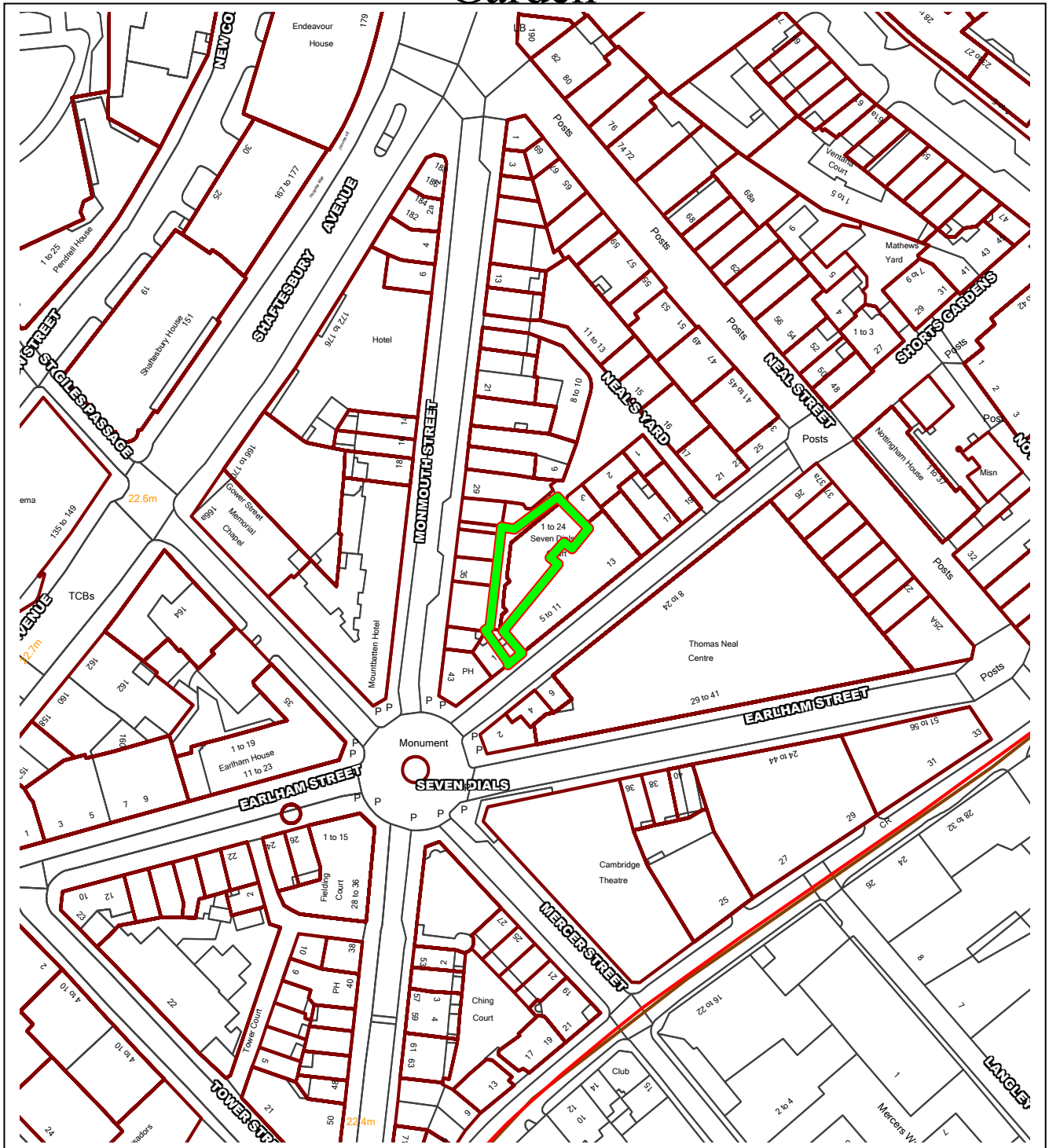


2025/5035/P Seven Dials Court 3 Shorts Garden



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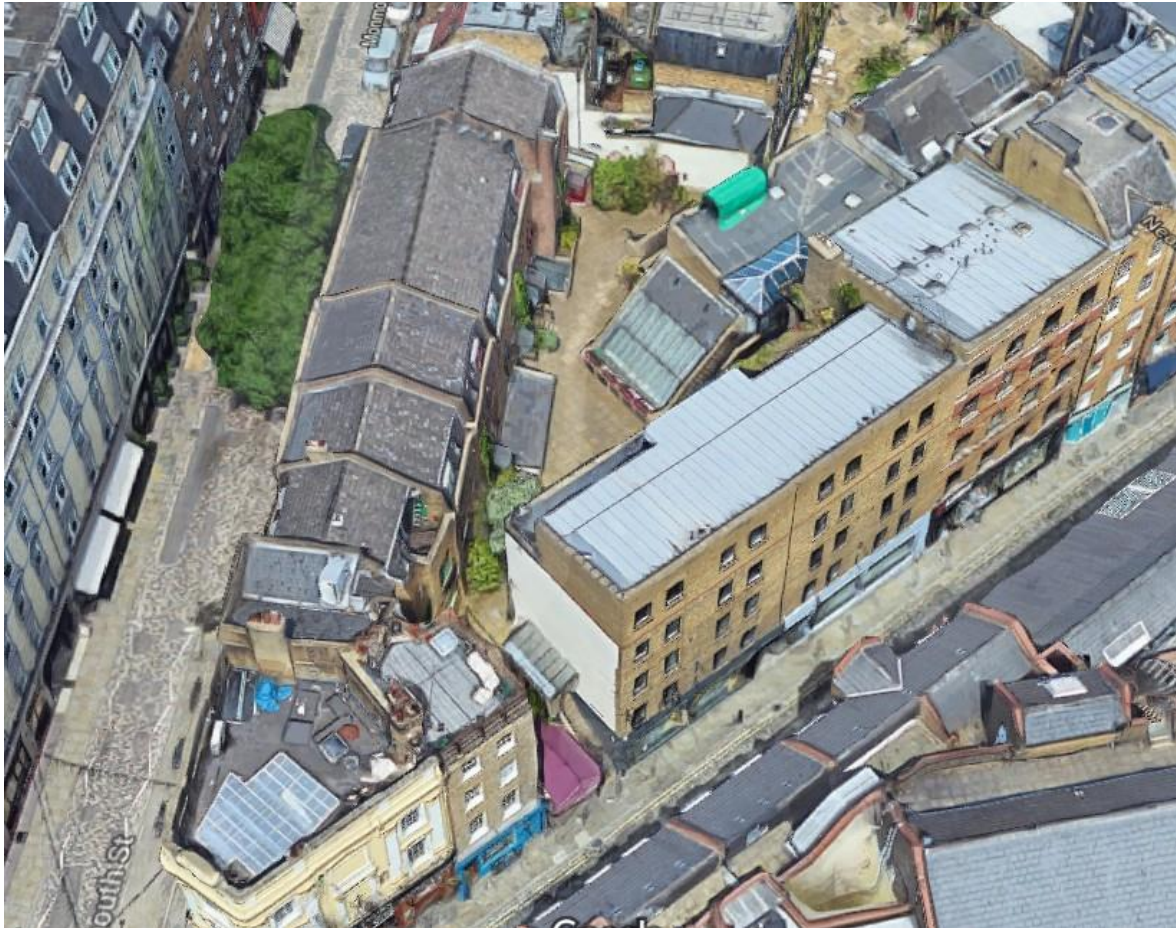


Image 2. Showing the aerial view of the site



