

Application ref: 2024/4526/P
Contact: Connie Marinetto
Tel: 020 7974 8012
Email: connie.marinetto@camden.gov.uk
Date: 10 January 2025

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

Mr David Fordham
McDonald Architects
SPACES
17 City North Place
N4 3FU

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
2-6 Leeke Street
London
WC1X 9HS

Proposal:

Installation of 5 x air source heat pumps on roof, enclosed within acoustic louvre screens; external alterations including infilling of two window openings on first and second floor, alterations to existing window and doors and redecoration of façade.

Drawing Nos: 1580-00001, 1580-10000, 1580-10001, 1580-10002, 1580-10003, 1580-11000, 1580-11001, 1580-11002, 1580-11004, 1580-20000, 1580-21000, 1580-67000, 1580-20001, 1580-21001, 1580-38000, Design and Access Statement (dated 23rd October 2024), Plant Noise Assessment (dated 8th October 2024), Cooling Hierarchy Statement (received 18th December 2024).

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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:

1580-00001, 1580-10000, 1580-10001, 1580-10002, 1580-10003, 1580-11000, 1580-11001, 1580-11002, 1580-11004, 1580-20000, 1580-21000, 1580-67000, 1580-20001, 1580-21001, 1580-38000, Design and Access Statement (dated 23rd October 2024), Plant Noise Assessment (dated 8th October 2024), Cooling Hierarchy Statement (received 18th December 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 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 the equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 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

Informatives:

- 1 Reasons for granting permission:

The proposal is for external alterations including the infilling of two window openings to the first and second floor, alterations to existing window and doors, redecoration of the façade and the installation of 5 condenser units on the flat roof, which are to be housed behind acoustic louvre screens. The building is

currently in use as an office. It is located in the Kings Cross Conservation Area and is not listed, but is noted as making a positive contribution to the area.

The infilling of two existing window openings on the first and second floors of the Leeke Street elevation are considered to be acceptable as the infill retains the outline of the original window openings, and the retained concrete cills maintain architectural detailing. At ground floor level, alterations to the main entrance door and replacement of an existing window within the courtyard with a door are minor changes that are sympathetic to the host building. The redecoration of the façade from grey to white is acceptable and aligns with the adjacent property at 8-10 Leeke Street, ensuring a neutral colour which is appropriate to the Conservation Area.

The proposed air source heat pump units will be positioned on the middle of the roof behind the parapet, screened by lead-colored acoustic louvre enclosures to minimise its visual impact. While there may be limited visibility from long views, this is not considered to result in harmful impacts. On this basis they are not considered to visually impact upon the character of the Conservation Area.

It is noted that the adjoining building at 173 King's Cross Road is Grade II listed. It is considered given the nature and sitting of the works that it would not harm its special interest or setting. The proposal is also not considered to harm the character and appearance of the conservation area. The proposal as a whole is considered to positively enhance and improve the appearance of the building and are not considered to impact the setting of the adjoining listed building at and the Conservation Area.

A noise impact assessment has been submitted and reviewed by the Council's Environmental Health Officer and found to be acceptable. The officer confirmed that the noise emission levels of the proposed plant achieve the Local Authority criteria during the operating period with the specified mitigation methods. Conditions for compliance with Camden's noise standards and anti-vibration mitigation methods are attached.

The proposed active cooling through the air source heat pump system is considered acceptable given the building's age, its use as an office, its location within a Conservation Area, and the fact that the proposal is not associated with a comprehensive refurbishment scheme, which limits opportunities to implement passive measures to reduce overheating. It is considered that the requirement for dynamic thermal modelling would be disproportionate for the scale of development. The applicant has provided a cooling hierarchy statement demonstrating that natural or passive ventilation options are unsuitable due to site limitations, including the 12.5% glazed surface area and the inability to ventilate at night. The replacement of the existing gas heating system with an electric air source heat pump system ultimately offers a more sustainable solution than the building's current state. The statement confirms that wider works include energy-efficient measures such as LED lighting and low-energy appliances which aligns with policies CC1 and CC2. Furthermore, it is considered that the commercial nature of the property necessitates maintaining a stable internal temperature. The cooling function is expected to be used only during hot weather and during office hours and the system

features on/off controls at the room level, ensuring efficient and necessary operation.

- 2 Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, and the desirability of preserving or enhancing the character or appearance of the Kings Cross Conservation Area, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

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 2024.

- 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 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted 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.

Based on the information available this permission will not require the approval of a BGP before development is begun because it is below the de minimis threshold.

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 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