

Application ref: 2018/3429/P
Contact: Matthias Gentet
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Date: 2 October 2018

Development Management
Regeneration and Planning
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Savills
2 Kingsway
Cardiff
CF10 3FD

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**To the rear of 219D Finchley Road
London
NW3 6LP**

Proposal:

Installation of 3no condenser unit onto flat roof and associated works.

Drawing Nos: Cover Letter (dated 18/07/2018); Revised Noise Impact Assessment v1-1 (14/09/2018); 4 x Photos; PLA-ZM-R32-Power-Inverter-Heat-Pump-Single-Phase-Product-Information-Sheet (26/09/2018); PLA-ZM-R32-Power-Inverter-Heat-Pump-3-Phase-Product-Information-Sheet; Site Location Plan; [TD18-PM93-] S1.3, S1.4.

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: Cover Letter (dated 18/07/2018); Revised Noise Impact Assessment v1-1 (14/09/2018); 4 x Photos; PLA-ZM-R32-Power-Inverter-Heat-Pump-Single-Phase-Product-Information-Sheet; PLA-ZM-R32-Power-Inverter-Heat-Pump-3-Phase-Product-Information-Sheet; Site Location Plan; [TD18-PM93-] S1.3, S1.4.

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 machinery operating 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, machinery/plant system and associated 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: 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.

- 6 The 3no condensers hereby approved will only not operate between the hours of 23:00 and 07:00.

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 proposed 3no condenser units would be located on the flat roof to the rear of No219 Finchley Road, on what forms part of Finchley Road Underground Station, and would serve the new Pret-a-Manger that is to occupy 4 units at No219 Finchley Road following the approval lateral conversion application

reference: 2018/2688/P. The site area is surrounded by residential units to the east and south, Tube lines to the north and a large flank brick wall to the west. The new condensers would sit next to 2no existing condensers and would not be visible from the public realm and would therefore have a limited impact on the character and appearance of the site area and surrounding buildings.

The nearest residential windows to the location of the new condenser would be about 7m away. The application is accompanied by an Acoustic Report that demonstrates that the proposed plant comply with Camden's noise standards and that it will only operate within daytime/evening time hours of between 07:00hrs and 23:00hrs, this will also be secured via condition. A condition will also be used to ensure that the plant would operate 10dB or below the lower background noise.

The site's planning and appeal history has been taken into account when coming to this decision. No comments were received following the statutory consultations.

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.

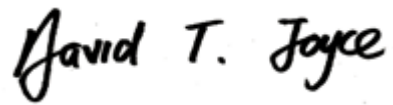
As such, the proposed development is in general accordance with policies A1, A4 D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the Draft London Plan 2017 (as applicable) and the National Planning Policy Framework 2018.

- 2 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).
- 3 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.

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:

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' and 'J'.

David Joyce
Director of Regeneration and Planning