Image 3. Courtyard of Seven Dials Court looking north-east towards Neal's Yard. The existing plant on the roof is contained within the existing enclosure.



Image 4. Showing a close up of the Plant enclosure.

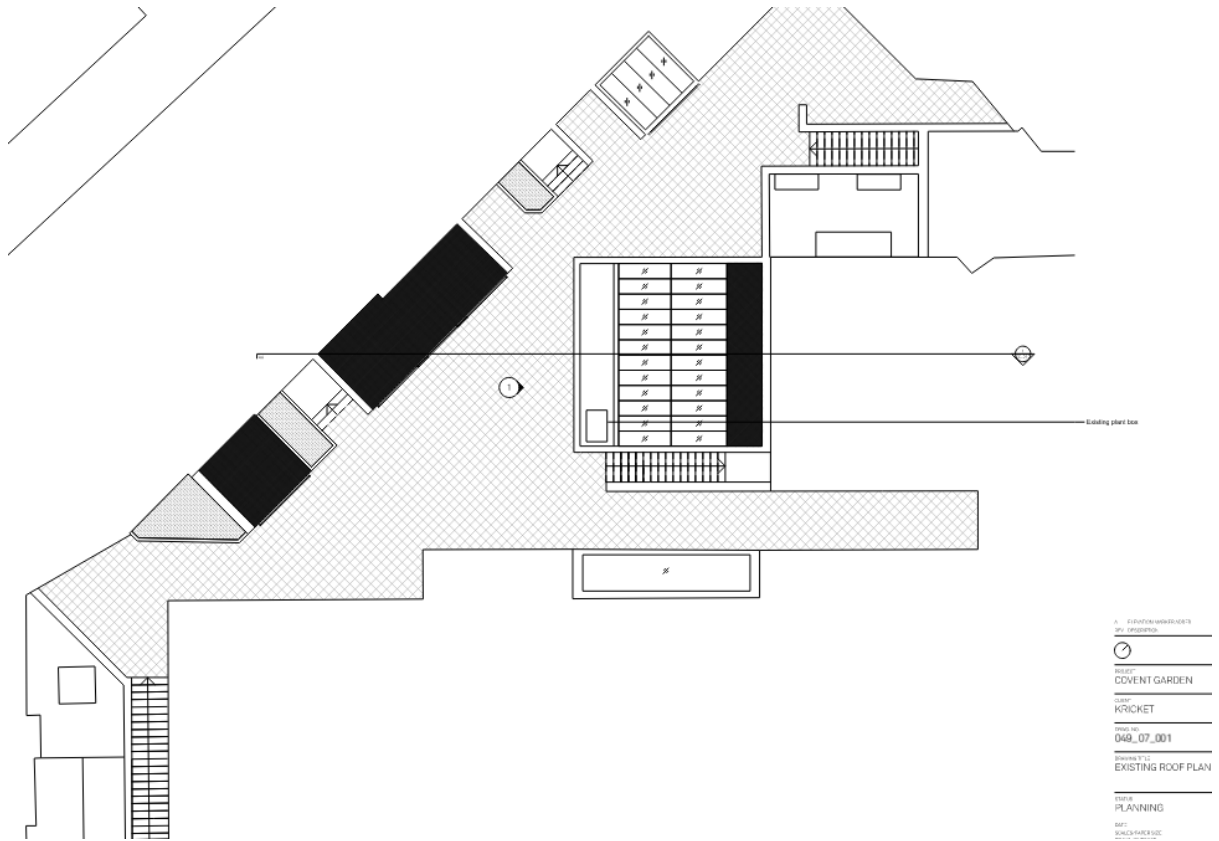


Image 5. Existing roof plan.

