

Application ref: 2021/1767/P
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Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
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Montagu Evans LLP
5 Bolton Street
London
EC3A 8BE

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

55 Cumberland Terrace
London
NW1 4HJ

Proposal:

Variation of condition 3 (approved plans) of planning permission 2020/5262/P dated 03/03/2020 (Conversion of 55 Cumberland Terrace and 29 Cumberland Terrace Mews into single family dwelling (Class C3) with associated internal and external alterations) namely, alterations to the approved plant equipment at roof level.

Drawing Nos: 2001 E 000, 2001 E 001, 2001 E 000, 2001 E 002, 2001 E 003, 2001 E 004 B, 2001 E 000, 2001 E 005 C, 2001 E 006 C, 2001 E 007, 2001 E 1000, 2001 P 001 C, 2001 E 000 C, 2001 P 002 C, 2001 P 003 B, 2001 P 004 A, 2001 E 000, 2001 P 005 B, 2001 P 006 B, 2001 P 007 C, 2001 D 001 D, 2001 E 000 B, 2001 D 002 B, 2001 D 003 B, 2001 D 004 A, 2001 E 000, 2001 D 005 B, 2001 D 006 B, 2001 D 007 B, 2001 P 200, 2001 E 000 B, 2001 P 201 C, 2001 P 300 A, 2001 E 000, 2001 P 301 C, 2001 P 302 B, 2001 P 400, 2001 P 500 C, 2001 P 501 B, 2001 2001, 2001 2100, 2001 2101, 2001 2102, 2001 2200, 2001 2300, 2001 3100, 2001 3001, 2001 3002, 2001 3003, 2001 3004, 2001 3005, 2001 3006, 2001 3007, 2001 3008, 2001 3009, 2001 3010, 2001 3011, 2001 3012, 2001 3013, 2001 301 B, 2001 310, 2001 311, 2001 312 A, 11188-01 B, 11188-02 B, 11188-03 E, 11188-04 E, 11188-05 B, 11188-06 B, 11188-07 B, 11188-08 B, 11188-09 D, 11188-010 D, 11188-011 B, 11188-012 B, XX-LG-DR-S-1099 P2, XX-GF-DR-S-1100 P2, XX-GF-DR-S-1101 P2, XX-01-DR-S-1102 P1, XX-02-DR-S-1103 P1, XX-02-DR-S-1104 P2, 6618 MEP103 P5, 6618 MEP104 P4, 6618 MEP105 P2, 6618 MEP106 P2, 6618 S101 P1, 6618 M101, 6618 M102 P7,

6618 M103 P7, 6618 M104 P7, 6618 M105, 6618 M106 P7, 6618 M107 P5, 6618 M108 P6, 6618 M109 P4, 6618 M110 P2, 6618 M111 P2, 6618 M112 P, 6618 M113 P4, 6618 M114 P2, 6618 E108 P1, 6618 E109 P1, 6618 PH101 P7, 6618 PH102 P5, 6618 PH103 P5, 11188-15 A, 11188-14 C, 11188-13 D, Cover Letter dated 10 November 2020, KUT Cooling Hierarchy dated 6 November 2020, Plant Noise Assessment 27769/PNA1, Planning and Heritage Statement November 2020, M&E Residential Services Strategy 6618, Daylight Sunlight Report 87970/46/DTO/SMM, Design and Access Statement 4th November 2020 (Rev B).

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 permission 2020/5262/P dated 03/03/2021.

