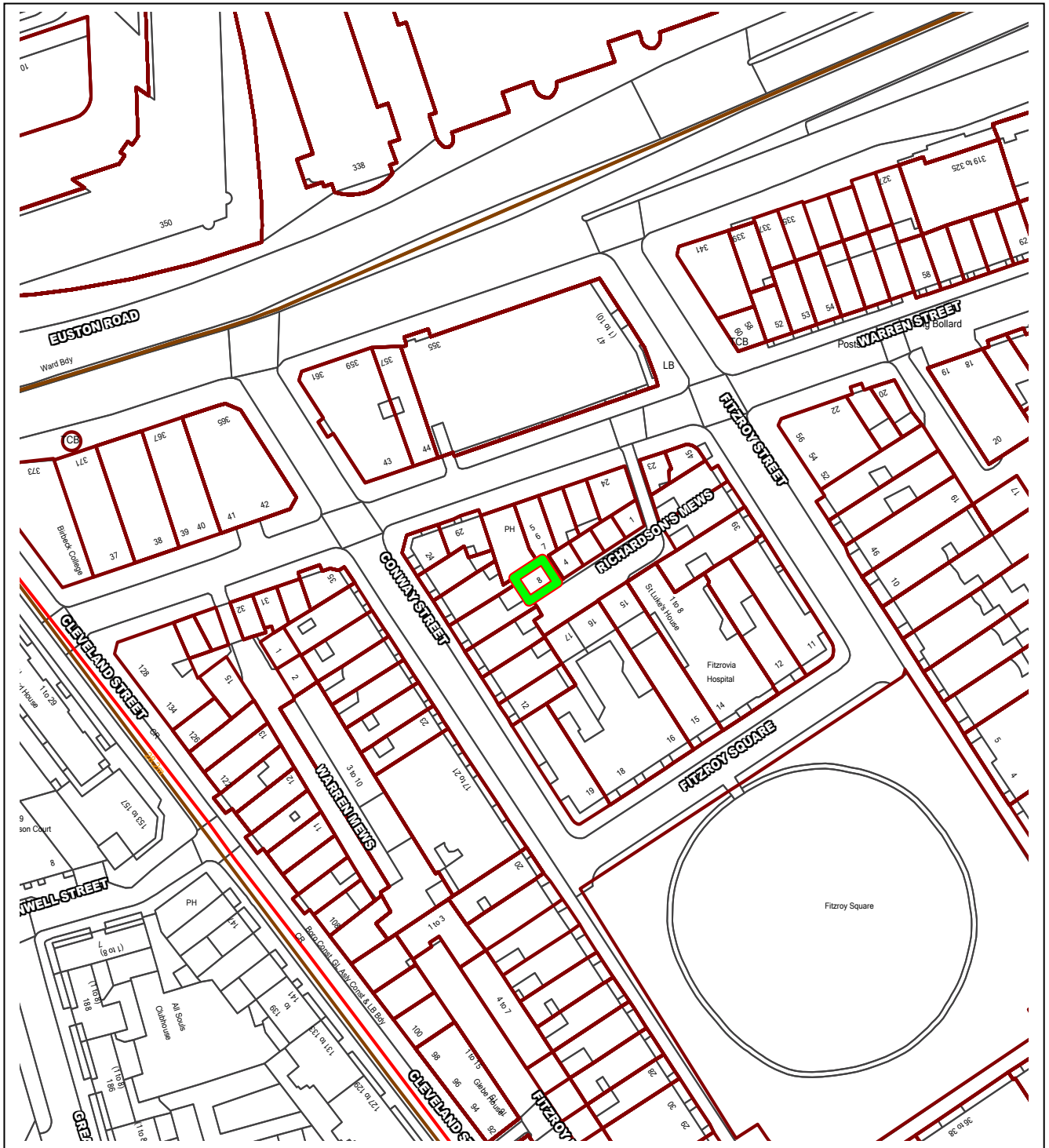


2021/4024/P - 8 Richardson's Mews

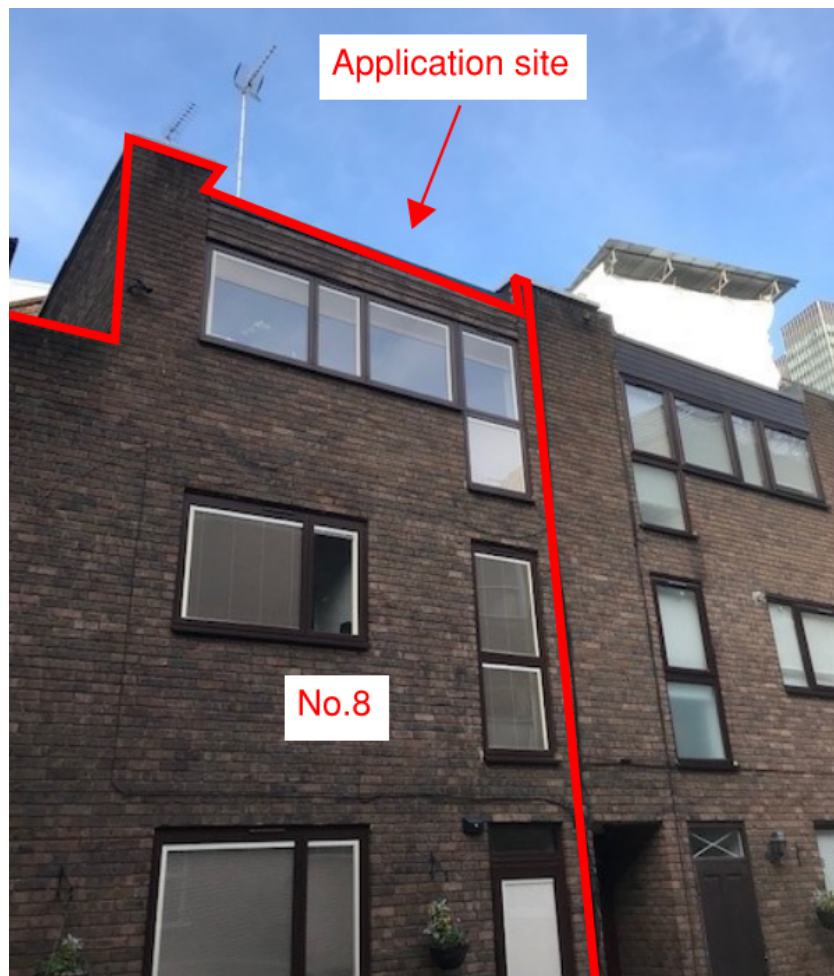


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Photo 1 – view looking south-west along Richardson’s Mews



Photo 2 – view of host property (8 Richardson’s Mews)



Delegated Report		Analysis sheet	Expiry Date:	14/06/2022
(Members Briefing)		n/a	Consultation Expiry Date:	22/05/2022
Officer			Application Number	
Tony Young			2021/4024/P	
Application Address			Drawing Numbers	
8 Richardson's Mews London W1T 6BS			Refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal				
Installation of air conditioning unit within acoustic enclosure and rooflight to 2nd floor roof area in connection with existing residential use (part retrospective).				
Recommendation	Grant Planning Permission subject to conditions and Warning of Enforcement Action to be taken			
Application Type:	Householder			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informative:						
Consultations						
Published notices:	Site notice was displayed from 22/04/2022 to 16/05/2022 Press notice was published from 28/04/2022 to 22/05/2022					
Adjoining Occupiers & local groups	No. notified	0	No. of responses	1	No. of objections	1
Summary of all consultation responses	<p>Bloomsbury Conservation Area Advisory Committee (on behalf of the Fitzroy Square CAAC) objected to the proposal on 02/05/2022, as follows:</p> <ul style="list-style-type: none"> <i>'This retrospective application for the installation of 'AC units within acoustic enclosure' is unclear. The BCAAC requests photos of before and after. The drawings provide no clarity. The BCAAC asks for visual information on the impact of these units on the surrounding buildings, some of which are listed, and asks whether these units are visible in the public realm, or have an impact on the public realm, in a Conservation Area. A site visit may be a way forward.'</i> <p>Officer response:</p> <ul style="list-style-type: none"> <i>The proposal is considered to be acceptable subject to a number of design and amenity mitigation measures to be taken and secured by condition.</i> <i>The case officer has also relied on a site visit to confirm the degree of visibility of the unauthorised a/c unit from a number of public vantage points, in addition to the information provided in the application submission (see Sections 4-6 below for full assessment).</i> <i>Following an officer site visit, photographs and marked up drawings were forwarded to the Bloomsbury CAAC on 06/04/2023 for further comment. No response has been received.</i> 					

Site Description

The application site comprises a 3-storey mews property located on the north side of Richardson's Mews, which backs onto and is accessed from Warren Street to the north.

The building is not listed and is located within the Fitzroy Square Conservation Area.

While the south side of the mews contains a group of mainly 19th century buildings, the north side (where the host building is located) comprises a row of more modern brown brick mews houses which are not identified as making either a positive nor negative contribution within the conservation area (Fitzroy Square Conservation Area Appraisal and Management Strategy, adopted March 2010).

