

Application ref: 2024/0697/P  
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Date: 5 November 2024

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

Phone: 020 7974 4444

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Architecture for London  
3-5 Bleeding Heart Yard  
London  
EC1N 8SJ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**Flat A**

**93 York Way**  
**London**  
**N7 9QF**

#### **Proposal:**

Proposed installation of an air source heat pump (ASHP) in the front garden enclosed within a timber acoustic screen. Replacement of all existing windows with triple-glazed units, changing the master bedroom window to a glazed door on the rear elevation, changes to the size and type of glazing on both the side and rear elevations along with some new window openings, installation of a new rooflight on the flat roof of the existing rear extension and the addition of external wall insulation with a render finish to the rear and side facade of the outrigger.

#### **Drawing Nos:**

Site Location Plan; PL000 RevP1; PL100 RevP1; PL101 RevP1; PL131 RevP1; PL140 RevP1; PL141 RevP1; PL142 RevP1; PL200 RevP3; PL201 RevP1; PL230 RevP3; PL231 RevP1; P240 RevP3; PL241 RevP2; PL242 RevP1; PL300 RevP1; AS500 Rev A; Bereco 2022 Rev A; 2023 Rev A; 2024 Rev A; 2026 Rev A, 2031 Rev B and RBA Acoustics noise assessment dated 09/08/2024

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: Site Location Plan; PL000 RevP1; PL100 RevP1; PL101 RevP1; PL131 RevP1; PL140 RevP1; PL141 RevP1; PL142 RevP1; PL200 RevP3; PL201 RevP1; PL230 RevP3; PL231 RevP1; P240 RevP3; PL241 RevP2; PL242 RevP1; PL300 RevP1; AS500 Rev A; Bereco 2022 Rev A; 2023 Rev A; 2024 Rev A; 2026 Rev A, 2031 Rev B and RBA Acoustics noise assessment dated 09/08/2024

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 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.

- 5 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical existing background noise level by at least 10dBA, or by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of the adjoining premises and the area generally 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 safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the

Informative(s):

1 Reasons for granting permission.

The site is a ground floor mid-terrace flat located in the Camden Square Conservation Area, to which it makes a positive contribution. The proposals include a number of measures to improve the thermal insulation of the flat and replace the existing boiler with an air source heat pump in order to upgrade the property in a sustainable way. The property occupies a typical floor plan containing a closet wing and small garden at the side and rear.

At the front the air source heat pump will be located behind the front boundary wall within an acoustic timber enclosure and an additional layer of bricks is proposed between the existing brick piers along the front boundary to help screen the heat pump enclosure. A replacement Victorian style panel front door is also proposed with new glazing in the fanlights above to help insulate the property further.

The existing windows will all be replaced with triple glazed windows and in the case of one window on the side and one on the main rear elevation, triple glazed doors on are proposed. A new window is also proposed on the side elevation. The front replacement window will be made of white painted timber, but the others are all proposed to be painted metal windows and doors. All of these works are not considered to harm the character or appearance of the conservation area and are therefore acceptable and compliant with policies D1 and D2 of the Camden Local Plan.

In addition, a rooflight is proposed on the roof of the closet wing ground floor extension, and external insulation is proposed on the rear and side elevations to help improve the thermal envelope of the property. The thermal insulation is 140mm thick and will be finished with render and painted. The insulation has been added to retain window and door reveals similar to those on the rest of the building. These changes aren't considered to harm the character and appearance of the property or those of the surrounding conservation area and are therefore acceptable. Alongside the addition of the air source heat pump these additions and alterations are all part of a set of improvements to address sustainability and reducing carbon emissions, which are welcomed.

In the garden a replacement timber side boundary fence is proposed along with a timber pergola along the side return.

The Camden Square CAAC were notified and have not made any comments. There was one objection related to the location of the air source heat pump at the front of the building and the safety implications of this not being fenced off. The proposed acoustic housing is considered to be sufficient to ensure that the moving elements of the heat pump aren't a hazard to anyone.

The Council's Conservation Officer has reviewed the revised proposal and has raised no objections. The application site's planning history has been taken into

account when coming to this decision.

The Noise Survey submitted shows no harm to the amenity of neighbouring residential properties and is therefore acceptable. Conditions have been added to ensure the noise meets Council requirements and anti-vibration mounts are fitted.

The Council's Sustainability officer is satisfied that the air source heat pump is acceptable as a package of measures to make the property more sustainable provided that it isn't used to cool the property. A condition will be attached to ensure that this function is disabled before being used.

Therefore, the proposal is in line with policies A1, A4, D1, D2 and CC2 of the Camden Local Plan 2017.

Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because the application was made before 2 April 2024.

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.

- 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](http://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.

- 5 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, and
- (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, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun 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.

- 6 + 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 both the post-development value of the onsite habitat and 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 the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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 printed name and title of the signatory.

Daniel Pope  
Chief Planning Officer