

Application ref: 2021/2872/P
Contact: Enya Fogarty
Tel: 020 7974 8964
Email: Enya.Fogarty@camden.gov.uk
Date: 15 September 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

DP9
100 Pall Mall
London
SW1Y 5NQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
43 Whitfield Street
London
W1T 4HD

Proposal:

Replacement of all existing windows with double glazed windows, replacement of roof plant by new units behind new acoustic screen and replacement fence, and installation of photovoltaic panels on the fifth floor flat roof and associated works.

Drawing Nos: 2052/001,2052/002, 2052/010, 2052/011, 2052/015 P02, 2052/016 P02, 2052/020, 2052/021, 2052/022, 2052/023,2052/030 P02, 2052/031 P02 , 2052/032 P02, 2052/033 P02 , Existing plant layout, Proposed plant layout, Noise Impact Survey and Plant Noise Assessment/28861/PNA1 REV1 produced by Hann Tucker Associates dated 06/07/2021.

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 policies 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- 2052/001,2052/002, 2052/010, 2052/011, 2052/015 P02, 2052/016 P02, 2052/020, 2052/021, 2052/022, 2052/023,2052/030 P02, 2052/031 P02 , 2052/030 P02, 2052/032 P02, 2052/033 P02 , Existing plant layout, Proposed plant layout, Noise Impact Survey and Plant Noise Assessment/28861/PNA1 REV1 produced by Hann Tucker Associates dated 06/07/2021.

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

- 4 Prior to use, plant or equipment and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained 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.

- 5 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.

Informative(s):

- 1 Reasons for granting permission-

The proposal includes replacing all existing single glazed windows with double glazed ones. The new windows would be identical in terms of design, profiles, materials and method of opening. The only difference with the proposed windows is the double glazing, which will have no impact on the appearance of the building or streetscene.

The plant enclosure will be located on the first floor roof to the rear of the building. The plant would not be visible from the streetscene and would be behind a new acoustic screen and a replacement timber fence. The plant may be visible from the upper windows of neighbouring buildings.

As confirmed by the agent, the height of the replacement timber fence and new acoustic screen will be similar to the existing fence. Due to the location of the external plant and the height of the proposed equipment and screening, it is not considered that the addition would harm the appearance of the host property nor neighbouring buildings.

A revised noise impact statement was submitted and reviewed by the Council's Environment Health Officer who deemed it acceptable. The replacement plant will meet Council standards on noise levels and will not harm the amenity of neighbours subject to conditions.

The proposal includes photovoltaic panels which will be located on the roof of the fifth floor. The panels would not be visible from neighbouring properties or from the streetscene. The overall impact of the panels would be minimal. The provision of renewable energy facilities is welcomed.

Other external alterations include upgrading the existing balustrade at fifth floor level to match the existing window frames and the installation of a new door with double glazing with a grey aluminium frame. These alterations are considered acceptable.

Overall the alterations will have no harmful impact on the character and appearance of the host building, streetscene or conservation area. 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

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

No objections have been received as a result of the statutory consultation. The site's planning history has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, CC1, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with 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.

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



Daniel Pope
Chief Planning Officer