

Application ref: 2024/5657/P
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Date: 7 March 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

Pellings
Northside House
Cockfosters Road
London
EN4 9EB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Councils Own Permission Under Regulation 3 Granted

Address:
Chester Court
Lissenden Gardens
London
NW5 1LY

Proposal:
Replacement of all windows and doors to the individual balconies with triple glazed units;
installation of ASHP units and PV panels at roof level.

Drawing Nos:
Design, Access and Heritage Statement by Pellings dated December 2024, Noise Impact Assessment Ref: NDT7173/24312/0 dated 11 December 2024, Windows and Doors Schedule by Pellings dated December 2024, Cortizo Alu-Steel Window Data Sheet, Site Location Plan, Block Plan, (79819) Existing Elevations, Proposed Elevations, Existing And Proposed Roof Plan Rev A, Section Through Roof.

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:

Design, Access and Heritage Statement by Pellings dated December 2024, Noise Impact Assessment Ref: NDT7173/24312/0 dated 11 December 2024, Windows and Doors Schedule by Pellings dated December 2024, Cortizo Alu-Steel Window Data Sheet, Site Location Plan, Block Plan, (79819) Existing Elevations, Proposed Elevations, Existing And Proposed Roof Plan Rev A, Section Through Roof.

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 hereby approved shall be lower than the lowest 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 all machinery operating together at maximum capacity.

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 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 CC2 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

Chester Court is a five-storey residential block with a mansard roof forming the sixth floor with an additional roof top room to the centre at roof level. The building is a post-war block that was rebuilt following bomb damage to a part of the mansion block that formed the end point of Parliament Hill Mansions that occupies most of the road to the north of the site. The building is similar in scale and form but differs in architectural style to the Arts and Crafts mansion blocks of Lissenden Gardens Estate, which is identified as making a positive contribution to the Dartmouth Park Conservation Area. Salcombe House to the south is a later addition of similar scale. To the east, the commercial units fronting Gordon House Road, drop to a domestic scale of two storeys to reflect the houses of Glenhurst Avenue in front of the site. The car park for Parliament Hill Lido is to the west and rear of the site at an entrance point to Hampstead Heath.

The proposal seeks to improve the thermal performance and reduce the carbon footprint of the 18 flats with the installation of air source heat pumps (ASHP) and photovoltaic (PV) solar panels to the roof and replacement windows and doors to the balconies.

Due to the site location, orientation and roof height as previously described, the site benefits from solar exposure at roof level. The PV panels would be set back from the roof edge above the seventh-floor roof, above the roof heights of surrounding buildings which minimises their visual impact. The ASHPs are also set back from the roof edge behind the existing parapet which minimises their visual impact from the lower-level buildings and street level. The adjacent buildings are equivalent in height to the host building and while the plant and panels may be visible from longer views from Parliament Hill, they would be viewed in the context of other elements of the existing roof form and would not appear out of character.

The existing single glazed windows and doors would be replaced with triple glazed aluminized steel windows and doors within the existing openings. While there would be some degree of increased thickness to frames and glazing bars necessary to accommodate triple glazed panes, they would not significantly alter the external appearance or detract from the building. They match the existing in terms of type, materials, glazing patterns, and detailing, and are within the same openings. The comprehensive replacement across the block would ensure uniformity and thermal performance and reduce heating costs. As such, the replacement doors and windows are considered acceptable in terms of material and detailed design as they respect and integrate well with the host building and not harm this part of the part of the Dartmouth Park Conservation Area.

The nearest residential properties that would be affected by the proposal are the neighbouring Parliament Hill Mansions, Salcombe House and the houses to Goldhurst Road. Given the site context previously described and the resulting minimal visible impact, the proposals would not cause unacceptable harm to neighbouring amenity, in terms of loss of outlook or privacy, or daylight

and sunlight matters.

A Noise Assessment has been submitted to address the impact from the ASHP on neighbouring amenity in terms of noise and vibration. The appropriate noise guidelines have been followed, and the noise criteria have been adequately predicted. The proposed installation would comply with the Council's noise level standards. Subject to the compliance conditions included in this decision, the ASHP would not result in harmful noise or vibration to the nearest residential windows.

- 2 Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because it is below the de minimis threshold, meaning it does not impact an onsite priority habitat and impacts less than 25sqm of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of linear habitat.

The council received no objections which it has taken into account prior to making this decision. The council also considered the area's planning history and relevant appeal decisions when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposal is in general accordance with policies A1, A4, D1, D2 and CC1 of the Camden Local Plan 2017 and policies DC2, DC3 and DC4 of the Dartmouth Park Neighbourhood Plan 2020. 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 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 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 the application 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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer