

Application ref: 2024/5668/P
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Date: 11 February 2025

Development Management
Regeneration and Planning
London Borough of Camden
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Scenario Architecture
10b Branch Place
London
London
N1 5PH
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
98 Maygrove Road
London
Camden
NW6 2ED

Proposal:

Installation of an air source heat pump in the rear garden and alterations to the fenestration and finish of the rear extension.

Drawing Nos:

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 LO-A-01, Existing Site Plan EX-A0.01, Existing Ground Floor Plan EX-A1.01, Existing First Floor Plan EX-A1.02, Existing Second Floor Plan EX-A1.03, Existing Roof Plan EX-A1.04, Existing Elevations EX-A2.01, Existing Sections EX-A3.01, Site Plan PR-A0.01, Proposed Ground Floor Plan PR-A1.01, Proposed First Floor Plan PR-A1.02, Proposed Second Floor Plan PR-A1.03, Proposed Roof Plan PR-A1.04, Proposed Elevations PR-A2.01, Proposed Sections PR-A3.01, Eaves Flush Glaze Detail Section Elevations 402-ASS-056 p1-3, Design and Access Statement 12/2024, Plant Noise Assessment Reference: 14023.RP01.PNA.0, Specification of Components, Fire Statement, Installation Manual

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external works to the rear fenestration 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 of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green West Hampstead Neighbourhood Plan 2015.

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

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.

- 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 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 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 CC1 and CC2 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission

The proposal includes the installation of an Air Source Heat Pump (ASHP) within the rear garden, plus an acoustic enclosure around the ASHP.

The alterations to the fenestration on the rear elevation involve the replacement of the 2nd storey window on the existing roof extension with a slightly smaller window that better matches the dimensions of the other aluminium windows on the same floor level. The existing French doors on the rear extension are to be replaced by a single glazed aluminium door and a large rooflight. The rear extension is to use brick cladding as the external material finish. All these proposed alterations are seen to be acceptable in scale, material, detailing and overall design and will improve the visual appearance of the existing rear elevation.

The ASHPs are welcome and would align with Camden's policies CC1 and CC2A on climate mitigation and adaptation. The plant units would be an appropriate scale and would be sited in a suitable location where they are not visible from the public realm due to it being sited to the rear of the dwelling and the rear garden being enclosed by boundary fencing. The view from neighbouring properties is shielded by the enclosure around the ASHP so it would not be clearly visible. The plant units would only occupy a small area of the rear garden and would therefore not detract from the building's character.

A plant noise assessment report has been submitted which shows that appropriate noise guidelines have been followed. The report shows that noise emissions from the proposed unit would be sufficiently low as to cause no negative impact on nearby noise sensitive residential receivers with the specified attenuation measures, therefore meeting the Council's requirements on noise levels. The Council's Environmental Health officer has reviewed the report and is satisfied the proposal creates no concerns in regards to noise or any other other environmental impacts on neighbouring amenity.

Due to the nature of the proposals, no harmful impact would be caused to the neighbouring amenity in terms of loss of light, outlook or privacy.

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, D1, CC1 and CC2 of the Camden Local Plan 2017. The development would also accord with the National Planning Policy Framework 2024 and the London Plan 2021 and policy 2 of the Fortune Green West Hampstead Neighbourhood Plan 2015.

2 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.

- 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 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 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, 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 a Householder Application.

++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this

permission:

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 of one or more of the reasons below:

o 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.

o 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 Biodiversity Net Gain (BNG) Informative (2/2):

+ 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 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-householder-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