

Application ref: 2021/5532/P
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Date: 30 June 2022

Development Management
Regeneration and Planning
London Borough of Camden
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www.camden.gov.uk/planning

51 architecture
1a Cobham Mews
London
NW1 9SB
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
12 Keats Grove
London
NW3 2RN

Proposal:
Installation of air source heats pumps in front garden
Drawing Nos: 0000; 213.02C; 8120 Rev.A; 8121 Rev.A.; 8122 Rev.A; Environmental Noise Survey and Plant Noise Assessment Report by Hann Tucker Associates dated 23rd Dec 2021; the keats system and hand dig method statement by 51 architecture.

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:

0000; 213.02C; 8120 Rev.A; 8121 Rev.A.; 8122 Rev.A; Environmental Noise Survey and Plant Noise Assessment Report by Hann Tucker Associates dated 23rd Dec 2021; the keats system and hand dig method statement by 51 architecture.

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

- 3 Prior to first use, all approved machinery, plant or equipment shall be provided with acoustic isolation and anti-vibration measures as necessary and outlined in the Environmental Noise Survey and Plant Noise Assessment Report by Hann Tucker Associates dated 23rd Dec 2021, and in accordance with the scheme hereby approved, and thereafter shall be permanently retained and maintained in accordance with the manufacturers' recommendations.

Reason: To prevent the transmission of noise and vibration throughout the building and or into any neighbouring premises, thus safeguarding 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.

- 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 The development shall be installed in line with the approved hand dig method statement by 51 architecture. Such details shall also follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting:

A previous scheme granted planning permission for air conditioning units in the rear garden under ref. 2019/5443/P dated 26/02/2020, this application

demonstrating that the top floors of the listed building were at risk from overheating. This permission is still extant. Officers acknowledged that as the host building is listed that opportunities to change layouts/orientations/ceiling heights, or increase thermal masses are quite limited. It was considered on balance, given its heritage constraints that passive measures could not control excess heat.

Instead of this approved proposal, this current application instead proposes four ASHPs in the front garden screened by the existing boundary wall as an alternative more practical solution to be used for both heating and cooling. Four ASHP will be located within two timber enclosures and given its location and scale would not be visible from the public realm and are not considered to cause harm to the grade II building's special interest or setting, or to the conservation area or neighbouring amenity in terms of loss of light, privacy or overlooking.

A noise survey has been submitted in support of the application including mitigation measures such as use of an acoustic enclosure (secured by condition). The Council's Environmental Health officer has reviewed the information and considers it to be acceptable, subject to noise compliance and anti-vibration pads being secured by planning condition. The development would not result in a material impact on the amenity of neighbouring properties in terms of noise.

No trees are proposed to be removed. The Council's Tree team has reviewed the scheme subject to the development being installed in line with the method statement raised no objection. A condition is attached.

No objections were received during the consultation period. The planning history of the site has been taken into account when coming to this decision.

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 Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act [ERR] 2013.

As such, the proposed development is in general accordance with policies A1, A2, A3, A4, CC1, CC2, D1 and D2 of the Camden Local Plan 2017 and policies NE2, DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. It also complies 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