Relevant History

2020/5469/P - Installation of replacement metal framed windows and the installation of solar panels on the flat roof. Planning permission granted 14/04/2021

26665 (nos. 1-4 Richardson's Mews and 24 & 27 Warren Street) - The change of use of the second and third floors of No.24 Warren Street to offices and the redevelopment of No.27 Warren Street with a building comprising ground and four upper floors for residential purposes and 1-4 Richardson Mews with a building comprising ground and two upper floors for residential purposes. Planning permission granted 17/10/1978

14669(R) (nos. 1-4 Richardson's Mews) - The redevelopment of 1-4 Richardson Mews, W.1., by the erection of five news houses. Planning permission granted 08/01/1973

Enforcement history:

EN21/0251 - Possible unauthorised works being carried out. Investigation yet to be concluded following receipt of a retrospective planning application being considered in this report (2021/4024/P)

Relevant policies

National Planning Policy Framework 2021

London Plan 2021

Camden Local Plan 2017

A1 - Managing the impact of development

A4 - Noise and vibration

D1 - Design

D2 - Heritage

CC1 - Climate change mitigation

CC2 - Adapting to climate change

Camden Planning Guidance

CPG Design 2021 - chapters 1 (Introduction), 2 (Design excellence) and 3 (Heritage)

CPG Amenity 2021 – chapters 1 (Introduction), 2 (Overlooking, privacy and outlook) and 6 (Noise and vibration)

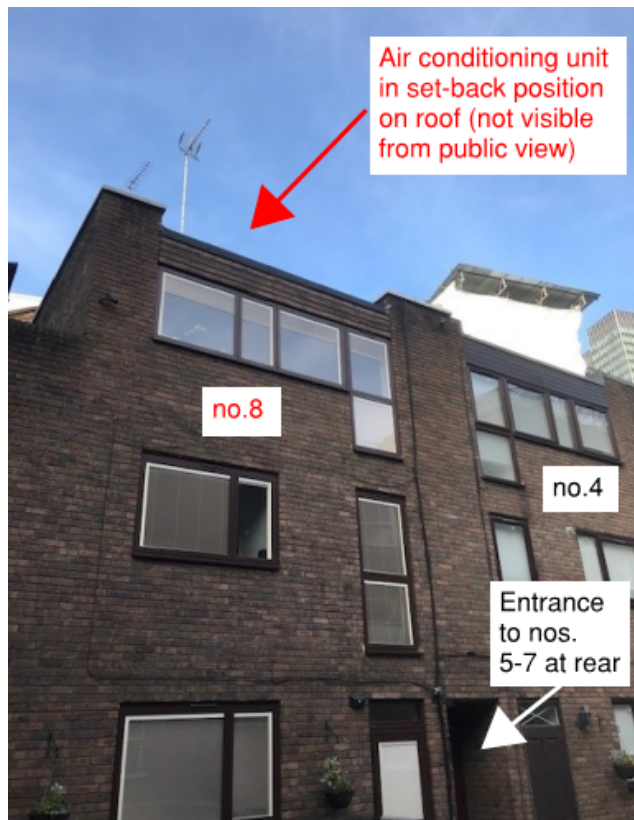
CPG Energy efficiency and adaption 2021 – chapters 8 (Energy efficiency in buildings) and 10 (Sustainable design and construction principles)

Fitzroy Square Conservation Area Appraisal and Management Strategy (adopted March 2010)

