

Application ref: 2024/2740/P
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Date: 27 August 2024

Development Management
Regeneration and Planning
London Borough of Camden
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Prewett Bizley Architects
Second Floor
118a London Wall
EC2Y 5JA
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
16 Swain's Lane
London
N6 6QS

Proposal:
Installation of an ASHP in the forecourt and installation of external grilles to front and side elevations.

Drawing Nos: 259 S2 12; 259 S2 10; 259 S2 02; 259 S2 01; 259 S2 00; 259 S2 100; 259 P2 02; 259 P2 01; 259 P2 00; 259 P2 12; Noise assessment report reference 24019-002 prepared by Philip Acoustics Ltd. dated May 2024; Planning statement prepared by Prewett Bizley dated 27/06/2024; Supporting letter prepared by Prewett Bizley dated 22/08/2024.

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:

259 S2 12; 259 S2 10; 259 S2 02; 259 S2 01; 259 S2 00; 259 S2 100; 259 P2 02; 259 P2 01; 259 P2 00; 259 P2 12; Noise assessment report reference 24019-002 prepared by Philip Acoustics Ltd. dated May 2024; Planning statement prepared by Prewett Bizley dated 27/06/2024; Supporting letter prepared by Prewett Bizley dated 22/08/2024.

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 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 machinery operating 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.

- 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.

- 6 Prior to first use of the air source heat pumps hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pumps shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC1 and CC2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The application building is an Art Deco comprising three-storey block of flats with metal windows and a rounded corner at the south of Swain's Lane. The building is not listed but within the Dartmouth Park Conservation Area. It is identified as a positive contributor to the conservation area.

The ASHP external unit is proposed for installation at the forecourt behind an existing low brick planter and this unit would be approximately 9.3m away from the footway. According to the submitted information, the proposed external unit would be measured approximately 1144mm in width, 841mm in height and 600mm in depth. Two MVHR ducts are proposed to front elevation next to the entrance door and four external vents would be installed respectively at first floor and second floor level to the side elevation (west elevation).

The proposed ASHP external unit would be partly obscured behind the existing low brick planter and approximately 9.3m away from the adjacent public highway. It is noticed that fencing and gate along the front curtilage were approved under an approval of details application reference 2024/2238/P. These approved fencing and gate to the front would be able to further obscure the visual impact of the proposed unit to street scene. The applicant has provided justifications via a supporting statement that installation at the front would be the only viable option not to compromise the efficiency of the proposed ASHP. Installation at the rear of the site would involve long flow and return pipework which could potentially cause much more visual harm to the host building. Whilst installing an ASHP external unit at forecourt is uncommon along Swain's Lane, given the unit's modest size, its separation distance from the adjacent public highway and the approved front fencing and gate, it is considered the resulting visual impact would be acceptable on balance.

The proposed two MVHR ducts to the front elevation would be installed adjacent to an existing drainage duct. Given their minimal size and the setback distance from the street, it is not considered they would cause any significant visual harm to the host building or street scene. The other eight external vents installed to the west elevation would be obscured by the obliqueness of the view from Swain's Lane and therefore are not considered to cause noticeable harm to the host building or 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.

In terms of amenity, given the nature and scale of the proposed external refurbishment works, these elements are not considered to cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook or privacy.

The agent has confirmed in writing that the proposed ASHP will only be used for heating and not for active cooling. The Council's Environmental Health Officer is satisfied that the submitted acoustic submission should meet Camden Local Plan 2017 guidelines. Therefore, the proposed ASHP is considered acceptable on environmental health terms. Conditions of approval are

proposed which would ensure the plant met noise and vibration criteria.

No objections were received following statutory consultation. 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, D1, D2, CC1 and CC2 of the London Borough of Camden Local Plan 2017, Policies DC2, DC3 and ES4 of the Dartmouth Park Neighbourhood Plan 2020, 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.

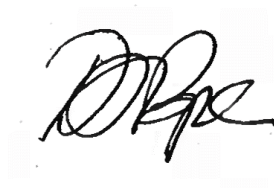
In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

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

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

Daniel Pope
Chief Planning Officer