

Application ref: 2024/0092/P
Contact: Adam Greenhalgh
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Date: 5 September 2024

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

Phone: 020 7974 4444

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www.camden.gov.uk/planning

JAS Design
85a
Wrotesley Road
London
NW10 5UD
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**3 King Henry's Road
London
NW3 3QP**

Proposal: New lead cover and installation of an air conditioning unit onto flat part of roof.
Drawing Nos: 23-025-KHR: 001, 002, 003, Plant Noise Assessment (AF Acoustics Ltd - 21/11/2023), Overheating Assessment (Hodkinson - August 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 drawings/documents:

23-025-KHR: 001, 002, 003, Plant Noise Assessment (AF Acoustics Ltd - 21/11/2023), Overheating Assessment (Hodkinson - July 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 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.

Informative(s):

- 1 Reasons for Granting Permission:

The new roof covering and air conditioning unit would be situated behind the pitched roof at the front of the roof and they would not be visible from King Henry's Road. Set back 2m from the rear elevation and sandwiched between pitched roofs on each side, the air conditioning unit would also not be immediately visible from any of the properties to the rear on Regent's Park Road.

The proposals are therefore not considered to detract from the character and appearance of the host building or the townscape in general and there will be no loss of outlook for any neighbouring occupiers.

The Primrose Hill Conservation Area Advisory Committee has raised no objections to the proposals.

The Council's Health Officer has considered the Plant Noise Impact Assessment which has been submitted and is satisfied that the submitted

acoustic submission meets the Local Plan guidelines and therefore acceptable in environmental health terms. Consequently, there are no objections to the application in terms of noise and disturbance, subject to the implementation of conditions to ensure that the plant does not exceed recommended noise levels and that appropriate anti-vibration measures are provided. The conditions are duly attached.

The application is for active cooling, therefore, as per policy CC2 and Energy Efficiency and Adaption CPG, it is required to demonstrate that other 'passive' measures have been considered and modelled before active cooling is proposed.

The application is supported by an Over-heating Assessment in line with the cooling hierarchy. This includes a G-value of 0.40 and high reflectivity internal blinds. It has been demonstrated that the level of overheating risk is so significant that passive measures will not lead to compliance. As a result, a comfort cooling solution is still recommended.

The Council's Energy and Sustainability Officer has considered the Over-heating Assessment and agrees that under the conditions, air conditioning for the bedrooms is justified and not contrary to the Council's climate change policies.

No objections have been received following statutory consultation on the application. The site's planning history has been taken into account in making the decision.

The proposals comply with policies, A1, D1, D2, CC1 and CC2 of the Camden Local Plan 2017. The proposals also comply with the London Plan 2021 and the NPPF 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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer