

Application ref: 2017/3898/P  
Contact: Ben Farrant  
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Date: 8 August 2018

**Development Management**  
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Mr Brendan Robinson  
11 Belsize Terrace  
London  
NW3 4AX

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted and Warning of Enforcement Action**

Address:  
**65-67 Chetwynd Road**  
**London**  
**NW5 1BX**

Proposal:  
Installation of air conditioning unit and acoustic enclosure (part retrospective)  
Drawing Nos: Location Plan (unnumbered), 01 (Plan, Elevation and Section (Existing)), 01\_Rev.B (Plan, Elevation and Section (Proposed)), Proposed Elevation Plans of Acoustic Enclosure (unnumbered), 175297specA, Noise Impact Assessment ref: 12224-NIA-01 & Technical Data ref: RYP-B7

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

Condition(s) and Reason(s):

- 1 Within three months of the date of this permission the proposed works, including installation of acoustic enclosure, shall be completed in accordance with the approved plans and Noise Impact Assessment ref: 12224-NIA-01 & Technical Data ref: RYP-B7. The acoustic enclosure shall thereafter be retained in perpetuity.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by noise in accordance with the requirements of Policies A1 and A4 of the Camden Local Plan (2017).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (unnumbered), 01 (Plan, Elevation and Section (Existing)), 01\_Rev.B (Plan, Elevation and Section (Proposed)), Proposed Elevation Plans of Acoustic Enclosure (unnumbered), 175297specA, Noise Impact Assessment ref: 12224-NIA-01 & Technical Data ref: RYP-B7.

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

- 3 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 10db, by 15db where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with machinery operating at maximum capacity.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by noise from mechanical installations/equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

- 4 All new mechanical plant shall be installed on suitable vibration isolators to minimise structure-borne noise and vibration transfer to adjoining properties.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by noise/vibration from mechanical installations/equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

#### Informative(s):

- 1 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).
- 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 Reasons for granting permission.

Part retrospective permission is sought for the installation of an air conditioning unit on the flat roof to the rear of 65-67 Chewynd Road, facilitating the veterinary practice at ground floor level. Following the results of the noise impact assessment, an acoustic enclosure is also proposed.

The proposed air conditioning unit and acoustic enclosure would be located to the rear of the property at first floor level, and would therefore not be immediately visible in public views. Whilst it would have a large footprint, the enclosure would be low level and would sit amongst 4no. existing air conditioning units on this section of the flat roof. Whilst there does not appear to be any planning history for these units, given their presence on the roof for more than four years (they appear in archive images dating from 2008) they are considered to be acceptable. Given that the siting, scale and design of the proposal, coupled with the surrounding context of development, and its lack of visibility from public areas, the proposal is considered not to result in undue harm to the character and appearance of the property or the surrounding area.

Details of the acoustic enclosure have been assessed by the Environmental Health (Noise) team, and it has been established that the proposed acoustic enclosure is sufficient to prevent noise disturbance to neighbouring occupiers. Appropriate conditions have been attached to this permission to ensure the timely installation of the enclosure. The proposal is considered not to result in harm to neighbouring amenities in any other regard.

One objection was received in relation to the scheme, concerned primarily with the noise and vibration of the unit, and requested conditions restricting its use to the operational hours of the business subject to approval. Given the above assessment, and subject to the attached conditions, the unit is considered not to result in undue harm to neighbours.

The planning history of the application site was considered prior to this determination.

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.

Given the above assessment, 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 2018.

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

*David T. Joyce*

David Joyce  
Director of Regeneration and Planning