

Application ref: 2023/3216/P
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Date: 27 February 2024

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

WEA Planning
14 Windermere Rd
2nd Floor
London
N19 5SG

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
114 Sumatra Road
London
Camden
NW6 1PG

Proposal:
Retrospective application for installation of two air conditioning units on the rear elevation.

Drawing Nos:
Planning and Design Statement August 2023, Overheating Risk Assessment Revision
1 28 November 2023, Noise Emission Assessment 31/07/2023, SR-001, SR-002,
Location Plan 04-Aug-2023, AC Unit Spec.

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:

Planning and Design Statement August 2023, Overheating Risk Assessment Revision 1 28 November 2023, Noise Emission Assessment 31/07/2023, SR-001, SR-002, Location Plan 04-Aug-2023, AC Unit Spec.

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 policy D1 of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan.

- 4 The external noise levels emitted from the equipment shall ensure that the rating level of the noise emitted from the proposed installation located at the site shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound." 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 mechanical equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 Within 1 month of the date of this permission, plant or equipment hereby approved 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 scale and location of the retrospectively installed units are considered acceptable given their location at the rear of the property. While the installed units face out onto the side elevation of 1 Sandwell Crescent, there are no windows located on that side elevation of this dwelling.

The applicant is seeking for the units to be used for active cooling along with heating. Policy CC2 of the Local Plan requires development of all scales to following the cooling hierarchy, with active cooling measures discouraged

except if dynamic thermal modelling demonstrates a clear need for it after all the preferred measures are incorporated in line with the cooling hierarchy. An Overheating Risk Assessment has been provided, and reviewed by the Council's Sustainability Officer, who is raised no objection to the proposal. The assessment demonstrates that all rooms within the subject building fail the overheating test. In order to provide thermal comfort within the property, air conditioning could be introduced in lieu of significant works. The use of active cooling is therefore considered acceptable in this instance.

A Noise Emission Assessment has been submitted which was reviewed by Council's Environmental Health Officer who is satisfied that the submitted acoustic submission meets the local plan guidelines and is therefore acceptable in environmental health terms. Conditions regarding noise limits and installation of anti-vibration isolators have been included to ensure that the noise emitted will not unduly affect neighbouring occupiers.

The development is located in the rear garden, away from neighbouring dwellings and residential windows. Given this, it is not considered that the proposal would result in any negative impacts to neighbouring amenity with regards to loss of daylight/sunlight, outlook, or privacy.

One objection was received from a neighbouring property which raised concerns surrounding noise disturbance. Conditions have been included which require the noise levels emitted not to exceed the existing background level in accordance with BS4142:2014 +A1:2019, and that anti-vibration measures be installed within 1 month of permission being granted. This will ensure that the emitted noise levels will not negatively impact neighbouring occupiers.

As such, the proposed development is in general accordance with policies D1, A1 and CC2 of the Camden Local Plan 2017 and policy 2 of the Fortune Green & West Hampstead Neighbourhood Plan. 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) 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 2023.

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