

Ms Mary Duffy  
Lawtonduffy  
9 Holtspur Lane  
Wooburn Green  
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BUCKS  
HP10 0AA

Application Ref: **2009/3474/P**  
Please ask for: **Eimear Heavey**  
Telephone: 020 7974 **3060**

7 September 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:  
**240-242 Kilburn High Road**  
**London**  
**NW6 2BS**

Proposal:  
Change of use of ground and basement floors from retail (Class A1) to dance school (Class D2).

Drawing Nos: Sound Insulation Report: 0450/101; 0450/102; 0450/103: 0450/104 & 0450/105:

The Council has considered your application and decided to grant permission subject to the following conditions:

#### **Conditions and Reasons:**

- 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 No music shall be played or amplified sound made 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 policy SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 Prior to the first beneficial use of the development, the noise mitigation measures set out in the approved Sound Insulation Test Report prepared by Practical Solutions shall be completed and permanently maintained and retained as such.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy SD6 and SD7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 4 The use hereby permitted shall not be carried out outside the following times 11am to 10pm Mondays to Fridays and 10am to 8pm on Saturdays and Sundays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy SD6 and SD7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 5 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, SD7B and Appendix 1 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 6 Details of a cycle storage area for 6 cycles shall be submitted to and approved in writing by the Council. The approved facility shall be provided in its entirety prior to the first occupation of the Dance School, and thereafter permanently maintained and retained.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

#### Informatives:

- 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 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](mailto:ppp@camden.gov.uk) or on the website [www.camden.gov.uk/pollution](http://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 SD1 Quality of life; SD6 Amenity for occupiers and neighbours; SD7 Noise and vibration pollution; B1 General design principles; B4 Shopfronts; R7 Protection of shopping frontages and local shops; C1 New community uses; T1 Sustainable Transport; T3 Pedestrians and cycling. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officer's report.

### **Disclaimer**

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