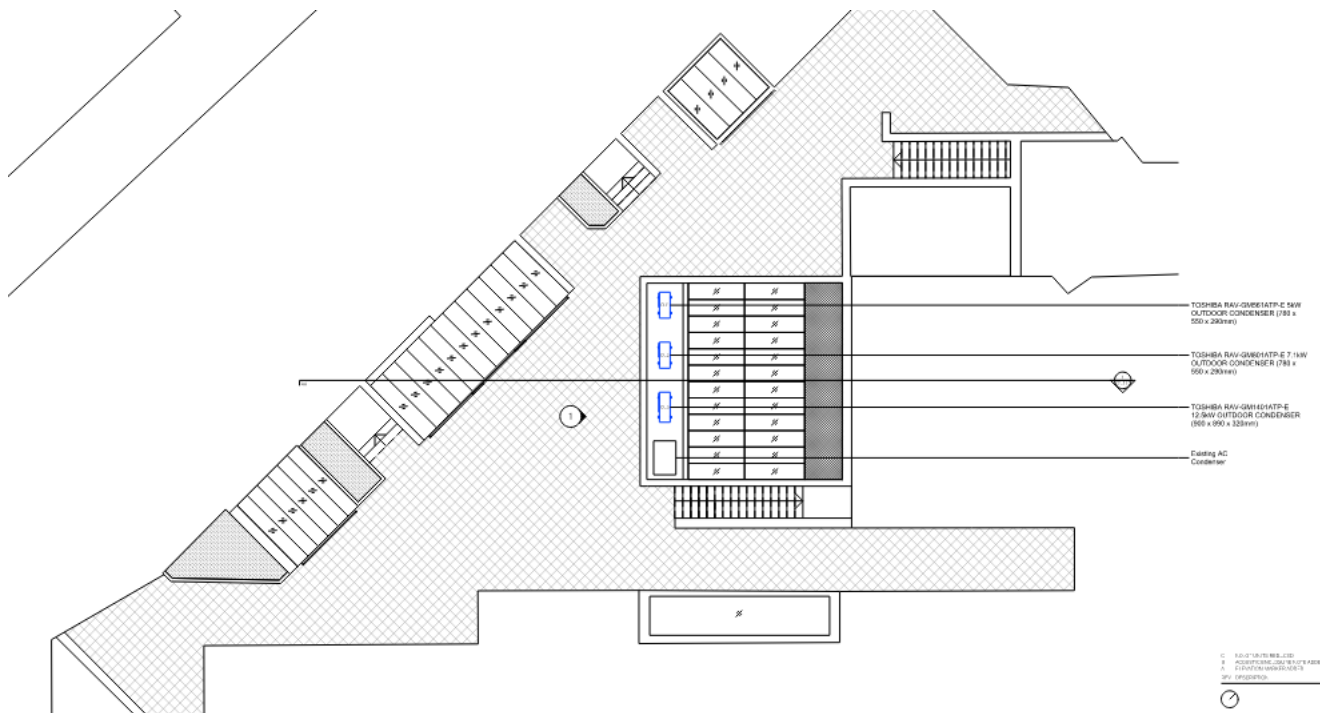


Image 6. Proposed roof plan with the revised three air condenser rather than the four previously proposed.



Image 7. Existing elevation drawing.

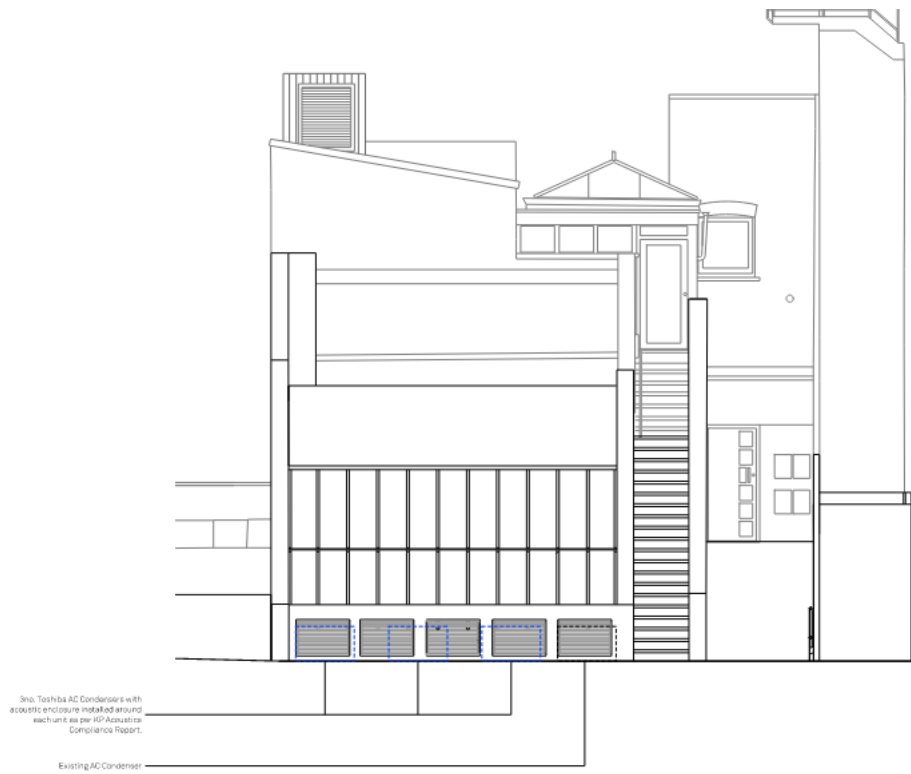


Image 8. Proposed elevation drawing.

