of submission. Below is an image of the site taken on 21 February 2023 which clearly shows that the main roof structure is in place at the time of the submission.



Fig7. Photo of GWH with rooftop structure from a site visit on 21/02/2023

It is important to note that this structure was designed to be as light as possible and taking into consideration only the planned equipment at roof level which includes solar panels. Consequently, it has been demonstrated that plant equipment cannot reasonably be integrated within the existing buildings on site, as there is simply no space for installation and the approved and existing roof addition cannot structurally hold the equipment. Moreover, it was established that a roof location is not desirable in terms of noise as detailed within the aforementioned 2020 Soundtesting Assessment.

The red line plan attached below and submitted with this application shows the client's demise, and highlights that the site has severe constraints in terms of location of any external equipment. The submitted proposed ground floor plan shows that the front courtyard contains cycle parking storage with no additional space for further supporting infrastructure. In any event, this location would be undesirable because the site is highly visible from Clapham Common, within a Conservation Area and policy is clear that equipment should not be placed on publicly visible elevations.

To the rear of the site, there is a large bike store and sufficient space for one car parking space and short-term cycle parking on the southwestern corner of the Applicant's demise, which is some 45 metres away from the flats that it would serve, making it unfeasible. Therefore, in practical terms, the only remaining space on site where any equipment could be placed is in the rear passage, as proposed.



Fig8. Red line plan/applicant's demise



Fig9. Rear view of the site showing bike store and AC approved under 23/02477/FUL

The AC unit and enclosure is proposed in the most unobtrusive location of the site, on the northeastern corner of the rear passage as it has been identified as the most desirable location in terms of noise, visual impact and to ensure the equipment's efficiency.

Amenity Issues

Impact of the proposal on natural light, sense of enclosure and outlook

The application site is located in close proximity to Porteus Place located to the rear of the site, and at present, there is limited separation between the site and the eastern elevation of the neighbouring building. It is considered that due to the existing proximity of the two buildings, some level of visual impact has been established on the site due to its urban location and the grain of development in the surrounding area.

Nevertheless, the proposal has been designed to mitigate as much as practically possible any further impact on neighbouring properties by strategically locating the AC units and plant enclosure in an unobtrusive area of the site, at the end of a rear passageway with no access to the public. Following the refusal of the previous application, the applicant has sought to reduce the volume of the acoustic enclosure as much as feasibly possible to ensure that any impact is minimised.

In this regard, the previously proposed enclosure was 1.4 metres wide, 3.6 metres long and 3.3 metres high. The new proposed enclosure is 1.4 metres wide, 3.4 metres long and 3 metres high at its highest point, with the main bulk of the enclosure located to the north-east and stepping down towards the west to a maximum height of 2.7 metres. As such, there is an overall height reduction of 0.6 metres.

In the assessment of the previous application, two flats, namely northeast corner flats at basement and ground floor level at George West House were identified in terms of impact. In this regard, it is important to note that both flats are dual aspect, with the ground floor flat benefitting from open views to Clapham Common and the basement flat benefitting from access to the rear lightwell which provides private amenity space for that unit. It is acknowledged that the existing basement flat's view is restricted to the lightwell and when standing outside and looking up, the view is that of the neighbouring development Porteus Place and their own AC equipment (see Figs.5 and 6). At ground floor level, views are not restricted in the same way, with the main views to the rear development, Porteus Place and the installed AC equipment.

Guidance suggests that loss of outlook occurs where development would have an adverse overbearing effect that would result in an unduly oppressive living environment for existing and future residents. As presented on Figures 2,3,5 and 6 where the proposed AC units can be found in place, because of the angle of views and the separation between the residential dwellings and the AC units, there is no overbearing impact as the AC units and enclosure sit behind the lightwell and in the backdrop of Porteus Place. Conversely, as detailed in Fig1, the area feels very clean and open.

Overbearing impacts can be caused by the physical 'presence' of a building - its scale and mass, an oppressive feeling as a result of the development (sense of enclosure), or an intrusive feeling as a result of the development. None of these are true for the plant enclosure as it would not block the skyline or wider outlook for residents, nor lead to a sense of enclosure. Due to the fact that the equipment will sit away from the residential development, it is understood as part of the backdrop scenery of the site.

In terms of any impact on natural light, a daylight/sunlight assessment is submitted with this application which numerically assessed the current conditions on site and the implications of the proposed development. In this regard, the assessment concludes that *'Whilst there would be a slight reduction in the lux levels experienced by the two bedrooms, it is considered that this would not materially alter the internal daylight provision. Furthermore, the air conditioning unit itself would be hidden in the backdrop of the neighbouring building known as 16 Porteus Place which helps to mitigate any adverse effects.'*

Regarding any impact on occupiers of Porteus Place, the officer's report deals with any impact on paragraphs 7.14-7.16 and concludes regarding first floor flats at Porteus Place that *"... officer do not consider that the proposals would lead to unacceptable loss of light or outlook for occupiers of these flats."*

In relation to commercial tenants at ground floor level, the officer's report states *"It is acknowledged that the proposed enclosure would be visible to occupiers of the commercial unit at this end of the building due its scale and massing, and likely to worsen the outlook for openings opposite the enclosure. However, the proposed taller element is 2.4m wide, it is not considered that this would lead to unacceptable loss of light or outlook. Similarly, there would be unacceptable sense of enclosure, considering that offices are not habitable rooms."*

Because the proposed location remains the same and the proposed enclosure is smaller than that previously assessed, it is considered that any impact would be minimised, and therefore should be considered acceptable.

