

Application ref: 2024/4864/P
Contact: Henry Yeung
Tel: 020 7974 3127
Email: Henry.Yeung@camden.gov.uk
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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

Baily Garner
146-148 Eltham Hill
London
SE95DY

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
29 Belmont Street
London
NW1 8HJ

Proposal: Erection of 9 x Air-Source Heat Pumps

Drawing Nos: 34769-BGL-A1-00-DR-A-00001_OS Location Plan, 34769-BGL-A1-ZZ-DR-A-12000-Ground_First Floor Plan Existing, 34769-BGL-A1-ZZ-DR-A-12001-Second Floor_Roof Plan Existing, 34769-BGL-A1-ZZ-DR-A-12010-Ground_First Floor Plan - Proposed, 34769-BGL-A1-ZZ-DR-A-12011-Second Floor_Roof Plan - Proposed, 34769-BGL-A1-ZZ-DR-A-13002-Cross Sections Plan Elevation, 34769-BGL-A1-ZZ-DR-A-14000-Elevations - Existing, 34769-BGL-A1-ZZ-DR-A-14010-Elevations - Proposed; R32 Ecodan ASHP; Noise Impact Assessment

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:

34769-BGL-A1-00-DR-A-00001_OS Location Plan, 34769-BGL-A1-ZZ-DR-A-12000-Ground_First Floor Plan Existing, 34769-BGL-A1-ZZ-DR-A-12001-Second Floor_Roof Plan Existing, 34769-BGL-A1-ZZ-DR-A-12010-Ground_First Floor Plan - Proposed, 34769-BGL-A1-ZZ-DR-A-12011-Second Floor_Roof Plan - Proposed, 34769-BGL-A1-ZZ-DR-A-13002-Cross Sections Plan Elevation, 34769-BGL-A1-ZZ-DR-A-14000-Elevations - Existing, 34769-BGL-A1-ZZ-DR-A-14010-Elevations - Proposed; R32 Ecodan ASHP; Noise Impact Assessment

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 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 mechanical installations/ 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

Informative(s):

1 Reasons for granting permission.

The application seeks permission for the installation of 9no. Air Source Heat Pumps (ASHPs) and include 3 ASHPs located within the rear gardens at ground floor level and 6 ASHPs on the first-floor maintenance access roof, above the existing refuse store and boiler room. These 6 units would serve the first and second-floor units.

The proposal involves retrofitting the building with sustainable energy equipment that aligns with Camden's climate mitigation and adaptation policies (CC1 and CC2). The plant units are designed to be of an appropriate scale and are located in areas where they will not be highly visible from the public realm, ensuring that the visual amenity of the surrounding area is preserved.

An acoustic assessment has been carried out to support the planning application for the proposed installation of 9no. ASHPs. Appropriate noise guidelines have been followed within the report, such as the Noise Policy Statement for England, NPPF, Planning Practice Guidance on Noise, BS 8233 Guidance on sound insulation and noise reduction for buildings, Camden Council's Local Plan (version June 2017), and BS 4142:2014 "Methods for rating and assessing industrial and commercial sound."

The plant noise criteria have been adequately predicted, taking into consideration distance losses, surface acoustic reflections, and, where applicable, screening provided by the building. To meet the criteria from the London Borough of Camden (that noise from the plant is 10dB below the background noise level) the assessment recommends that four of the ASHP units be housed within acoustic enclosures, to be secured by condition.

The assessment indicates that the proposed mechanical plant installation should be capable of achieving Camden's environmental noise criteria at the nearest and potentially most affected noise-sensitive receptors with the suggested noise mitigation.

The Council's Environmental Health Officer has reviewed the acoustic submission and associated technical details and is satisfied that they meet Camden's local plan guidelines. Therefore, no objections are raised from an environmental health perspective, and the proposal is considered acceptable in terms of noise impact, subject to the suggested mitigation measures and conditions.

The impact on neighbouring properties in terms of noise, loss of light, or loss of privacy has been carefully considered. The proposed installation of ASHPs are unlikely to unduly impact neighbouring amenity. While one objection was received from an adjacent neighbour regarding potential noise disturbance, the Environmental Health Officer's review confirmed that the proposed noise levels are within acceptable thresholds. The planning history of the site has been taken into account prior to making this decision.

The proposal is in accordance with policies A1, D1, CC1, and CC2 of the Camden Local Plan 2017. The development also complies with the National Planning Policy Framework (NPPF) 2024 and the London Plan 2021.

- 2 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.

- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 4 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).
- 5 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.
- 6 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 below the de minimis threshold.

++ 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:
 - 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 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-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



Daniel Pope
Chief Planning Officer