

Crispin Wright (ref. 3227/3)
ARP Anthony Richardson & Partners
31 Oval Road
London
NW1 7EA

Application Ref: **2010/0988/P**
Please ask for: **Elizabeth Beaumont**
Telephone: 020 7974 **2453**

27 April 2010

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:

190 Shaftesbury Avenue

London

WC2H 8JL

Proposal:

Replacement of extract fan (retrospective) and duct and new air-conditioning plant with associated acoustic enclosures on flat roof of the single storey rear extension in connection with restaurant use (Class A3).

Drawing Nos: Site location plan; 3227/PA1.22 Rev A; 3227/PA1.23 Rev A; 3227/PA2.24 Rev D; 3277 PA2.42 Rev C; 3227/PA2.43 Rev C; 3227/PA2.32 Rev B; 3227/PA1.32; Noise Levels and Plant Noise Assessment 26484C/HA Rev H.

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 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 are 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 façade 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 policies SD6 (Amenity for Occupiers and Neighbours), SD7B (Noise/vibration pollution), SD8 (Disturbance), Appendix 1 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 Prior to the operation of the air conditioning units, the acoustic installation/attenuation screening measures as specified in the approved drawings and associated acoustic report shall be installed. The acoustic screens shall be retained and maintained thereafter in effective order to the reasonable satisfaction of the Council.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies SD6 (Amenity for Occupiers and Neighbours), SD7B (Noise/vibration pollution), SD8 (Disturbance), Appendix 1 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans Site location plan; 3227/PA1.22 Rev A; 3227/PA1.23 Rev A; 3227/PA2.24 Rev D; 3277 PA2.42 Rev C; 3227/PA2.43 Rev C; 3227/PA2.32 Rev B; 3227/PA1.32; Noise Levels and Plant Noise Assessment 26484C/HA Rev H.

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

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts. 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 Planning and Public Protection Division (Compliance and Enforcement Team), Camden Town Hall, Argyle Street,

WC1H 8EQ (Tel. No. 020 7974 5613 or by email ppp@camden.gov.uk or on the website www.camden.gov.uk/pollution) 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 Reasons for granting permission.

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, with particular regard to policies SD6 (Amenity for occupiers and neighbours), SD7 (B) (Noise/vibration pollution), SD8 (A) (Disturbance from plant and machinery), B1 (General design principles), B3 (Alterations and extensions) and B7 (Conservation areas). For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

Disclaimer

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