

Application ref: 2024/4275/P
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Date: 25 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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DP9
c/o Agent
London
SW1Y 5NQ
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
University Of London Union Building
Malet Street
London
WC1E 7HY

Proposal: Installation of new air conditioning units and associated ducting at rooftop, part replacement of 2 x windows to western elevation with louvres.

Drawing Nos: Plans: PL01, rev A; PL02, rev B; PL03, rev C; PL04, rev B; PL05, rev A

Supporting information: Covering letter prepared by DP9, 1/10/2024; Environmental Noise Survey & Noise Impact Assessment Report prepared by Noico Limited, 12/01/2024

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 Plans: PL01, rev A; PL02, rev B; PL03, rev C; PL04, rev B; PL05, rev A

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 new louvres as marked out on the approved 'Front elevation' plan dwg. no. PL02, as detailed in condition 2 of this permission, shall be finished to match the colour of the existing louvres to the front elevation of the adjacent building directly to the south on Malet Street.

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.

- 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 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

Informative(s):

- 1 Reasons for granting permission.

The proposal is to make changes to existing rooftop plant servicing the building, specifically removing the existing air conditioning units and replacement with new units and associated ducting. The upgrades to the existing plant and servicing would necessitate the part replacement of two windows to the building's front elevation, with louvres.

The new plant would occupy a small proportion of the roof, be setback from the elevations of the five storey building and sit comfortably below the existing roof access/servicing cabin. The plant and associated acoustic screen would generally have a minimal protrusion above the existing roofline and balustrading at the roof edges. The equipment and roof alterations would not be visually apparent from ground level and would not result in harm to the character and appearance of the host property or wider conservation area.

Regarding the part replacement of the two front elevation windows with louvres, as these changes would be limited to only two, higher level windows of the building, and only affect the upper part, less than a quarter of each window, the alteration to the fenestration and installation of the louvres would not materially adversely affect the character and appearance of the host property or wider conservation area. Installation of louvres over parts of front elevation windows have also occurred on a nearby Birbeck building on Malet Street and the proposed louvres would be finished to match the colour of these existing louvres, as such this type of alteration would not appear out of place in the wider streetscape.

Policy CC2 encourages development to incorporate measures to reduce the impact of urban and dwelling overheating, including application of the cooling hierarchy. In this instance, as the applicant has confirmed that the existing building is already served by active cooling, the application of the cooling hierarchy is not required and the proposal to remove existing units providing active cooling and replacement with a new units with an active cooling function to service the building, is considered acceptable.

The Council's Environmental Health Officer is satisfied that the submitted acoustic submission will meet Camden Local Plan 2017 guidelines. Therefore, the new air conditioning unit is acceptable in Environmental Health terms. Conditions are attached to ensure the plant meets noise and vibration and other Environmental Health criteria.

Given the nature and scale of the works, the proposal would not cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook or privacy.

No comments have been received following statutory consultation on the 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, CC1 and CC2 of the Camden Local Plan 2017. The proposed development also accords with 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.

- 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.

++ 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).

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 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 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 written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer