

Application ref: 2022/5217/P
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Development Management
Regeneration and Planning
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Studio Hagen Hall
32 Vyner Street
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**37B Gayton Road
Camden
London
NW3 1UB**

Proposal:

Installation of 10 solar PV panels and a new rooflight on front roof slope, an air source heat pump on rear roof terrace, installation of new window onto rear roof terrace and replacement double glazed windows on front and rear elevations

Drawing Nos: Location Plan; Block Plan; Design and Access Statement;

21056(P)200_DEMO; 21056(P)201_DEMO; 21056(E)099; 21056(E)100; 21056(E)101;

21056(E)102; 21056(E)103; 21056(E)104; 21056(E)200; 21056(E)201; 21056(E)300;

21056(P)103; 21056(P)104; 21056(P)200; 21056(P)201; 21056(P)300; 21056(SK)004;

Air Source Heat Pump Production Information; Solar Panels Product Information.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Block Plan; Design and Access Statement; 21056(P)200_DEMO; 21056(P)201_DEMO; 21056(E)099; 21056(E)100; 21056(E)101; 21056(E)102; 21056(E)103; 21056(E)104; 21056(E)200; 21056(E)201; 21056(E)300; 21056(P)103; 21056(P)104; 21056(P)200; 21056(P)201; 21056(P)300; 21056(SK)004; Air Source Heat Pump Production Information; Solar Panels Product Information.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 Prior to use, the air source heat pump hereby approved shall be mounted with proprietary anti-vibration isolators. The fan motors shall be vibration isolated from the casing and adequately silence and maintained as such.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 Prior to first use of the air source heat pump hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pump shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC2 of the London Borough of Camden Local Plan 2017.

- 7 The solar panels hereby approved shall be removed from the building as soon as reasonably practicable when they are no longer required by the occupants

of the subject property.

Reason: In order to safeguard the character and appearance of the building and local environment in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission:

The proposed development would include an air source heat pump (ASHP) and solar photovoltaic (PV) panels and a new rooflight on the front roof slope. The development also involves works to windows and doors of the property, including changing windows from single-glazed to double-glazed and widening the existing entrance to the roof terrace.

The proposed replacement windows would all be double glazed and they would match the material and appearance of the existing windows, being aluminium with white painted timber surrounds and frames. The design of some windows will be changed so that all windows are either fixed, sliding, or side-hung, removing any centre-pivot windows. Other than one window at third floor level that overlooks the terrace, all the dimensions will remain the same. The sill of the window to the roof terrace will be dropped to floor level, and the window will be fixed and unopenable. This window has very limited visibility from the public realm. The proposed alterations to the windows are not considered to be harmful changes that would impact on the character or appearance of the host building or wider conservation area.

The existing door to the third-floor roof terrace area would also be replaced with glazed sliding doors that would be similar in appearance and material to the existing windows and doors of the building and would not be visible from the public realm. Similar glazed sliding doors exist to the roof terraces of neighbouring properties, and these are not considered to harm the architectural character of the buildings or conservation area. There is also an ASHP proposed on the third floor that will be set back from the roof edge, installed within an existing roof cupboard, and not visible from street level. This would replace the gas-powered heating system, aligning with Camden Local Plan policies CC1 and CC2.

The development also proposes a rooflight and 10 x solar PV panels to the front roof slope, which are all located a reasonable distance from the roofline, reducing the impact on the host site. Due to the pitch of the roof slope and the modest design of the panels and rooflight (neither protrude more than 0.2m from the roof slope), the visibility of the panels from the public realm is extremely limited. It is also noted that there is no alternative roof slope on which the panels could be installed. The works are considered not to adversely affect the character or appearance of the host building, streetscene, or wider conservation area.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed

Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

- 2 The proposal is considered to improve the energy efficiency of the host building and reduce its carbon emissions. As such, the proposed development is considered welcome in terms of climate change mitigation.

The proposed alterations are minor and would not result in any harm to neighbouring amenity in terms of significant loss of daylight/sunlight, outlook, or privacy. The ASHP is located within the existing roof cupboard and adheres to MCS standards, but a condition regarding noise levels is also imposed to ensure the unit does not harm the amenity of neighbours in terms of noise impacts.

Two responses were received from neighbouring occupiers following statutory consultation. Both responses relate to the visual impact of the solar PV panels on the building and the effects on the character and appearance of the building and the townscape and Conservation Area. It is acknowledged that the panels would be visible from the upper floor windows of neighbouring properties. However, the siting, design and appearance of the solar PV panels, which would effectively be 'flush' with the roof, would not result in significant harm to the roofscape or Conservation Area.

(It should also be noted that there would be a benefit in the form of reduced carbon emissions as a result of the installation of the solar PV panels. The NPPF 2021 advises that the benefits of proposals can be taken into consideration when assessing the heritage impacts of development proposals. Accordingly, there would not be a level of harm to the character or appearance of the Conservation Area in this case to warrant a refusal).

As such, the proposed development is in general accordance with policies A1, A4, CC1, CC2, D1, and D2 of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. The development would also accord with the National Planning Policy Framework 2021 and the London Plan 2021.

- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation

will be granted until the Construction Management Plan is approved by the Council.

- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully



Daniel Pope
Chief Planning Officer