

Application ref: 2020/1326/P
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Date: 12 November 2021

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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planning@camden.gov.uk
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Mr Skender Lipovica
Mardale, Unit 2
Hampstead Road
London
NW1 3FJ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Unit 2
Mardale
Hampstead Road
London
NW1 3FJ**

Proposal:

Installation of air conditioning unit and retractable awning, and replacement of glazed section with louvres to ground floor commercial unit (Class E).

Drawing Nos: Ventilation Statement dated 06 July 2020, Acoustic Report dated 19 June 2020, H-L-001, H-E-002, H-P-004Rev2

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 Ventilation Statement dated 06 July 2020, Acoustic Report dated 19 June 2020, H-L-001, H-E-002, H-P-004 Rev2.

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 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.

Informative(s):

- 1 Reasons for granting permission:

The proposed siting of the mechanical cooling equipment to the entrance of ground floor commercial unit is appropriate as it would not be visible from neighbouring properties or from the street. Therefore, the proposal is not considered harmful to the appearance of the building or street scene. Active cooling is only be permitted where there is clear need for it after other measures have been considered. Due to the unit's location, layout and single aspect, the proposal seeks to introduce ventilation where there is no natural cross ventilation.

Due to the proximity to residential unit at first floor level, the Council requested a noise assessment report to establish whether the equipment would negatively impact the nearest residential occupiers. The findings show that predicted noise levels are not expected to exceed the lowest background noise levels measured at the site and is not considered to negatively impact upon the amenity of the nearest residential occupiers. Based on the information provided

the proposals calculations show compliance with Camden criteria, subject to conditions, which have been attached to this permission.

Officers have assessed the submitted noise report and considers it to be acceptable subject to conditions attached to this decision. It is considered that there would be no material increase in noise impact to residential occupiers and as such would comply with Council's policies A1 and A4.

No objections have been received prior to making this decision. The site's planning and enforcement history were taken into account when arriving at this decision.

As such, the proposed development is in general accordance with policies A1, A4, D1, and CC2 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 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.

- 4 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.

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