Assessment

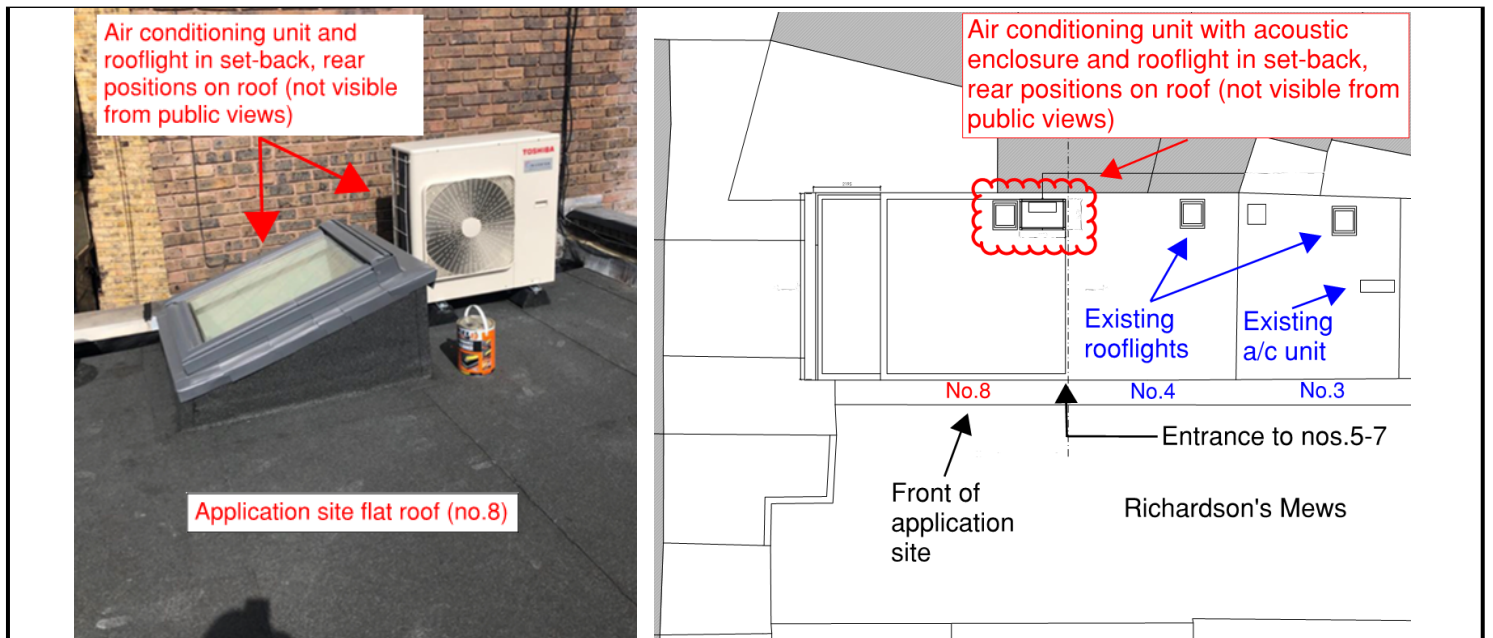
1. Proposal

- 1.1 Planning permission is sought retrospectively for the unauthorised installation of an air conditioning unit already in situ on the front flat roof of the building at 2nd floor level in connection with an existing residential use (see Images 1 and 2 below). The external dimensions of the air conditioning unit are 0.89m (high) x 0.9m (wide) x 0.32m (deep).



Images 1 & 2 – indicating rear position of proposed equipment from within mews

- 1.2 Permission is also sought for the installation of a proposed louvred acoustic enclosure to surround the unauthorised unit as recommended by the accompanying noise assessment report and the installation of an unauthorised rooflight adjacent to the unit (see Images 3 and 4 below).



Images 3 & 4 – roof photo & plan showing unauthorised equipment in situ (& proposed acoustic enclosure)

2. Background

- 2.1 Following a complaint received by the Council from a local resident on 08/04/2021 in relation to alleged unauthorised works being carried out at no.8 Richardson's Mews, which included the installation of an external air conditioning unit on the western side of the 2nd floor roof, an enforcement case was opened by the Council (ref. EN21/0251).
- 2.2 The owner of no.8 Richardson's Mews subsequently repositioned the air conditioning unit towards the rear of the roof, adjacent to a rooflight, which was confirmed as being an acceptable position by the complainant. Notwithstanding this, having established that both the repositioned air conditioning unit and rooflight have been installed unlawfully, the applicant submitted a full planning application retrospectively on 18/08/2021 in relation to these unauthorised works, as well as, to provide a proposed acoustic enclosure to surround the air conditioning unit already in situ (2021/4024/P).
- 2.3 The matter, therefore, now turns to these proposals as submitted as part of this current application for full planning permission; the assessment of which is the subject of this report.

3. Assessment

- 3.1 The principal considerations in the assessment and determination of the application are:
- the design and impact of the proposal on the character and appearance of the host building, wider streetscene and Fitzroy Square Conservation Area;
 - the impact of the proposal on noise and neighbouring amenity; and
 - the justification for comfort cooling in line with the London Plan 'cooling hierarchy'.

4. Design and heritage

- 4.1 Local Plan Policy D1 (Design) establishes that careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development in Camden which integrates into its surroundings. It advises that '*Good design takes account of its surroundings and preserves what is distinctive and valued about the local area.*'
- 4.2 Local Plan Policy D2 (Heritage) also states that the Council will only permit development within conservation areas that preserve and enhance the character and appearance of the area. The Fitzroy Square Conservation Area Appraisal and Management Strategy supports this when

stating that their designation as a conservation area, 'provides the basis for policies designed to preserve or enhance the special interest of such an area.'

