

M. David Farrell
Farrell Design Studio
35a Barleycroft Road
Welwyn Garden City
Herts
AL8 6JX

Application Ref: **2016/2623/P**
Please ask for: **David Peres Da Costa**
Telephone: 020 7974 **5262**

6 July 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

13 & 13A West Hampstead Mews
London
NW6 3BB

Proposal:

Variation of condition 3 of planning permission 2014/1182/P dated 04/08/14 (for change of use of 13A from vehicle spray shop to residential and conversion of property to create a 2 bedroom house including roof extension; and demolition of No.13 and erection of 3 storey office), namely for 2 x Air Source Heat Pumps at rear of No.13A on 2nd floor flat roof.

Drawing Nos:

Superseded: JH-1063: -P02 rev A; P03 rev B; P05

Proposed: JH-1063: -P02 rev B; P03 rev C; P05 Rev A; Noise survey prepared by Emtec dated 7th December 2015

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 For the purposes of this decision, condition no.3 of planning permission 2014/1182/P shall be replaced with the following condition:



REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; A10; A100 A; A101 A; A110 A; A111 B; A1000 E; A1001 B; A1010 D; A1011 D; A1012 A; CHP daylight and sunlight report dated 25/7/13 ; EMTEC noise report dated 2/9/13; Broad Oak Tree Consultants report dated 7/8/13; JH-1063-: DP-01; P01 rev A; P02 rev B; P03 rev C; P20; P07; PO6; P05 Rev A; P04; P08; Noise survey prepared by Emtec dated 7th December 2015

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

- 2 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

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.

- 3 Before the use commences, the air source heat pump shall be provided with sound attenuation in accordance with the Emtec Noise survey (dated 7th December 2015) hereby approved. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

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 Reason for granting permission

An energy statement was provided to discharge condition 12 of the original planning permission 2014/1182/P granted 04/08/14. The energy statement proposed 2 air source heat pumps and this application now seeks consent for these. The proposed roof would be cut away at the rear and the air source heat pumps would be located within this cut away. Due to their location the plant would not be prominent when viewed from the surrounding area.

The application is supported by a noise impact assessment. This indicates that the air source heat pumps would need to be placed within an acoustic louvred enclosure with plenum silencer in order to meet the Council's noise thresholds. The mitigation specified in the noise report would be secured by condition.

The planning and appeal history of the site has been taken into account when coming to this decision. No objections were received prior to making 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 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, CS14 and CS16 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.

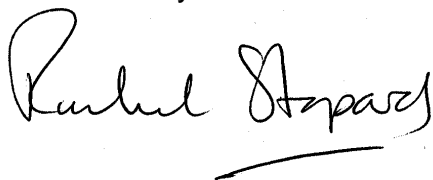
- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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



Rachel Stopard
Executive Director Supporting Communities