

Application ref: 2023/4331/P  
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Date: 27 February 2024

**Development Management**  
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Spring Planning Ltd  
The Stanley Building  
7 Pancras Square  
London  
N1C 4AG

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:

**22-26 Vine Hill**  
**7 Warner Yard and 14 Rosebery Avenue**  
**London**  
**EC1R 5DZ**

Proposal:

Amendments to the orientation of the acoustic enclosure and stair access on the roof of the ground floor rear extension, reconfiguration of the louvre within the first floor window on the eastern elevation and change to the materials of gate as a variation to condition 3 (approved plans) and condition 7 (details of gates) of planning permission ref 2022/0342/P dated 12/10/2022 as amended by a variation to 2021/1150/P dated 05/10/2021 (External alterations to the existing building including new rooflights and 4 air conditioning units with lowering of the roof of no. 7 Warner Yard, 4 air conditioning units with associated timber enclosure within the courtyard, replacement windows, creation of new entrance on Vine Hill and Warner Yard, enlargement of existing lower ground and upper ground floor openings on the Vine Hill, Warner Yard and courtyard elevations, infilling of lightwell and installation of pavement lights fronting Rosebery Avenue, creation of bin store area to main entrances, new cycle parking, landscaping of the courtyard and other minor works)

Superseded drawing nos:

1134\_PL-GA-00 rev P2; 1134\_PL-GA-00 rev P3

Proposed drawings nos:

1134 PL-GA-00 rev P3; 1134 PL-GE-01 rev P4; 1134 PL-ED-10 rev 02.

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 the original planning permission ref 2022/0342/P dated 12/10/2022.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 For the purposes of this decision, condition no. 3 of planning permission 2022/0342/P shall be replaced with the following condition:

#### REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans:

1134\_PL-S-00 rev P1; 1134\_PL-EX-RF rev P1; 1134\_PL-EX00 rev P1;  
1134\_PL-EE-01 rev P1; 1134\_PL-EE-02 rev P1; 1134\_PL-EE-03 rev P1;  
1134\_PL-GA-00 rev P3; 1134\_PL-GE-01 rev P4; 1134\_PL-GE-02 rev P2;  
1134\_PL-GE-03 rev P2; 1134\_PL\_DE-01 rev 01; 1134\_PL\_DE-02 rev 01;  
1134\_PL\_ED-60 rev 01; 1134\_PL\_ED-61 rev 01; 1134\_PL-ED-10 rev 02.

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

- 4 Details of pavement lights (Condition 4a), details of all timber acoustic enclosures (Condition 4b), details of facing materials (Condition 4c) and details of proposed gate (Condition 7) of planning permission shall be carried out in accordance with details secured under ref 2022/4710/P dated 11/07/2023.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical existing background noise level by at least 10dBA, or by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

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.

- 6 Before the use commences, the air-conditioning plant 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. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

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.

- 7 The external gate hereby approved shall be constructed in accordance with the details as set out on approved drawing no: 1134\_PL-ED-10 rev 02.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The proposal includes changes to the orientation of the 6 air conditioning units from a vertical to horizontal orientation and re-orientation of the external stair access that were approved on the roof of the existing rear extension under ref 2022/0342/P. The height and size of the units would remain unchanged. Due to the limited public views of the rear extension from the surrounding streets this change would not be considered to have a harmful impact on the character or appearance of the building or the streetscene.

The approved louvre within the first floor level window on the eastern elevation would be amended from the top part of the window to the side of the window. This minor change is considered acceptable.

As part of the original planning permission (ref 2021/1150/P) the access gates into the external courtyard were originally proposed to be timber. This material was not considered appropriate due to the historic nature of the street and a condition was attached requiring the gate to be constructed from metal. The details of the metal gates which included a timber slat side panel were discharged under ref 2022/4710/P. Due to difficulties securing an appropriate design solution it is now proposed to construct the gate using a metal frame but change the vertical battens of the external gate from galvanised and patinated metal to timber solid larch in semi-transparent concrete grey finish. This would match the materials and finish of the approved bin and bike store within the Vine Hill courtyard area. The spacing between the vertical timbers would be increased from 10mm to 20 mm. The overall appearance of the gate would be consistent with the materials used within the rest of the development and is be considered acceptable. The Council's Conservation officer has reviewed the information and is satisfied with the details.

In order to reflect the proposed change to the materials of the gate the wording of condition 7 is required to be amended from a notwithstanding condition to a compliance condition and would read "the external gate hereby approved shall be constructed in accordance with the details as set out on approved drawing no: 1134\_PL-ED-10 rev 02".

Details of pavement lights (Condition 4a), details of all timber acoustic enclosures (Condition 4b), details of facing materials (Condition 4c) and details of proposed gate (Condition 7) of planning permission ref 2022/0342/P dated 12/10/2022 were submitted and approved in July 2023 (ref 2022/4710/P). No further details are required and the wording of the condition would be amended to reflect this.

The roof of the 2 storey part of the building is partially overlooked by the residential flats above in Rosebery Square East that front onto Rosebery Avenue. The proposed amendments are not considered to introduce any new amenity impacts by way of loss of outlook, daylight or privacy or noise intrusion and would be considered acceptable.

No objections have been received during the course of the application. The planning and appeal 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 TC1, TC2, TC4, A1, A4, D1, D2, T1, T2 and T4 of the London Borough of Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2021 and the National Planning Policy Framework 2023.

- 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 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).

- 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](http://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 2023.

You can find advice about your rights of appeal at:

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

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully



Daniel Pope  
Chief Planning Officer