

Application ref: 2019/4413/P
Contact: Tony Young
Tel: 020 7974 2687
Date: 30 October 2019

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Hale Brown Architects
Unit 1.04, Edinburgh House
170 Kennington Lane
London
SE11 5DP

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**40 Bernard Street
London
WC1N 1LE**

Proposal: Installation of 3 external air intake grilles on Marchmont Street (east) elevation in connection with existing office use.

Drawing Nos: (196(PL)-)100, 101 rev PL1, 102 rev PL1; Environment noise assessment from Equus Partnership (ref. EPL/9775/ENA/01) dated July 2019; Product specification and datasheet received 30/08/2019.

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 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: (196(PL)-)100, 101 rev PL1, 102 rev PL1; Environment noise assessment from Equus Partnership (ref. EPL/9775/ENA/01) dated July 2019; Product specification and datasheet received 30/08/2019.

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

- 4 Prior to use of the air conditioning units, all details shall be implemented as shown on the approved drawings and information, and as set out in the accompanying noise assessment (Environment noise assessment from Equus Partnership (ref. EPL/9775/ENA/01) dated July 2019), including any additional steps identified to mitigate noise, and shall thereafter be permanently retained. The measures shall ensure that:

(a) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum;

(b) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

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, all approved machinery, plant or equipment at the development shall be mounted as necessary with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced, and thereafter be permanently maintained and retained 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 planning permission:

The grilles would be white in colour to match as closely as possible an existing band of render in which they would be positioned. It is noted that larger grilles are already positioned further along this street facing elevation in Marchmont Street. In this context, and given the small size of the grilles, the proposal would have no discernible impact upon the appearance of the building, and as such, would not harm the character and appearance of the building or the setting of the Grade II listed Brunswick Centre opposite in accordance with Council policies and guidelines.

The application is accompanied by an Environment Noise Assessment from Equus Partnership (ref. EPL/9775/ENA/01) dated July 2019 which demonstrate that internally located air conditioning units associated with the proposals would comply with Camden's noise standards. The Council's Environmental Health Team have reviewed the information and raise no objection to the development proposals. As a safeguarding measure, any approval would include a condition to ensure that these noise standards are met. Permission would also be granted subject to the condition that anti-vibration measures are implemented prior to the commencement of the development and use, so as to further safeguard the amenities of the surrounding premises and the area generally.

As such, the proposal is not considered to have any adverse impact on the amenity of the adjoining or nearby residential occupiers in terms of increased noise, or any loss of privacy, daylight, sunlight and outlook, and is considered to be acceptable.

Overall therefore, the proposal is not considered to be harmful to either the host building or settings of any nearby listed buildings, and would preserve the character and appearance of the wider area in accordance with Council policies and guidance, and would be acceptable.

The site's planning and appeals history has been taken into account when coming to this decision. No objections have been received following statutory consultation.

As such, the proposed development is in general accordance with policies A1, A4, D1 and CC1 of the Camden Local Plan 2017, the London Plan 2016, and the 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 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.

- 4 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



Daniel Pope
Chief Planning Officer