



Lauren Ford
Camden Planning Department
Supporting Communities
London Borough of Camden
5 Pancras Square
London
N1C 4AG

12th May 2025

Dear Lauren Ford,

Objection to applications 2025/1665/L and 2025/1343/P | Construction of timber outbuilding and associated timber decking housing a sauna and hot tub within rear garden | Listed Building Consent and Planning Permission sought | 10 Fitzroy Park, London, Camden, N6 6HU

I write to you on behalf of the occupiers of No 4 and No 3 The Hexagon, N6 6HR in objection to the above applications for Planning and Listed Building Consent. These neighbours have no in principle objections to the proposals but do have strong concerns regarding the potential impact of the proposals upon their amenity and enjoyment of their gardens and property as set out below. We ask you to please consider these concerns before determining these applications, which we object to on this basis.

Summary

Neighbours are concerned that the submission is highly likely to include the provision of plant or machinery associated with the proposed hot tub, plunge pool and sauna. No information or details are however provided in relation to these. Relevant policies of the Camden Local Plan identify that this type of development can have significant impacts upon the amenity of residents through noise generation and associated disturbance. We strongly request that the Council require the applicant to provide further information regarding this aspect of the proposals, including the provision of an acoustic survey as Policies A1 and A4 require. They also request that any permission includes a suitable planning condition to ensure its future operation falls within relevant noise thresholds and levels.

Lack of Scale Bar on the submitted plans

The submitted location plans and elevations do not include scale bars or annotated dimensions of the proposals or their distances from relevant neighbours. This is particularly relevant as the objectors concerns are largely based upon the proximity of the proposals to their properties, which is not easily determined from these plans due to the lack of clarity and absence of such information. We note the Council's own online guidance¹ that all relevant measurements should be displayed on both plans and elevations, as well as the PPG guidance which strongly encourages the provision of a linear scale bar.²

¹ <https://www.camden.gov.uk/types-scale-drawings-plans-planning-applications>

² <https://www.gov.uk/guidance/making-an-application>

We have estimated the relevant distances in this objection but ask that the applicant is required to please provide further information so that 3rd parties can be fully informed of the proposals and its relevant size and proximity.

Noise and loss of amenity

The proposed development is within 5m of the boundary of No 10 Fitzroy Park and so the garden of No 4 The Hexagon. They are around 11m from the west elevation of the dwelling at No 4, and around 7m from the garden of No 3 and 20m from its rear south facing elevation. We have provided a rough annotation of the proximity of the proposals and distances from the properties below for reference. The boundaries of No 3 and 4 are shown in orange with relevant approximate distances shown in red:

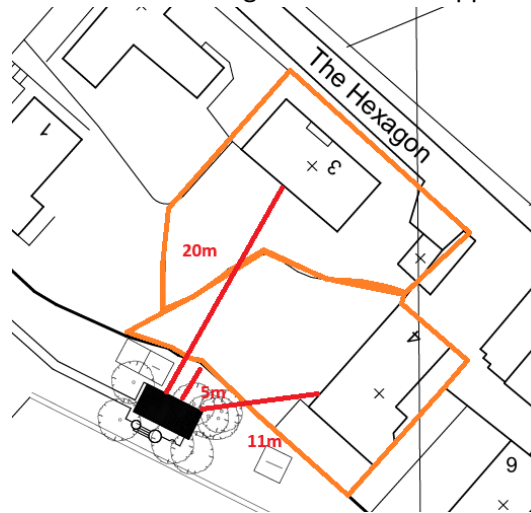


Figure 1 - Proposed site plan with approximate measurements shown

The proposed development is for the construction of a timber outbuilding and associated timber decking housing a sauna and hot tub. Under section 4 of the Design & Access Statement further details are provided, adding that it will be an electric sauna, plunge pool and covered decking area. No technical details or specifications are provided regarding these items by that document. The submission also includes a Garden Spa presentation document, which appears to be largely illustrative, and for example shows a wood burning spa rather than electric. Again, this does not provide any specific technical details or clarity on the proposed plunge pool, sauna and hot tub or associated plant and any associated noise generation.

It is typically the case that such installations will generate noise when heating/cooling the relevant cold and hot tubs as well as the sauna. We also suspect that these tubs will be fitted with relevant water cleaning filters and systems. Again, typically such associated plant and machinery will generate noise, and there are no details regarding the frequency, duration or levels of these to inform this application.

The objectors are particularly concerned that without the submission of such details and suitable conditions they may well be exposed to prolonged periods of loud hums associated with the installed equipment as it regulates these aspects. Importantly they are also concerned that the proposals are most likely to self-regulate these aspects, and so noise may be generated throughout the day and year and not simply when the proposed are being used.