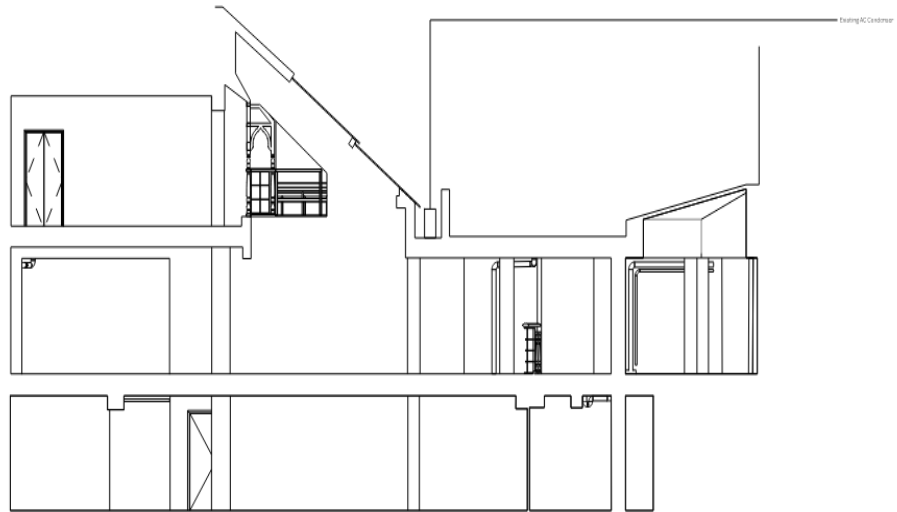


Image 9. Existing section detail.

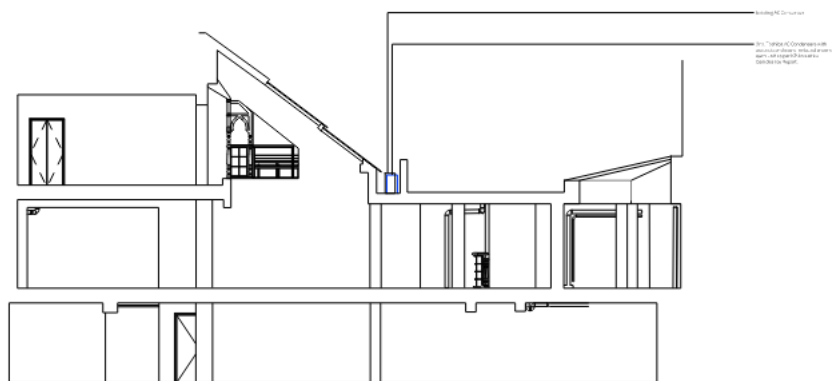


Image 10. Proposed section detail.

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		01/01/2026	
		N/A / attached		Consultation on Expiry Date:		28/12/2025	
Officer				Application Number(s)			
Obote Hope				2025/5035/P			
Application Address				Drawing Numbers			
Seven Dials Court 3 Shorts Gardens London WC2H 9AT				Refer to decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of three air condenser units within an associated enclosure within the residential courtyard at first floor level.							
Recommendation(s):		Grant Conditional Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	08	No. of objections	07

Summary of consultation responses:

Site notices were displayed near to the site on the 28/11/2025 (consultation end date 22/12/2025).

The development was also advertised in the local press on the 04/12/2025 (consultation end date 28/12/2025).

An objection was received from Flat 8, Seven Dials Court 3 Shorts Gardens and is summarised as below:

1. The operation of four air condenser units, particularly without acoustic housing, will generate significant noise and 8 AM to 12:30 AM.
2. The proposal would severely affect our quality of life.
3. The absence of acoustic housing raises serious concerns
4. the impact on neighbouring residents has not been adequately addressed in this proposal.

Officers' response:

- *Points 1-4 are addressed in the amenity section which is located in section 3.1 to 3.9.4 below:*

An objection was received from Flat 24, Seven Dials Court Shorts Gardens and is summarised as below:

1. We are already bothered by a single unit that operates limited hours for a shop 12-7.30;
2. My partner and I also regularly use the outdoor courtyard and we will not be able to do this is hot air and restaurant smells;
3. A neighbour suggested another location near the bike racks which would be less disruptive to surrounding flats and also allow us to use the central part of our courtyard;
4. The application does not make clear that acoustic housing will be used;
5. My flat looks onto a narrow passageway where sound echoes around and hence this is not appropriate to add machinery there.

Officers' response:

- *Points 1-4 are addressed in the Amenity section which is located in section 3.1 to 3.9.4 below*

An objection was received from Flat 4, Seven Dials Court 3 Shorts Gardens and is summarised as below:

1. I do not want the restaurant to add 4 air conditioners right opposite my flat. It will be noisy, and they seem to want to run from early morning to late at night - not acceptable;
2. There could be food smells from restaurant too;
3. My flat has no private outdoor space and rely on the courtyard.

