

Application ref: 2021/1975/P
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Date: 26 August 2021

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

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

WSP
WSP House
70 Chancery Lane
Holborn
London
WC2A 1AF

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
35-36 Hampstead High Street
London
NW3 1QE

Proposal: Installation of new refrigeration plant, replacement condensers and associated equipment at rear ground floor level (following removal of 6 air conditioning units), including new metal security door; replacement of window with ventilation louvre within enlarged opening and addition of louvre to window at rear 1st floor level; and shopfront alterations.

Drawing Nos: (P-186082-)100 rev D, 101, 105 rev B, 110 rev D, 205 rev E, 206 rev E, 210 (existing and proposed sections AA and BB), 210 rev C (proposed front elevation), 213 rev B, 217 rev E; RF80000-SK001A; Plant Noise Impact Assessment from Noise Solutions Ltd. (ref. 89759 rev 00) dated 20/04/2021; Air Conditioning Unit Specification (PURY P300 YNW-A) from Mitsubishi Electric Co.; Refrigeration Gas Cooler Specification from Kelvion Searle (ref. 100020304R1) dated 16/02/2021; NSL Acoustic Wall Lining (ref. NSL/1110/A) and Weather Louvre Specifications from Noise Solutions Ltd.; Weather Louvre (75mm deep) Sample Images; Security Door Specification from Nassau; Cover letter from WSP dated 23/04/2021.

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH1, DH2 and EC2 of the Hampstead Neighbourhood Plan 2018.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: (P-186082-)100 rev D, 101, 105 rev B, 110 rev D, 205 rev E, 206 rev E, 210 (existing and proposed sections AA and BB), 210 rev C (proposed front elevation), 213 rev B, 217 rev E; RF80000-SK001A; Plant Noise Impact Assessment from Noise Solutions Ltd. (ref. 89759 rev 00) dated 20/04/2021; Air Conditioning Unit Specification (PURY P300 YNW-A) from Mitsubishi Electric Co.; Refrigeration Gas Cooler Specification from Kelvion Searle (ref. 100020304R1) dated 16/02/2021; NSL Acoustic Wall Lining (ref. NSL/1110/A) and Weather Louvre Specifications from Noise Solutions Ltd.; Weather Louvre (75mm deep) Sample Images; Security Door Specification from Nassau; Cover letter from WSP dated 23/04/2021.

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 Plant Noise Impact Assessment from Noise Solutions Ltd. (ref. 89759 rev 00) dated 20/04/2021, 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 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 Prior to first use of the plant equipment hereby approved, all air conditioning units and associated equipment identified to be replaced as part of this approval, shall be removed.

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 proposed new refrigeration plant, replacement condensers and associated equipment at rear ground floor level would not be visible from within the public realm and would not have any discernible impact upon the external appearance of the building given that existing plant and equipment is already positioned in this rear location. 6 existing air conditioning condenser units are proposed to be removed as part of the works.

The refrigeration plant would operate at all times, although generally at a lower level at night when demands for cooling are reduced. The 4 air conditioning units would operate only during store opening hours. The nearest noise sensitive receptors to the proposed plant are identified as residential windows on Spencer Walk, which are located approximately 11m away at the rear of the store.

The submitted Noise 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, provided that the noise control strategy presented in the acoustic submission is employed. 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.

Other proposals involve the installation of a new metal security door and ventilation louvres at the rear, as well as, a new sliding entrance door at the front. These are also considered to be appropriate and in keeping with the commercial identity of the high street and rear context in accordance with Council policies and guidelines.

Overall therefore, in terms of the design, size, location and materials, the character and appearance of the host building, streetscene and Hampstead Conservation and Neighbourhood Areas would be preserved by the proposals. There would also not be any adverse impact on the amenity of any nearest residential occupiers in terms of increased noise levels given the site context and minor nature of the proposed works. As such, the proposals are considered to be acceptable.

The site's planning and appeals history has been taken into account when coming to this decision. One response has been received following statutory

consultation and has been addressed in the associated consultation summary. No objections have been received following statutory consultation.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Hampstead Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies A1, A4, D1, D2, D3 and CC1 of the Camden Local Plan 2017, policies DH1, DH2 and EC2 of the Hampstead Neighbourhood Plan 2018, 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 all plant, machinery or equipment hereby approved from the rear of the building as soon as reasonably practicable, when it is no longer required or used, in order to minimize the impact on the external 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 above the printed name and title.

Daniel Pope
Chief Planning Officer