

Application ref: 2024/0465/P
Contact: Christopher Smith
Tel: 020 7974 2788
Email: Christopher.Smith1@camden.gov.uk
Date: 4 June 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

BB Partnership Ltd
Studios 33 -34
10 Hornsey Street
London
N7 8EL
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
Weeping Ash
Oak Hill Park
London
NW3 7LP

Proposal:
Installation of external plant within an acoustic enclosure.

Drawing Nos: GIC-001, GIC-010A, GIC-015; Emtec Noise Report dated December 2023, Acoustic Louvres Type LAAC 15-105 specification document, Emtec specification document dated 9th 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: GIC-001, GIC-010A, GIC-015; Emtec Noise Report dated December 2023, Acoustic Louvres Type LAAC 15-105 specification document, Emtec specification document dated 9th January 2023.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 The external noise level emitted from two condenser units 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 surrounding premises is not adversely affected by noise from equipment in accordance with the requirements of policies A1 and A4 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 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

- 5 Prior to first use of the plant equipment hereby approved, the active cooling function shall be disabled on the factory setting and the equipment shall thereafter be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC2 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The proposal is for the installation of plant in the form of two air source heat pumps and two VRF condensers behind the existing garage block within a new dedicated enclosure. The application site does not include any listed or locally listed buildings. It is located within the Hampstead Conservation Area and the Hampstead Neighbourhood Plan area. The host property is subject to an Article 4 direction which restricts the property's permitted development rights.

The plant equipment and its enclosure would be screened from public areas and neighbouring properties by the existing garages and site boundary treatments, which includes a high boundary wall on the southern side of the site.

In terms of the energy hierarchy the applicant has established that the constraints of the main house in terms of its existing architecture (noting that changes to its external appearance are restricted by the Article 4 direction) and layout mean that ASHPs alone are not appropriate as a complete solution to the heating requirements of the building. The VRFs are therefore also required. This equipment will be set to heat the host property only, and no active cooling will take place. This would be secured by condition. The Council's Sustainability Officer has reviewed the applicant's heating approach and agrees it is suitable in the circumstances.

The plant machinery and enclosure would be sited close to a nearby large acer tree that must be protected during construction works. More information regarding tree protection methodologies has been requested by the Council's Tree Officer. This has been secured through condition.

The Council's Environmental Health Officer has reviewed the noise report submitted with this application and has raised no objections, subject to appropriate conditions. The amenity of the neighbouring properties would therefore be respected in terms of a loss of day/sunlight, outlook and privacy, and also in terms of noise disturbance.

No objections have been received prior to making this decision. The Hampstead Neighbourhood Forum and Hampstead CAAC have been consulted and raised no comments. 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 Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies A1, A3, CC2, D1 and D2 of the London Borough of Camden Local Plan 2017 and with policies DH1, DH2 and NE2 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) 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-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



Daniel Pope
Chief Planning Officer