

29th November 2024

Via Planning Portal (Ref. PP-13606917)

Blythe Smith
Planning Department
London Borough of Camden
5 Pancras Square
Kings Cross
London
N1C 4AG

Ref. HOLL3001

Dear Blythe,

128 ALBERT STREET, NW1 – NON-MATERIAL AMENDMENT UNDER SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) – UPDATE TO WORDING OF CONDITION 3 OF PLANNING PERMISSION REF. 2023/0228/P

This application is submitted on behalf of Threadneedle Pensions Limited, seeking a non-material amendment under s96a of the Town and Country Planning Act 1990 (as amended) to the planning permission dated 19th July 2024 ref. 2023/0228/P, which is for the following consented development:

Installation of 4no. condenser units on the existing rear first floor roof terrace.

The planning permission is subject to several compliance planning conditions. This non-material amendment application seeks to amend the wording of Condition 3 of the planning consent, which relates to external noise levels associated to the 4no. condenser units and associated background noise levels.

Proposed Amendment

The current wording of Condition 3 does not reflect the acoustic/noise levels agreed with Camden's Environmental Health Officers during the course of determination of the planning application, as reflected in the conclusions of the updated acoustic report by Hann Tucker submitted as part of the planning application. It was agreed with EHO officers that Camden's 'amber' criteria ('LOAEL to SOAEL') is appropriate to use in this case, which equates to only 5db below background levels.

As such, the proposed amendments to the condition wording have already been agreed with Camden's Environmental Health officers, and this proposed amendment seeks to align the consented condition wording with that agreed position.

Condition 3 wording – as consented

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3 - The external noise level emitted from the 4no. condenser units at the development with specified noise mitigation providing no less than a 22dBA reduction hereby approved shall be lower than the "typical" existing background noise level by at least 10dBA, and 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 are 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

Condition 3 – Proposed Amended Wording (amendments highlighted in red)

The external noise level emitted from the 4no. condenser units at the development with **specified noise mitigation measures shall be 5dB lower than the "typical" existing background noise level ie. to achieve Camden's 'amber' criterion. Calculations to be 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 are 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.

This wording is proposed to align with the previously submitted (as part of the consented scheme) last revision of Hann Tucker's Plant Noise Assessment report (ref. 30234-RP-PNA-R5-SW), which was updated following discussion with LB Camden's Environmental Health officers (Edward Davies).

We trust this is sufficient for you to consider and approve this non-material amendment, which seeks to align the condition 3 wording with the consented scheme documents. For ease of reference we have also submitted the final revision to the Acoustic Assessment as submitted to LB Camden as part of the consented planning application, which was updated following discussions with Environmental Health Officers.

Regards



Laurence Brooker
Director, Head of Central London Planning

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