Officers' response:

- *Points 1-4 are addressed in the Amenity section which is located in section 3.1 to 3.9.4 below*

An objection was received from Flat 7, Seven Dials Court 3 Shorts Gardens and is summarised as below:

1. The courtyard is private residential area and not a suitable location for noisy air conditioning units;
2. The units should be in a commercial area next to the restaurant;

Officers' response:

- *Points 1-4 are addressed in the Amenity section which is located in section 3.1 to 3.9.4 below*

An objection was received from Flat 18, Seven Dials Court Shorts Gardens and is summarised as below:

1. Object against moving noisy and hot air conditioning units from a commercial passageway in specific housings to the centre of the only outdoor amenity space for 23 homes;
2. The idea that air conditioning units were previously there (pre 2020) is not relevant;
3. 4 residential homes into this crowded area, converting retail storage space to residential;
4. The proposed units faces the properties only non-street facing windows (23 and 24) so they will not be able to open windows and sleep soundly in summer;

Officers' response:

- *Points 1-3 are addressed in the Amenity section which is located in section 3.1 to 3.9.4 below*
- *The relationship between the proposed condenser units and the non-street-facing windows serving Flats 23 and 24. In response, it is noted that the units would be semi-enclosed at roof level and positioned against the backdrop of the roof of the existing ground-floor commercial unit. This siting provides both physical screening and acoustic shielding, limiting the potential for noise propagation towards nearby residential windows.*

An objection was received from Flat 17, Seven Dials Court, 3 Shorts Gardens and is summarised as below:

1. Any air conditioning needs mufflers and acoustic housing which I cannot see on the proposal.

Officers' response:

- *Points 1-4 are addressed in the Amenity section which is located in section 3.1 to 3.9.4 below*

An objection was received from Flat 19, Seven Dials Court Shorts Gardens and is summarised as below:

1. If despite objections permission is granted it should be subject to the following conditions;

2. windows, doors or other apertures which open on to, or are above, the courtyard of Seven Dials Court must not be opened at any time other than in an emergency;
3. music or amplified must not be emitted from the premises so as to be audible in Seven Dials Court courtyard, or the flats whose windows open on to it or on the terraces of flats above it;
4. the plant equipment must not be operated during the hours 23.00-0700;
5. the operations of the plant equipment after installation must be tested by a qualified sound engineer (i) before opening of the premises to customers (ii) after 6 months (iii) and thereafter every 3 years and (iv) the results to be supplied to LB Camden and immediately made available to the public;
6. customers must not be admitted to the premises unless the tests described above in (4) have been carried out and confirmed that the noise generation from the equipment is no greater than assumed in KP Acoustic report 31283.PCR.01;
7. I would have been happy, and remain happy, for a background noise assessment to be taken from my terrace and outside my bedroom window;
8. The operation of this plant would cause harm to the amenity of me and other residents of Seven Dials Court. The noise effects on my flat have not even been assessed;
9. The LB Camden statutory Local Plan Policy at 6.88 suggest that noisy equipment from commercial premises should be physically separated from residences. This proposed equipment should not be located in the first floor residential courtyard;

Officers' response:

- *These points are addressed in the Amenity section in 3.1 to 3.9.5 below.*

A comment in support was received from Flat 19, Seven Dials Court Shorts Gardens and is summarised as below:

- Support to the location of plant which has accommodated plant for over 15 years without any recorded noise complaints or adverse impacts on neighbouring residents.
- It should also be noted that such plant is essential to support a viable restaurant use in this location; without it, the unit is likely to remain vacant.

Officers' response:

- *These comments have been taken into account in the consideration of this application.*

<p>Local groups comments:</p>	<p>The Covent Garden Community Association (CGCA) objected on the following grounds;</p> <ol style="list-style-type: none"> 1. The proposal would place 4 large air conditioning units to serve the restaurant, right in the middle of the quiet communal garden area for this residential development. 2. We express amenity concerns in three main areas: Heat / extraction pollution; plant noise leading to nuisance; and harm to the appearance of the area. 3. We have suggested a possible way forward, involving re-siting the units in a position that we believe has been agreed in principle by the applicants and their technical consultants, and involving controlled hours of operation. <p><i>Officers' response:</i></p> <ul style="list-style-type: none"> • <i>All the objections raised above are addressed in the amenity section below in paragraphs 3.1 to 3.9.5 below.</i>
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Site Description

Seven Dials Court is a four-storey mixed-use development comprising residential and commercial accommodation, constructed circa 1979. The frontage to Shorts Gardens (Nos. 3–15) incorporates commercial uses at basement and ground floor levels, with residential accommodation above. The wider complex includes Nos. 4 to 5 Neal's Yard and 29 to 39 Monmouth Street, forming part of the Seven Dials Court estate. The application site occupies the northern corner of the Seven Dials Court complex and sits immediately adjacent to No. 3 Neal's Yard.

The site itself comprises a restaurant use at basement and ground floor levels. It is positioned beneath a first-floor pedestrian walkway that serves the residential block above, resulting in a partially enclosed streetscape at lower levels. The host building is neither statutorily listed nor included on the local list. Nevertheless, it is situated within the Seven Dials Conservation Area.

Relevant History

2025/5020/P – Planning permission for the reinstatement of glazed rooflights at ground floor roof level. **Granted** 08/05/2026.

2020/4399/P – Planning permission for the installation of replacement internal extract duct and associated new external access hatches to north-western side elevation, and replacement plant enclosure on main roof. **Granted** 05/01/2021.

2016/6916/P – Planning permission for the erection of two-storey infill extension at first and second floor level to provide 1 x 1 bed flat (Class C3), new residential entrance to Seven Dials Court and installation of new shopfront at ground floor to existing restaurant (Class A3). **Granted** subject to a S106 legal agreement 04/05/2017.

2013/4861/P – Planning permission for the erection of two-storey infill extension at first and second floor level to provide 1 x 1 bed flat (Class C3), new residential entrance to Seven Dials Court and installation of new shopfront at ground floor to restaurant (Class A3). **Granted** subject to a S106 legal agreement 01/05/2014.

PSX0005445 – Planning permission for infill development including new residential access and 1 x 1 bedroom dwelling (Class C3). **Granted** subject to a S106 legal agreement 09/10/2002 4-5 Neal's Yard (same site)

4-5 Neal's Yard (same site)

2014/3399/P – Planning permission for the use as either continued restaurant (Class A3) or retail (Class A1) at basement, ground and first (mezzanine) floors. **Granted** 09/07/2014

2004/2674/P – Planning permission for the flexible use for either restaurant (use class A3) or retail (use class A1) at basement, ground and first (mezzanine) floors. **Granted** 09/08/2004 29-39 Monmouth Street, 3-13 Shorts Gardens and 3, 4, 5 Neals Yard.

