

Mr Iain Muir
Worth Retail
23 Hanover Square
London
W1S 1JB

Application Ref: **2015/3466/P**
Please ask for: **Laura Hazelton**
Telephone: 020 7974 **1017**

16 November 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
22 Heath Street
London
NW3 6TE

Proposal:
Installation of 1 x condenser unit at ground floor rear and 2 x rooflights to flat roof at rear of shop (retrospective).

Drawing Nos: PP_P12 Rev.R2, 002_C_E13 Rev.R1, 002_C_E03, PP_P06, PP_P11, 002_P00_LP, Data Sheet L110D Acoustic Louvre Model AL1515D, AC unit RAV-SM1104ATP-E manufacturer specifications and Acoustic Assessment reference 150906-002A dated October 2015.

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 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 CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: PP_P12 Rev.R2, 002_C_E13 Rev.R1, 002_C_E03, PP_P06, PP_P11, 002_P00_LP, Data Sheet L110D Acoustic Louvre Model AL1515D, AC unit RAV-SM1104ATP-E manufacturer specifications and Acoustic Assessment reference 150906-002A dated October 2015.

Reason:

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

- 4 The external noise level emitted from plant, machinery or equipment with suggested noise mitigation at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with machinery operating at maximum capacity

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting permission:

This is a part retrospective application for the retention and relocation of 1 x AC unit and the retention of 2 x rooflights to the flat roof of the ground floor extension. A new acoustic louvre screen surrounding the AC unit is proposed to ensure it complies with Camden's noise standards.

The rooflights measure 900mm x 1200mm and project to a maximum height of approximately 32cm. Although fairly large, views of the rooflights are restricted to private views from the rear of the immediately surrounding properties and they are not considered to cause harm to the character of the host property or the wider Hampstead conservation area. The use of obscure glazing ensures the privacy of surrounding residents is not harmed.

The AC unit would be located on the rear elevation of the host property at first floor level. Due to its shielded location behind an existing projection at first floor level, the unit would not be visible from the public realm and views would be restricted to private views from the rear of surrounding properties. The application is accompanied by an acoustic report which demonstrates that the proposed units would comply with Camden's Noise standards for 24 hour use following the installation of an acoustic attenuation screen. The original proposal was therefore amended to include an acoustic louvred screen to ensure the unit meets the required standards. The Council's Environmental Health Officer does not object to the development, and as a safeguarding measure the permission would be granted subject to the standard condition that the machinery is operated within the Council's noise thresholds.

The proposal is not considered to result in any harm to neighbouring amenity in terms of loss of privacy, daylight, outlook or noise levels.

One comment has been received and duly taken into account prior to making this decision. The planning history of the site has been taken into account 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 s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24, DP25, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.11 of The London Plan March 2015, consolidated with alterations since 2011 and paragraphs 14, 17, 56 - 68 and 126-141 of the National Planning Policy Framework.

- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ed Watson', written in a cursive style.

Ed Watson
Director of Culture & Environment