

Application ref: 2024/1323/P
Contact: Daren Zuk
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Date: 27 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

Firstplan
Broadwall House
21 Broadwall
London
SE1 9PL

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 45
Equiano Court
Baldwin's Gardens
London
EC1N 7AE

Proposal:

Installation of 2x air condenser units and associated acoustic enclosure.

Drawing Nos: 2405-101, 2405-102, 2405-201, 2405-202, Location Plan, Covering Letter, Planning and Sustainability Statement, Plant Noise Impact Assessment, Overheating Assessment

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:

2405-101, 2405-102, 2405-201, 2405-202, Location Plan, Covering Letter, Planning and Sustainability Statement, Plant Noise Impact Assessment, Overheating Assessment

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 levels emitted from plant/ machinery/ equipment shall ensure that the rating level of the noise emitted from the proposed installation located at the site shall not exceed the typical 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." 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/ 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 of the condenser units at the development, they 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

Informative(s):

- 1 Reasons for granting permission.

The proposed 2x air source heat pumps are located on the top (6th) floor balcony of Flat 45, Equiano Court. The units are proposed to provide heating and cooling to the flat, which is experiencing overheating issues. The units have been sensitively sited to ensure that there is limited visibility from the public realm. It is therefore considered that the proposal would preserve the character and appearance of the host building and the wider Hatton Garden Conservation Area.

A noise impact assessment was submitted indicating that, with the provision of mitigation measures such as acoustic enclosures, the noise emitted from the

air-conditioning units would be within the requirements of policy A4. The proposals have been reviewed by the Council's Environmental Health team who deem them to be acceptable. Conditions are attached to ensure that noise from the plant does not exceed the required levels.

The application included an overheating assessment following the cooling hierarchy in accordance with the Local Plan. The assessment outlined that all other options within the cooling hierarchy have been explored and tested within the realms of the existing flat to bring the flat within reasonable comfort levels as set by CIBSE TM59. The dynamic thermal modelling proved that satisfactory levels are not achievable without active cooling. The assessment was reviewed by the Council's Sustainability Officer who deemed it to be acceptable and compliant with policy and guidance.

Due to the siting of the proposed units coupled with the provision of noise mitigation measures, the proposal is not considered to cause any adverse impacts on the amenity of neighbouring occupiers.

No objections were received following statutory consultation. 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 Hatton Garden 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, A4, D1, and CC2 of the Camden Local Plan 2017. 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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer