

Martin Sigournay
Plan-It
2 Waterhouse Business Centre
Cromar Way
Essex
CM1 2QE

Application Ref: **2009/3487/P**
Please ask for: **Jenny Fisher**
Telephone: 020 7974 **2527**

3 November 2009

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:

Tesco Express
44-46 England's Lane
London
NW3 4UE

Proposal:

Installation of external ducting and ventilation equipment to replace existing, to the rear of existing shop (Class A1).

Drawing Nos: 5062P; 2721: P##1-500; RG4C Issue 4C; RG4# Issue 4#; ELEV2C Issue 2#; BB2C Issue 2C; BB2# Issue 2#; RG4# Issue 4#; ELEV2# Issue 2#; RF81917: SK004B; SK005B; NSL Noise assessment report dated 16th July 2009 and Email from Nigel Fowler dated 5th October 2009.

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 from plant and machinery) and Appendix 1 (noise and vibration thresholds) of the London Borough of Camden Replacement Unitary Development Plan 2006.

Informative(s):

- 1 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.
- 2 The existing equipment within the rear lightwell shall be removed within 2 months of the date of the decision notice. If you fail to remove the equipment within this time the Council may commence formal enforcement proceedings to remove the equipment to ensure its removal.

- 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; SD7; SD8A; B1; B7 and appendix 1. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officer's report.

- 4 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).

Disclaimer

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