

Application ref: 2022/5031/P
Contact: Nathaniel Young
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Date: 4 April 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk/planning

Savills
Finsbury Circus House
15 Finsbury Circus
London
EC2M7EB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
16 Avenue Road
London
NW8 6BP

Proposal:
Demolition of existing shed structure and erection of replacement condenser enclosure in rear garden
Drawing Nos: 0003_PL01, 0415_PL01, 0416_PL01, 0417_PL01, Noise Impact Assessment Report by Anderson Acoustics dated Nov 2022

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:
0003_PL01, 0415_PL01, 0416_PL01, 0417_PL01, Noise Impact Assessment

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

- 3 Prior to use of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post-installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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.

Informative(s):

- 1 Reasons for granting permission:

Permission for an acoustic enclosure (for condensers) was approved on 25.5.22 under ref: 2021/2384/P. The subject application is for the enlargement of the enclosure and the submission of noise details. The principle of condensers on the site is agreed by virtue of the existing permission.

The proposed development is considered to be acceptable in terms of design. The proposed plant enclosure would be of a similar scale to the existing enclosure and would remain subordinate to the host building in scale. It would be appropriately positioned at the rear end of the garden and constructed of appropriate brick and tile materials. The design, scale, siting and materials of the proposed development would be in keeping with the character and appearance of the host property and surrounding area.

It is not considered there would be any significant detrimental impact to residential amenity. There is no significant increase in bulk or mass which would result in an undue loss of light or outlook. The submitted acoustic report shows that the noise limits set by condition 10 of permission ref: 2021/2384/P are expected to be achieved, given the expectation for operation at reduced duty during night time periods, and that the noise impact due to the operation of the condensers is considered to be low. Thus there will be no harmful impact on local amenity from noise nuisance.

No objections were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposal is in general accordance with policies D1, A1 and A4 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2021 and National Planning Policy Framework 2021.

- 2 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).
- 3 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.
- 4 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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name.

Daniel Pope
Chief Planning Officer