

Application ref: 2019/1753/P
Contact: Emily Whittredge
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Date: 2 August 2019

Development Management
Regeneration and Planning
London Borough of Camden
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Bell Cornwell LLP
Bell Cornwell, Unit G05
The Print Rooms
168-180 Union Street
London
SE1 0LH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
7 Oakhill Avenue
Hampstead
London
NW3 7RD

Proposal:

Installation of air conditioning unit and associated acoustic enclosure in rear garden.
Drawing Nos: Planning Statement (April 2019); 14408-NIA-01-RevA - Noise Impact Assessment (21/03/2019); 2 x Photos; [536-17-] 0500 - Site Location Plan, 1000, 2000, 3000, 3001.

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 policies 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: Noise Impact Assessment (21/03/2019), 0500, 1000, 2000, 3000, 3001.

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 noise mitigation hereby approved shall meet the minimum Green noise criteria set in The Camden Local Plan, Table C 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.

One air conditioning condenser unit is proposed within the rear garden near to the rear boundary. Due to its location and size, the proposed unit will not be visible within the public realm and is a discreet addition to the site. The acoustic enclosure is modest in scale and visual impact, and would not adversely affect the character or appearance of the host building or the wider conservation area.

A Plant Noise Assessment Report has been submitted to establish the minimum background noise level. The nearest sensitive receptors are at 9 Oakhill Avenue and 11 Greenaway Gardens approximately 9m and 27 metres from the proposed units. The lowest background noise levels measured during the survey were 33dB during the daytime and 27dB at night. Camden Council requires plant noise emission to be 10dB below the minimum background noise level at 1m from the nearest residential property.

Predicted noise levels are expected to be 35dB(A) at 1m from the acoustic enclosure. As a safeguarding measure this permission has been granted subject to conditions to ensure that the unit is installed and maintained with anti-vibration isolators and the external noise level shall meet the minimum criteria set within the Camden Local Plan.

No objections have been received prior to making this decision. 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 A1, A4, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2016 and National Planning Policy Framework 2019.

- 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.
- 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)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer