

Application ref: 2024/3148/P
Contact: Ewan Campbell
Tel: 020 7974 5458
Email: Ewan.Campbell@camden.gov.uk
Date: 17 September 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

Gundry and Ducker Architecture
Unit 1
35 Shore Road
LONDON
E9 7FL
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

3 Rothwell Street
London
NW1 8YH

Proposal: Installation of an air source heat pump (ASHP) within an acoustic enclosure on the roof.

Drawing Nos: 405_PL_00, 405_PL_01, 405_PL_02, 405_PL_03 (Rev A), 405_PL_04 (Rev A), 405_PL_05, 405_PL_06, 405_PL_07, 405_PL_08 (Rev A), 405_PL_09, 405_PL_10, 405_PL_11, 405_PL_12, 405_PL_13, 405_PL_14, 405_PL_15

Design and Access Statement (July 2024), Heritage Statement (2024), Noise Impact Assessment (18964-NIA-01 Rev A) (08/04/2024), Overheating Study (19466)

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 405_PL_00, 405_PL_01, 405_PL_02, 405_PL_03

(Rev A), 405_PL_04 (Rev A), 405_PL_05, 405_PL_06, 405_PL_07, 405_PL_08 (Rev A), 405_PL_09, 405_PL_10, 405_PL_11, 405_PL_12, 405_PL_13, 405_PL_14, 405_PL_15

Design and Access Statement (July 2024), Heritage Statement (2024), Noise Impact Assessment (18964-NIA-01 Rev A) (08/04/2024), Overheating Study (19466)

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 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 The proposed plant shall be installed and constructed to ensure compliance with the limits and mitigation measures identified in the Clement Acoustics Noise Impact Assessment ref: 18964-NIA01-RevA.

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.

- 6 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.

- 7 Prior to first use of the air source heat pump hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pump shall 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.

Informative(s):

1 Reasons for granting permission.

The air source heat pump and enclosure is located on the roof and concealed from public and private views behind the parapet wall. The alteration is considered small and does not adversely impact the character of the conservation or the listed building. Due to this location, small scale nature and lack of visibility the proposal will also not impact setting of the nearby listed buildings on Rothwell Street.

The proposal would enhance the character and appearance of the conservation area overall. It would also enhance the special architectural or historic interest of the listed building(s). The council has had special regard to the desirability of preserving the character and appearance of the Conservation Area, and the listed building, its setting, and its features of special architectural or historic interest.

Given the minor scope and scale of the proposed works, it is not considered that they would create any new impacts to neighbouring residential amenity with regards to loss of daylight/sunlight, outlook, or privacy. A noise assessment was submitted and assessed by the Council's Environmental Health team, who found that the impact was not harmful and acceptable. Compliance conditions in relation to noise levels, mitigation measures and vibration measures are placed on the application.

A condition will be placed on the application to ensure the unit will be used for heating only in accordance with policies CC1 and CC2 of the 2017 Local Plan

Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because it is below the de minimis threshold, meaning it does not impact an onsite priority habitat and impacts less than 25sqm of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of linear habitat

The planning history of the site was taken into account when coming to this decision. The Primrose Hill CAAC did not raise any objections but did request a condition for mitigation measures to be condition. This condition is on the application.

One objection was received which made reference to the noise impact of the proposed unit. The Council has fully assessed the assessment provided by the applicant and placed necessary conditions on the application to mitigate any harmful impact.

As such, the proposal is in general accordance with policies A1, CC1, CC2 D1 and D2 of the Camden Local Plan 2017. The proposed development also

accords with the policies of the London Plan 2021 and 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