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Durrani
 Archetype Ltd
 3 Manchester Square
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Application Ref: **2006/3489/P**
 Please ask for: **Charles Thuairé**
 Telephone: 020 7974 5867

20 December 2006

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 Subject to a Section 106 Legal Agreement

Address:
34A-36 Kilburn High Road
London
NW6

Proposal:

Retention of a new 5-storey plus basement building, comprising a basement Class D2 health club/snooker hall, ground floor Class A1 retail unit, 1st -3rd floors aparthotel (Class C1) comprising 38 suites, and 4th floor residential units (Class C3) comprising 11x 1 bed and 1x 2 bed self-contained flats, as a variation to planning permission granted on 12 April 2005 (PWX0302236) for erection of a new 5-storey plus basement building comprising a basement Class D2 health club/snooker hall, ground floor Class A1 retail unit, and 1st to 4th floors Sui Generis hostel for homeless people (in the form of 40 self-contained units with communal facilities).

Drawing Nos: Drawing No. 928-(01)-20; 928-(01)-21; 928-(01)-22; 928-(01)-23; 928-(01)-24; 928-(01)-25; 0202_91_200; 0202_91_201; 0202_sk_36; 0202_91_204; 0202_91_205; 0202_91_206; 0202_91_207; 0202_91_245A; 0202_sk_33; 0202_91_240A; 0202_sk_35; 0202_00_221a; 0202_00_241a; Schedule Of Floor Areas; General Management And Operation Structure; Planning Statement; Transport Assessment; letter from agent dated 24.11.06



The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 Notwithstanding the provisions of Class D2 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the proposed basement Class D2 unit shall only be used as a health club/ gymnasium or snooker hall and for no other purpose.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure etc, in accordance with policies SD6, SD7, SD5, and C3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 2 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 SD6 and C3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 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, SD8 and Appendix 1 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 4 The rear (eastern) ground floor access to the building from Springfield Lane shall not be used by the general public and shall only be used as an emergency exit or servicing entrance to and from all floors.

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.

- 5 The areas of the 3rd floor roof between no.6 Springfield Lane and the proposed flat no.412, as shown on drawing no. 928-01-250202-91-205, shall not be used as roof terraces.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies S1/ S2 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 6 The hotel suites on the 1st-3rd floors hereby approved shall only be occupied as short-term lets for periods of less than 90 days for purposes within Class C1 of the Town and Country Planning (Use Classes) Order 1987 and for no other purpose. They shall not be used as independent and separate selfcontained Class C3 dwellings.

Reason: To ensure that the future occupation of the building shall be in accordance with the intentions of the proposed scheme and with the Council's policy for hotels and housing as set out in policies H1, H2, H8 and C5 of the London Borough of Camden Replacement Unitary Development Plan 2000.

- 7 The obscure glazing that has been provided to the habitable windows of the 4th floor flats (nos. 401, 406, 411, 412) facing the internal lightwell, shall be permanently retained and maintained as such.

Reason: In order to prevent unreasonable overlooking between habitable rooms of the premises in accordance with the requirements of policies S1/ S2 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Informative(s):

- 1 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted.
- 2 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 S1, S2, SD1, SD2, SD3, SD5, SD6, B1, B2, T1, T2, T7, T8, H1, H7, H8, R1, R2, C3, C4, C5. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully


Culture and Environment Directorate
(Duly authorised by the Council to sign this document)