

Application ref: 2020/5797/P
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Date: 23 August 2021

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

DB3 Architecture
Fao. Mr.Hong
84 Great Suffolk Street
London
SE1 0BE

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

66 Chalk Farm Road
London
NW1 8AN

Proposal:

Installation of air conditioning condenser unit and edge protection system on front roof at 1st floor level in connection with existing ground floor retail use, including installation of external perforated roller shutter to shopfront.

Drawing Nos: (14648-DB3-303-66-DR-A-)90001, 90002 rev H, 90003, 90004 rev A, 90010 rev G; (14648-DB3-303-00-DR-A-)20_02 rev C, 20_04 rev C, 20022 rev D; 35822-01 rev B; Acoustic Impact Assessment (ref. B5351-2021-03-02-R) from Acoustic Control Engineers & Consultants dated 03/03/2021; Defender Perforated Rolling Shutter specification received 08/07/2021; Email from DB3 Architecture dated 08/07/2021.

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: (14648-DB3-303-66-DR-A-)90001, 90002 rev H, 90003, 90004 rev A, 90010 rev G; (14648-DB3-303-00-DR-A-)20_02 rev C, 20_04 rev C, 20022 rev D; 35822-01 rev B; Acoustic Impact Assessment (ref. B5351-2021-03-02-R) from Acoustic Control Engineers & Consultants dated 03/03/2021; Defender Perforated Rolling Shutter specification received 08/07/2021; Email from DB3 Architecture dated 08/07/2021.

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 hereby approved, with any mitigation measures as stated in the accompanying Acoustic Impact Assessment (ref. B5351-2021-03-02-R) from Acoustic Control Engineers & Consultants dated 03/03/2021, 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 Prior to first use, all approved machinery, plant or equipment shall be provided with acoustic isolation and anti-vibration measures as necessary, and in accordance with the scheme hereby approved, and thereafter shall be permanently 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 and A4 of the London Borough of Camden Local Plan 2017.

- 6 The approved enclosed roof area at 1st floor level shall not be used as a roof terrace and shall only be accessed for maintenance purposes only.

Reason: In order to safeguard residential amenity at the property in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting planning permission:

The proposed condenser unit would be installed on a 1st floor front roof in connection with the existing ground floor retail use. The works would not be visible from within the public realm given the proposed set-back position of the unit. In this context, the proposal would not have any discernible impact upon the external appearance of the building.

The submitted Acoustic Impact Assessment suggests that it should be possible to achieve the required noise levels in compliance with Camden's noise standards, such that local residential amenity is preserved. The Council's Environmental Health Team have reviewed the information and raise no objection to the proposals subject to conditions to ensure that these noise standards are met and that the amenities of the surrounding premises are safeguarded.

Associated proposals to install an edge protection system or railing around part of the 1st floor front roof are also considered to be appropriate following the receipt of revised drawings which show the railing to be set-back sufficiently from the front of the property so as not to be visible at street level. A condition would be attached to any approval to ensure that access to the enclosed flat roof area is for maintenance purposes only in order to safeguard residential amenity at the property.

Concern was also raised by the Council to initial proposals to install a solid external roller shutter on the front façade at ground floor level in so far as it would likely attract graffiti, appear visually unattractive, and create a hostile and unsafe frontage in the streetscene. External shutters are strongly discouraged by Council guidance for these reasons except in exceptional circumstances where perforated or brick-bond style types might be possible. Given the use of the ground floor unit as a pharmacy and the associated requirement to store medicines securely at the premises, and following the receipt of revised drawings which include a perforated roller shutter, the amended proposal is considered to be appropriate in this particular case.

Overall therefore, in terms of the design, size, location and materials, the character and appearance of the host building and wider streetscene would be preserved. There would not be any adverse impact on the amenity of any nearby residential occupiers in terms of increased noise levels, sense of enclosure or loss of privacy. As such, the proposal is considered to be acceptable.

The site's planning and appeals history has been taken into account when coming to this decision. One comment has been received following statutory consultation which has been addressed in the associated consultation summary.

As such, the proposed development is in general accordance with policies A1, A4, D1, D3 and CC1 of the Camden Local Plan 2017, the London Plan 2021,

and the National Planning Policy Framework 2021.

- 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, 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 (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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.

- 5 The applicant's attention is drawn to the need to remove the air conditioning unit hereby approved from the roof of the building as soon as reasonably practicable when it is no longer required or used in order to minimize the impact on the appearance of the building and local environment.

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 2021.

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 in the upper left corner of the page.

Daniel Pope
Chief Planning Officer