

Application ref: 2018/5487/P  
Contact: Thomas Sild  
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Date: 22 January 2019

**Development Management**  
Regeneration and Planning  
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Paper Project a+d  
The Sawmills Duntshill Road (Off Flock Mill Place)  
London  
SW184QL

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)

#### **Full Planning Permission Granted**

Address:  
**126 Boundary Road**  
**London**  
**NW8 0RH**

Proposal:  
Installation of roof top air conditioning plant and acoustic enclosure.

Drawing Nos: Location and Block Plan 18491 PA - 001, 18491 PA - 003, Design Access and Heritage Statement (15 November 2018), Planning Compliance Report 18237.PCR.01, 18491 - PA - 007

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: Location and Block Plan 18491 PA - 001, 18491 PA - 003, Planning Compliance Report 18237.PCR.01, 18491 - PA - 007

Reason:

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

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

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.

- 5 Before the use commences, the extract ventilating system and air-conditioning plant shall be provided with acoustic isolation and sound attenuation in accordance with Planning Compliance Review 18237.PCR.01 dated 6 November 2018 as approved by the local planning authority. 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 policy A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the commencement of the use of the plant equipment, automatic time clocks shall be fitted to the equipment/machinery hereby approved, to ensure that the plant/equipment does not operate between 22:00hrs and 08:00 hrs. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission

The proposed air conditioning and ventilation plant would be sited on the

existing flat roof above the second floor level. No. 126 Boundary Road forms part of a terrace, which no longer enjoys an interrupted roof line with a number of roof extensions and alterations to the original butterfly roofs as well as the addition of ventilation and flue structures to the rear elevations. No. 126 has previously lost its butterfly roof, and currently presents a flat roof form behind retained parapets. The roof top parapet walls would limit visibility to the street and wider surroundings. The tallest element would be sited close to a chimney stack, which would further mitigate visual impact when viewed from the higher level windows to the rear. Overall the addition of the plant would not be detrimental to the character of the host building and surrounding conservation area.

The applicant's acoustic report has been reviewed by the Council's Environmental Health Officer who has confirmed the noise impact of the plant to neighbour amenity would be acceptable subject to the mitigation measures outlined in the Planning Compliance Review. These include the installation of a silencer and acoustic enclosure around the plant. A planning condition will be attached to this permission requiring their installation prior to commencement of use.

The proposal would not cause harm to neighbouring amenity in terms of loss of light, outlook or privacy.

No objections were received prior to making this decision. The planning history of the site and surrounding area were taken into account. Special regard has been attached to the desirability of preserving or enhancing 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.

The proposal is in general accordance with Policies A1, A4, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 2018.

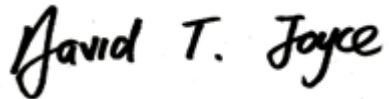
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building 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 paragraph 38 of the National Planning Policy Framework 2018.

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