

Application ref: 2019/2417/P
Contact: Samir Benmbarek
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Date: 18 July 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
WC1H 9JE

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Rolfe Judd Planning
Old Church Court
Claylands Road
Oval
London
SW8 1NZ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**41-45 Neal Street
London
WC2H 9QF**

Proposal:

Alterations to roof to include installation of sunken plant area to include 3x air-conditioning units and installation of 3x air-conditioning units behind front parapet following removal of existing air-conditioning units to mixed use building (Use A1/B1a)

Drawing Nos: 23161: PL-401; PL-410; PL-411; PL-420; PL-421.
Environmental Noise Survey and Plant Noise Assessment Report (Ref: 24230/PNA4/Rev3) by Hans Tucker Associates dated 02 May 2019.

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:

23161: PL-401; PL-410; PL-411; PL-420; PL-421.

Environmental Noise Survey and Plant Noise Assessment Report (Ref: 24230/PNA4/Rev3) by Hans Tucker Associates dated 02 May 2019.

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 with suggested mitigation measures 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 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.

- 5 Prior to use, machinery, plant or equipment and 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 A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The proposed 3 x mechanical plant located by the front roof slope is considered acceptable in its quantity, design and scale. It would be positioned behind an existing parapet wall in which it would not be visible from public views and therefore it is considered the developments at the front would not impact upon the character and appearance of the application building or the wider conservation area.

At the rear roof slope, a sunken plant area would be developed to

accommodate a further 3x mechanical plant. The sunken plant area would measure 4.5m in width by 2.0m in depth and would feature an access hatch/rooflight. The principle and design of the sunken plant area is considered an acceptable alteration to the roof in this instance due to its modest scale and the relatively recent age and style of the application building. The proposed plant at the rear within the area is further considered acceptable in its quantity, design and scale.

The application is accompanied by an acoustic report that demonstrates that the proposed plant complies with the Council's minimum noise standards and is considered acceptable in this regard, subject to conditions. These conditions are that the plant (with the suggested mitigation measures) shall operate lower than the lowest background level by at least 10dBA and prior to its use, the proposed plant will be mounted with proprietary anti-vibration measures and isolators. This is to ensure the amenity of adjoining residential occupiers is protected in regards to noise and vibration.

Notwithstanding the environmental health impacts as discussed above, the proposal would not impact upon the amenity of adjoining neighbouring occupiers in terms of loss of light or outlook.

One comment was received prior to making this decision which was duly considered as part of a separate consultation summary. The application site's history and relevant appeal decisions were taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving and enhancing the character and 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.

Therefore, the proposed development is in general accordance with policies A1, A4, D1 and D2 of the London Borough of Camden Local Plan 2017. The development also accords with the London Plan 2016 and the National Planning Policy Framework 2019

- 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 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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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 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully



Daniel Pope
Chief Planning Officer