The rear gardens of No 3 and No 4 benefit from a particularly tranquil environment with very low levels of ambient and background noise. It is these low levels of noise that give this area its special character and unique quality of life that its residents value so much. They are fearful that the proposed equipment and the noise it generates will greatly disrupt their enjoyment of their respective gardens, and strongly request that the Council ensures the protection of their amenity.

Section 4.14 of the Camden Local Plan “Integrated approach to health and wellbeing” advises ***“that development can have a significant effect upon the amenity, health and wellbeing of those who live, work and visit the borough. We will only grant permission for development that does not cause harm to amenity.”***

Policy A1 Managing the Impact of development advises that the Council will “seek to ensure that the amenity of communities, occupiers and neighbours is protected” with part j) of the policy noting that factors to be considered include noise and vibration levels. Para 6.3. adds that the “Council will expect development to avoid harmful effects on the amenity of existing and future occupiers and nearby properties or, where this is not possible, to take appropriate measures to minimise potential negative impacts.” Paragraph 6.19 highlights in particular that “Noise and vibration can have a major effect on amenity. The World Health Organisation (WHO) for example states that excessive noise can seriously harm health, disturb sleep and have cardiovascular and behavioural effects.” Paragraph 6.20 specifically states that “where uses sensitive to noise are proposed close to an existing source of noise or when development that is likely to generate noise is proposed, the Council will require an acoustic report to accompany the application.”

Policy A4 Noise and Vibration advises that the Council will seek to ensure that noise and vibration is controlled and managed. The Council will not grant permission for development that is likely to generate unacceptable noise impacts. It continues to advise that the Council “will only grant permission for noise generating development, including plant or machinery if it can be operated without causing harm to amenity.” 6.86 adds that the “main sources of noise in Camden (include) plant and mechanical equipment, with the top six sources of noise that receive the most complaints including fixed machinery. Fixed machinery includes the provision of air conditioning units and the equivalent. Whilst not specified by the application, we would expect the proposed sauna, hot tub and plunge pools to require equivalent plant facilities to operate, and so the requirements of Policy A1 and A4 are highly relevant to this application.

Paragraphs 6.86-6.106 provide further details on this matter and how applications will be dealt with by the LPA. 6.90 identifies that noise sensitive development including housing, and that the impacts of proposals upon external amenity spaces such as gardens will also be considered. 6.91 also notes that “noise generating uses and fixed machinery will likely have a greater impact on amenity when the background noise level is lower....and that the Council will take into consideration the general character of the noise (whether the noise is intermittent, has a distinct screech, bang or hiss).”

Paragraph 6.95 repeats that ***“where development is proposed that is likely to generate noise the Council will require an acoustic report to accompany the application.”***

We strongly request that in accordance with the Council’s own planning policies that the applicant is required to provide such an acoustic report, including both recorded existing ambient and background noise levels and full details of the proposals and their relevant specifications. This should take into account the Noise Thresholds provided by Appendix 3 of the Camden Local Plan and also comply with the Council’s Amenity CPG 2021.

We then ask, in accordance with paragraph 6.99 “Plant and other noise generating equipment” that any permission is suitably conditioned to ensure that it works efficiently and within the required noise limits and time restrictions.

We would like to respectfully highlight that whilst the imposition of relevant conditions would be welcomed by the objectors to protect their amenity, the provision of such a condition without prior submission of an acoustic survey and technical details may not comply with the 6 relevant tests of appropriate planning conditions, as per paragraph 55 of the NPPF 2024.

Whilst the condition would evidently be necessary, without prior assessment of an acoustic survey and technical details of the proposals it will not be clear if the conditions are reasonable. We therefore repeat our request for the application to be supported by such information prior to any permission being granted in the strongest terms.

The provision of an acoustic report with this application would reflect the approach taken in considering the pending application at 64 Avenue Road for works including the provision of a replacement pool house and associated plant (2024/4786/P) and we simply request the Council to please require this application to follow that example.

We also note the following condition (No 4) of permission 2024/0151/P in relating to a pool house at 2 Milfred Place, and ask such a condition to be attached to any granting of planning permission in this instance, repeated below for reference:

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.

Conclusion

We respectfully ask that in meeting its duty to protect the amenity of its existing residents neighbouring this proposal that the LPA requires the applicant to provide further information regarding the proposed sauna, hot tub and plunge pool facilities, including technical specifications of any associated plant or machinery. This should be supported by an acoustic assessment as per Local Plan Policies A1 and A4, and any planning permission should include a suitable condition as per the example provided relating to other comparable development recently granted permission by the Council.

These neighbours have no objection to the principle of development, and simply ask the LPA to protect their amenity and in particular the enjoyment of their gardens, which are in immediate proximity.

Yours sincerely



Adam Wilkinson BSc MRTPI
Director



Planning Property Services

www.planningpropertyservices.co.uk



RTPI

Chartered Town Planner