29-39 Monmouth Street, 3-13 Shorts Gardens and 3, 4, 5 Neals Yard

P14/53/B/28694 – Planning permission for the partial rehabilitation and partial redevelopment at 29-39 Monmouth Street, 3-13 Shorts Gardens and 3, 4, 5 Neals Yard, WC2, to provide residential accommodation, shops, restaurant, offices and purposes in accordance with the drawings. **Granted** 17/12/1979.

Relevant policies

National Planning Policy Framework (2024)

Draft National Planning Policy Framework (2025)

The London Plan (2021)

Camden Local Plan (2017)

- A1 Managing the impact of development
- A4 Noise and Vibration
- CC2 Adapting to Climate Change
- D1 Design
- D2 Heritage

Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Energy Efficiency and Adaptation (2021)

Seven Dials Conservation Area Statement

Draft Camden Local Plan

The council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). The Proposed Submission Draft Camden Local Plan was submitted to the Secretary of State for Housing, Communities and Local Government on the 3 October 2025 for independent examination, in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Plan will now be examined by a Planning Inspector.

Previously, the Council published the draft new Camden Local Plan for consultation in January 2024 and published an updated Proposed Submission Draft Camden Local Plan for consultation from 1 May to 27 June 2025.

The Proposed Submission Draft Local Plan is a significant material consideration in the determination of planning applications but has limited weight at this stage. The weight that can be given to an emerging plan increases as it progresses towards adoption. In line with paragraph 49 of the National Planning Policy Framework (NPPF), the degree of weight to be given is a matter for the decision-maker, having regard to the stage of preparation, the extent of unresolved objections, and the consistency of the draft policies with the NPPF.

Assessment

Background

- 1.1 The site underwent comprehensive redevelopment in 1979, which involved a combination of partial refurbishment and partial redevelopment of Nos. 29 to 39 Monmouth Street, 3 to 13 Shorts Gardens, and 3 to 5 Neal's Yard, WC2. The scheme culminated in the creation of a mixed-use development incorporating residential accommodation alongside a range of commercial uses, including shops, restaurants, offices, and other ancillary functions. Further detail regarding the evolution of the site is set out in the planning history section of this report.
- 1.2 As part of the 1979 redevelopment, air-conditioning condenser units were installed at first-floor roof level. The units are located behind the parapet wall, running alongside the glazed roof adjacent to the external staircase. The existing mechanical units are partially enclosed within a pre-existing structure serving the restaurant accommodation below.



Figure 1. Showing the existing plant enclosure along the glass roof.

Land use

- 1.3 The unit has been in Class E use and was formerly a restaurant, however the site is currently vacant. The ground floor area occupies the full extent of the ground floor spanning into a courtyard area with the main entrance located off Shorts Gardens. The agent confirmed that during the Covid-19 pandemic, the restaurant vacated the premises, and the landlord subsequently undertook refurbishment works to the unit, which included the removal of the former AC condensers to allow the new incoming tenants to install their own equipment.

Revision

- 1.4 During the course of the application, the proposal was revised following further review and discussion. As a result of this amendment, the number of proposed air-conditioning condenser units has been reduced. The scheme now seeks consent for the installation of three condenser units, rather than the four units originally proposed. This revision represents a refinement of the scheme, reducing the overall quantum of mechanical plant.

Considerations

1.5 The main issues to be considered are:

- Design and heritage
- Impact on neighbouring amenity
- Sustainability

Design and Heritage

- 2.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.
- 2.2 The Seven Dials Conservation Area Statement identifies the preservation of these historic characteristics as central to maintaining the area's special architectural and historic interest. It specifically highlights that development which results in the loss of original features, proposal that also introduces incongruous design, or otherwise fails to respond sensitively to the established historic context is likely to be harmful to the character and appearance of the conservation area. Accordingly, any proposals affecting sites within Shorts Gardens must demonstrate a high standard of design that both preserves and enhances the significance of the conservation area.
- 2.3 Planning permission is sought for the installation of three new air-conditioning condenser units within an existing enclosure located in the residential courtyard at first-floor level. These units would replace condenser equipment that was previously installed and have been designed to be accommodated within the same general footprint and established service area.
- 2.4 The proposed condenser units would be installed in an existing location to serve the operational requirements of the new restaurant tenant. Their siting within the existing enclosure ensures continuity with previous arrangements and avoids the introduction of additional or visually prominent plant elsewhere on the site. The proposal therefore represents a contained and minor intervention that utilises existing infrastructure while maintaining the character and appearance of the surrounding residential courtyard and wider development.
- 2.5. As outlined in the background section above, the proposal would be installed within an established and largely enclosed location in the courtyard serving the residential flats. In this context, the siting of the mechanical equipment would not result in any harmful impact on the character, appearance, or visual amenity of the surrounding development. Furthermore, the proposed air condenser units would be approximately half the size of the existing unit, resulting in a reduced visual presence and a more discreet form of development.
- 2.6. Moreover, the applicant's agent has confirmed that these alternatives would be subject to greater technical, spatial, and acoustic constraints. In particular, the identified alternative location within the courtyard would necessitate the removal of existing cycle parking provision and would result in the units being positioned closer to nearby residential accommodation. This arrangement would be likely to give rise to increased noise and amenity impacts when compared with the proposed location.
- 2.6. As a result, the development would have no adverse impact on the character and appearance of the immediate area or wider conservation area. The discreet siting of the units ensures that they remain

visually contained within the site and preserves the external appearance of the host building and its wider setting.