- 4.3 Section 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (NPPF) advises that the impact of a proposal should be taken into account to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 4.4 A proposed air conditioning unit and rooflight already in situ have been installed on the front flat roof of the host property at 2nd floor level. Both are located in rear, set-back positions on the roof and are not visible from street-level public views from within the mews (see Images 1 and 2 above).
- 4.5 Some higher buildings which surround the site enable private views of the flat roofs along the north side of Richardson's Mews (nos. 1-8) - see Image 5 below. However, it is noted that several rooflights and an air conditioning unit of similar size and appearance are already situated in broadly the same locations along these flat roofs, and as such, the presence of the proposed equipment does not appear out-of-place or have any noticeably different impact at roof level when viewed from the upper floor levels of neighbouring properties.

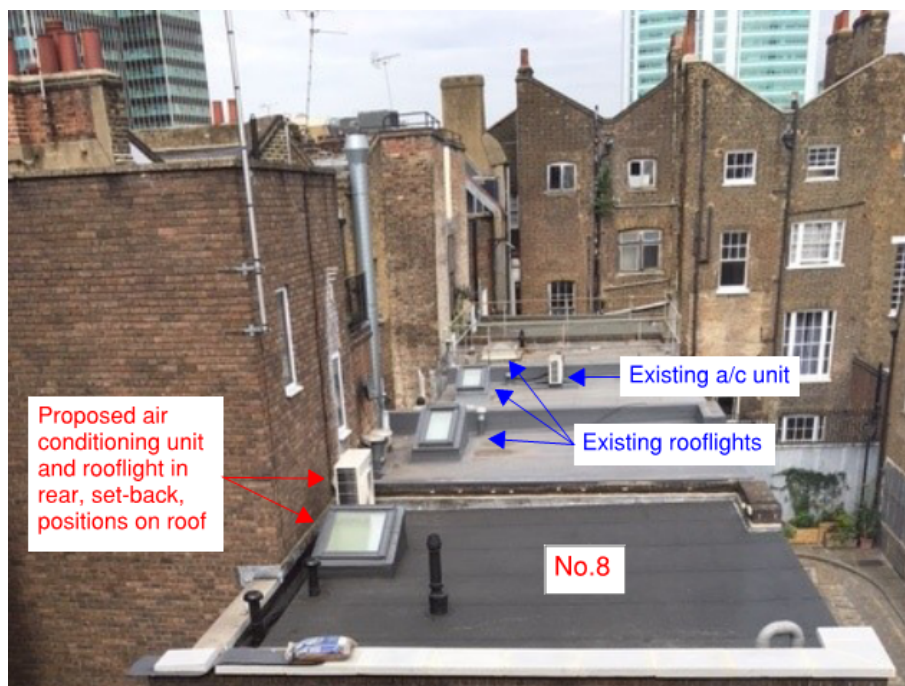


Image 5 – photo of roofs along north side of Richardson's Mews

- 4.6 In design terms, the proposed air conditioning unit is noted as having a functional appearance typical of this type of equipment and that the proposed acoustic enclosure would conceal the unit entirely from view. While it is acknowledged that any such enclosure would necessarily need to be larger than the air conditioning unit it would house, an enclosure would be expected to be only marginally larger in order to avoid introducing any additional bulk or height to the roof top. Therefore, notwithstanding that any enclosure would not be visible from public views, the proposed external dimensions for the proposed acoustic enclosure (1m high x 1m high x 1.5m deep) relative to the size of the proposed air conditioning unit (0.89m high x 0.9m wide x 0.32m deep) are considered to be excessively large.
- 4.7 In this regard, a condition would be added to any approval requiring that details of a smaller acoustic enclosure are submitted to the Council for approval in writing prior to installation. A condition would also be added requiring any approved enclosure to be painted dark grey in colour and with a matt finish. This would help ensure that all visible external surfaces would blend in more closely in the context of the existing roof finish and general appearance of roofs and paraphernalia located across the terrace of rooftops.
- 4.8 The dark grey colour of the proposed rooflight frame would also assist in this regard and help to minimise any adverse impact of rooflight's introduction at roof level. Though the height and design

of the proposed rooflight might appear as an incongruous and unsympathetic alteration under certain circumstances, it is considered to be an appropriate addition in this instance when considered in the context of the existing appearance of rooftops on the northern side of Richardson's Mews given its similar design, size and appearance to other rooflights already in situ on the adjacent roofs of nos. 3 and 4. Similarly, the proposed rooflight would not be visible from street-level public views from within the mews given its rear, set-back position on the roof of the host property.

4.9 Overall, therefore, the proposals would not noticeably alter the appearance of the host property or wider mews, and would preserve the character and appearance of the Fitzroy Square Conservation Area. As such, the proposals are acceptable and would accord with Local Plan Policies D1 (Design) and D2 (Heritage) and related guidance in design and heritage terms.

