

Application ref: 2022/2343/P
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undefined

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

Flat 14
25 Shelton Street
London
Camden
WC2H 9HW

Proposal:

Variation of Condition 2 (Approved Plans) for planning permission 2021/5895/P granted on 30/03/2022 for Erection of a flat roof designed roof extension with black balustrades. Works at roof level to include erection of extended stair core; enclosing of rear terraces and installation of roof lights; replacement of 8x existing roof lights; remove rear opaque glazed windows; remove timber louvre screens; raise the brick party wall; safety balustrades around roof top plant equipment; two air source heat pumps with screenings and removing existing two roof lights and installing 2x retractable roof lights and glass canopy to existing terrace (ClassC3). Changes include the installation of air source heat pumps, acoustic enclosures and air intake grilles

Drawing Nos: Superseded Plans: 101 018 (Rev A), 101 030 (Rev A), 101 035 (Rev A)

Proposed Plans: 101 002, 101 003, 101 005, 101 006, 101 007 (Rev B), 101 015, 101 016, 101 017 (Rev A), 101 018 (Rev B), 101 029, 101 030 (Rev B), 101 034, 101 035 (Rev B), 101 043, 101 053, 101 141, 101 142 and 101 143, Proposed Overheating and Cooling statement (J3988 Shelton Street Rev 00), Overheating Study (J3988 Shelton Street Rev 04) and Design Statement document

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 permission 2021/5895/P granted on 30/03/2022.

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:101 002, 101 003, 101 005, 101 006, 101 007 (Rev B), 101 015, 101 016, 101 017 (Rev A), 101 018 (Rev B), 101 029, 101 030 (Rev B), 101 034, 101 035 (Rev B), 101 043, 101 053, 101 141, 101 142 and 101 143, Proposed Overheating and Cooling statement (J3988 Shelton Street Rev 00), Overheating Study (J3988 Shelton Street Rev 04) and Design Statement document

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 Other than the areas explicitly identified on the approved drawings as a roof terrace, no part of any other roof of the building shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to any elevation of the application property to form access onto the roofs.

Reason: In order to protect the existing residential amenities of the occupiers of neighbouring properties in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 5 The use of the newly created roof terrace shall not commence until the glass balustrades, as shown on the approved drawings, have been constructed. The glass balustrades shall be permanently retained as such thereafter.

Reason: In the interest of safe usage of the roof terrace and in order to protect the existing residential amenities of the occupiers of neighbouring properties in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 6 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 proposed amendments include the introduction of two new air condenser units on the roof the building with screenings. The roof extension, new terraces, installation of roof lights, glazed windows and louvre screens were approved under planning permission reference 2021/5895/P granted on 30/03/2022.

In terms of design the units are small and located on the roof of the property which is the appropriate location but also means they would be largely screened from any direct public views, which is helped further by the proposed acoustic screens. There are several examples of similar plant equipment to neighbouring buildings along Shelton Street anyway and the proposals would therefore not be out of character with the surrounding area.

The proposed amendments are not considered to introduce new amenity impacts by way of loss of outlook, daylight or privacy as the extension will be of the same height and there are no new structural introductions. Upon consultation with the Council's Environmental health team they were satisfied that the submitted information met our local plan guidelines with regards to noise and therefore the proposal is acceptable in environmental health terms. A condition has been added to the application to ensure compliance with the Council's minimum noise standards.

The application is also supported by a cooling hierarchy statement and dynamic thermal modelling. Upon consultation with the sustainability officer the revised statement and modelling demonstrates that the provision of the noise assessment demonstrates that natural ventilation is not possible and that as a result the overheating assessment indicates that overheating will occur and as such in this case active cooling is justified.

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.

No objections have been received prior to making this decision, the Seven Dials CAAC have raised no objection to the proposal. 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, D1, D2, 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 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.
- 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:

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

Yours faithfully



Daniel Pope
Chief Planning Officer