- 2.7. In summary, the proposed air condenser units are considered acceptable when assessed against the requirements of Policies D1 and D2 of the Local Plan 2017. The equipment would be discreetly located within an established courtyard area and would not result in any material harm to the character, appearance, or visual quality of the host building or wider conservation area. The reduced scale of the proposed units, being approximately half the size of the existing condenser, further minimises their visual impact and ensures a subordinate and unobtrusive form of development. Accordingly, the proposal accords with Policy D2 by achieving a high standard of design that respects its surroundings and preserves local amenity.
- 2.8. The Council has paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Neighbouring amenity

- 3.1 Local Plan Policy A1 seeks to safeguard the amenity of Camden's residents by requiring full consideration of the impacts of development on existing occupiers and neighbouring properties. The policy aims to protect the quality of life of residents by ensuring that permission is only granted for development that would not result in harm to residential amenity. In assessing proposals, particular regard is given to potential impacts such as overlooking, loss of privacy, impacts on sunlight and daylight, overshadowing, noise pollution and the effect on outlook.
- 3.2 The proposal comprises air conditioning units intended solely for cooling. They do not function as extract ventilation and would not discharge fumes, odours, or emissions. No flues, ductwork, or extraction equipment are proposed.
- 3.3 It is duly noted that the air condenser unit would be located within the courtyard serving the residential flats. The former commercial floorspace was converted to residential use in 2014 under planning permission 2013/4861/P, which has increased the number of noise-sensitive receptors within the site. This context has been carefully considered in the assessment of the proposal, particularly in relation to noise and residential amenity. Whilst the external courtyard space is relatively constrained, the siting of the plant area has been arranged so that it would not hinder the continued use or function of the shared external amenity space. The location and footprint of the equipment would therefore not prejudice residents' ability to enjoy the courtyard, nor would it materially detract from its usability or amenity value. The location of the proposed condenser units in relation to noise sensitive receptors is shown in Figure 2 below.
- 3.4 Alternative locations were assessed but are constrained by existing plant, space limitations, and technical requirements. The reduction in units from four to three further minimises impact, making the proposed location the most suitable and least harmful option.
- 3.5 The proposal would not result in unacceptable impacts on residential amenity. The units are positioned discreetly and are supported by a Noise Impact Assessment (NIA), which demonstrates that noise has been appropriately mitigated, including tonal and low-frequency elements. The development would not give rise to a statutory nuisance.

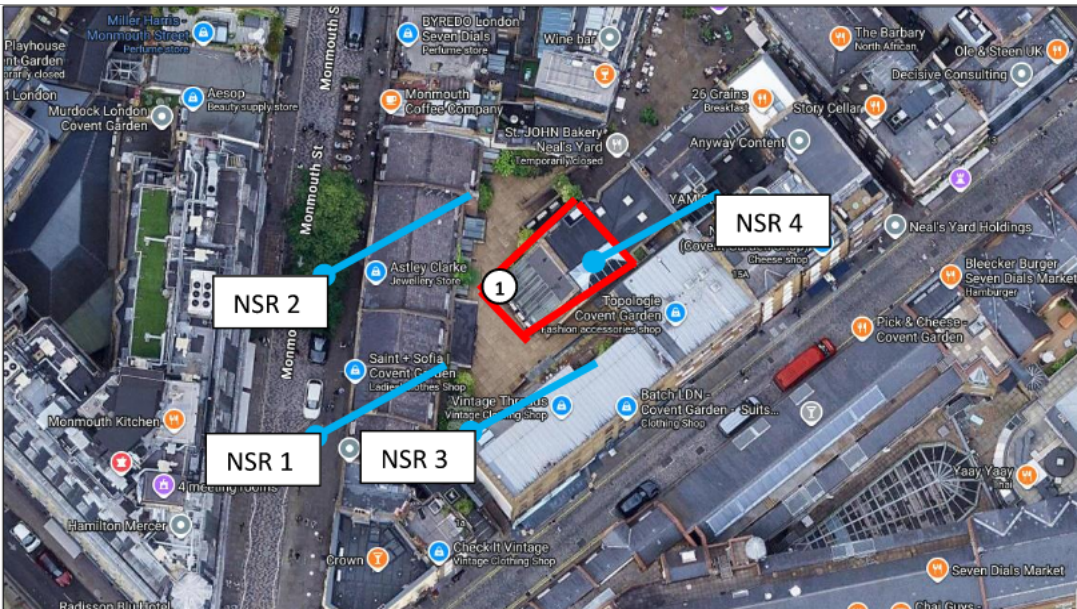


Figure 2. Aerial view of the site to provide context with the Noise sensitive area.

3.6 The units would be installed at roof level and assessed against the existing background noise environment. The NIA confirms that, with mitigation in the form of a semi-enclosed structure with a weatherhood (see Figure 3), noise emissions would remain within acceptable limits and comply with Council standards.



