

Application ref: 2021/4513/P
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Date: 1 February 2022

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

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www.camden.gov.uk/planning

Duncan Woodburn RIBA
Second floor studio
28 Poland Street
London
W1F 8QP

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
5 Elm Row
London
NW3 1AA

Proposal:

Installation of double glazing to all rear windows and 3 front dormer windows, enlargement of one lower ground floor kitchen window, installation of rooflight in flat roof and two air-source heat pumps within louvred enclosure on roof.

Drawing Nos: Design and access statement 003; 204; 203; 202; 201; 200-A; 103; 102; 101; 100; 033-A; 032; 031-A; 030-B; 021-A; 23; 020; 019; 018; 017; 016; 015; 014; 013; 012; 011; 010; Noise Assessment 17263-NIA-01.

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 The development hereby permitted shall be carried out in accordance with the

following approved plans: Design and access statement 003; 204; 203; 202; 201; 200-A; 103; 102; 101; 100; 033-A; 032; 031-A; 030-B; 021-A; 23; 020; 019; 018; 017; 016; 015; 014; 013; 012; 011; 010; Noise Assessment 17263-NIA-01.

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

- 3 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.

- 4 Details shall be submitted to and approved in writing by the Council of the external noise levels emitted from plant/ machinery/ equipment and any necessary mitigation measures as recommended by the acoustic report hereby approved. The measures shall ensure that the external noise level emitted from plant will be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:1997 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the site and surrounding premises are not adversely affected by noise in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 Prior to use, the plant 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 ensure that the amenity of occupiers of the site and surrounding premises are not adversely affected by vibration 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 existing kitchen window is to be replaced with a new larger window to match the other windows at this level. The loss of the existing window is acceptable as it dates from 20th century. The replacement would be made from hardwood which is acceptable.

The current cold water tanks on the roof are to be removed and rebuilt as housings for a pair of air-source heat pumps. The housings will be

approximately 200mm higher than the current tanks. The housings are adjacent to the chimneys and well set back from the roof edge so as not to be visible from the public realm and would thus preserve the character and appearance of the Hampstead conservation area.

The casement and sash windows to the rear of the building and the three dormers at the front are fitted with double glazing. Where existing glazing bars prevent the installation of double glazing, the single glazing will be retained. The alterations to these windows are acceptable in heritage terms.

Overall the external alterations are acceptable and would preserve the character and appearance of the host building, streetscene and conservation area.

Due to the location and nature of the proposals, the proposals would not impact neighbouring amenities by way of loss of outlook, daylight or privacy. The enclosures for the air-source heat pumps would not obstruct light to neighbouring windows on Hampstead Square, as the units would pass the 25 degree test when measured from the middle of the nearest window at 1 Hampstead Square.

A plant noise assessment was prepared to assess the impact of the proposed equipment in terms of noise emissions on the worst affected neighbouring residential window. The report has been reviewed by the Council's Environmental Health Officer who confirms the calculations show that the noise emission levels of the proposed plant meet the Local Authority criteria during the operating period with specified mitigation measures installed and should not have an adverse impact on the nearest sensitive receivers. As the installation is dependent on the performance of specified mitigation, a condition is attached requiring details to be submitted of the external noise level emitted from plant and the mitigation measures as appropriate.

The proposed rooflight at the top of the stairwell would not be visible from the public realm and would not harm the character of the listed building. It would improve the passive ventilation of the building in response to predicted overheating.

The air-source heat pumps are proposed for heating purposes and would enhance the energy efficiency of the building.

The site's planning history has been taken into account when making this decision. Two objections were received relating to the potential for noise disturbance from two air-source heat pumps following consultation procedures. This is addressed in the amenity assessment above.

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 Planning (Listed Buildings and Conservation Areas Act 1990) as amended by the Enterprise and Regulatory Reform Act 2013. Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, under s.66 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 policies CC1, A1, A4, D1 and D2 of the Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework.

- 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

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