

Application ref: 2018/1127/P  
Contact: Charles Thuaire  
Tel: 020 7974 5867  
Date: 25 April 2018

**Development Management**  
Regeneration and Planning  
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JMS Planning & Development Ltd  
Valley Farm  
Rumburgh Road  
Wissett IP19 0JJ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Pizza Sophia**  
**50 Tavistock Place**  
**London WC1H 9RG**

Proposal:

Retention of 2 air-conditioning condenser units and 1 coldroom condenser unit and installation of new acoustic enclosure around coldroom condenser, all on ground floor rear elevation.

Drawing Nos: Site location plan, A103, 104, 105, 106; Noise Impact assessment report by Qt Acoustics Ltd dated Feb 2018

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- Site location plan, A103, 104, 105, 106; Noise Impact assessment report by Qt Acoustics Ltd dated Feb 2018.

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

- 3 The external noise rating level (including corrections of +3dB for intermittent or +5dB for tonal equipment) emitted from all plant associated with the premises (including the existing mechanical ventilation system) will be LAeq (15min) 41dB for daytime operation (10am - 11pm) and 26dB for nighttime operation (11pm - 7am). This is to be 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.

- 4 Before the operation of the plant commences, the coolroom condenser unit shall be provided with acoustic isolation measures in accordance with the recommendations of the acoustic report and plans hereby approved. Measures shall be implemented to ensure that the air-conditioning units are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. 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 policies A1 and A4 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission.

The application is to retain two air-conditioning condensing units and a coldroom condensing unit and to install new acoustic housing around the coldroom condenser, to be 1.15m wide x 1.35m high x 0.8m deep. The plant is on the rear elevation of a ground floor rear wing and faces a narrow pedestrian access passageway. Air conditioning units have previously existed here including one unit for over 10 years. The acoustic enclosure is proposed to mitigate harm to neighbours currently caused by noise from the coldroom unit's 24 hour operation.

The 3 condenser units are typical small items of grey metal apparatus and are modest and discreet in size and location, facing an enclosed semi-private yard and passageway. Similarly the new acoustic enclosure will be modest in size and appearance. They are not on a structure of any historic character and are not visible in the public realm. It is considered that the units and new enclosure will have no harmful impact on the character and appearance of the host building, streetscene or conservation area nor will they affect neighbouring amenity in terms of loss of light and outlook.

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 2013.

In accordance with the proposed mitigation, the accompanying Noise Impact Assessment confirms that there will be no adverse impact to the amenity of neighbouring properties arising from the application proposal. The 2 a/c units which operate daytime only do not comply with the Council's standard criteria of noise being 10dBA below background levels. However the Council's Environmental Health Officer (EHO) considers that these are acceptable, as the daytime noise levels comply with criteria of BS4142:2014 and BS8233:2014 and do not cause any adverse impact on neighbouring noise sensitive properties and provide internal noise levels fit for purpose. The coolroom condenser unit will be subject to proposed mitigation measures of an acoustic enclosure to ensure that the nighttime operation of this unit will comply with the Council's noise level standards of 10dBA below background levels, and thus alleviate the noise nuisance currently caused to neighbours.

A bespoke condition with specific noise levels based on the above will be imposed in accordance with EHO recommendations to ensure that the enclosure is installed and that the units are operated in accordance with the report's recommendations. On that basis, the proposal will not harm the amenity of any residential occupiers.

No objections have been received prior to making this decision. 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 A1, A4, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

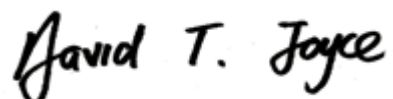
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays 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).
- 4 You are advised that if the acoustic mitigation measures to the coolroom condenser unit hereby approved are not installed within one month of the date of this decision, the Council will consider taking enforcement action against the unauthorised units.

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, slightly slanted style.

David Joyce  
Director of Regeneration and Planning