

Mr R Litherland
Rolfe Judd Planning
Old Church Court
Claylands Road
Oval
London
SW8 1NZ

Application Ref: **2017/4983/P**
Please ask for: **Sofie Fieldsend**
Telephone: 020 7974

1 November 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
48 Neal Street
London
WC2H 9PA

Proposal:
Installation of 1x air conditioning unit at rear second floor roof level and repositioning of existing roof-light to serve existing retail unit (Class A1).

Drawing Nos: 23109 - OS, 23109 - AC01, 23109 AC02.1 RevA and 24544/PNA Rev4 (dated 19/10/17).

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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 23109 - OS, 23109 - AC01, 23109 AC02.1 RevA and 24544/PNA Rev4 (dated 19/10/17).

Reason:

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

- 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 safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 5 Prior to use, plant or equipment and ducting 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: Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The one new air conditioning unit is proposed to be mounted on a steel platform to the rear of the property at second floor roof level for use of the ground floor retail unit. The acoustic enclosure would be clad in timber slats. The proposed plant equipment would not be visually prominent from Neal's Street or Shorts Gardens. Whilst it is accepted that this is a constrained site, it is considered that the proposal, being clad in timber slats would not harm the host property in terms of design and bulk. Overall, given the nature of the development and the limited views, it is considered that the proposal would preserve the character and appearance of the wider conservation area.

A noise survey has been submitted and the Council's Environmental Health Team have found it to be acceptable, subject to noise compliance and noise/vibration reduction being secured by planning condition. Whilst it is accepted that there

would be some limited private views of the enclosure from the second floor flats located at No.48 and 50 Neal Street, it is noted that the closest window to the proposal at the host property serves a staircase and the nearest window at No.50 is at higher level to the proposal. Due to the window on the host property serving a staircase and the levels being different to that of 50 Neal Street, it is considered that the development would not result in an adverse impact on the amenity of residents and neighbouring residents in terms of loss of amenity in terms of outlook or unacceptable noise.

The repositioning of an existing roof-light is considered to be a minor alteration and given its siting and scale it would not be visible from the street. This element is not considered to cause harm to the host property, the wider conservation area or the amenity of neighbouring occupiers.

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 2013.

A comment was received, following the statutory consultations, from the Covent Garden Community Association concerning suggested conditions for the application. These conditions have been considered and officers consider that the ones attached to the decision notice are adequate to mitigate the development. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies G1, CC1, A1, A4, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

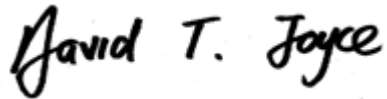
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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 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).

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 that reads "David T. Joyce". The signature is written in a cursive style with a large initial 'D'.

David Joyce
Director of Regeneration and Planning