

Delegated Report		Analysis sheet		Expiry Date:		31/08/2012	
		N/A / attached		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Hugh Miller				2012/3511/P			
Application Address				Drawing Numbers			
Tesco Metro 23 Swains Lane London N6 6QX				See draft notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Details of the maintenance plan pursuant to condition 8 of Planning Permission dated 15/11/2011 (ref: 2011/4403/P) for the replacement of existing plant machinery and acoustic enclosure and installation of new plant machinery (condenser unit (x1), air conditioning units (x3) and internal compressor) and associated bespoke acoustic enclosure to rear of retail shop (Class A1).							
Recommendation(s):		Discharge condition 08					
Application Type:		Approval of Details					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		n/a.					
CAAC/Local groups* comments: *Please Specify		n/a.					

Site Description

A 3-storey end of terrace property situated on the north side of Swains Lane at the junction with Hillway. The application building has retail at ground floor level plus storage space within its rear yard with by a canopy structure. Residential flats occupy the upper floors immediately above. The host building is within a retail parade, which is a designated Neighbourhood shopping centre. The building is not listed. The building is within Holly Lodge Estate C.A.

Relevant History

In August 2010, a local resident complained to the Council regarding the noise emanating from the unit within the rear yard. This complaint was subsequently passed on to Tesco Express who sought to replace the plant equipment which, following investigation, was found to be faulty **and for which planning permission was required.**

As the plant machinery was not operating in accordance with the conditions of the extant permission, Tesco were made aware that a new planning permission would be required for replacement plant machinery.

In July 2011, the Council served the applicant with a Noise Abatement Notice (July 1 2011) from relating to plant equipment installed following the grant of permission in 2007; the Council have given a 150 day compliance period.

November 2011 – PP Granted - Replacement of existing plant machinery and acoustic enclosure and installation of new plant machinery (condenser unit (x1), air conditioning units (x3) and internal compressor) and associated bespoke acoustic enclosure to rear of retail shop (Class A1); ref. 2011/4403/P; subject to conditions in particularly condition 08:

Relevant policies

LDF Core Strategy

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

Development Policies

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP28 (Noise and vibration)

CPG 2011

Holly Lodge Estate Conservation Area Statement

NPPF 2012

Assessment

On 15/10/2011, the Council granted planning permission of the replacement of the existing plant machinery and acoustic enclosure and installation of new plant machinery (condenser unit (x1), air conditioning units (x3) and internal compressor) and associated bespoke acoustic enclosure to rear of retail shop premises. The pertinent condition 08 state the following:

Within one month of the installation of the plant hereby approved a maintenance plan shall be submitted for approval in writing by the Local Planning Authority. The plant shall thereafter be regularly maintained in effective order in accordance with this plan.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.

The substantive maintenance plan includes four headings; **a]** Plant & Equipment; **b]** Minimum Standard; **c]** Tasks to be completed; and **c]** Frequency.

The Maintenance Plan document comprises 4.5 pages of detail schedule of works to be carried out for which a sample of its contents is referred to below:

6 Month Maintenance Schedule:

Plant and Equipment	Minimum Standard	Tasks to be completed	Frequency
Compressors	Check all compressors run and fixings are secure.	Ensure all compressor control circuits and contactors are functioning and compressors are running satisfactory. Visually inspect to ensure all compressor fixings are in place and secure inline with the Copeland maintenance documentation.	6 Monthly
Oil	Carry out oil test	Take oil sample (one shot test). SOP required which should cover the next step if the oil is out of spec. It should also cover the disposal of the old oil. Add to SOP that, if there are no sample points, these should be fitted when taking the oil sample. SOP required.	6 Monthly
Refrigerant & Oil Levels	Check Refrigerant and oil levels	Check refrigerant levels are sufficient for correct operation. Ensure oil level is correct in all compressors and oil reservoir.	6 Monthly

The maintenance plan indicates a course of action which when implemented would identify and provide remedial solutions to ensure the plant and machinery can function without causing noise nuisance to the residential occupiers on the upper floors of the application building. It is considered therefore that the implementation of the maintenance service would be in accordance with the Council's policy LDF DP26 and CPG guidelines and it is acceptable.

Recommendation: Discharge condition 08.

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