

Application ref: 2022/5540/P  
Contact: Alex Kresovic  
Tel: 020 7974 3134  
Email: Alex.Kresovic@camden.gov.uk  
Date: 18 May 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](mailto:planning@camden.gov.uk)

[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Bailey Partnership  
Bridge House  
Basted  
Borough Green  
Sevenoaks  
Kent  
TN15 8PS

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:

**14 Gainsborough Gardens  
London  
NW3 1BJ**

Proposal:

Installation of replacement condenser unit at first floor level and new condenser unit on western elevation in existing ground floor bin store plus associated external alterations  
Drawing Nos: Architectural Plans by Bailey Partnership, project No. 32415; 32415015 dated 29/03/2021 Revision 0001; 13 dated 14/12/2022 Revision 0001; 07 dated 14/12/2022 Revision P1; 08 dated 14/12/2022 Revision P1; 09 dated 14/12/2022 Revision P1; 12 dated 14/12/2022 Revision P1; 11 dated 14/12/2022 Revision P1; 04 dated 07/12/2022 Revision 03; 06 dated 09/05/2023 Revision 005; 05 dated 07/12/2022 Revision 03; 01 dated 07/12/2022 Revision 03; 02 dated 19/04/2023 Revision 004; 03 dated 07/12/2022 Revision P1; Design & Access Statement including Heritage Statement by Bailey Partnership, Job No. 34324, Rev 002, dated 18/01/2023; Noise Impact Assessment by Nova Acoustics Consultants, project No. 8849PM, Rev: 01, dated 17 January 2023

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:  
Architectural Plans by Bailey Partnership, project No. 32415; 32415015 dated 29/03/2021 Revision 0001; 13 dated 14/12/2022 Revision 0001; 07 dated 14/12/2022 Revision P1; 08 dated 14/12/2022 Revision P1; 09 dated 14/12/2022 Revision P1; 12 dated 14/12/2022 Revision P1; 11 dated 14/12/2022 Revision P1; 04 dated 07/12/2022 Revision 03; 06 dated 09/05/2023 Revision 005; 05 dated 07/12/2022 Revision 03; 01 dated 07/12/2022 Revision 03; 02 dated 19/04/2023 Revision 004; 03 dated 07/12/2022 Revision P1; Design & Access Statement including Heritage Statement by Bailey Partnership, Job No. 34324, Rev 002, dated 18/01/2023; Noise Impact Assessment by Nova Acoustics Consultants, project No. 8849PM, Rev: 01, dated 17 January 2023

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such.

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 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.

Informative(s):

1 Reasons for granting permission.

The application building is a grade II listed detached house and located in Hampstead Conservation Area.

An existing external condenser is proposed to be upgraded to a more modern and energy efficient condenser unit. This would be located above the kitchen roof, in the exact same location as the existing condenser. The proposed condenser would be slightly larger than the existing unit and would not be seen when readily visible from the street due to the application site being elevated above the road. As such, it is considered that the proposed unit would not cause adverse harm to the listed building nor the conservation area.

Another condenser unit is proposed to be located on the western elevation in an existing bin storage area. The condenser unit would not be visible from the street due to it being partially enclosed and set back within a store and being screened by existing mature hedging along the entire front boundary of Gainsborough Gardens.

It is noted that the external condenser units are to be housed within acoustic enclosures to limit the noise emitted from the units. The acoustic units are in keeping with the recommendation outlined in the submitted acoustic report.

The pipe work from the condensers to the internal units will be concealed from view by the projected brick work of the chimney on the right flank and the brickwork return on the left flank elevation.

It is proposed that the pipe work to be installed on the right flank elevation will be enclosed in a boxed conduit to be colour matched to the colour of the red brick of the wall making it less visible when viewed from the road in front of the adjoining property.

The proposals are considered to preserve the character and appearance of the conservation area and the significance of the listed building.

The proposal would not cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook or privacy or noise disturbance. The submitted noise report shows that the condensers are capable of meeting Council noise level standards and conditions are imposed to ensure this.

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

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, and to preserving or enhancing the character or appearance of the conservation area, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposal is in general accordance with policies D1, D2, and A1 of the Camden Local Plan 2017, and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2020. 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](http://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