4.10 Special attention has also been paid to the desirability of preserving or enhancing the character or appearance of the Fitzroy Square Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas Act 1990) as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

5. Noise and amenity

5.1 Local Plan Policy A1 (Managing the impact of development) and Camden Planning Guidance (Amenity) seek to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents in terms of noise and vibration levels. This is supported by Camden Planning Guidance (Amenity) that requires the potential impact on the amenity of neighbouring properties to be fully considered.

5.2 Local Plan Policy A4 (Noise and vibration) confirms that planning permission will only be granted for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity and noise sensitive locations.

5.3 The application retrospectively seeks planning permission for the unauthorised installation of an air conditioning unit already sited on the front flat roof of the building at 2nd floor level in connection with an existing residential use (see Images 3-5 above). The application is accompanied by a Noise Impact Assessment from Clement Acoustics (ref. 16981-NIA-01) dated 18/08/2021 which has been reviewed by the Council's Environmental Health Team.

5.4 The Assessment indicates that the proposal would comply with Camden's noise standards following the implementation of a number of mitigation measures necessary to reduce the noise level of the existing unauthorised air conditioning unit currently in situ. As such, planning permission is also sought for the installation of an acoustic enclosure to house the unit by way of mitigation. The report suggests that a louvred enclosure could achieve the necessary attenuation and reduction in noise levels required to meet Camden's noise standards.

5.5 Having reviewed the assessment report and all supporting information in context with the proposals, the Council's Environmental Health Team raise no objection to the development proposals. However, any approval would include a number of conditions as additional safeguarding measures to ensure that Camden's noise standards are met such that neighbouring residential amenity is protected. These would include a condition requiring a post-installation assessment to be carried out and submitted to the Council for approval within 1 month of the date of any decision notice following the implementation of the proposed acoustic enclosure.

5.6 Additional compliance conditions in regard to noise levels and anti-vibration measures would also be attached to any permission, so as to further safeguard the amenities of the surrounding premises and the area generally, such that neighbouring residential occupiers would not be unduly harmed by the proposals. The conditions would ensure that all measures are thereafter permanently retained and maintained as such.

5.7 It is also recognised that air conditioning units generate heat and that from time to time, depending on the ambient environment, wind direction and seasonal weather conditions, heat can appear more noticeable to neighbouring properties than at other times. Engineers therefore typically take heat generation of equipment into account when selecting the optimal location for an air conditioning unit in accordance with manufacturer's recommendations. In this particular case, an open roof space like the existing location is considered to be a good outside location with a good level of natural ventilation and sufficient distance from habitable residential windows to ensure that heat can normally be dissipated adequately.

5.8 There are no amenity concerns as a result of these proposals in terms of loss of privacy, light or any increased sense of enclosure to neighbouring properties given the size and dimensions of the proposed equipment, the distance between the nearest habitable residential windows and the unit's position, and the open nature of the mews facing environment.

5.9 Overall therefore, the proposal is not considered to have any significant adverse impact on the amenity of residential occupiers in terms of noise levels and vibration, nor in terms of any adverse effects on other amenities, following a full implementation of all proposed mitigation measures and subject to the satisfactory discharge of all conditions attached. As such, the proposal accords with Camden Local Plan Policies A1 (Managing the impact of development) and A4 (Noise and vibration), and related Camden Planning Guidance in amenity terms.

6. Energy efficiency and adaption

6.1 Local Plan Policy A1 (Managing the impact of development) and Camden Planning Guidance (Amenity) seek to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents in terms of noise and vibration levels. This is supported by Camden Planning Guidance (Amenity) that requires the potential impact on the amenity of neighbouring properties to be fully considered.

6.2 Local Plan Policy D1 (Design) and Local Plan Policy CC1 expect all developments, whether for refurbishment or redevelopment, to optimise resource efficiency and minimise the effects of climate change.

6.3 More specifically, Local Plan Policy CC2 (Adapting to climate change) and CPG (Energy efficiency and adaption) confirm that the Council generally discourages the use of air conditioning or active cooling except in exceptional circumstances given the additional energy consumption required from operating the equipment and the adverse impacts on the microclimate from the warm air expelled from the equipment. As such, the Council will expect a justification to be provided for any proposals involving the installation of air conditioning equipment and supporting information which demonstrates an appropriate level of mitigation and measures incorporated in line with the London Plan 'cooling hierarchy.' In all but the most exceptional cases, thermal modelling should also be submitted for applications involving residential properties.

