

Application ref: 2021/4505/P
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Date: 5 July 2022

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

Mr Lasha Papashvili
56 Elsworthy Road
London
NW33BU
UK

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
56 Elsworthy Road
London
NW3 3BU

Proposal:
New Air Source Heat Pump (heating and cooling) and enclosure in the rear garden, to dwelling.

Drawing Nos: Site location plan; NHC-3688-M-LAY-570-005 Revision: P02; NHC-3688-M-LAY-570-002 Revision: P05; Noise Assessment 23118.PCR.01 by KP Acoustics; CPG Appendix 1 complete; Product specifications Toshiba SMMS-u.

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:

Site location plan; NHC-3688-M-LAY-570-005 Revision: P02; NHC-3688-M-LAY-570-002 Revision: P05; Noise Assessment 23118.PCR.01 by KP Acoustics; CPG Appendix 1 complete; Product specifications Toshiba SMMS-u.

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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Prior to first use of the air source heat pump hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pump shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC2 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 Reasons for granting permission:

The application building has been previously extended and refurbished as part of previous planning consents. The building has been retrofitted with the basic energy efficiency measures, as confirmed through CPG Home Improvements Appendix 1 completed. The building generally retains its original openings, and shows a good proportion of solid vs glazed, and therefore no risk of overheating is expected.

The proposed Air Source Heat Pump (ASHP) for heating and cooling would be located in the north-west corner of the rear garden of the property. The plant

would be surrounded by an acoustic screen with a modest projection and scale. The screen materials should be wood or other lightweight solid material to maintain a domestic appearance of the structure. Due to its position and location, the plant would be screened by the host building and not be visible from public realm. Overall, the proposed ASHP and enclosure would not be detrimental to the character and appearance of the host building and wider area.

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.

In terms of sustainability, it is noted that the plant provides cooling option as well as heating. Active cooling in residential properties is generally not supported; however, given the property has been recently refurbished with energy efficiency measures installed, and its ratio of solid and glazed does not give rise to overheating, the proposed plant is acceptable in this instance subject to a condition which limits the use of cooling facility.

In terms impact on neighbouring amenity, due to the proposed ASHP enclosure location and projection, it is unlikely that significant harm would be caused to the neighbouring amenity in terms of loss of light, outlook or overlooking. In terms of noise and vibration the proposed enclosure would mitigate against any harmful impact, subject to a compliance condition. No objections were received prior making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, A1, D1 and D2 of Camden Local Plan 2017. The development would also accord with the National Planning Policy Framework 2021 and the London Plan 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 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near

neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

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