

Application ref: 2023/5039/P
Contact: Sam Fitzpatrick
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Date: 23 October 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

Chris Potter Associates Ltd.
20-22 Wenlock Road
London
N1 7GU

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Highgate Library
59 Chester Road
London
N19 5DH

Proposal:

Installation of air source heat pumps to courtyard at rear of site and associated external alterations, including like-for-like window replacement with double glazing and bricking up and relocation of courtyard doorways.

Drawing Nos:

Location Plan; AR-01; AR-60; AR-61; AR-62; SK01; AR-01 Rev A; Design and Access Statement (prepared by Chris Potter Associates, dated 27/11/2023); Plant Noise Impact Assessment (prepared by Clarke Saunders, dated 07/06/2024); Acoustic Enclosure and Acoustic Wall Lining Specification.

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:

Location Plan; AR-01; AR-60; AR-61; AR-62; SK01; AR-01 Rev A; Design and Access Statement (prepared by Chris Potter Associates, dated 27/11/2023); Plant Noise Impact Assessment (prepared by Clarke Saunders, dated 07/06/2024); Acoustic Enclosure and Acoustic Wall Lining Specification.

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 proposed plant shall be installed and constructed to ensure compliance with the limits and mitigation measures identified in Clark Saunders Acoustic report (AS13490240318.NIA|07/06/24).

Reason: To ensure that the amenity of visitors to the development site and occupiers of the 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 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 visitors to the development site and occupiers of the 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 visitors to the development site and occupiers of the 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 Policies CC1 and CC2 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission:

The proposal is for the installation of three air source heat pumps (ASHPs) to the west courtyard of the building as well as minor works to this courtyard, such as the relocation of two doorways. These works are intended to aid with the decarbonisation of Highgate Library as part of the Council's Carbon Reduction Programme. These works are also covered by an application for listed building consent, ref. 2024/3407/L, though this is yet to be determined. It should be noted that these works will require listed building consent, regardless of the grant of planning permission.

The west courtyard is located at the rear of the site, away from both Chester Road and Croftdown Road. The three ASHPs would be situated within this courtyard, and would be screened by the existing high walls of the courtyard, which are approximately 3m high, as well as natural screening from the vegetation on the opposite side of the western-facing wall. All ASHPs would also be housed within an acoustic enclosure consisting of a steel frame with acoustic louvres and panels. One doorway leading to a changing room is proposed to be removed and blocked up with bricks to match the existing wall; the doorway to be removed is modern plywood and the changing room can be accessed internally. The fire exit from the courtyard is also proposed to be relocated by approximately 600mm to the southwest, with the existing doors and frame to be reused. The replacement windows would match the existing in design and materiality, with the only change being the addition of double glazing, which is acceptable. These works would not affect the access to the building and due to their location, would have very limited public visibility. The works would therefore not be considered to adversely impact the character or appearance of the conservation area or the setting of the listed building.

The proposal would preserve the character and appearance of the conservation area overall. It would also preserve the special architectural or historic interest of the listed building. 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 nature of the proposed works, it is not expected that there would be any significant impact on amenity in terms of loss of outlook, daylight, or privacy. A plant noise assessment was submitted that assessed the impact of the proposed equipment in terms of noise emission, which has been reviewed by the Council's Environmental Health Officer. It has been confirmed that the proposed plant would meet the Local Authority criteria during the operating period with the specified mitigation methods and subject to conditions, which have been attached to this decision.

A condition will be placed on the application to ensure the ASHPs will be used for heating only, in accordance with the Council's sustainability policies.

No objections were received prior to the determination of this application. 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. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 2 The applicant is reminded that the associated application for listed building consent (ref. 2024/3407/L) for the proposed works has not yet been determined and is still outstanding. Listed building consent is required alongside planning permission for the works to take place.
- 3 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).
- 4 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.
- 5 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.

6 Biodiversity Net Gain (BNG) Informative (1/2):

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below.

Based on the information available, this will not require the approval of a BGP before development is begun because the proposal is not "major development" and was made before 2 April 2024.

Summary of statutory exemptions for biodiversity gain condition:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because:
 - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
 - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
 - The application is a Householder Application.
 - It is for development of a "Biodiversity Gain Site".
 - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
 - It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

7 Biodiversity Net Gain (BNG) Informative (1/2):

Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on

compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73(2D) of the Town and Country Planning Act 1990: If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect the post-development value of the onsite habitat, or any arrangements made to compensate irreplaceable habitat, as specified in the earlier BGP.

Phased development:

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

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 written over a light blue rectangular background.

Daniel Pope
Chief Planning Officer