

Application ref: 2021/2251/P  
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Date: 11 March 2025

**Development Management**  
Regeneration and Planning  
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Osel Architecture  
G.04  
The Record Hall  
16-16A Baldwin's Gardens  
London  
EC1N 7RJ  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**20 Heath Street**  
**London**  
**NW3 6TE**

Proposal:

Insertion of a new door on the ground floor side elevation, and relocation of the existing condensers and erection of an acoustic timber panel at the first-floor rear roof level (part retrospective).

Drawing Nos: E18-003/SIT001; E18-003/EXP001 Rev D; E18-003/EXE001 Rev B; E18-003/PRP001 Rev F (Proposed Elevations); E18-003/PRP001 Rev G (Proposed Floor Plans); Plant Noise Assessment (Ref: 1496-AF-00001-02, AF Acoustics, 17 January 2022).

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:

E18-003/SIT001; E18-003/EXP001 Rev D; E18-003/EXE001 Rev B; E18-003/PRP001 Rev F (Proposed Elevations); E18-003/PRP001 Rev G (Proposed Floor Plans); Plant Noise Assessment (Ref: 1496-AF-00001-02, AF Acoustics, 17 January 2022).

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 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 typical existing background noise level by at least 10dBA, or 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 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 policy A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission -

The application site is located on the eastern side of Heath Street at No.20, to the north of Oriel Way. The property comprises a four-storey end-of-terrace building with a commercial unit across the basement and ground levels and residential above. The application relates to the commercial unit only. The site is located within the Hampstead Conservation Area and is not a listed building, nor is it located within proximity to any listed buildings. The site is located within the area covered by the Hampstead Neighbourhood Plan.

The application seeks permission for the insertion of a new door on the ground floor side elevation facing Oriel Way to provide a fire exit for the commercial

unit, and for the relocation of the existing condensers on the first-floor rear flat roof from the side to the rear of the roof, along with the erection of an associated acoustic timber panel.

The new door has already been installed in the same location as a previous window and has steps to match the adjacent steps providing access to the residential unit above. The door is in keeping with the style and appearance of the existing building and does not cause harm to the character and appearance of the host property or wider conservation area.

The existing condenser unit would be relocated to the rear of the site and would sit adjacent to a proposed timber acoustic panel. Given its location to the rear of the property, there would be very limited views of the structure, and it would not impact on the character and appearance of the host property and the wider conservation area.

Overall, the proposal would preserve the character and appearance of the Hampstead Conservation Area, host property and the wider street scene. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

The new door opens out onto Oriel Way and faces a blank wall and as such would not result in any impacts on neighbouring amenity.

A Noise Impact Assessment was submitted in support of the application. This assessment concluded that with the erection of an acoustic panel, the proposed relocation of the condenser unit to the rear flat roof would not cause unacceptable harm to the nearest residential receptors at Flat 1, 20A Heath Street and 1 Oriel Court. This report has been reviewed by Council's Environmental Health Officer who is satisfied with the results of the assessment. Two conditions have been imposed to ensure that the condenser will operate within appropriate noise limits as that vibration will be limited.

No objections have been received following statutory consultation on the application. The site's planning history has been taken into account in making the decision.

As such, the proposal complies with policies, A1, A4, D1, and D2 of the Camden Local Plan 2017, policies DH1 and DH2 of the Hampstead Neighbourhood Development Plan 2018, the London Plan 2021 and the National Planning Policy Framework 2024.

- 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](http://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 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).

## 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-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 centered on the page.

Daniel Pope  
Chief Planning Officer