

Application ref: 2022/0469/P
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Date: 5 August 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

SM Planning
80-83 Long Lane
London
EC1A 9ET

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**235 Camden High Street
London
NW1 7BU**

Proposal:

Installation of three air conditioning units and one chiller condenser unit with extract duct to rear courtyard of cafe (Class E).

Drawing Nos: Energy and Sustainability Assessment by EAL Consult dated January 2022; Noise Impact Assessment Revision No. 2.0 by Sound Licensing Limited dated 21/01/2022; 318-01-600; 318-01-214 Rev A; 318-01-302 Rev H.

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: Energy and Sustainability Assessment by EAL

Consult dated January 2022; Noise Impact Assessment Revision No. 2.0 by Sound Licensing Limited dated 21/01/2022; 318-01-600; 318-01-214 Rev A; 318-01-302 Rev H.

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 if in CA] 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, plant or equipment 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 policy A1, A4, D1 and CC1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The proposal relates to a mid-terrace property on the south-western side of Camden High Street, within the shopping frontage. The proposed ventilation and extraction equipment is related to the refurbishment and alterations of the ground floor commercial unit which is indicated as being used as a café/restaurant (Class E). Alterations to the front elevation shopfront and signage have recently been approved under planning application references 2021/2992/P and 2022/0132/A.

The kitchen extract ductwork, air conditioning units and chiller condenser unit would be appropriately sited to the rear at ground and first floor level (behind a parapet wall) near the rear boundary. The siting of the units at ground and first

floor level at the rear of the site are considered appropriate. Due to their location, the existing boundary walls, adjacent flank walls, and parapet wall at first floor level, the installations would largely be screened from the public realm and there would be no harm to the significance of the building in the Conservation Area. Given the context of the rear of the buildings providing servicing and plant for the ground floor commercial units, the proposals would not have a detrimental impact on the character or appearance of the building or the surrounding street scene.

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

The nearest residential properties are at first-floor level of Early Mews to the rear of the site. A plant noise assessment has been submitted which demonstrates the equipment can operate within Camden's minimum noise level requirements, subject to the conditions attached to this decision. Due to the siting, screening by boundary walls, distance to the equipment, and provided the equipment is designed as specified in the submitted assessment report, the predicted noise levels would protect the amenity of neighbouring properties. As such, due to the minor nature of the external alterations, and the noise attenuation measures and conditions, the proposals are not considered to result in and negative impact on residential amenity in terms of noise disturbance or loss of outlook.

The applicant has provided an assessment of the proposals against the cooling hierarchy as set out by Camden planning guidance. Dynamic thermal modelling has been used to identify the risk of overheating. The analysis identifies natural and mechanical ventilation measures would be insufficient to meet requirements for the activities of the café, within the existing layout and depth of the unit. Active cooling measures would achieve the conditions required for food preparation and café activity; therefore, the air conditioning units are considered appropriate in this instance. The proposed location would have the least impact in terms of visual appearance and protecting neighbouring amenity.

No objections were received following consultation. The site's planning history was considered during the determination of this application.

As such, the proposed development is in general accordance with policies A1, A4, D1, CC1 and CC2 of the 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



Daniel Pope
Chief Planning Officer