

Application ref: 2022/4604/P
Contact: Nora-Andreea Constantinescu
Tel: 020 7974 5758
Email: Nora-Andreea.Constantinescu@camden.gov.uk
Date: 13 February 2023

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

AZ Urban Studio
2 John Street
London
WC1N 2ES
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
21 Maresfield Gardens
London
NW3 5SD

Proposal:
Installation of Air Source Heat Pump (ASHP) and associated acoustic enclosure in rear garden.

Drawing Nos: 03 Revision 01; 04 Revision 01; 16 Revision 03; QF10487-EMT-ZZ-DR-0001 Rev P01; Planning note from AZ Urban Studio dated 17/10/2022; Planning Compliance Report 20472.PCR.01 Rev B by KP Acoustics dated 25/05/2022.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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:

03 Revision 01; 04 Revision 01; 16 Revision 03; QF10487-EMT-ZZ-DR-0001 Rev P01; Planning note from AZ Urban Studio dated 17/10/2022; Planning Compliance Report 20472.PCR.01 Rev B by KP Acoustics dated 25/05/2022.

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

- 3 The external noise level emitted from plant, machinery or equipment at the development with any specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 'Methods for rating and assessing industrial and commercial sound' at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment 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 ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration 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 Air Source Heat Pump (ASHP) would be located in the rear garden, adjacent to the shared boundary with 23 Maresfield Gardens. Previous permission has been granted for four ASHPs to be located under the front steps of the building, app ref 2020/2938/P dated 16/03/2021. After further technical and space assessments, it was concluded that one ASHP would have to be relocated. The proposed unit would not be visible from the streetscene, and due to its small projection and existing boundary enclosures, any visual impact would be reduced. The unit would be enclosed by acoustic louvers which would fit in with the garden setting. Sufficient garden space would be retained.

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 impact on trees, as part of previous permission 2019/4254/P dated 22/11/2019, the tree within the application site in close proximity to the proposed ASHP has been approved for removal. All other trees are located at significant distance from the proposed ASHP and therefore no significant impact would be caused by the proposed unit.

In terms of impact on neighbouring amenity, an Acoustic Report has been submitted which demonstrates that the unit would operate within the local plan guidelines and BS 4142:2014. The assessment also considered the cumulative impact from the ASHPs to the front of the building and concluded no significant impact would be caused in terms of noise and vibration to buildings or neighbouring occupiers. Environmental health officers have assessed the submission and considered acceptable subject to compliance conditions.

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, A3, A4, CC1, CC2, D1, 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 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.

- 5 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:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light blue rectangular background.

Daniel Pope
Chief Planning Officer