

Application ref: 2018/3871/P
Contact: Josh Lawlor
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Date: 17 October 2018

Development Management
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Vail Williams LLP
550 Thames Valley Park
Reading
RG6 1PT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**42 Gloucester Avenue
London
NW1 8JD**

Proposal:

Installation of 1no. air conditioning unit at roof level (retrospective).

Drawing Nos: 18-017-SW-100, 18-017-SW-101, 18-017-SW-102, Plant Noise Impact Assessment dated July 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 [18-017-SW-100, 18-017-SW-101, 18-017-SW-102, Plant Noise Impact Assessment dated July 2018]

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

- 3 The cumulative sound level from the proposed external building services and fixed plant shall be 10dB below (15dB if tonal) the typical background sound level assessed at 1m outside the windows of the nearest affected dwelling at any time. The proposed plant shall be installed and constructed to ensure compliance with the above requirements.

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 should 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 Reasons for granting permission.

A noise survey has been submitted and the Council's Environmental Health Team have found it to be acceptable. The air conditioning unit is proposed to be installed on a flat roof area of the building, where building services plant already exists. The proposed new plant is to be operational from 08:00 to 20:00 on weekdays. Measurements were made during a 24 hour period to allow suitable noise criteria to be set for the new building services plant. The nearest noise sensitive receptor will be flats currently under construction at 44 Gloucester Avenue. The noise emission design criteria have been set to be in accordance with Camden Council guidelines for fixed plant. Calculations have been undertaken to assess the environmental noise emissions from the proposed plant. The proposed plant complies with Camden Council fixed plant noise emission limits without any need for additional mitigation.

The proposed plant equipment would not be visible from either public views or private views.

Policy CC2 adapting to climate change states that development should adopt climate change adaptation measures to reduce the impact of urban heating including the application of the cooling hierarchy. Development involving 5 or more residential units is required to demonstrate the above in a sustainability statement, which does not apply to the application under consideration.

Under sustainability policies, small domestic proposals for existing dwellings are not required to incorporate sustainability measures as a condition of planning permission in the same way as new developments, although the inclusion of measures is encouraged. The 'AirCon Specification' document submitted with the application states that the unit is more energy efficient than the previous class leading system. The proposal is not considered to be

contrary to Camden's policies for the environment, and is acceptable in planning terms.

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.

No objections were received for this application. 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, CC2, 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 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).

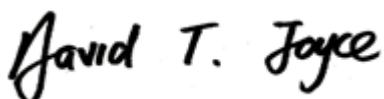
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays 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:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



David Joyce
Director of Regeneration and Planning