

Application ref: 2022/1905/P
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Date: 21 September 2022

Development Management
Regeneration and Planning
London Borough of Camden
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RPS
20 Farringdon Street
London
EC4A 4EN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
26-28 Ely Place
London
EC1N 6TD

Proposal:

Installation of 2 condenser units on the roof at ground floor level and 9 on the upper roof and installation of 1 replacement air handling unit on the upper roof

Drawing Nos: 32107019 03 (Rev A), 101 (Rev A), 102 (Rev B), M-004 (A01), 20.402 P10 and P11, Site Location Plan, Planning and Design Statement (May 2022), Historic Building Report (April 2022), Environmental Noise Survey and Plant Noise Assessment Report (28878/PNA1-Rev9) (8/04/2022), Cover Letter (03/05/2022)

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- 32107019 03 (Rev A), 101 (Rev A), 102 (Rev B), M-004 (A01), 20.402 P10 and P11, Site Location Plan, Planning and Design Statement (May 2022), Historic Building Report (April 2022), Environmental Noise Survey and Plant Noise Assessment Report (28878/PNA1-Rev9) (8/04/2022) and Cover Letter (03/05/2022)

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

- 3 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.

- 4 Prior to use, machinery, 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 policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

26-28 Ely Place is a Grade II Listed building together with the terrace of Nos. 30-34. It is in the setting of Afsil House (Grade-II) 7, 8 and 9 Ely Place (Grade-II), 13 and 14 Ely Place (Grade-II), 21 and 25 Ely Place (Grade-II) and the Church of St. Etheldreda (Grade I).

The proposals seek to install two condenser units to the northern end of the flat roof of the lower ground floor extension, and nine condenser units and an air handling unit to the upper roof. There is existing plant on the roof and the proposed plant would replace this.

The existing roofscape of the lower ground floor rear extension is an area of low significance, and already incorporates two rows of rooflights and various pieces of plant equipment. The proposed condenser units would therefore be in a location which does not harmfully affect public views of the listed building or the character and appearance of the conservation area and is therefore considered acceptable.

On the main roof, the proposed condenser and air handling units are to be located in similar positioning to existing plant and will not be visible from street level. The existing plant is not considered to positively contribute to the character and appearance of the conservation area. However, the proposed scheme is in a broadly equivalent location to the existing plant and therefore, given the nature of the site and the public visibility of the plant, the negative impact would be minimal. Therefore the proposals preserve the character and appearance of the conservation area and special interest of the host listed building and setting of nearby ones.

In relation to amenity, there would be no issues relating to loss of outlook and light to neighbours. In relation to noise, a Noise Impact Assessment has been submitted which is considered acceptable by the Council's Environmental Health officer. The condensers will be surrounded by an acoustic enclosure and the plant will meet the Council's minimum standards on noise levels so that residential amenity will be protected. Conditions are attached to ensure the noise and vibration levels remain in compliance.

As stated, the site already benefits from plant equipment and the proposal will modernise the existing system. The new system is from high efficiency air source heat pumps which both heat and cool the refrigerant circulating to the fan coils. The control systems are the latest generation giving close control of space temperature and the ability for users to turn off systems when not in use, which was not possible with the old system. Distribution losses from the new system are minimal compared to the existing as all the pipes are much smaller in surface area and are very well insulated along their entire length.

Considering the existing situation in terms of sustainability it is accepted that the equipment can be replaced and improved. The Council's sustainability officer has confirmed that the new units are more efficient than previous with various options considered and discounted. Therefore no objection is raised in this instance.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and the special interest of listed buildings, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

No objections have been received prior to 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, CC1, CC2, D1 and D2 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 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:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully



Daniel Pope
Chief Planning Officer