

Application ref: 2020/2150/P
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Date: 17 August 2020

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

Montagu Evans
5 Bolton Street
London
W1J 8BA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Kidderpore Hall
Hampstead Manor
Kidderpore Avenue
London
NW3 7SU**

Proposal:

Construction of sunken enclosure for external plant condenser unit. Alteration to boundary treatment and associated works to garden.

Drawing Nos: Revised Kidderpore Hall Condenser Installation, Acoustic Impact Assessment prepared by Sol Acoustics dated 14 May 2020; environmodula 2.2.25AC TS4 data sheet; Cover letter prepared by Montagu Evans dated 15 May 2020; Design and Access Statement prepared by A&Q Partnership dated 11th May 2020; Toshiba Design AIRS Project Kidderpore Hall dated 17 May 19; Toshiba MMY-MAP_6HT8P data sheet; Location plan 9000-DRG-40YY-KH941 Rev P1; 9000-DRG-02KH-EL902 Rev A West Elevation As Proposed - New External Condenser Housing; 9000-DRG-02KH-EL904 West Elevation As Existing; 9000-DRG-03KH-LG920 Level LG Existing GA Plan; 9000-DRG-03KH-LG930 Lower Ground Proposed GA Plan - New External Condenser Housing; 9000-DRG-03KH-UG921 Level UG Existing GA Plan; 9000-DRG-03KH-UG931 Upper Ground Proposed GA Plan - New External Condenser Housing; 9000-SK-KH-385 Rev D - Condenser enclosure - proposed detail

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:

Revised Kidderpore Hall Condenser Installation, Acoustic Impact Assessment prepared by Sol Acoustics dated 14 May 2020; environmodula 2.2.25AC TS4 data sheet; Cover letter prepared by Montagu Evans dated 15 May 2020; Design and Access Statement prepared by A&Q Partnership dated 11th May 2020; Toshiba Design AIRS Project Kidderpore Hall dated 17 May 19; Toshiba MMY-MAP_6HT8P data sheet; Location plan 9000-DRG-40YY-KH941 Rev P1; 9000-DRG-02KH-EL902 Rev A West Elevation As Proposed - New External Condenser Housing; 9000-DRG-02KH-EL904 West Elevation As Existing; 9000-DRG-03KH-LG920 Level LG Existing GA Plan; 9000-DRG-03KH-LG930 Lower Ground Proposed GA Plan - New External Condenser Housing; 9000-DRG-03KH-UG921 Level UG Existing GA Plan; 9000-DRG-03KH-UG931 Upper Ground Proposed GA Plan - New External Condenser Housing; 9000-SK-KH-385 Rev D - Condenser enclosure - proposed detail

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 air-conditioning plant shall be provided with sound attenuation and anti-vibration measures in accordance with the Acoustic

Impact Assessment prepared by Sol Acoustics dated 14 May 2020 hereby approved. 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.

Informative(s):

1 Reason for granting permission

Consent is sought for a sunken enclosure adjacent to the existing retaining wall of the west elevation of the lower ground floor of the listed building. Consent was previously granted for the conversion of the property into two dwellings with a swimming pool at lower ground floor level (Ref. 2015/3936/P and 2015/4116/L). This permission included a new plant room beneath the garden to the west. Subsequently, consent was granted to convert Kidderpore Hall from 2 units to a single dwellinghouse and for the installation of air conditioning condensers within the garden area (ref: 2018/6347/P and 2018/6346/L). Four condensers were approved in two locations in the garden. This application seeks to relocate the plant to a sunken enclosure which would house one condenser in an acoustic shroud. It is noted that the sunken enclosure is located in the same area as the underground plant room originally consented (2015/3936/P and 2015/4116/L).

BIA scoping was not necessary in this instance given the wider development of which this proposal forms a part and that the excavation would be adjacent to an already existing lower ground floor level. The depth of the enclosure would match the adjoining lightwell.

A small opening would be formed in the retaining wall at the lower ground floor level between the lightwell and the enclosure. The plant enclosure would be surrounded by a balustrade and pillars to match the existing lightwell enclosure. Conservation have reviewed the proposal. The introduction of plant within a sunken enclosure in the proposed location would have limited impact on the setting of the listed building and no harm to the heritage asset has been identified.

An acoustic impact assessment has been submitted and this has been reviewed by Environmental Health. The typical night time background noise is c.40dB LA90. The condenser unit at full output is predicted to result in a noise level of 26dB at Kidderpore Hall, the nearest noise sensitive property. Therefore, the condenser unit would be 14dB below typical night time background noise levels and so there would be no adverse impact due to noise. A noise condition is recommended to ensure the Council's noise thresholds are not breached. The mitigation recommended by the noise report would be secured by condition.

The planning and appeal history of the site has been taken into account when coming to this decision. One objection was received prior to making this

decision. Concerns were raised in relation to noise. However, the acoustic report demonstrates that there would be no harm to amenity in terms of noise.

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Special attention has been paid to the desirability of preserving or enhancing the character or 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 (ERR) 2013.

As such, the proposed development is in general accordance with policies D1, D2, CC2, A1 and A4 of the Camden Local Plan 2017. The development also accords with the NPPF and the London Plan 2016.

- 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 'DP', is positioned above the printed name and title.

Daniel Pope
Director of Economy, Regeneration and Investment