

Application ref: 2020/2003/P
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Date: 28 July 2020

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

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

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 9PJ

Proposal:
Installation of 4 air conditioning units and associated alterations to flat roofed area to rear at first floor level
Drawing Nos:

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 and documents: PL - 501; PL - 520 JUNE 2020; PL - 521 JUNE 2020; PL - 522 JUNE 2020; Environmental Noise Survey and Plant Noise Assessment Report (Hann Tucker Associates) ref 24230/PNA3/Rev2

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

- 4 The external noise level emitted from plant, machinery or equipment with specified noise mitigation at the development 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 neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 Before the use commences, plant shall be provided with acoustic isolation, and anti-vibration measures. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To prevent the transmission of noise and vibration throughout the building and or into any neighbouring premises, thus safeguarding the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission

Under Local Plan policy CC2 proposals for air conditioning must demonstrate that relevant points in the cooling hierarchy have been duly considered. The proposals relate to an existing, rather than new build building however the internal refurbishment of the floorspace is being targeted for a BREEAM 'very good' rating. There is limited opportunity to reduce the amount of heat entering the building given it being a highly constrained site within a conservation area. The floorspace to be served by the air conditioning sits at ground and basement levels and does not allow for openable windows so as to minimise noise disturbance to neighbouring occupants. Mechanical ventilation alone would not provide the floorspace with heating nor cooling. On balance officers consider that within the context of this application site, the proposal does not benefit from other viable options for cooling the floorspace and this proposal for active cooling is therefore acceptable.

The proposal includes the removal of a roof lantern to create a flat roofed area

for the condenser units to be fixed upon within a lightwell behind the host buildings. This area contains other air conditioning and servicing type equipment and has no visibility to the surrounding area. As such the proposal would not result in harm to the character or appearance of the Seven Dials conservation area.

The condensers would not sit immediately outside residential use windows and there would be no impact on outlook or daylight to surrounding occupants. An acoustic report has been submitted which identifies the closest residential receptors. The report has been assessed by the Council's environmental health officer and the proposal found to be acceptable subject to planning conditions restricting the noise output to be within specified limits, and for the equipment to be installed with anti vibration measures.

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.

As such, the proposal is in general accordance with policies CC2, A1, A4 and D1 of the Camden Local Plan 2017. The proposed development also accords with the 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 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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope
Director of Economy, Regeneration and Investment