Noise

Having regard to noise, the application site is located within a mix-use area with residential and commercial uses nearby, thus, some levels of noise are expected in line with the vibrant nature of the wider area. Application with ref: 22/03924/FUL was submitted with a Mechanical Noise Report dated 4th December 2020 prepared by Soundtesting. The previous assessment was considered satisfactory in terms of its conclusions with the officer's report confirms that *'The Environmental Health Officer reviewed the submitted Mechanical Noise Report prepared by Soundtesting, and raised no concerns with the noise, vibration or other disturbance linked to the proposed A/C and enclosures. The proposal complies with the relevant planning policies on this matter. This is discussed further at Section 7.7 of this report.'*

A Noise Impact Assessment Report prepared by Jostec dated July 2023 is submitted in support of this application which concludes that the installation of the AC units and associated plant enclosures will not adversely affect any residential occupant. In light of this, it is considered that the proposal will not result in significant noise disturbance and unacceptable nuisance to the occupants of nearby buildings. Conversely, the location of the plant and unit specifications have been carefully selected to protect the amenity of neighbouring occupiers and environmental quality of the area in line with the requirements of Policy Q2.

It is important to note that noise has not been raised as an issue in any of the previously submitted applications.

Heat rejection impact

The second reason for refusal states that it has not been demonstrated that the proposed enclosure would have acceptable impacts on occupiers of first floor flats at Porteus Place with regards to heat rejection.

In regard to heat rejection, during the determination of the previous application on site an alternative location was put forward as an option for the location of the AC unit and plant, notwithstanding, after review by the Applicant's M&E consultant, it was concluded that although the alternative proposed location worked architecturally, there were concerns about the proximity of the windows of George West flats at 1st and 2nd floor and overheating of these apartments caused by the condenser's heat rejection directly facing these windows.

Notably, in regard to heat rejection, the officer's report states at paragraph 7.17 that *'The Environmental Officer also advised that, according to Mechanical Noise Report, the proposed air conditioning enclosure would only contain a single unit. The officer advised that the air conditioning enclosure should not result in vibration nor issues with heat exhausted from installations of these types of units, because attenuators would help dissipate heat emissions from air leaving the enclosure.'*

As you are aware, outdoor AC equipment needs to be placed in a shady, dry and well ventilated area. The proposed enclosure is located taking the aforementioned in consideration to ensure effective functioning of the plant. The proposed air conditioning enclosure will not generate any issues in regard to heat as the heat exhaustion is facing the rear alley and attenuators would help dissipate heat emissions from air leaving the enclosure on an east-west direction towards the alley and away from both Porteus Place and George West House buildings.

Heritage Impact

The site lays within the Clapham Conservation Area, and in accordance with National Planning Guidance, an assessment of the significance of the relevant heritage asset to the application and the proposal's impact on that asset is required. Having regard the proposal's impact on heritage assets, the ac units and plant enclosure has been carefully selected and designed to be as unobtrusive as possible and is proposed to be located in the northeastern corner of the site to the rear of the main building. The proposal, therefore, will not introduce any additional paraphernalia that would result in visual clutter, thus, preserving the setting of nearby listed and locally listed buildings and the character and appearance of the Clapham Conservation Area in line with Policy Q22.

Notably in application LPA ref: 22/03924/FUL, the Conservation Area officer raised no issue in regard to the proposed location of the AC unit. This is confirmed within the officer's report which quotes *'In terms of the impact on the conservation area there will be no harm, they are discretely located to the rear of the site.'* The officer's report also confirms within her report at paragraph 7.6 that *'It is considered that the proposal would not have adverse impact on the appearance of the conservation area nor the application building. As such, it complies with policies Q11 and Q22 of the Lambeth Local Plan (2021) and Building Alterations & Extensions SPD'.*

Summary, conclusions and the planning balance

This application seeks to regularise the installed AC equipment in the northeast corner of land to the rear of the main building at George West House, 2-3 Clapham Common North side and agree upon the details of the proposed plant enclosure.

This document highlights why the proposed location is the best and only acceptable place for the installation of the equipment. The plant subject of this application provides cooling and heating to 31 flats at George West House. The other 30 flats on site are served by an AC approved under LPA ref:23/02477/FUL located to the rear of the main building close to the undercroft.

A previous application seeking the installation of AC and enclosure was refused on site due to amenity concerns. The Applicant has taken the Council's feedback into consideration for the redesign of the plant enclosure so that it is as small as feasibly possible and to ensure that no overheating issues arise.

As demonstrated within the supporting Noise Impact Assessment, the proposed scheme is not expected to have a significant adverse noise impact and the relevant plant noise requirements have been shown to be met.

The supporting Daylight and Sunlight assessment concludes that internal daylight provision will not be materially altered, and because the proposed plant enclosure would be 'hidden' in the backdrop of the neighbouring building, any adverse effects would be lessened.

Overall, the proposals will provide adequate living conditions to occupiers of 31 flats on site and improve the building's long-term usability, ensuring that the residential development is of the highest quality internally, externally and in relation to its context and to the wider environment.

Whilst it is acknowledged that there will be some visual impact for a couple of flats at George West House, it is considered that the benefits of the scheme far outweigh the minor impact caused by the installation of the AC units and enclosure on those two flats previously identified within the wider George West House site.

It is considered that the application proposals are in line with Lambeth Local Plan Policy and will provide a high-quality living environment for future occupiers with no detriment to neighbouring amenity and therefore should be considered acceptable. We therefore request that planning permission is granted pursuant of this application.

I trust you find the enclosed application in order and I look forward to receiving confirmation of registration of the application in due course. However, if you wish to discuss the attached at all please do not hesitate to contact me on 7896294785.

Yours sincerely



Pamela Longhurst-Pierce
JMS Planning & Development

Encs