

Application ref: 2023/2529/P  
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Date: 1 November 2023

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

Phone: 020 7974 4444

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Manalo & White  
Unit 402  
Metropolitan Wharf  
70 Wapping Wall  
London  
E1W 3SS

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**92 South Hill Park**  
**London**  
**NW3 2SN**

Proposal:  
Installation of condenser unit with acoustic enclosure in rear garden.

Drawing Nos:  
Site Location Plan 01 0120 P1, 01 0221 P1, 01 0523 P1, 03 0220 P1, 03 0420 P1,  
Design and Access Statement, Noise Impact Assessment Rev A (EMTEC dated  
5/5/2023), Part O Overheating Assessment (EEABS dated 27/07/2023), Sustainability  
Statement (dated 08/08/2023)

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:

Site Location Plan 01 0120 P1, 01 0221 P1, 01 0523 P1, 03 0220 P1, 03 0420 P1, Design and Access Statement, Noise Impact Assessment Rev A (EMTEC dated 5/5/2023), Part O Overheating Assessment (EEABS dated 27/07/2023), Sustainability Statement (dated 08/08/2023)

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 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 and policy DH1 of the Hampstead Neighbourhood Plan 2018.

- 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 and policy DH1 of the Hampstead Neighbourhood Plan 2018.

#### Informative(s):

- 1 Reasons for granting permission.

Planning permission is sought for the installation of a new air conditioning unit within an acoustic enclosure that would be located in the rear garden, adjacent the rear boundary with Hampstead Heath and the boundary with no. 84 South Hill Park.

The enclosure would be constructed of metal and painted green, in order to blend in with the verdant appearance of the garden. The enclosure would have only very limited visibility in private views within the conservation area and would be subordinate to the main house and garden area. As such, the design is considered acceptable.

The proposal is considered to preserve the character and appearance of the 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 Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers. The enclosure would be located away from neighbouring occupiers and a noise impact assessment has been submitted and reviewed by the Council's Environmental Health Team who deem it to be acceptable. Conditions are attached ensuring that the noise from the unit complies with the Council's standards.

A sustainability statement and associated overheating assessment have been submitted which justifies the need for air conditioning given the overheating that occurs within the property. The steps within the cooling hierarchy have been followed and given the constraints of the site, the justification is considered to be acceptable in this instance. The proposals thus comply with the Council's sustainability requirements.

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

As such, the proposed development is in general accordance with policies A1, A4, CC1, CC2, D1 and D2 of the Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 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-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