6.4 The Fitzrovia Area Action Plan (Part 3: Vision and objectives) seeks to ensure that all buildings are as environmentally friendly as possible and expects all developments, new and existing, to minimise, mitigate and adapt to the impacts of climate change. Principle 10 (Part 4: Land use principles) promotes a sustainable approach to all development through minimising carbon emissions. As an adopted Area Action Plan, the aims and objectives of Fitzrovia Area Action Plan are closely associated with the Camden Local Plan and have equal weight to Local Plan policies.

6.5 It is firstly noted that houses on the north side of Richardson's Mews where the application site is located all have only south-facing windows; the upper 2nd floor having more extensive glazing and windows than the other floors. The houses also contain small rooms on the lower floors with low ceilings. While these particular characteristics can help to keep the mews houses warm in cold times by capturing and absorbing the sun from the south, so retaining heat within the small sized rooms, the applicant confirms that in warmer weather, especially in the daytime and during summer months, the solar gain results in heat building up throughout the day and the houses

becoming sun- and heat-traps leading to significant overheating problems. This is even the case at night where it is impossible to comfortably use the upper floors during warmer weather spells.

6.6 To address this issue, the applicant has submitted a statement identifying some specific energy efficiency measures that have been undertaken at the host property in an attempt to address overheating problems and control cooling as recommended in the 'cooling hierarchy', including passive measures where possible. The existing measures carried out by the applicant include:

- Solar shading measures - solar shading measures in the form of light-coloured internal blinds integrated into the new window system have been installed in an attempt to reflect the sun's rays and reduce the amount of heat entering the building through south-facing windows (see Image 6 below). The rooms are particularly small and during spring and summer require the blinds to be fully drawn down and closed at all times, especially at upper 2nd floor level where there is more extensive glazing and windows than at other floor levels. However, in spite of this, all rooms still become exceptionally hot and unbearable to occupy for the residents, even with blinds drawn down and regardless of whether windows are either open or closed. Additionally, the amount of natural daylight and outlook is severely impaired from closed blinds throughout the day for months during the summer.



Image 6 – showing integrated blinds to south-facing windows as part of solar shading measures taken

- New double-glazed doors and windows - given that all fenestration at the property is south-facing, the most solar efficient windows have been installed with appropriate U-values (to reduce heat energy moved through the glass) and G-values (to address solar energy transmittance). The new fenestration helps to reduce energy costs, provides more thermal efficiency and insulation, offsets the demand for powered heating and so reducing carbon emissions. The openable windows also help to improve natural cooling at the property and the passive flow of ventilation.
- Upgrading insulation of roof and floors with sealing and draft proofing - older roof materials were replaced with new roof materials with better insulation and technical properties, and sealing and draft proofing measures have been incorporated in flooring. However, as the rooms are permanently hot throughout the summer and hotter months, these measures mainly serve to retain a hot temperature within rooms during these times.
- Addition of energy efficient lighting and appliances - the lighting system was changed to low energy intensive LED lighting for all rooms on all floors to provide light using less power, so improving efficiency, lowering carbon emissions and reducing heat generation.

- Thermal and ventilation upgrading - all windows are double-glazed and openable to allow for passive forms of ventilation. Additionally, a new rooflight allows for some degree of 'night time purge ventilation' to use the cooler temperatures of the night to release the warm air stored in the thermal mass during the day. In combination with the openable windows, the rooflight also helps provide a 'stack effect' by drawing air through the property and allowing it to dissipate naturally to some degree.
- New energy-efficient boiler and heating controls - the boiler and all associated controls were replaced in 2020 with a boiler model and system rated as the best possible at the time for heat retention, low-carbon emissions and energy efficiency as part of an eco-solution for heating at the property.
- Insulation of hot water piping - all the piping is fully insulated and works were carried out to aggregate water pipes into a single section of the wall to minimize heat emission and the distance heat needs to travel through the pipework at the property.
- Improvements to building air tightness - insulation and sealing measures identified above, including sealed and draft-proofed windows and doors, have been carried out to improve air tightness.
- Installation of low water use fittings - these are being considered and have not been possible as yet. A water meter has been ordered and will be installed as soon as possible.
- Passive ventilation measures - not all measures for passive ventilation are possible given the constraints of the property and disproportionate cost involved for a small home; however, better use of natural ventilation has been achieved through the measures outlined above.
- Solar panels (proposed) - these have been approved and will be installed shortly. They will produce zero carbon emission electricity for re-use in the house so reducing the need for external sources of energy for lighting, cooling, heating, etc. This solar generated energy will help significantly reduce the carbon footprint for the property along with other measures identified above.