Figure 3. Showing the semi-covered enclosed, it's proposed to cover this area with top panel/weatherhood

- 3.7 Due to their siting, enclosure, and separation from nearby flats (including Flats 23 and 24), the units would not result in undue disturbance. Occupiers would be able to continue to enjoy acceptable living conditions.
- 3.8 Existing plant does not form part of this application but has been considered in establishing baseline noise levels. Any new or replacement equipment would be controlled via planning conditions to ensure compliance with noise standards.
- 3.9 While the proposal does not include a separate acoustic screen, the submitted Noise Impact Assessment (NIA) confirms that the existing enclosure has been specifically designed to mitigate tonal, impulsive, and low-frequency noise. This design ensures that the operation of the condenser units would not give rise to a statutory nuisance nor result in adverse impacts on residential amenity, including during more sensitive evening periods. On this basis, the applicable noise criterion has been identified as 36 dB(A). The accompanying noise calculations demonstrate that, once installed with the proposed acoustic mitigation measures, the condenser units would operate below this threshold and would therefore comply with the Council's noise requirements.
- 3.9.1 In addition, planning conditions are attached to ensure that the external noise level emitted from the plant, machinery, and associated equipment does not exceed the Council's noise criteria. Specifically, conditions require that the rating level of noise from all plant operating together at maximum capacity shall be at least **10 dB(A) below the lowest existing background noise level**, or **15 dB(A) below where the noise source is tonal**, when assessed in accordance with *BS 4142:2014+A1:2019*, "Methods for rating and assessing industrial and commercial sound", at the nearest and/or most affected noise-sensitive premises.
- 3.9.2 Notwithstanding the above a post-installation noise assessment shall be carried out to confirm compliance with these criteria, and where necessary, additional mitigation measures shall be implemented to further reduce noise levels. These controls ensure that the operation of the condenser units would not give rise to a statutory nuisance nor adversely affect residential amenity, including during sensitive evening and night-time periods.
- 3.9.3 The submitted Noise Impact Assessment has been independently reviewed by the Council's Environmental Health Team, who have confirmed that the proposed development is acceptable in noise terms, subject to the imposition of appropriate noise attenuation and anti-vibration conditions. It is considered that the proposed development would not give rise to any significant harm to the residential amenities of neighbouring occupiers. In particular, having regard to its siting, scale, and the proposed mitigation measures, the development would not result in unacceptable impacts in terms of noise, outlook, or general disturbance. The proposal is therefore considered to accord with Policies A1 and A4 of the Camden Local Plan 2017, which seek to protect residential amenity and ensure that development does not adversely affect the quality of life of existing residents.

Sustainability

- 4.1 Policy CC1 of the Camden Local Plan (2017) requires development proposals to minimise the impacts of climate change and to achieve the highest feasible environmental standards that are both technically and financially viable during operational and occupation. In addition, Policy CC2 requires development to be resilient to the anticipated effects of climate change, with appropriate adaptation measures incorporated to address future risks, including overheating.
- 4.2 An Overheating Assessment has been submitted in support of the application. The assessment confirms that, notwithstanding the application of passive design measures in accordance with the cooling hierarchy, the commercial units within the site would remain at risk of overheating. The report therefore concludes that passive measures alone are insufficient and that active cooling is necessary to adequately mitigate the identified overheating risk at this location. The Council's Sustainability Team has reviewed the submitted assessment and is satisfied that the need for

active cooling to support the proposed restaurant use has been robustly justified and accords with Policies CC1 and CC2 of the Camden Local Plan.

5.0 **Recommendation**

5.1 Grant conditional planning permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 22nd June 2026, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2025/5035/P
Contact: Obote Hope
Tel: 020 7974 2555
Email: Obote.Hope@camden.gov.uk
Date: 16 June 2026

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

Monmouth Planning Ltd
38A Monmouth Street
LONDON
WC2H 9EP

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Seven Dials Court
3 Shorts Gardens
London
WC2H 9AT**

DECISION

Proposal: Installation of three air condenser units within an associated enclosure within the residential courtyard at first floor level.

Drawing Nos: 0049_07_010 REVA; 049_07_011; 049_07_000 REVA; 049_07_001 REVA; 049_07_101 REVC; 049_07_110 REVC; 049_07_111 REVB; Site location plan; Planning Compliance Report by KP Acoustics dated 31.10.2025 and Dynamic Simulation Report by HIBEC dated 24.03.2026.

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: 0049_07_010 REVA; 049_07_011; 049_07_000 REVA; 049_07_001 REVA; 049_07_101 REVC; 049_07_110 REVC; 049_07_111 REVB; Site location plan; Planning Compliance Report by KP Acoustics dated 31.10.2025 and Dynamic Simulation Report by HIBEC dated 24.03.2026.

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 the first use of the proposed air condenser units, details shall be submitted to and approved in writing by the Council demonstrating the external noise levels emitted from all plant, machinery, and equipment, together with any mitigation measures required. The approved measures shall ensure that the rating level of noise emitted from the plant, with all machinery operating together at maximum capacity, is at least 10 dB(A) below the lowest existing background noise level, or at least 15 dB(A) below where the noise source is tonal, when assessed in accordance with BS 4142:2014+A1:2019 - Methods for rating and assessing industrial and commercial sound, at the nearest and/or most affected noise sensitive premises. A post installation noise assessment shall be undertaken to confirm compliance with these criteria. Where necessary, additional mitigation measures shall be installed to achieve the required noise levels. All approved measures shall be implemented prior to occupation of the development and shall thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise from mechanical installations and equipment, in accordance with Policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 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 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).
- 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.

- 4 Biodiversity Net Gain (BNG) Informative (1/3):
The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun due to the proposal being subject to the de minimis exemption.

- 5 Biodiversity Net Gain (BNG) Informative (2/3):
+ Summary of transitional arrangements and exemptions for biodiversity gain condition
The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:
 - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
 - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
 - The application is a Householder Application.
 - It is for development of a "Biodiversity Gain Site".
 - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
 - It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

6 Biodiversity Net Gain (BNG) Informative (3/3):

+ Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

+ The effect of section 73(2D) of the Town & Country Planning Act 1990

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

+ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

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

Yours faithfully

Chief Planning Officer

DRAFT

DECISION