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: 2001 E 000, 2001 E 001, 2001 E 000, 2001 E 002, 2001 E 003, 2001 E 004 B, 2001 E 000, 2001 E 005 C, 2001 E 006 C, 2001 E 007, 2001 E 1000, 2001 P 001 C, 2001 E 000 C, 2001 P 002 C, 2001 P 003 B, 2001 P 004 A, 2001 E 000, 2001 P 005 B, 2001 P 006 B, 2001 P 007 C, 2001 D 001 D, 2001 E 000 B, 2001 D 002 B, 2001 D 003 B, 2001 D 004 A, 2001 E 000, 2001 D 005 B, 2001 D 006 B, 2001 D 007 B, 2001 P 200, 2001 E 000 B, 2001 P 201 C, 2001 P 300 A, 2001 E 000, 2001 P 301 C, 2001 P 302 B, 2001 P 400, 2001 P 500 C, 2001 P 501 B, 2001 2001, 2001 2100, 2001 2101, 2001 2102, 2001 2200, 2001 2300, 2001 3100, 2001 3001, 2001 3002, 2001 3003, 2001 3004, 2001 3005, 2001 3006, 2001 3007, 2001 3008, 2001 3009, 2001 3010, 2001 3011, 2001 3012, 2001 3013, 2001 301 B, 2001 310, 2001 311, 2001 312 A, 11188-01 B, 11188-02 B, 11188-03 E, 11188-04 E, 11188-05 B, 11188-06 B, 11188-07 B, 11188-08 B, 11188-09 D, 11188-010 D, 11188-011 B, 11188-012 B, XX-LG-DR-S-1099 P2, XX-GF-DR-S-1100 P2, XX-GF-DR-S-1101 P2, XX-01-DR-S-1102 P1, XX-02-DR-S-1103 P1, XX-02-DR-S-1104 P2, 6618 MEP103 P5, 6618 MEP104 P4, 6618 MEP105 P2, 6618 MEP106 P2, 6618 S101 P1, 6618 M101, 6618 M102 P7, 6618 M103 P7, 6618 M104 P7, 6618 M105, 6618 M106 P7, 6618 M107 P5, 6618 M108 P6, 6618 M109 P4, 6618 M110 P2, 6618 M111 P2, 6618 M112 P, 6618 M113 P4, 6618 M114 P2, 6618 E108 P1, 6618 E109 P1, 6618 PH101 P7, 6618 PH102 P5, 6618 PH103 P5, 11188-15 A, 11188-14 C, 11188-13 D, Cover Letter dated 10 November 2020, KUT Cooling Hierarchy dated 6 November 2020, Plant Noise Assessment 27769/PNA1, Planning and Heritage Statement November 2020,

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

- 4 Prior to operation, the air-conditioning plant 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 policy G1, A1, A4, D1, CC1 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 The current application seeks to vary condition 3 (approved plans) of permission reference 2020/5262/P to accommodate changes to the location and layout of the approved plant equipment at main roof level, as well as the installation of a sun-tunnel and repositioning of the approved roof access hatch.

As with the previous approval, the proposed air-handling plant is to be sited well back from the rear edge of the main roof and would be screened by the existing pitched roof to the front and housed within an acoustic enclosure. The submitted drawings show long range views and sight lines of the rear elevation and roof level to demonstrate that the proposed plant equipment would continue to be screened from the public realm and would therefore not cause harm to the character of the host building or the appearance of the surrounding conservation area. Similarly, the proposed sun tunnelling and relocated roof hatch are considered minor alterations that would not cause any harm to the historic significance of the listed building.

The revised positioning of the roof plant would not cause harm to neighbouring amenity in terms of loss of light or outlook. Furthermore, the revised plant would be bound by the same noise control conditions attached to the previous planning permission and would ensure neighbouring amenity is protected as a result.

As part of the previous approval the applicant submitted a statement to demonstrate compliance, where possible, with the London Plan cooling hierarchy. The statement detailed a number of measures that have been taken to reduce internal heat gains such as: Low energy lights throughout, insulated and sealed heat generation and heat distribution equipment (boilers, hot water cylinder pipework) and high efficiency white goods. However, given the listed status of the building it was not possible to incorporate a number of the measures within the hierarchy such as reducing the amount of heat entering a building or increasing passive ventilation. As such, the active cooling proposed which included a mechanical cooling system and air-source heat pump multi-split VRF system with high efficiency A-rated condenser units and variable speed compressors was considered acceptable. The reconfigured roof plant proposed as part of the current application is not considered to deviate from the cooling hierarchy analysis of the original approval and is thus considered acceptable.

No objections were received following statutory consultation. The planning history of the site and surrounding area were taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, and of preserving or enhancing the conservation area, under s.66 and 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 policy D1, D2, A1, A4 and CC2 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2021, and National Planning Policy Framework 2021.

- 2 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.
- 3 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).
- 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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer