

Application ref: 2021/4041/P
Contact: Elaine Quigley
Tel: 020 7974 5101
Email: Elaine.Quigley@camden.gov.uk
Date: 8 June 2022

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

Marek Wojciechowski Architects
66-68 Margaret Street
London
W1W 8SR

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
38 Chester Terrace
London
NW1 4ND

Proposal:

Installation of two external air conditioning units and associated acoustic enclosure on the rear lower ground floor courtyard and associated internal works.

Drawing Nos: P0200; P0999; P1999 rev E; P1001; P1005; P1102; P1201; P2001 rev D; P2201 rev G; P2202; P2103; P2292 rev E; Design and Access Statement rev A prepared by Marek Wojciechowski Architects dated 11/02/2022; Overheating Risk Assessment rev P03 prepared by Cundall dated 17/12/2021; Environmental Noise Report for Planning rev P03 prepared by Cundall dated 01/02/2022.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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:

P0200; P0999; P1999 rev E; P1001; P1005; P1102; P1201; P2001 rev D; P2201 rev G; P2202; P2103; P2292 rev E; Design and Access Statement rev A prepared by Marek Wojciechowski Architects dated 11/02/2022; Overheating Risk Assessment rev P03 prepared by Cundall dated 17/12/2021; Environmental Noise Report for Planning rev P03 prepared by Cundall dated 01/02/2022.

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 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 Prior to use of the air conditioning units hereby approved, details shall be submitted to and approved in writing by the Council of the external noise level emitted from equipment and mitigation measures as appropriate to ensure acoustic mitigation measures are operating as specified. The measures shall ensure that the external noise level emitted from equipment 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 BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. Approved mitigation details as set out in the Environmental Noise Report for Planning rev P03 prepared by Cundall dated 01/02/2022 shall be implemented prior to commissioning of the installation and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

Informatives:

- 1 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.
- 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.

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 be 'DRP', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer