

Mr Ben Muir  
Avalon Built Environment  
Parndon Mill  
Parndon Mill Lane  
Harlow  
Essex  
CM20 2HP

Application Ref: **2012/1478/P**  
Please ask for: **Gideon Whittingham**  
Telephone: 020 7974 **5180**

12 June 2012

Dear Sir/Madam

## **DECISION**

Town and Country Planning Acts 1990 (as amended)  
Town and Country Planning (General Development Procedure) Order 1995  
Town and Country Planning (Applications) Regulations 1988

### **Full Planning Permission Granted**

Address:  
**163 Fortress Road**  
**London**  
**NW5 2HR**

Proposal:  
Erection of single storey rear extension at ground floor level to existing hot food takeaway (Class A5), plus installation of plant with 2 condenser units on its flat roof  
Drawing Nos: SCA 1041 LP REV A; A0030-A-01- REV F; Environmental Noise Assessment - April 2102 - produced by Acoustic Plus (102169.ph.04.12.Issue1);

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 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 CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans SCA 1041 LP REV A; A0030-A-01- REV F; Environmental Noise Assessment - April 2102 - produced by Acoustic Plus (102169.ph.04.12.Issue1).

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

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(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 facade shall be at least 10dB(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 policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Automatic time clocks shall be fitted to the equipment/machinery hereby approved, prior to commencement of the use of the units, to ensure that the plant/equipment does not operate between 24.00 hrs and 09.00 hrs on Mondays to Saturdays and between 23.00 hrs and 09.00 hrs on Sundays. The timer equipment shall be properly maintained and retained permanently thereafter.

Reason:- To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the

London Borough of Camden Local Development Framework Core Strategy and policies DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).
- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your attention is drawn to the need for compliance with the requirements of the Licensing Act 2003, particularly in respect of the increase in capacity of the commercial premises.
- 4 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 5 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 6 Reasons for granting permission.

The proposed development is in general accordance with the policy requirements

of the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS1 (Distribution of growth), CS5 (Managing the impact of growth and development), CS7 (Promoting Camden's centres and shops), CS13 (Tackling climate change through promoting higher environmental standards), CS14 (Promoting high quality places and conserving our heritage); the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses), DP22 (Promoting sustainable design and construction), DP24 (Securing high quality design), DP25 (Conserving Camden's heritage), DP26 (Managing the impact of development on occupiers and neighbours), DP28 (Noise and Vibration). For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officer's report.

- 7 You are reminded that the hours of operation of the lawful use here should be 9am to midnight Mondays to Saturdays and 9am to 11pm on Sundays, as required by condition 1 of planning permission dated 5.7.06 (ref 2006/1663/P). You are also advised that this means that no customers shall be on the premises and no activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted times.

**Disclaimer**

***This is an internet copy for information purposes. If you require a copy of the signed original please telephone Contact Camden on (020) 7974 4444***