6.7 Notwithstanding all the home improvements that have been introduced as outlined above, the applicant has confirmed that the property still remains uncomfortably hot, particularly during the summer months, and is unbearable to live in at times, even when naturally ventilated and with all the above energy efficiency improvements and passive cooling measures undertaken. The applicant asserts, therefore, that the proposed air conditioning unit is essential in providing the relief and comfort of cooling to the host property for the occupants, particularly in light of the specific design characteristics and constraints of the host building, such that acceptable living conditions that would reasonably be expected can be achieved.

6.8 In this particular instance, therefore, having regard to all supporting information submitted, including the particular existing constraints of the application site, and all energy efficiency and passive cooling measures already implemented, it is considered that the need and exceptional circumstances required for comfort cooling has, on balance, been adequately justified and demonstrated in general accordance with Camden Local Plan Policies D1 (Design), CC1 (Climate change mitigation) and CC2 (Adapting to climate change), Parts 3 and 4 of the Fitzrovia Area Action Plan, and related Camden Planning Guidance.

7. Recommendation

It is therefore recommended that planning permission be granted subject to conditions and with a warning of enforcement action to be taken.

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 4th September 2023, nominated members will advise whether they consider this application

should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2021/4024/P
Contact: Tony Young
Tel: 020 7974 2687
Email: Tony.Young@camden.gov.uk
Date: 7 July 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

Miss Daria Golova
8 Richardson's Mews
London
W1T 6BS

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted and Warning of Enforcement Action

Address:

**8 Richardson's Mews
London
W1T 6BS**

DECISION

Proposal:

Installation of air conditioning unit within acoustic enclosure and rooflight to 2nd floor roof area in connection with existing residential use (part retrospective).

Drawing Nos: 002_P_001; (003_PL_)005 to 009 (inclusive), 205_C, 206_C, 207_B, 208_A, 209_A, 210; Noise Impact Assessment from Clement Acoustics (ref. 16981-NIA-01) dated 18/08/2021; Product specification (RAV-GM1101ATP-E condenser unit) from Toshiba; Product specification (Silent H-1 series acoustic enclosure); Justification statement from Daria Golova received 29/03/2023.

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 one year 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: 002_P_001; (003_PL_)005 to 009 (inclusive), 205_C, 206_C, 207_B, 208_A, 209_A, 210; Noise Impact Assessment from Clement Acoustics (ref. 16981-NIA-01) dated 18/08/2021; Product specification (RAV-GM1101ATP-E condenser unit) from Toshiba; Product specification (Silent H-1 series acoustic enclosure); Justification statement from Daria Golova received 29/03/2023.

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 Within 2 months of the date of this decision notice, details of a smaller proposed acoustic enclosure required to mitigate noise as identified in the supporting Noise Impact Assessment from Clement Acoustics (ref. 16981-NIA-01) dated 18/08/2021, shall be submitted to the Council for approval in writing by the local planning authority before the relevant part of the work is begun. The relevant part of the works shall thereafter be carried out in accordance with the details thus approved and be permanently retained and maintained as such.

Reason: In order to minimize the impact on the 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.

- 5 Within 2 months of the date of this decision notice, all 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 thereafter, be permanently retained and maintained as such in accordance with the manufacturers' recommendations.

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.

- 6 Within 2 months of the date of this decision notice, a post-installation noise assessment shall be carried out and be submitted to the Council for approval in writing, to confirm compliance with the noise criteria and with details of any additional steps taken to mitigate noise as identified in the supporting Noise Impact Assessment from Clement Acoustics (ref. 16981-NIA-01) dated 18/08/2021. All approved details shall be implemented, and thereafter, be permanently retained and maintained in accordance with the manufacturers' recommendations. The external noise level emitted from plant, machinery or equipment at the development hereby approved, along with any specified approved noise mitigation, 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.

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

- 7 Within 2 months of the date of this decision notice, all external equipment associated with the air conditioning unit and its operation, including acoustic enclosure and cables, shall be painted matt dark grey in colour, and thereafter be permanently retained and maintained as such.

Reason: In order to minimize the impact on the 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.

- 8 The air conditioning unit and all associated equipment hereby approved, including acoustic enclosure and cables, shall be removed from the roof of the building as soon as reasonably practicable when the air conditioning unit is no longer required.

Reason: In order to minimize the impact on the 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 **WARNING OF ENFORCEMENT ACTION TO BE TAKEN**

The unauthorised air conditioning unit located at 2nd floor level on a front flat roof is considered to have a detrimental effect on neighbouring amenity through adverse noise impacts. As such, enforcement action may be taken in relation to this matter should the measures required by conditions 4, 5 and 6 of this permission not be carried out in full within 2 months of the date of this decision notice being granted.

- 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>.

Yours faithfully

Chief Planning Officer

DECISION