

Application ref: 2023/1949/P
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Date: 14 August 2023

Development Management
Regeneration and Planning
London Borough of Camden
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Iceni Projects
44 Saffron Hill
London
EC1N 8FH
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
40 Whitfield Street
London
Camden
W1T 2RH

Proposal:

Installation of plant equipment including x1 AHU and x2 condenser units to flat roof within associated acoustic enclosure.

Drawing Nos:

Drawings: S_001_1; EX-R_001_1; Ex_E002_1; E_002_1; D_009_2; D_010_2;
R_001_1.

Supporting documents: Cover Letter and Design and Access Statement (dated 15/05/2023); Plant Noise Impact Assessment (dated 05/05/2023); Cooling Hierarchy Assessment (dated 02/06/2023).

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: S_001_1; EX-R_001_1; Ex_E002_1; E_002_1; D_009_2; D_010_2; R_001_1.

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 The external noise level emitted from plant, machinery, or equipment at the development with specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA 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 and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 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 ensure that the amenity of occupiers of the development site and 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.

Informative(s):

- 1 Reasons for granting permission:

The proposal is for the installation of plant equipment, specifically one air handling unit and two condenser units to be located in an acoustic enclosure to the flat roof of the building. The proposed works are required in order to ventilate the commercial space within the building and ensure energy efficiency and performance.

The proposed location of the new enclosed plant area is at roof level, and the

enclosure would be acoustically insulated and measure approximately 6m in length, 4.7m in width, and 2.8m in height. It would be finished with powder coated aluminium that matches the existing building, and would be louvred to the west and south elevations with solid panels to the east and north elevations, the latter of which would have door access. Given the modest size of the enclosure and its position on the flat roof, there would be very limited views from the public realm, so there would be limited impact on the appearance of the building or wider conservation area. The design and scale of the proposed works are considered to preserve the character and appearance of the conservation area.

The application has included a cooling hierarchy statement that outlines how adequate cooling could not be provided through passive measures, largely due to site constraints such as fixed non-opening windows and physical restrictions from building layout and design, as well as from neighbouring buildings. It is considered that the statement shows that active cooling is justified in this context.

Due to the nature and the location of the proposal, there would be no adverse impacts upon neighbouring amenity in terms of loss of outlook, daylight, or privacy. A plant noise impact assessment was submitted that assessed the impact of the proposed equipment in terms of noise emissions, which has been reviewed by the Council's Environmental Health Officer, who has confirmed that the noise emission levels of the proposed plant would meet the Local Authority criteria during the operating period with the specified mitigation methods. Approval will be subject to conditions requiring compliance with Camden's noise standards.

No objections were received prior to the determination of this application. The planning history of the site has been taken into account when coming to this decision.

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.

As such, the proposed development is in general accordance with policies D1, D2, A1, A4, CC1, and CC2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the 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-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